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AND INTERNATIONAL LAW



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February 11, 2008

Secretary Michael Chertoff
U.S. Department of Homeland Security
Washington, DC 20528

Dear Secretary Chertoff:

As you know, the Department of Homeland Security has primary responsibility for the deterrence and interdiction of terrorists, weapons of mass destruction, and aliens attempting to enter the country unlawfully. In the wake of the tragedy of September 11, 2001, Congress took action to begin enhancing the security of the United States' borders, in part, through the authorization and appropriation of funds to construct fencing along portions of our southwestern border.

Last December, Congress significantly increased the discretion of your office as to where and how to construct fencing along the southwest border through a provision included in the Consolidated Appropriations Act of 2008. Previously, the Department of Homeland Security was required to install roughly 850 miles of reinforced fencing along five stretches of the southwest border, whereas now, a more general requirement has been imposed to construct reinforced fencing.

Operational control of our borders is a fundamental responsibility of the federal government and a key component in preserving the sovereignty of our nation. As we have seen from September 11th, the consequences of our failure to meet this responsibility can be catastrophic to our economic systems and to our national security. My constituents understand the challenges of patrolling our 1,900 mile southern border and overwhelmingly support the construction of fencing to help slow illegal entry into the United States. In an attempt to better inform my constituents on the status of fence construction I respectfully request an expedient response to the following questions to help me more fully understand how the Department of Homeland Security intends to proceed given the additional discretion granted by Congress:

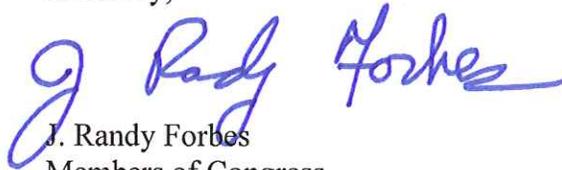
1. Does the Department of Homeland Security consider the construction of a fence along our southern border to be among its highest priorities? If not, what significance does the Department attach to this project and why?
2. What specific challenges is the Department facing in the completion of fencing along our southern border? How is the Department meeting these challenges?
3. How much of the appropriated funds for this project has been obligated? How much physical fencing will those funds provide?

4. Is it the Department's view that the Congress has adequately provided the financial resources and functional discretion needed to complete this project? If not, what additional authorizations or appropriations are necessary to complete the project?

5. On what timeline can citizens expect to see completion of fence construction? What factors could interrupt this timeline and what actions are being taken to meet these anticipated challenges?

Thank you for your prompt attention to this concern and your swift response to these questions.

Sincerely,

A handwritten signature in blue ink that reads "J. Randy Forbes". The signature is written in a cursive style with a large initial "J".

J. Randy Forbes
Members of Congress