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## **A Virtual Wall Is Trump's Wall by Another Name**

In response to the provisions of the Biden administration's [U.S. Citizenship Act of 2021](#), which directs the Department of Homeland Security to deploy surveillance infrastructure and technology along the border, both at and between ports of entry, the following border community, immigrant rights, and privacy organizations issue this statement:

This “smart border” surveillance technology is a continuation of the Trump administration’s racist border policies, not a break from it. We applaud President Biden’s efforts to halt Trump’s border wall construction and provide relief to immigrant communities, but protection from deportation and access to due process should not come at the cost of militarization and surveillance. The question cannot continue to be: “How do we more efficiently deter migrants?” Rather than pursue failed strategies, the Biden Administration should invest in border communities, restore areas harmed by wall construction, welcome people seeking safety or a better life, and curtail funding for invasive surveillance technologies. Some of these surveillance harms include:

- At ports of entry,<sup>1</sup> increased surveillance technology is concerning particularly because of increased biometric collection, which most prominently includes expanded [facial recognition](#) and [DNA collection](#), as well as experimental technologies like [iris scanning](#) at pedestrian border crossings. The ongoing DHS build-out of its new HART biometric database means that this biometric data will be [accessible to](#) major federal law enforcement agencies and some foreign governments via information sharing agreements. Additionally, the rapid [expansion](#) of license plate recognition technology used by Customs and Border Protection and other federal agencies is a major [privacy](#) and policing concern.
- Virtual wall technology between ports of entry is not a “humane” alternative to a physical wall. Research shows increased border surveillance technology can lead to more deaths, as migrants take longer, more dangerous routes to avoid detection.<sup>2</sup> Moreover, individuals detected by “smart” border technology are apprehended and incarcerated under harsh immigration detention conditions, often in privatized jails that President Biden has [condemned](#) as inhumane. Furthermore, key companies awarded federal contracts to develop virtual wall technology have deep financial ties to former President Trump and created invasive police surveillance tools.<sup>3</sup> The technology evaluations in the Biden bill do not provide adequate oversight.<sup>4</sup> The bill also authorizes DHS to spend any amount of money that it deems necessary, with no cap on spending.<sup>5</sup>

- The harms of border technology go far beyond the border and disproportionately impact Black, indigenous, and people of color communities, as demonstrated by CBP drones deployed on [Black Lives Matter](#) protesters last summer. Border enforcement policies have long served as a testing ground for military grade surveillance at the border and far into the interior.

**We call on the Biden administration to invest in border communities, not invasive tech and border militarization.** Communities along the U.S.-Mexico border have some of the [highest poverty rates](#) in the country due to [systemic disinvestment](#). They have already been the subject of extreme militarization and mass surveillance including interior checkpoints, drones, blimps, mobile and fixed surveillance towers, and other cameras and sensors placed in communities. Instead of pouring billions more into invasive surveillance and military technology that only harms immigrants and enriches private companies, the Biden administration should [listen to the needs of border communities](#), address ongoing harms, and invest in communities.

Just Futures Law

Mijente

Rio Grande Valley Equal Voice Network

Rio Grande Valley No Border Wall Coalition

Southern Border Communities Coalition (SBCC)

Action Center on Race and the Economy

AI Now Institute

Alternate ROOTS

American Friends Service Committee

Asian Americans Advancing Justice (AAJC)

Community Justice Exchange-National Bail Fund Network

Demos

Electronic Privacy Information Center (EPIC)

Fight for the Future

Freedom to Thrive

Frontera de Cristo

Government Information Watch

Immigrant Defense Project

Immigrant Legal Resource Center

La Unión Del Pueblo Entero

May First Movement Technology

Media Alliance

MediaJustice

Muslim Justice League

National Day Laborer Organizing Network (NDLON)

National Immigrant Justice Center

National Immigration Law Center

National Immigration Project of the National Lawyers Guild

National Network for Immigrant and Refugee Rights

Oakland Privacy  
Open MIC (Open Media & Information Companies Initiative)  
Presente.org  
Proyecto Juan Diego  
Restore the Fourth  
RootsAction.org  
Sierra Club  
Southwest Environmental Center  
S.T.O.P. - The Surveillance Technology Oversight Project  
Texas Civil Rights Project  
United We Dream

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<sup>1</sup> DHS has an expansive definition of ports of entry that includes airports, border crossings, and shipping ports.

<sup>2</sup> Peer-reviewed research on the Arizona border details this harm. See Samuel Norton Chambers, Geoffrey Alan Boyce, Sarah Launius & Alicia Dinsmore, Mortality, Surveillance and the Tertiary “Funnel Effect” on the U.S.-Mexico Border: A Geospatial Modeling of the Geography of Deterrence, *Journal of Borderlands Studies*, (2019) DOI: [10.1080/08865655.2019.1570861](https://doi.org/10.1080/08865655.2019.1570861). Additionally, Border Patrol [reported](#) finding the remains of more than 250 migrants who died along the U.S.-Mexico border in 2020 alone.

<sup>3</sup> For example, Anduril Industries was founded by major Trump donor Palmer Luckey with funding from Palantir’s Peter Thiel and related funds. The company was awarded a [contract](#) by CBP in July 2020 for a potential \$249,550,000 to set up over 200 mobile surveillance towers in border communities; \$60.7 million has already been awarded but the remaining money is not obligated. This technology forms the backbone of the new virtual wall. A recent report also shows that border security companies donate more to Democratic Party members than former President Trump. See Transnational Institute, AFSC, and Mijente, “Biden’s Border,” (Feb. 2021) <https://www.tni.org/en/bidensborder> .

<sup>4</sup> The Biden bill’s technology evaluation process allows for the deployment of surveillance technologies prior to any evaluation and focuses the assessment on migrant deterrence strategies and cost-efficiencies, not the quality of life of border residents, civil rights abuses by DHS, or migrant safety.

<sup>5</sup> US Citizenship Act, S. § 2302(c), 117th Congress (2021)  
<https://www.menendez.senate.gov/imo/media/doc/USCitizenshipAct2021BillText.pdf>.