

The SBInet project produced a virtual fence only 53 miles long at a cost to the American taxpayers of one billion dollars. What can we expect from the project that replaced it, the Arizona Border Surveillance Technology Plan?

By Nolan Rappaport



A Border Patrol agent operates a portable radar-camera unit.

The Secure Border Initiative

The best laid schemes o' Mice an' Men Gang aft agley¹

The Secure Border Initiative (SBI) was a comprehensive plan to secure United States borders with Canada and Mexico. It included a virtual fence project called, the “Secure Border Initiative-Network” (SBInet). SBInet was supposed to cover the entire southwest border (and eventually the entire border) with a single, comprehensive, and tightly integrated surveillance system that would combine information from multiple sensors into one display. This would facilitate information sharing and enhance communication between headquarters and the Border Patrol agents in the field. Implementation of the SBInet program, which was initiated in 2006, required a mix of technology, cameras, radar, communications systems, satellite phones, and mounted laptop computers for agent vehicles; tactical infrastructure, such as fencing, vehicle barriers, roads, program staff, and Border Patrol agents; and ways to relocate operational assets and personnel quickly. CBP expected SBInet to provide real-time, integrated information about illegal crossings and other activities along the border.²

At a congressional hearing on June 7, 2007, Congresswoman Loretta Sanchez observed that SBInet was the third border technology program that CBP had launched. CBP was claiming that this time, the outcome would be very different, in part because the department had learned valuable lessons from previous mistakes. Congresswoman Sanchez hoped that this would be the case because American taxpayers had spent more

than \$650 million on technology programs already, and had waited more than 10 years for one that would be successful.³ But SBInet was not successful. It experienced cost overruns, delays, technical glitches, user complaints, and management problems. In January 2010, after years of complaints from Congress and the General Accountability Office (GAO), Secretary Janet Napolitano ordered a department-wide assessment of the SBInet program. The assessment was to focus on two fundamental questions: Whether SBInet program was viable, i.e., could it be made to work effectively and fulfill the intent of the program; and if SBInet was viable, whether other equally or more effective technologies were available at a lower cost.

Before Secretary Napolitano's assessment was completed, GAO conducted its own assessment and testified at a congressional hearing that CBP should rethink further investments in SBInet. According to GAO, the scope of the initial system's capabilities and areas of deployment had continued to shrink, making it unclear what capabilities were to be delivered. Moreover, CBP had yet to demonstrate the cost-effectiveness of the SBInet program, and thus it was unclear whether the considerable amount of time and money being invested in it was a prudent use of CBP's limited resources. Further, CBP had not provided the kind of management oversight and discipline required to ensure that the proposed system capabilities would be delivered on time and within budget.⁴ The results of Secretary Napolitano's SBInet assessment corroborated GAO's concerns. It found that SBInet was not the most efficient, effective, or economical way to meet our nation's border security needs, and that SBInet did not have the capability to provide the integrated technological solution to our border security needs which it was supposed to provide.⁵ The assessment report includes the following observation:

Prior to this assessment, the Department had never conducted a comprehensive cost-effectiveness analysis to assess the operational value of the SBInet system against the projected cost even though such an analysis is normally a well-established prerequisite for a project of this size.⁶

Accordingly, in January 2011, Secretary Napolitano terminated the SBInet program.

It is disturbing that SBInet failed in spite of DHS supervision, investigations and recommendations from GAO, and congressional oversight. Mark Borkowski, who was the Executive Director of the SBInet program at that time, made the following comments about the assessment at a congressional hearing:

The department-wide review is motivated by two major considerations. The first is that the continued and repeated delays in SBInet raise fundamental questions about SBInet's viability and availability to meet the need for technology along the border. The second is that the high cost of SBInet obligates this administration to conduct a full and comprehensive analysis of alternative options to ensure we are maximizing the impact and effectiveness of the substantial taxpayer resources we are devoting to border security technology. Quite frankly, this type of investment can only be justified if you know exactly what you are going to get, and this type

of comprehensive analysis of alternatives should have been undertaken years ago
(Emphasis supplied).⁷

One wonders why such an assessment was not done much sooner. It probably would have revealed that SBInet was not a viable project and avoided the horrendous loss of time and money that resulted from trying to implement it. And why didn't CBP intervene and take corrective action to stop the continued and repeated delays and the other problems SBInet was having? Most importantly, why wasn't the program terminated sooner? In a previous SBInet article that I wrote with Robert Lee Maril on SBInet's failure, we suggested that it might be helpful if Congress were to establish an independent DHS Immigration Ombudsman with statutory authority to investigate the department's use and supervision of private contractors.⁸

The Arizona Border Surveillance Technology Plan

On January 18, 2011, CBP issued a Request for Information (RIF) on the Arizona Border Surveillance Technology Plan project. It specified that CBP was looking for commercial or government off-the-shelf solutions for deployment at fixed, elevated sites, which would be referred to as, "Integrated Fixed Towers" (IFTs). The IFT's were supposed to provide automated, persistent wide-area surveillance detection, tracking, identification, and classification of illegal entries. CBP indicated further that it intended to procure a fully developed and integrated system that would make maximum use of an open systems approach and include a Common Operating Picture to integrate information onto a single screen.⁹ DHS awarded the contract for the Arizona Border Surveillance Technology Plan project to Elbit Systems,¹⁰ an Israeli company that produces and installs homeland security systems, such as the smart fences on the West Bank and on the Golan Heights.¹¹ The Arizona Border Surveillance Technology Plan will include the following technology programs:

1. **Integrated Fixed Towers:** Stationary towers with surveillance equipment that is capable of displaying observed information on a common operating picture.
2. **Remote Video Surveillance System:** New units with upgraded surveillance technologies.
3. **Mobile Surveillance Capability:** A stand-alone, truck-mounted suite of radar and cameras with a display within the cab of each truck, which will enable the operators to identify activity and inform Border Patrol agents.
4. **Mobile Video Surveillance System:** Also referred to as a "Scope Truck," this system will include a telescoping mast or lift mechanism that elevates a camera containing day and night capabilities with target illuminators and range finders. The operator must be able to control the interface display and control subsystem from inside the cab of the vehicle.
5. **Agent Portable Surveillance System:** A portable, ground-sensing radar and surveillance system that can be deployed and operated by Border Patrol agents in places where truck-mounted systems cannot be deployed.

6. **Thermal Imaging Devices:** Devices that use a camera and corresponding remote viewing kits which will make it possible for Border Patrol agents to see clearly in areas that are dimly lit or in total darkness.
7. **Unattended Ground Sensors and Imaging Sensors:** Ground sensors that will detect, track, identify, and differentiate among humans, animals, and vehicles.¹²

On March 12, 2014, the Homeland Security Committee Subcommittee on Border and Maritime Security conducted a hearing on the Arizona Border Surveillance Technology Plan to ensure that the American people will get the border security they are paying for this time. According to Homeland Security Committee Ranking Member Bennie G. Thompson, when SBInet was terminated three years ago, the virtual fence it had produced was only 53 miles long and had been installed at a cost to the American people of one billion dollars. The Arizona Border Surveillance Technology Plan is supposed to install a mix of radars, sensors, and cameras to provide additional security for the Arizona border. Though the two projects are not identical, there are similarities: both are based on providing surveillance technology along the Arizona border; both rely significantly on towers with cameras and radar systems; and both have price tags of approximately one billion dollars. Moreover, they share some of the same management challenges. GAO's initial report on the Arizona Border Surveillance Technology Plan indicates that this initiative suffers from some of the same deficiencies that ultimately contributed to the cancellation of the SBInet program. It is particularly troubling that CBP has not concurred with all of the important recommendations GAO has made in its report.¹³ In fact, although CBP agreed to comply with the other recommendations, it has only complied with one of them.

GAO Recommendations for Executive Action¹⁴

Recommendation #1: When updating the schedules for the Integrated Fixed Tower, Remote Video Surveillance System, and Mobile Surveillance Capability programs, CBP should ensure that scheduling best practices, as outlined in our schedule assessment guide, are applied to the three programs' schedules. In March 2014, CBP concurred with this recommendation. As of March 2015, however, CBP was still in the process of updating the program schedules.

Recommendation #2: CBP should develop and maintain an Integrated Master Schedule for the Plan that is consistent with scheduling best practices. CBP did not concur with this recommendation. According to CBP, each program in the Plan has an Integrated Master Schedule, as required by CBP policy and practice. GAO's recommendation of an IMS for the Plan treats the Plan as a program or "system of systems." CBP intentionally designed the Plan not to be a system of systems. The GAO recommendation runs counter to the lessons learned from SBInet and risks returning us to an acquisition strategy we already know to be high-risk.

Rebecca Gambler, GAO Director, Homeland Security and Justice, disagrees with CBP's analysis of this recommendation. According to Gambler, this recommendation is not intended to re-aggregate the Plan's seven programs into a "system of systems" or change

procurement strategy in any way. The intent of the recommendation is for CBP to insert the individual schedule for each of the Plan's programs into a single electronic Integrated Master Schedule file in order to identify any resource allocation issues among the programs' schedules. Developing and maintaining an Integrated Master Schedule for the Plan would provide CBP with insight into current or programmed allocations of resources for all of the programs, rather than having to resolve any resource constraints for each program individually.¹⁵

Recommendation #3: When updating Life-cycle Cost Estimates for the IFT and Remote Video Surveillance System programs, CBP should verify the Life-cycle Cost Estimates with independent cost estimates and reconcile any differences. In March 2014, DHS concurred with this recommendation. As of May 2015, CBP officials stated that the agency plans to update the life cycle cost estimates by the end of calendar year 2015 for the three highest-cost programs.

Recommendation #4: CBP should revise the IFT Test and Evaluation Master Plan to more fully test the IFT program, before beginning full production, in the various environmental conditions in which IFTs will be used to determine operational effectiveness and suitability, in accordance with DHS acquisition guidance. CBP did not concur with this recommendation.

According to CBP Assistant Commissioner Borkowski, CBP is familiar with the technologies and is willing to trade requirements and performance for cost and other benefits. CBP has committed to purchasing a system that will perform to the specifications claimed by the contractor. A formal Operational Test and Evaluation would create unnecessary bureaucracy. We have worked with the Border Patrol to define the kind of operational experience and analysis Border Patrol agents believe they need to understand and assess the system performance and will conduct additional tests accordingly. This meets much of the intent of a formal Operational Test and Evaluation, and it does it without unnecessary bureaucracy. Moreover, it provides the Border Patrol with oversight, control, and data to influence decisions about future deployments and potential system upgrades.¹⁶

According to Rebecca Gambler, the limited user test of the IFT that CBP used will not evaluate the operational effectiveness and suitability of the system. It only provides for testing at one location. This approach is not consistent with DHS's acquisition guidance, which states that even for commercial off-the-shelf systems, operational test and evaluation should occur in the environmental conditions in which a system will be used before a full production decision for the system is made and the system is deployed. CBP intends to deploy IFTs at 50 different locations in southern Arizona, which includes significant differences in terrain and climate throughout the year.¹⁷

This situation is similar to CBP's failure to do a cost and viability assessment on SBInet before it had been in operation for years and spent a billion dollars with only a 53-mile virtual fence to show for it. Why wasn't a timely assessment performed? And what is behind CBP's refusal to comply with GAO's recommendation to conduct more IFT tests?

IFT performance varies according to differences in environmental conditions and CBP plans to install the IFTs in locations that have different environmental conditions. CBP's refusal to conduct the additional tests before deploying the system makes no sense.

Recommendation #5: CBP should require data on asset assists to be recorded and tracked within the Enforcement Integrated Database, which contains data on apprehensions and seizures. CBP has implemented this recommendation.

Recommendation #6: CBP should analyze available data on apprehensions and seizures and technological assists in combination with other relevant performance metrics or indicators, as appropriate, to determine the contribution of surveillance technologies to CBP's border security efforts. In February 2015, Border Patrol officials said that the agency had not complied with this recommendation yet. Also, CBP plans to use the Capability Gap Analysis Process to meet this recommendation. GAO says it will need to review the completed analysis to determine whether using the Capability Gap Analysis Process is acceptable.¹⁸

¹ Robert Burns, "To a Mouse," <http://www.poetryfoundation.org/poem/173072>

² See generally, "Secure Border Initiative Program Guide," http://www.federalnewsradio.com/wp-content/uploads/pdfs/sbi_supplement.pdf.

³ House Homeland Security Subcommittee on Border, Maritime, and Global Counterterrorism, Hearing on "Project 28, the Future of SBInet" (June 7, 2007), <http://www.gpo.gov/fdsys/pkg/CHRG-110hhrg48920/html/CHRG-110hhrg48920.htm>

⁴ GAO Testimony at hearing before the Subcommittees on Management, Investigations, and Oversight and the Border, Maritime, and Global Counterterrorism on, "The Secure Border Initiative: DHS Needs to Follow Through on Plans to Reassess and Better Manage Key Technology Program" (June 17, 2010), <http://www.gao.gov/assets/130/124865.pdf>

⁵ DHS Report on the assessment of the Secure Border Initiative-Network (SBI-net) Program, http://www.globalexchange.org/sites/default/files/DHS_Report.pdf

⁶ DHS Report on the assessment of the Secure Border Initiative-Network (SBI-net) Program, *supra*, at p. 6.

⁷ Statement of Secure Border Initiative Executive Director Mark Borkowski and Acting Chief of the Border Patrol Michael Fisher, at a hearing before the House Homeland Security Committee Subcommittee on Border, Maritime and Global Counterterrorism and the Subcommittee on Management, Investigations and Oversight, on "SBInet: Does it Pass the Border Security Test?" (March 18, 2010), <http://chsdemocrats.house.gov/SiteDocuments/20100318103234-93556.pdf>

⁸ Nolan Rappaport and Robert Lee Maril, "What is SBInet? And what does it have to do with spending billions of dollars on border security?" (July 25, 2013), <http://www.lexisnexis.com/legalnewsroom/immigration/b/outsidenews/archive/2013/07/25/what-is-sbinet-and-what-does-it-have-to-do-with-spending-billions-of-dollars-on-border-security.aspx>

⁹ Request for Information, Integrated Fixed Towers, Solicitation HSBP0111RIFT (January 18, 2011), <https://www.fbo.gov/index?s=opportunity&mode=form&tab=core&id=16495db56cd9af88b48f3f55f4ab4e2c&cvview=1>

¹⁰ Elbit Systems Ltd., <https://www.elbitsystems.com/>

¹¹ Todd Miller and Gabriel Schivone, "Along Arizona's 'Palestine-Mexico Border,' Security Companies Are Making a Killing" (January 26, 2015), http://inthesetimes.com/article/17575/mexico_palestine_border

¹² GAO Report: "Arizona Border Surveillance Technology Plan, Additional Actions Needed to Strengthen Management and Assess Effectiveness" (March 3, 2014), at p. 8, <http://www.gao.gov/assets/670/661297.pdf>

¹³ Statement of Ranking Member Bennie G. Thompson, "The Arizona Border Surveillance Technology Plan and its Impact on Border Security" (March 12, 2014), <http://chsdemocrats.house.gov/SiteDocuments/20140312094843-60115.pdf>

¹⁴ Arizona Border Surveillance Technology Plan: Additional Actions Needed to Strengthen Management and Assess Effectiveness (GAO-14-368: Published: Mar 3, 2014. Publicly Released: March 12, 2014), <http://www.gao.gov/products/GAO-14-368>

¹⁵ Statement of Rebecca Gambler, GAO Director, Homeland Security and Justice, Hearing before the House Homeland Security Subcommittee on Border and Maritime Security on, “The Arizona Border Surveillance Technology Plan and its Impact on Border Security” (March 12, 2014), <http://docs.house.gov/meetings/HM/HM11/20140312/101820/HHRG-113-HM11-Wstate-GamblerR-20140312.pdf>

¹⁶ Statement of Mark Borkowski, Assistant Commissioner, Office of Technology Innovation and Acquisition, at Hearing before the House Subcommittee on Border and Maritime Security, “The Arizona Border Surveillance Technology Plan and its Impact on Border Security” (March 12, 2014), <http://docs.house.gov/meetings/HM/HM11/20140312/101820/HHRG-113-HM11-Wstate-BorkowskiM-20140312.pdf>

¹⁷ Statement of Rebecca Gambler, *supra*.

¹⁸ Statement of Mark Borkowski, *supra*.

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