

Border Wall Timeline of Key events and legislation San Diego Sector

Definitions: The San Diego Sector of the border wall is a 14-mile stretch of the wall extending from

1994 Operation Gatekeeper http://en.wikipedia.org/wiki/Operation_Gatekeeper

Clinton era operation to begin building a barrier on the US-Mexico border

<http://www.globalexchange.org/countries/americas/unitedstates/california/dayofthedeath/gatekeeper.html>

<http://www.usdoj.gov/oig/special/9807/gkp01.htm>

The most authoritative book on the subject

Joseph Nevins, Operation Gatekeeper: The Rise of the “Illegal Alien” and the Making of the US-Mexico Border

<http://www.bsos.umd.edu/gvpt/lpbr/subpages/reviews/Nevins104.htm>

Year: 2002

2002 Duncan Hunter Triple Fence proposal

On July 25, 2002 Rep. Duncan Hunter added a rider to the Homeland Security bill (H.R. 5005, section 416) that would make construction of the new "triple" border fence between San Diego and Mexico a priority of the new Homeland Security department. The Sierra Club and other activists believe that construction of this fence as proposed will cause incredible damage to sensitive habitat and also destroy important archeological and cultural sites. Inclusion of Hunter's rider in the Homeland Security Bill could allow the project to proceed without these concerns being addressed. <http://www.cbo.gov/doc.cfm?index=3592&type=0>

Year: 2003

2003 Reorganized of Department of Homeland Security

CPB Customs and Border Protection (newly organized unified customs, border patrol & immigration)

http://www.cbp.gov/xp/CustomsToday/2005/nov_dec/cbp_commit.xml

Year: 2004

2004 San Diego Lawsuit against the 14-mile Triple Fence

Plaintiffs: The Center For Biological Diversity, San Diego BayKeeper, San Diego Audubon, the Sierra Club, California Native Plant Society, and the Southwest Wetlands Interpretive Center

A coalition of local, state, and national environmental groups filed a lawsuit on Feb 10, 2004 in response to the Federal Government's proposal of a 14-mile, triple-fence project, which would destroy popular parks, hiking trails, and wildlife habitat, has already drawn opposition from the cities of Imperial Beach, National City, and Chula Vista and San Diego County, and raised concerns from several state agencies.

http://www.biologicaldiversity.org/news/press_releases/border2-10-04.html

- **Lawsuit progress 2005**

U.S. District Judge Larry Burns on Dec 14, 2005 ruled against San Diego environmentalists who had asserted that it was illegal for Congress to give authority to the Department of Homeland Security to complete the fence to deter smuggling and illegal immigration. <http://articles.latimes.com/2005/dec/14/local/me-fence14>

- **Border fence case declined June 24, 2008**

The U.S. Supreme Court declined to hear a case that challenged the Homeland Security Department's right to waive environmental laws and litigation to build a fence along the U.S.-Mexico border.

http://cfx.signonsandiego.com/uniontrib/20080624/news_1n24fence.html

Year: 2005

2005 Secure Border Initiative Nov 2, 2005

The Secure Border Initiative (SBI) was unveiled November 2, 2005 by Department of Homeland Security (DHS) Secretary Michael Chertoff in an effort to tackle the serious threat to national security posed when illegal immigrants cross our borders, entering the United States. This multi-year plan is aimed at securing America's borders and reducing illegal migration.

In addition to border operations, the initiative focuses on interior enforcement, and on strengthening efforts to combat document fraud and on monitoring the worksite. U.S. Immigration and Customs Enforcement (ICE) is achieving these goals through expanded fugitive operations and criminal alien programs, and an expedited removal process enabling ICE to quickly remove "other than Mexican" (OTM) illegal aliens to their home countries. Expedited removal reduces the time illegal aliens remain in detention awaiting their deportation from about 30 days to 15 days.

Since the SBI was implemented in September 2005, close to 4000 non-Mexican aliens were turned over to ICE for detention under expedited removal. Thus far, ICE has removed close to 3,000 of these individuals from the country. http://www.dhs.gov/xnews/releases/press_release_0794.shtm

2005 Real ID Act

The Real ID Act authorized the Secretary of the Department of Homeland Security to waive any law that interferes with the construction of border walls or barriers. DHS Secretary Michael Chertoff invoked this waiver three times in San Diego on Sept 22, 2005 and April 2, 2008 to fast-track the construction of the San Diego border wall. http://en.wikipedia.org/wiki/REAL_ID_Act

* Border **Map of Real ID** Waivers (large file):

http://dl.getdropbox.com/u/369702/sc_borderlands_map_list_biggie.pdf

This is a Federal Law that imposes certain security, authentication, and issuance procedures standards for the state driver's licenses and state ID cards, for them to be accepted by the federal government for "official purposes", as defined by the Secretary of Homeland Security. Currently, the Secretary of Homeland Security has defined "official purposes" as presenting state driver's licenses and identification cards for boarding commercially operated airline flights and entering federal buildings and nuclear power plants. The Act is a [rider](#) to an act of the US Congress titled Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005.

The Real ID Act implements the following:

- Changing visa limits for temporary workers, nurses, and Australian citizens.
- Establishing new national standards for state-issued driver's licenses and non-driver identification cards.
- Funding some reports and pilot projects related to border security.
- Introducing rules covering "delivery bonds" (rather like bail bonds but for aliens who have been released pending hearings).

- Updating and tightening the laws on application for asylum and deportation of aliens for [terrorist activity](#).
- **Waiving laws that interfere with construction of physical barriers at the borders.**

2005 Construction in San Diego Sector

Laws waived by Chertoff

The military (Army Corps of Engineers) began upgrading and rebuilding the San Diego Border Fence in 2005. On Sept 14, 2005, the Secretary of DHS invoked the waiver authority to complete the San Diego fence. DHS published a Federal Register notice on Sept 22, 2005, declaring the waiver of in their entirety: (1) the National Environmental Policy Act; (2) the Endangered Species Act; (3) the Coastal Zone Management Act; (4) the Federal Water Pollution Control Act (33 U.S.C. § 125 1 et seq.); (5) the National Historic Preservation Act (16 U.S.C. § 5470 et seq.); (6) the Migratory Bird Treaty Act (16 U.S.C. § 5703 et seq.); (7) the Clean Air Act (42 U.S.C. § 87401 et seq.); and (8) the Administrative Procedure Act (5 U.S.C. § 355 1 et seq.).*

<http://digital.library.unt.edu/govdocs/crs/permalink/meta-crs-8070:1>

Year: 2006

April 1, 2006 Immigration Debate and nationwide demonstrations

Secure Fence Act

Under the Secure Fence Act of 2006, the Department of Homeland Security was authorized by Congress to build up to 700 miles of fence along the 2,000-mile Southwest border, where most illegal immigrants coming into the United States cross over, and [Michael Chertoff](#), the secretary of the department, has several times used waiver authority that Congress included in the act. (The department said 326.5 miles of fencing had been built by June 1.)

Operation Jump Start, July 28, 2006

This plan refers to the deployment of US National Guard troops along the U.S.-Mexico border. The missions entail enforcement of border security and construction of a border fence. The rules of deployment are defined in a [memorandum of agreement](#) (MOA) between officials in the Department of Defense and the governors of Arizona, California, New Mexico and Texas. http://en.wikipedia.org/wiki/Operation_Jump_Start
Operation Jump Start ended July 11, 2008

Year: 2007

2007 Border Wall appropriations were passed four separate times over 7 months in 2007
110th Congress 2007-2008

- **S. 1348** The Comprehensive Immigration Reform Act of 2007 – May 23, 2007 **WAS NOT PASSED**
<http://www.govtrack.us/congress/bill.xpd?bill=s110-1348>
- **H.R. 2638** The FY 2008 Department of Homeland Security Appropriations Act – July 26, 2007
http://www.opencongress.org/wiki/Department_of_Homeland_Security_Appropriations_Act,_2008
- **HR 3222** The FY 2008 Department of Defense Appropriations Act – October 3, 2007
<http://www.govtrack.us/congress/bill.xpd?bill=h110-3222>

- **S Amdt 3117 to HR 3222: To improve the security of United States borders.**

Link to Legislation: <http://thomas.loc.gov/cgi-bin/bdquery/z?d110:samdt3117>: In October 2007, a vote

to pass an amendment that appropriates \$3.00 billion to be used to hire full-time border patrol agents, improve employment eligibility verification, and fund security measures along the U.S. and Mexican border that include building a fence, establishing vehicle barriers, utilizing unmanned aerial vehicles, placing ground-based sensors and cameras, and removing and detaining undocumented immigrants.

- **HR 2764** The Omnibus Appropriations bill– December 18, 2007 <http://www.opencongress.org/bill/110-h2764/show>

HR 2593 Borderlands Conservation and Security Act of 2007

Representative Raul Grijalva, [D.TX] sponsored a bill requiring the establishment of a border protection policy that serves border security but also puts measures in place to protect National Park Service lands and other wildlife areas. <http://www.opencongress.org/bill/110-h2593/show>

Year: 2008

Election Year Primary: Duncan Hunter makes a bid for the Republican nomination for president. Promotes border fence in Ohio and Midwest.

http://en.wikinews.org/wiki/US_presidential_candidate_Duncan_Hunter_speaks_to_Wikinews

April 1, 2008 Waiver of Laws DHS Secretary Michael Chertoff invokes the waiver authority authorized by the REAL ID Act of 2005. Chertoff waives dozens of laws to fast-track construction on the border wall. DHS plans to build 650 miles of fencing this year, estimated cost at the time, \$1 million per mile (real costs have exceeded \$10 million per mile), and the Real ID Act of 2005 has allowed Chertoff to waive local environmental laws and by-pass local controls. Waivers of local laws have prompted many legal challenges throughout Texas, Arizona and California.

Dinah Bear, Analysis of the waivers Feb 2009 http://www.ciel.org/Publications/BorderWall_8Feb09.pdf

Click here for sectors and specific waivers http://www.dhs.gov/xnews/releases/pr_1207080713748.shtm

Click here for DHS press release http://www.dhs.gov/xnews/releases/pr_1207083685391.shtm

April-May 2008 Smuggler's Gulch construction begins

See YouTube for Dan Watman's many videos of the construction

May 8, 2008 <http://www.youtube.com/watch?v=OURQ8I9Cjew&feature=related>

June 9, 2008 On the ground, American side http://www.youtube.com/watch?v=tsL_vXhMvhc

June 9, 2008 Mexican side of fence <http://www.youtube.com/watch?v=NfdLZpRvs58>

July 3, 2008 <http://www.youtube.com/watch?v=dJ6fk69kikc>

Border Patrol Encounter <http://www.youtube.com/watch?v=QyF-gdQ0D3E>

July 31, 2008 <http://www.youtube.com/watch?v=OLHEmCWwPac>

See Jill Holslin's Picasa Gallery for images of Smuggler's Gulch Construction

<http://picasaweb.google.com/Jholslin01>

See Jill Holslin's Facebook Album for a progressive account of the construction

<http://www.facebook.com/album.php?aid=77526&id=562892017&l=66cfe49d18>

June 1, 2008 Vigil at Friendship Park

Local activist groups begin to organize and work together to save the park

Jill Holslin Picasa Gallery, photos of the vigil <http://picasaweb.google.com/Jholslin01>

2008 July, Operation Jump Start ends

- June 2006-June 2008

Operation Jump Start—use of National Guard troops to observe and report activity on the border

http://en.wikipedia.org/wiki/Operation_Jump_Start

August 2008 Weekly Communion celebrations begin at Friendship Park

Rev. John Fanestil, Executive Director of Foundation for Change, began holding weekly communion at Friendship Park each Sunday at 2:30 PM.

October 2008

Run up to the big election

Nov 14, 2008 Nine Local Elected Leaders sign letter to Obama Transition Team

<http://jholslin.blogspot.com/2008/11/san-diego-california-leaders-call-on.html>

Nov 15, 2008 Press Conference on Friendship Park

Bob Filner in attendance, Jonathan Hardy (Susan Davis office),

<http://jholslin.blogspot.com/2008/11/press-conference-on-border-fence-in-san.html>

Dec 29, 2008 Press Conference on Friendship Park

<http://jholslin.blogspot.com/2009/01/press-conference-friendship-park-29-dec.html>

Year: 2009

Jan 6, 2009 CBP official meeting with Susan Davis and local leaders

Announcement is made that Friendship Park will be closed to the public

<http://jholslin.blogspot.com/2009/01/popular-border-spot-wont-be-accessible.html>

- **Local Leaders Speak out and gain local media attention**

<http://www.kusi.com/home/37341859.html>

<http://www.cbs8.com/Global/story.asp?S=9639162>

Feb 4, 2009

Local elected leaders sign a letter to Napolitano calling for a halt to construction in Friendship Park (see Napolitano Letter—in Jill's files)

Feb 10, 2009

Congressman Bob Filner signs Congressional letter to Napolitano calling to halt to fence construction (see Border Caucus POTUS Letter—in Jill's files)

Friends of Friendship Park continue celebrations each Sunday

http://jholslin.blogspot.com/2009/01/siguen-celebraciones-en-friendship-park_22.html

Feb 21, Big Friendship Park event staged

Faure Requiem performed at Friendship Park, John F & Dan W detained, access denied. Minutemen show up, harass us, BP use excessive force.

<http://jholslin.blogspot.com/2009/02/requiem-for-park.html>

Sunday celebrations continue, but border patrol now creating a human wall and preventing access to the park and fence

April 1, 2009 Secretary of DHS Janet Napolitano visits San Diego

<http://jholslin.blogspot.com/2009/03/secretary-napolitano-to-visit-southwest.html>

April 2, 2009

Friends of Friendship Park participate in meeting with CBP Chief Michael Fisher in response to a call for public meeting from Congresswoman Susan Davis (ask Jill Holslin for notes on this meeting jholslin01@gmail.com)

Additional documents and background

Local Leaders:

51st District Congressman Bob Filner/ Vivian Valdivia, staffer

53rd District Congresswoman Susan Davis/ Deaneeka Goodwin, Ricardo Flores, staff

CA Senate and Assembly

Christine Kehoe, Myrna Zambrano, staff

Senate District 40 Denise Moreno Ducheny/ Jonathan Hardy, staff

76th Assembly District Lori Saldana

79th Assembly District Mary Salas

Friends of Friendship Park, Facebook group

Friendship Park.org Website <http://www.friendshippark.org/>

Films and Filmmakers:

John Carlos Frey The Gatekeeper, 1990s <http://www.gatekeeperfilm.com/>

Steev Hise, One Sunday at Friendship Park

http://www.metacafe.com/watch/2335325/one_sunday_at_friendship_park/

UCSD Communications Dept Film group, A Divided Friendship

<http://www.youtube.com/watch?v=TwRr7bt7-s8>