# **STATE OF INSECURITY:** The Cost of Militarization Since 9/11

By Lindsay Koshgarian, Ashik Siddique, and Lorah Steichen





Institute for Policy Studies

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# INTRODUCTION

Twenty years after 9/11, the War on Terror has remade the U.S. into a more militarized actor both around the world and at home. The costs of this evolution are many, in terms of surveillance and the costs to individual privacy, growing xenophobia and racism and their costs to immigrants and people of color, mass incarceration, and the cost of lives lost in war and violence, all in the name of security.

Of course, this militarization also has financial costs. Those costs have been colossal, and they point to another set of costs – the opportunity costs of investing so heavily in militarization at the expense of social and economic investments.

The devastating fall of Afghanistan to the Taliban in August of 2021 raises deep questions about our military investments to date. How did it go so wrong, so quickly, after so long? Which of our investments have improved life for people in the U.S. or anywhere else, and which have led to loss of life and a more dangerous world? Most importantly, looking forward to the next 20 years, what kind of investments are most likely to protect life, reduce conflict, and raise living standards, both in the U.S. and elsewhere?

Twenty years ago, we were promised a vision of the War on Terror that did not come to pass: that Afghanistan would not become a quagmire, or that the Iraq war would be over in "<u>five weeks or five days or five months</u>" and cost a mere <u>\$60 billion</u>. As the country went to war and refocused domestic security spending on terrorism, few had any inkling of the far-reaching ramifications for the military, veterans, immigration, or domestic law enforcement.

Today, the War on Terror has fed a sprawling security apparatus that was designed for counterterrorism but has also taken on immigation, crime, and drugs. One result is a turbo-charged militarism and xenophobia in both international and domestic policy that has driven some of the <u>deepest divisions in U.S. politics</u>, including the growing threats of white supremacy and authoritarianism. Another is a long-standing neglect of growing threats like those from pandemics, climate change, and economic inequality.

The financial costs continue to pile up: the Pentagon budget is higher than at the height of the Vietnam War or the Cold War, and growing, accounting for <u>more than half</u> of the federal discretionary budget in typical years. The Afghanistan withdrawal notwithstanding, the endless War on Terror continues with recent <u>airstrikes in Somalia</u>. At the same time, the U.S. national security establishment is now gearing up for a <u>newly confrontational relationship with China</u>. Many analysts have <u>suggested</u> ways to <u>cut the Pentagon budget</u>. In previous work, we've suggested ending our wars and significantly curtailing Pentagon activities around the world, which could decrease the annual <u>Pentagon budget</u> by \$350 billion, or about half.



The massive scale of operations of the Pentagon, the legacies of 20th century wars, and the <u>nonstop deployments</u> in the War on Terror over 20 years necessitate a massive infrastructure to support veterans. As long as we send troops to war, these will be necessary expenses. And yet, even with income supports, health care, and other services, veterans still suffer from high rates of <u>suicide</u>, <u>homelessness</u>, and <u>family violence</u>, among other long-lasting consequences of serving in the country's wars.

Domestic policy, too, has been increasingly militarized. The Department of Homeland Security (DHS) formed in 2003 as a mammoth new government agency with core directives to prevent and disrupt terrorist attacks, protect people and infrastructure, and respond to threats. One of the new department's main responsibilities was overseeing the nation's immigration systems, on the reasoning that immigration left the U.S. vulnerable to terrorist attacks. The formation of DHS also marked the creation of the now-infamous Immigration and Customs Enforcement (ICE) agency. In the years since, ICE and Customs and Border Protection (CBP) have drawn attention for terrorizing immigrant communities, suppressing protests, and tearing children from their parents.

From the beginning, the domestic War on Terror fell heavily on federal law enforcement agencies. In its most recent strategic plan, the first of four strategic goals of the Department of Justice (DoJ) was to "<u>enhance national security and counter the threat of terrorism</u>," The second was to "secure the borders and enhance immigration enforcement and adjudication." While ICE and CBP may round up and deport immigrants, it is the DoJ that <u>prosecutes immigration cases</u>.

At a time when awareness of police brutality and militarization has skyrocketed, militarism has reached new heights in two other long-standing wars: the war on crime and the war on drugs. U.S. Marshals have been found to use <u>brutal force in the pursuit of</u> <u>suspects</u> in nonviolent drug crimes. The Federal Bureau of Investigations (FBI) has conducted broad-based surveillance, infiltrated political groups, and monitored entire communities <u>based on their race, ethnicity, or religion</u>.

Over 20 years, the U.S. has spent more than \$21 trillion on militarization, surveillance, and repression – all in the name of security. These investments have shown us that the U.S. has the capacity and political will to invest in our biggest priorities. But the COVID-19 pandemic, the January 6 Capitol insurrection, wildfires raging in the West, and even the fall of Afghanistan have shown us that these investments cannot buy us safety. The next 20 years present an opportunity to reconsider where we need to reinvest for a better future.

# **KEY FINDINGS**

- Twenty years after 9/11, the response has contributed to thoroughly militarized foreign and domestic policies at a cost of \$21 trillion over the last two decades.
- Of the \$21 trillion the U.S. has spent on foreign and domestic militarization since 9/11, \$16 trillion went to the military (including \$7.2 trillion for military contractors), \$3 trillion to veterans' programs, \$949 billion to Homeland Security, and \$732 billion to federal law enforcement.
- For far less than it spent on militarization since 9/11, the U.S. could reinvest to meet critical challenges that have gone neglected for the last 20 years:
  - ► \$4.5 trillion could fully decarbonize the U.S. electric grid
  - \$2.3 trillion<sup>1</sup> could create 5 million \$15 per hour jobs with benefits and cost-of-living adjustments for 10 years
  - \$1.7 trillion could erase student debt
  - \$449 billion could <u>continue the extended Child Tax Credit</u> for another 10 years
  - \$200 billion could <u>guarantee free preschool</u> for every 3-and-4-year old for 10 years, and raise teacher pay
  - \$25 billion could provide COVID vaccines for the population of lowincome countries

#### U.S. Militarized Spending Over 20 Years (FY 2002- FY 2021)

Military	\$16.26 trillion
Veterans	\$3.07 trillion
Homeland security	\$949 billion
Federal law enforcement	\$732 billion

#### Total

#### \$21.02 trillion

Source: Office of Management and Budget. 2021 dollars.

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Author's calculation.

# **ABOUT THE NUMBERS**

The military is one of the most costly government functions. For our purposes, military expenses include the Department of Defense (DoD) and all direct costs of war, nuclear weapons activities at the Department of Energy and elsewhere, intelligence expenses including the Central Intelligence Agency (CIA), international military assistance, military retiree benefits and the selective service system, and smaller military-related expenses at the National Science Foundation, Maritime Administration, and other federal agencies.

We include the cost of veterans' benefits because military service and military activities give rise to the need for these benefits.

We include most programs in the Department of Homeland Security (DHS) because of the agency's origins in the post-9/11 response, and because of its core mission to safeguard the country and borders from external threats. Although the Federal Emergency Management Agency (FEMA) is situated within DHS, we exclude it from this analysis. While FEMA does execute some counterterrorism and militarized programs, as the largest single agency within DHS, a large proportion of dollars spent by FEMA over the past 20 years have gone toward natural disaster response and prevention, not internal or external violent threats, and we do not consider its core mission to be a militarized one.

Federal law enforcement programs are included because counterterrorism and border security are part of their core mission, and because the militarization of police and the proliferation of mass incarceration both owe much to the activities and influences of federal law enforcement. Federal law enforcement agencies use the same militarized tactics to combat terrorism, crime, and narcotics, with frequently violent and racially inequitable results. Federal law enforcement agencies like the Federal Bureau of Investigation, Drug Enforcement Agency, and U.S. Marshals operate both in and outside of the U.S., frequently cooperating with the DoD.<sup>2</sup>

We excluded most revenue sources for these programs, meaning that the numbers shown reflect gross, not net, costs. While most of these programs bring in a small amount of revenue compared to their costs, this means that in some cases, any program cuts might result in some revenue losses, as well.

Unless otherwise noted, all figures in this report are based on Office of Management and Budget (OMB) budget authority data and are inflation-adjusted to FY 2021.

According to the DoJ, 88 percent of its budget goes toward counterterrorism, border security and violent crime goals, while 12 percent goes toward its goal of promoting the rule of law and good government. If 12 percent of the DoJ budget every year had gone toward its rule of law and good governance programs, that would account for only 0.4 percent of our total militarized budget. The DoJ has a number of high-profile programs that do not contribute to militarization, but they are small. For example, the relatively high-profile Civil Rights Division had a budget of \$158 million in FY 2021; this amounted to less than 0.4 percent of the entire DoJ budget.



# THE MILITARY

Over the span of 20 years, the <u>War on Terror</u> has expanded to dozens of countries, claimed 900,000 lives, and has cost trillions of dollars.

Beyond the forever wars, the U.S. military has more than <u>750 outposts in around 80</u> <u>countries</u>, with about <u>220,000 U.S. troops</u> stationed permanently abroad as of June 2021. Military operations extend well beyond the confines of the War on Terror, and in some cases, actions billed as military exercises have been fronts for <u>real military oper-</u> <u>ations</u>.

As part of its supposed <u>shift</u> from the War on Terror to "great power competition," the military is looking to reinvest in nuclear weapons after decades of largely successful treaties and other efforts at nuclear nonproliferation. The U.S. has <u>far more nuclear</u> <u>weapons</u> than any other country, and far more than can be justified based on <u>theories of nuclear deterrence</u>. The U.S. also has the distinction of being the only country to use a nuclear weapon on human beings – which it has done twice. The <u>danger</u> of these weapons far outstrips rationales for their continued deployment. Yet the military has planned a <u>\$1.5 trillion</u> renewal program to keep U.S. nuclear weapons in service.

Recently, the U.S. military has also been active within U.S. borders, with deployments to the southern border, where <u>3,000 troops remain today</u> in a surveillance role. Some states have also sent National Guard troops to the border. From 2016-17, National Guard soldiers were deployed to suppress <u>Indigenous-led</u> protests against the Dakota Access Pipeline near the Standing Rock Sioux Reservation, and in June 2020 were called into Washington, DC, to suppress <u>Black Lives Matter protests</u>. National Guard troops also <u>stepped in</u> after the Capitol insurrection on January 6, 2021. In July of this year, Congress appropriated emergency funds to <u>reimburse the National Guard</u> for Capitol security expenses.

Altogether, military expenditures over the last 20 years totaled more than \$16 trillion, including the budget for the Department of Defense (DoD), nuclear weapons and activities, and certain intelligence and military retirement costs.<sup>3</sup> We also include aid to foreign militaries, and much smaller civil defense expenses including the selective service, military cemeteries, and others.

<sup>3</sup> This is the federal government definition of "national security," often referred to in federal budget documents as budget function 050.

#### Military Spending, FY 2002 - FY 2021

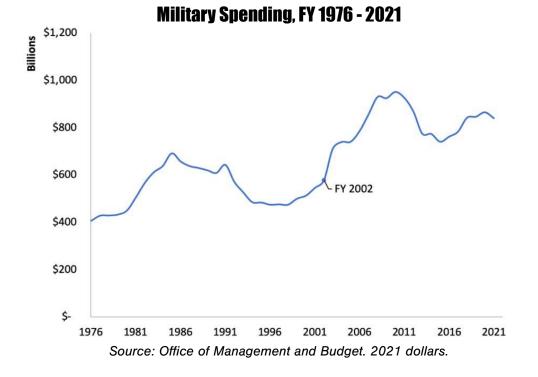
Department of Defense	\$14.14 trillion
Military retirement and other programs	\$1.27 trillion
Nuclear weapons programs	\$460 billion
Aid to foreign militaries	\$267 billion
CIA and Intelligence*	\$28 billion

#### Total

#### \$16.26 trillion

Source: Office of Management and Budget. 2021 dollars. Note: CIA and Intelligence costs here are far from complete. The total appropriated for national and military intelligence in FY 2020 alone was <u>\$85.8 billion</u>. Most of that is likely hidden in the military budget, but not identifiable through public documents.

The calculus of 9/11 led to runaway growth in military spending. From FY 2001 to FY 2002 (the fiscal year that began on October 1, 2001), military spending increased by 5.8 percent. By the following year, FY 2003, military spending had increased by 30 percent over FY 2001 levels. It would eventually peak at nearly a trillion dollars in 2010 before falling moderately due to budget sequestration, and then rising again. Today, military spending is <u>higher than</u> at the height of the Vietnam War, the Cold War, the Korean War, and the first Gulf War.



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### **Forever Wars**

The U.S. invaded Afghanistan in 2001, followed by Iraq in 2003. These occupations represent the <u>longest active occupations</u> in U.S. history – the forever wars. Even as U.S. troops are exiting Afghanistan, the War on Terror continues in multiple countries, taking different forms.

The costs of the global War on Terror have been <u>staggering</u>: about 900,000 lives lost to violence, many thousands more gone due to the loss of critical infrastructure like hospitals, and 37 million people displaced, according to Brown University's Costs of War project. In 2019, pro-government airstrikes (including U.S. airstrikes) killed the <u>highest</u> number of Afghan civilians in any year since the start of the war. In Afghanistan alone, <u>47,000 civilians</u> have been killed since the start of the War on Terror.

A study from Brown University's Costs of War project has estimated total War on Terror costs at <u>\$8 trillion</u> through 2021, including <u>\$800 billion</u> in non-war DoD spending increases from 2001 to 2020 that were attributable to the War on Terror. From 2002 to 2019, about <u>\$127 billion</u> in aid to foreign militaries went to the two main targets of U.S. occupation: Afghanistan (\$91 billion) and Iraq (\$36 billion).<sup>4</sup>

From 2018 to 2020, the U.S. conducted counterterror operations in 85 countries, including combat operations in 12 countries, and air and drone strikes in seven. This represents more than half the countries on earth. Even so, the War on Terror targets certain regions and some kinds of terrorists and terrorism more than others, notably in places where local residents were predominantly Black or Brown people. Even as the U.S. continues to engage in the War on Terror, these activities only occasionally become widely known in the U.S.

### The Pentagon and Military Aid

Spending on the DoD totaled \$14 trillion over the last 20 years, including \$1.9 trillion in funds<sup>5</sup> appropriated specifically for wars through the Overseas Contingency Operations fund. Even though in recent years the fund was increasingly used for routine military expenses (or "base requirements"), this total falls short of estimating the true costs of the War on Terror.

More than 70 percent of the Pentagon's \$14 trillion in spending over the last 20 years was for operations, purchasing and research and development. Operations and maintenance (\$5.7 trillion) includes costs for operating, deploying, and maintaining weapons systems, including the military's nearly <u>300 ships</u> and more than <u>13,000 aircraft</u>, and

5 Estimates for FY 2002- FY 2019 from Congressional Research Service, "<u>Over-</u> seas Contingency Operations Funding: Background and Status." Estimates for FY 2020 and FY 2021 from the Department of Defense FY 2022 Budget Request, <u>Operations and</u> <u>Maintenance Overview</u>. Figures are not inflation-adjusted.



<sup>4</sup> Figures represent contracts and agreements (obligations), and differ slightly from Office of Management and Budget figures, which represent budget authority.

facilities, as well as training and other costs. Procurement (\$2.8 trillion) includes the purchases and upgrades of major weapons systems such as ships and aircraft, as well as land vehicles, missiles, and ammunition.

Just \$3.3 trillion, or 23 percent of the total, went to compensation for military personnel. Entry-level pay for an enlisted service member in 2021 was just over \$20,000, the equivalent of a \$10.30 hourly wage. Service members also receive housing or a housing allowance, but that isn't designed to cover the full cost of housing.<sup>6</sup>

The three <u>biggest recipients</u> of foreign military assistance, Afghanistan (\$91 billion), Israel (\$57 billion), and Iraq (\$36 billion) accounted for nearly 70 percent of all military assistance. But the U.S. gave military aid to the majority of countries on earth during the years of 2002-2019.

#### **Military Contracts**

In a typical year, around half of the DoD budget goes to contractors. Over the last 20 years, the contractors took in more than \$7.2 trillion in DoD funds, compared to only \$4.7 trillion in the 20 years before that, which included the peak years of the Cold War and nuclear arms race.<sup>7</sup> In FY 2020, with a total DoD budget of \$753 billion, <u>\$422 billion</u> went to military contractors.<sup>8</sup>

The top Pentagon contractors bring in more in one year than many government agencies. In FY 2020 alone, Lockheed Martin took in more than <u>\$75 billion</u> in DoD contracts. By comparison, the CDC budget was only \$16 billion in 2020, including emergency COVID funding. The War on Terror has been a huge profit generator for these companies. Stocks in the top five defense companies that were worth \$10,000 when the War on Terror began are <u>worth nearly \$100,000 today</u>, versus only \$61,000 for the overall stock market.

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<sup>6</sup> Housing and other allowances, as well as base and incentive pay, are included in military personnel costs.

<sup>7</sup> Analysis of data from the <u>Federal Procurement Data System</u> and USASpending. gov. Figures in 2021 dollars.

<sup>8</sup> COVID emergency funds inflated these figures, but DoD used some aid for <u>unrelated purposes</u>.

## **Military Equipment and the Police**

The last few years have brought increasing awareness of <u>military equipment that the</u> <u>Pentagon has provided to local law enforcement agencies</u>, and from there, to drug raids, counter-protest activity, and other questionable uses.

The Pentagon provides military equipment to state and local law enforcement agencies through its 1033 program. Today, state and local law enforcement agencies are in possession of \$1.83 billion worth of military equipment transferred since 9/11<sup>9</sup>, including mine resistant vehicles, aircraft, drones, military weapons, and ammunition. DoD also transfers equipment to federal agencies including the Department of Homeland Security (DHS) and the Department of Justice (DoJ).

There is evidence that the War on Terror drove transfers of military equipment to police, as surges ended and the Pentagon looked to divest from surplus equipment. Transfers in 2010, when the military was still deeply engaged in the War on Terror, totaled \$30 million. Over the next few years, the U.S. pulled forces out of Iraq, and military equipment transfers skyrocketed, peaking at \$386 million in 2014. Today, transfers are still far higher than they were early in the War on Terror, totalling \$152 million in 2020 and \$101 million in just the first half of 2021.

This equipment is used by local police for <u>SWAT raids</u>, which are often used indiscriminately, most often for suspected drug crimes, and disproportionately targeting people of color. In one incident, a Georgia <u>toddler was critically injured</u> when a SWAT team's flash-bang grenade landed in his playpen. Military equipment has also appeared as part of <u>police responses to protest</u>, notably during the uprisings against police killings in the summer of 2020 and previously. Indigenous people are the racialized group most likely to be killed in <u>confrontations with police</u>.

The program has also suffered from a dangerously negligent lack of oversight. In 2017, the Government Accountability Office (GAO) reported that it was able to obtain military equipment by <u>fraudulently posing as a law enforcement agency</u>.

#### Veterans

The services that the U.S. provides to military veterans have totaled \$3 trillion over the last 20 years. Of course, these services are provided to veterans of many wars, not just the wars on terror. There are <u>19 million veterans</u> in the U.S.,14 million of whom served during wartime, and 3.5 million of whom served during the global War on Terror.

Veterans of the War on Terror have been subject to <u>nonstop deployments</u> over the last 20 years, taking a toll on physical and mental health, family stability, and civilian career opportunities. Veterans suffer from high risks of <u>suicide</u>, <u>homelessness</u>, and <u>family vio-lence</u>, among other long-lasting consequences of serving in U.S. wars.

<sup>9</sup> Analysis of 1033 program data. Figures are not inflation-adjusted.

The \$3 trillion spent over the last 20 years reflects the cumulative impact of U.S. wars on those who have left military service. The Costs of War project at Brown University has estimated that future costs to care for veterans of the War on Terror alone will total \$1 trillion through FY 2059.

#### Veterans' Programs, FY 2002- FY 2021

Total	\$3.07 trillion
Pensions	\$103 billion
Readjustment benefits	\$196 billion
Other	\$254 billion
Veterans' Health	\$1.26 trillion
Income security	\$1.26 trillion

Source: Office of Management and Budget. 2021 dollars.



# **HOMELAND SECURITY**

The formation of the Department of Homeland Security (DHS) has been <u>characterized</u> as "the largest, most important restructuring of the federal government since the end of World War II." The creation of DHS in 2003 rolled <u>all or part of 22 different federal departments and agencies</u> into a single department. The Federal Emergency Management Agency (FEMA), the Transportation Security Administration (TSA), the Coast Guard, the Secret Service, immigration agencies, and others were all brought under DHS.

Despite the ostensible founding of DHS as a response and preventative against terrorism, it has instead become an agent of repression. DHS has <u>surveilled political groups</u> and <u>infiltrated communities</u>, <u>violently repressed protest</u>, and <u>waged a war on immigration</u>, often in direct coordination with the military and other law enforcement agencies.

Transforming the apparatus of border and immigration enforcement, the department also absorbed the Immigration and Naturalization Service (INS), formerly housed in the Department of Justice, and transferred its functions to three new agencies within DHS: U.S. Citizenship and Immigration Services (USCIS), Immigration and Customs Enforcement (ICE), and Customs and Border Protection (CBP).

Immigration functions were originally included in the new department because of the fear that immigration and unsecured borders would be gateways for terrorism. Instead, the DHS immigration agencies have militarized the border and disrupted immigrant communities even where there is no claim of a terrorist threat, in what has been coined as a "<u>war on immigrants</u>," beginning as early as 2003. From 2002 to 2019 (the most recent year with complete data), <u>5.8 million people</u> were deported. Annual deportations in 2019 were double the number in 2002.

The militarization of ICE and CBP has been <u>well-documented</u>, with cases of excessive force and racial profiling. ICE has an <u>"Office of Firearms and Tactical Programs"</u> that provides equipment and training to its agents, while Border Patrol agents are supplied with <u>weapons of war</u> including M4 rifles with silencers and night vision sights and tactical vehicles, and borders are patrolled by <u>Predator drones</u>. In extreme cases, overzeal-ous deportations have even <u>targeted American citizens</u>. Recent reports suggest that CBP drones have been used to <u>surveil Indigenous activists</u>.

The war on immigration has become a lightning rod for white supremacy and violence, feeding growing white supremacist movements including those that carried out the January 6, 2021 <u>insurrection at the U.S. Capitol.</u> And, much like in <u>local law enforcement</u>, white supremacists have held <u>positions of power</u> in federal immigration agencies.



#### Homeland Security and Selected Programs, FY 2002 - FY 2021

U.S. Customs and Border Protection	\$267 billion
U.S. Coast Guard	\$232 billion
U.S. Immigration and Customs Enforcement	\$125 billion
Transportation Security Administration	\$109 billion
U.S. Citizenship and Immigration Services	\$64 billion
Secret Service	\$43 billion
Cybersecurity and Infrastructure Security Agency	\$33 billion
Countering Weapons of Mass Destruction Office	\$6.5 billion
Federal Law Enforcement Training Center	\$6.2 billion

#### Total

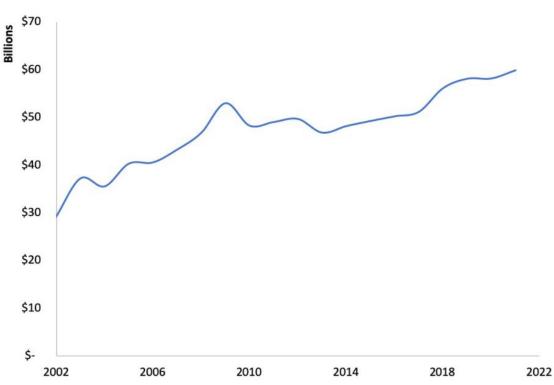
#### \$949 billion

#### Source: Office of Management and Budget. 2021 dollars. Excludes FEMA.

Since 2002, spending for DHS has totaled \$949 billion, primarily for militarized border and immigration operations: CBP, the U.S. Coast Guard, and ICE together account for 65 percent of the total.<sup>10</sup> Perhaps signaling the ad hoc nature of militarization in DHS in light of the well-documented arming of ICE and border agents, the Coast Guard <u>de-</u> <u>scribes itself</u> as "the only armed service in the Department of Homeland Security," with "both civilian and military responsibilities."

<sup>10</sup> We exclude FEMA spending from our calculations. While FEMA is a major agency within DHS, and it does perform some counterterrorism activities, a large share of its funding has been for preparation and response to natural disasters.





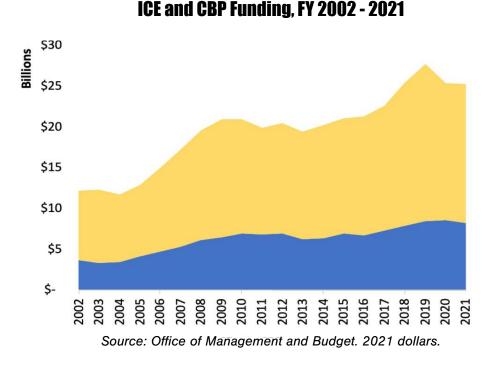
#### Homeland Security Spending, FY 2002 - FY 2021

Source: Office of Management and Budget. 2021 dollars. Before FY 2003, spending is for categories assigned to DHS according to OMB. Excludes FEMA.

### **ICE and Customs and Border Protection**

Customs and Border Protection (CBP), the agency tasked with borders and customs enforcement including the Border Patrol, and Immigration and Customs Enforcement (ICE), the agency tasked with punitive immigration law enforcement including immigrant detention and deportation operations, together accounted for more than \$392 billion over the last 20 years – nearly half of DHS's spending (excluding FEMA). Almost every year, Congress approves massive funding increases to these agencies that profile, jail, and deport immigrants. Combined spending on ICE and CBP was more than six times greater than the \$64 billion spent on Citizenship and Naturalization Services since FY 2002.

Over the span of 20 years, spending on ICE and CBP more than doubled, from \$12 billion in FY 2002 to more than \$25 billion in FY 2021. During that period, spending on ICE and CBP was more than twice the funding for the Centers for Disease Control and Prevention (CDC) (even accounting for pandemic spending in 2020 and 2021), and four times the funding for the Substance Abuse and Mental Health Services Administration, even as the opioid crisis became a matter of national concern, causing more than 49,000 deaths in 2019.



CBP, which includes the Border Patrol, is among the <u>largest law enforcement organi-</u> <u>zations in the world</u>. Even as the number of migrants crossing the southern border has <u>decreased</u>, the number of border patrol agents has grown alongside CBP's swelling budget. With just over <u>10,000 agents</u> in FY 2002, by FY 2020 the Border Patrol had more than 19,000 agents. Contributing to the militarized ethos of Border Patrol policing, <u>nearly one-third</u> of CBP agents are military veterans.

There have been <u>at least 177 fatal encounters</u> with CBP since 2010. Despite this <u>violent</u> <u>history of misconduct</u>, <u>little to no oversight or accountability</u> measures have been put in place to hold the agency accountable for excessive, deadly use of force and abuse of power.

Ballooning in recent decades, the United States maintains the world's largest immigration detention system. Every year, hundreds of thousands of immigrants are locked up in over 200 ICE detention centers, where they often face <u>abusive conditions</u> while they await determination of their immigration status. A <u>majority</u> of these detention facilities are operated by private, for-profit companies. Immigrant detention has <u>grown in recent</u> <u>decades</u> alongside the mass incarceration of non-immigrant Black and Brown communities in the United States. In fact, local, state, and federal police <u>often coordinate</u> with ICE and CBP, creating pipelines between criminal punishment and immigration enforcement systems.

Despite mass protests and its prominence as an issue in the presidential campaign, the number of immigrants held in detention <u>more than doubled</u> under the Biden administration since the end of February 2021.



## **The Border Wall**

In recent years, the notorious border wall became emblematic of the militarization of the United States' southern border region. Under the Trump administration, taxpayers spent a whopping \$16.3 billion on border wall construction – including nearly \$10 billion that the administration diverted from the military budget.

The Biden administration pledged not to build "another foot of wall" and has characterized its support for border surveillance and technology funding as a gentler alternative to Trump's border wall. But <u>high tech surveillance systems</u>, known as "smart borders" or "virtual walls," don't represent the softer approach their proponents claim. <u>Surveillance technologies</u> are environmentally destructive, threaten privacy and civil liberties, and can lead to more migrant deaths as individuals are funneled into more dangerous routes. Far from "humane," these technologies only perpetuate militarization and mass surveillance in the borderlands and beyond.



# **FEDERAL LAW ENFORCEMENT**

The Department of Homeland Security (DHS)'s militarized approach to the border is echoed internally by federal law enforcement's activities as part of the war on immigrants, the war on drugs, and the war on crime. Federal law enforcement activities have led to violent police tactics, indiscriminate surveillance practices, racial profiling and racist outcomes, and mass incarceration.

According to a 2018 report to the U.S. Sentencing Commission, 34 percent of federal sentences were for immigration offenses, marking the federal prosecution system as a key component of the war on immigrants. Another 28 percent of sentences were for drug crimes. Federal arrests were also dominated by immigration offenses, which made up <u>56 percent</u> of all federal arrests in FY 2018. Just <u>1.9 percent</u> of federal arrests were for violent offenses.

Black and Latinx people bear the brunt of federal law enforcement. Hispanic people were the <u>subjects of 54 percent</u> of federal sentences in 2018, and Black people another 20 percent. Black people make up <u>38 percent</u> of the federal prison inmates, far greater than their share of the population.

The recent uprisings in response to the killings of George Floyd, Breonna Taylor, and others have brought the nation's police forces under close examination. While local police have received the lion's share of scrutiny for violent tactics, <u>recent investigations</u> have found that U.S. Marshals are more likely to use their guns compared to local police. Yet the Department of Justice (DoJ) has refused to publicly release information on Marshal-involved shootings that major police departments are obligated to publish. Federal law enforcement also hands down its tactics to local police. The <u>FBI both trains</u> chief executive officers for local police departments, and develops a firearms training curriculum for police officers.

Most federal law enforcement activities are overseen by the DoJ, whose <u>four strategic</u> <u>goals</u> are to 1) "enhance national security and counter the threat of terrorism;" 2) "secure the borders and enhance immigration enforcement and adjudication;" 3) "reduce violent crime and promote public safety;" and 4) "promote rule of law, integrity, and good government." According to the <u>Department of Justice</u>, 88 percent of its budget goes toward the first three goals: counterterrorism, border security and violent crime.

Agencies like the Federal Bureau of Investigation (FBI), Drug Enforcement Agency (DEA), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), and the U.S. Marshals have long been at the forefront of the wars on crime and drugs, and have played an increasingly large role in the war on immigrants. Federal prosecutors (U.S. Attorneys) and federal prisons carry out aggressive prosecutions and harsh prison sentences.

These agencies do not just operate inside the U.S. The FBI has more than <u>90 offices</u> overseas, and nearly half of its spending (\$84 billion) over the past 20 years was considered defense-related. Likewise, the DEA has <u>91 overseas offices in 68 countries</u>, the



U.S. Marshals have three foreign field offices, and ATF has at least eight foreign offices.

Federal law enforcement's foreign exploits have often been associated with local violence. In 2012, DEA agents in Honduras were involved in an incident in which <u>four civil-</u> <u>ians</u> were killed, including two pregnant women and a child. DEA agents left the scene without aiding the killed and injured civilians. They subsequently attempted to cover up their role to Congress. In Haiti, a former DEA informant was one of the suspects arrested in the assassination of President Jovenel Moise.

Since FY 2002, federal law enforcement spending has totaled \$732 billion, including \$174 billion for the FBI, \$53 billion for the DEA, \$146 billion for federal prisons, and \$137 billion for federal funding for local and state law enforcement. From FY 2002 to FY 2021, federal law enforcement spending grew by 27 percent.

#### Federal law enforcement spending, FY 2002 - FY 2022

Federal law enforcement and litigation	\$445.4 billion
Federal Bureau of Investigation	\$174 billion
Drug Enforcement Administration	\$53 billion
U.S. Attorneys	\$44 billion
Assets forfeiture	\$35 billion
Bureau of Alcohol, Tobacco, Firearms, and Explosives	\$26 billion
U.S. Marshals	\$24 billion
Federal Prisoner Detention	\$15 billion
Executive Office for Immigration Review	\$8 billion
Other	\$66 billion
Federal prison system	\$146 billion
State and local law enforcement assistance	\$138 billion
Other, defense-related	\$2 billion

#### Total

\$732 billion

Source: Office of Management and Budget. 2021 dollars.



### **The War on Terror**

With major expansions of a number of bureaus following the passing of the <u>Patriot Act</u> and the Protect America Act during the Bush administration, the DoJ claimed a mandate for "unrelenting focus and unprecedented cooperation" in service of counterterrorism — claiming to protect civil liberties while in fact violating them through aggressive law enforcement tactics and expansion of surveillance powers.

Even prior to 9/11, federal law enforcement agencies like the DEA had for decades collected information on all U.S. phone calls to <u>116 countries</u>. Post-9/11, the surveillance of ordinary citizens exploded, giving law enforcement access to phone records for tens of millions of Americans. The FBI has monitored political and religious groups exercising their First Amendment rights, including the anti-war Quakers. In the aftermath of the January 6, 2021 attempted insurrection, the DoJ is now seeking new powers in the name of combating domestic terrorism, raising concerns of an expanded surveillance and security state that targets even more sectors of the population – without meaningfully curtailing terrorist attacks.

Meanwhile, a number of purported foiled terrorist plots have been revealed as <u>cases of</u> <u>entrapment</u>, diverting law enforcement resources from pursuing real threats and instead coaxing vulnerable individuals into participating in plans manufactured by FBI agents. Some analysts have <u>concluded</u> that the nature of the FBI's counterterrorism strategies seems to create "terrorists" out of ordinary citizens – certainly not the purpose for which funds were legislated.

An investigation by The Intercept found that of the <u>almost 1,000 prosecutions</u> for terrorism-related offenses since 2001, many of whom were caught in FBI sting operations, the majority had never committed a violent crime, did not have the means or opportunity to commit acts of violence, and had no direct connections to terrorist organizations.

### The War on Immigrants

More than <u>half of all federal arrests</u>, and more than <u>one-third of all federal sentences</u>, have been for immigration crimes in recent years. The five districts that handed out the most federal sentences were all in border states: two in Texas, one in Arizona, one in New Mexico, and one in Southern California. More than 40 percent of sentences were for non-citizens, almost all convicted of immigration offenses.

While ICE and CBP round up immigrants, it is the DoJ that <u>prosecutes immigration cases</u>. Federal law enforcement agencies including the FBI, DEA, ATF, and U.S. Marshals Service all formally <u>collaborate</u> with ICE and CBP.

Federal law enforcement's early approach to the War on Terror provided some of the opening shots in the war on <u>immigrants</u>. In the year after the 9/11 attacks, the Bush administration created a program administered by DoJ called the National Security Entry-Exit Registration System (<u>NSEERS</u>), which registered non-citizen visa holders, and



disproportionately targeted Arab and Muslim people. The program was widely regarded as a failure at leading to terrorism convictions, and was <u>suspended</u> during the Obama administration. In 2017, the Trump administration revived an open policy of targeting Muslims with a travel ban from seven Muslim-majority nations, a decision <u>defended by</u> the Trump Justice Department.

### **Racial and Ethnic Profiling**

The targeting of Muslims has not been limited to immigration, and Muslims have not been the only group targeted. An ACLU report found that a Michigan FBI office initiated an effort to collect information on all <u>Muslims and people of Middle Eastern descent</u> in <u>Michigan</u>, without any evidence of criminality by individuals or groups.<sup>11</sup> These FBI tactics both alienate many Muslim Americans from the government and feed systematic negative views of Muslims that have contributed to xenophobia and ongoing immigration restrictions.

The same report noted an effort by the FBI office in Knoxville, Tennessee to map mosques; an FBI effort in Atlanta, Georgia to track overall Black population growth in pursuit of "Black Separatist" groups; and plans to monitor entire Chinese communities in San Francisco for organized crime. None of these efforts were tied to specific evidence or crimes. Rather, they were based primarily on race, ethnicity, or religion.

Racist patterns of surveillance and harassment are also reflected in arrests and prison sentences. In the 10 years before 2019, <u>179 people were arrested</u> in reverse-sting incidents (often considered entrapment) by the DEA's Southern District of New York. Not a single one of them was white.

#### **Mass Incarceration**

The war on drugs is a major driver of mass incarceration. In federal prisons, more than 67,000 people, accounting for nearly half the federally incarcerated population, are serving time for drug charges. Federal policy and spending have been drivers of mass incarceration at the local and state levels as well. In 1986, the Anti-Drug Abuse Act enshrined the now-infamous imposition of harsh mandatory minimum sentences for crack cocaine. The passage of the 1994 crime bill created new federal funding streams that encouraged states to pass "tough on crime" sentencing laws and to build more prisons. Many of these programs are still active today.

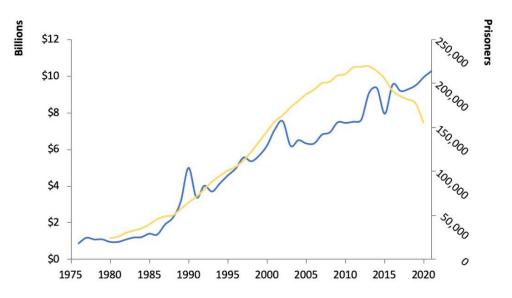
Federal prison funding has increased by more than 11 times since 1976, exploding from \$901 million in 1976 to \$10 billion in 2021. During that time, the <u>number of people</u> <u>incarcerated in federal prisons</u> increased ninefold, from 24,000 in 1980 to more than 219,000 by 2013, though the number has been steadily <u>declining</u> since. Over the past

<sup>11</sup> The ACLU report that documented this instance noted that many Muslim people in Michigan are actually African-American, not of Middle-Eastern descent, and that targeting an entire group amounts to "religious bigotry."



20 years, the federal prison system has cost \$146 billion, and federal prison funding has increased by 23 percent, despite the recent downturn in the number of federal prisoners.

#### Federal Prison Spending and Federal Prisoners, FY 1976 - FY 2021



Sources: Office of Management and Budget, Federal Bureau of Prisons. 2021 dollars.



# **DIFFERENT CHOICES**

Over the next 20 years, will we choose to continue to invest the way we have for the last 20 years, or will we change?

The militarization of U.S. domestic and foreign policy has wreaked havoc. It has cost lives and well-being for those caught up in our foreign wars and our domestic crack-downs alike, and has cost a fortune in the process.

What if, in the next 20 years, we invested just as deeply in our most critical needs?

Those needs are many:

The COVID-19 pandemic has cost more than <u>four million lives</u> worldwide, including more than 625,000 lives in the United States as of August 2021. Yet just 51 percent of people in the U.S. are fully vaccinated, and dozens of countries have <u>vaccination rates in the single digits or teens.</u> In the U.S., survivors face staggering <u>medical bills</u> in some cases, while 15 million people are <u>behind on rent and face eviction</u> once government eviction moratoriums end. The <u>burden of COVID</u> has hit poor people, Black people, and Brown people harder than their higher-income and white counterparts.

The havoc COVID has wreaked on the economy just compounds the economic inequality the country already faced. Low-wage workers faced the <u>greatest job losses</u> during the pandemic. In 2018, the richest 0.1 percent of Americans took in more than 196 times as much income as the bottom 90 percent. The richest earned income from investments, while the rest of us earned income from work. <u>People of color</u> have long faced higher unemployment rates than white people, and over the past three decades, the racial wealth gap has widened.

While the world struggles to beat back the pandemic, increasing parts of the world are either on fire or underwater. The <u>wildfires</u> and <u>floods</u> of summer 2021 have shown the world a taste of the threats that climate change is driving.

All of these threats require concerted action to save lives and livelihoods, and that requires investment.



Full investment in solutions to these problems could transform our world. Investments could fully decarbonize the U.S. electric grid, create millions of good-paying jobs, erase student debt, make permanent the extended Child Tax Credit, guarantee free preschool, and vaccinate the populations of low-income countries – and still not come close to \$21 trillion:

- ► \$4.5 trillion could <u>fully decarbonize the U.S. electric grid</u>
- \$2.3 trillion<sup>12</sup> could create 5 million \$15 per hour jobs with benefits and cost-of-living adjustments for 10 years
- ► \$1.7 trillion could <u>erase student debt</u>
- \$449 billion could <u>continue the extended Child Tax Credit</u> for another 10 years
- \$200 billion could <u>guarantee free preschool</u> for every 3-and-4-year old for 10 years, and raise teacher pay
- \$25 billion could provide COVID vaccines for the population of lowincome countries

The investment of \$21 trillion in militarization over the past 20 years is proof of concept that the U.S. government has both the means and the political will to act on its priorities. The task of the next five, 10, and 20 years will be to shift those priorities to better meet the array of threats we face. It is entirely our decision to make.



<sup>12</sup> Author's calculation.