

Introduction

FLAME OF THE WEST

In 2019, Palmer Luckey held a ribbon-cutting ceremony in Irvine, California, for his new technology defense company, Anduril Industries. Luckey had just come out of a tumultuous business relationship with Facebook, who had purchased his company Oculus, a tech company that came out with state-of-the-art 3-D virtual reality headsets. He was shifting his work toward a new vision: borderland defense technology. To cut the ribbon, Palmer had wanted to use his replica Lord of the Rings sword named Anduril that was carried by Aragorn in J. R. R. Tolkien’s popular novels, but he didn’t have time to sharpen it (Dean, 2019). Nevertheless, he drew on the Lord of the Rings mythos to convey the importance of this event:

“Anduril,” he said, leaning into the long Elvish vowels, “means Flame of the West. And I think that’s what we’re trying to be. We’re trying to be a company that represents not just the best technology that Western democracy has to offer, but also the best ethics, the best of democracy, the best of values that we all hold dear.” (Dean, 2019)

Anduril would go on to win a large bid from the Trump administration to bring together commercial technologies such as VR goggles, drones, and AI with the defense industry. Their experimental playing fields? The US-Mexico border. The aim? To capture immigrants crossing the border with the most advanced technologies developed in Silicon Valley, and to further build data profiles out of immigrant data.

This event symbolizes the evolving new threshold in borderland technology. The US-Mexico borderlands, always in cultural, political, and geographic flux, have shifted once again. Unlike the past, when new borderlands were drawn from the US-Mexico War of 1846–48, or the construction of a physical border wall, or burgeoning maquiladoras from the globalized economy of the mid-twentieth century onward, this change has cast the borderland as ubiquitous, digital, and often invisible to the eye. This emerging borderland stems from the partnership of various arms of the Department of Homeland Security, alt-right-leaning Silicon Valley startups, government agencies (such as state motor vehicle departments), and unfortunately for us, consumers like you and me.

I name this trend the *data body milieu*. Data body milieu is the state of borderland surveillance that brings all people, citizen and immigrant, into an intimate place of surveillance where our data lives together and defines us in a data borderland. It places Latinx immigrant data at the center of technological innovation and development.¹ In describing these data borders, I'm concerned with the liminal state in which almost every US resident lives: we cannot feel, describe, or point to when that data is in movement in favor of Immigration and Customs Enforcement (ICE), border patrol, and their parent the Department of Homeland Security (DHS). This interstitial border is always at play and yet rarely perceptible. In these emerging data borders, state, technological innovation, and data organization subjects coexist in a way that leads to the surveillance, capture, and deportation of undocumented people, without those subjects necessarily aware that they are interacting.

What does it mean when a liminal data border exists without space, time, or consciousness of those subjects' engagement? What does it mean when *everyone's* data interacts in order to police, apprehend, and deport across a border that is unseen?

A NEW VIRTUAL BORDER THRESHOLD

In March 2018, US Congress approved \$400 million of the 1.3-billion-dollar budget for the 1,954 miles of virtual border wall, also known as a “smart” wall (Davis, 2019). It was estimated by the Office of Biometric Identity Management that DHS will be conducting 180 million biometric transactions a year among 260 million unique identities by fiscal

1. Word choices are explained in the “Terminology and Identities” section later in this chapter.

year 2022, with that number rising every year that passes (Homeland Advanced Recognition Technology, 2021). The virtual border wall was approved without the fiery debate about the physical border wall. But the rhetoric included promises that went beyond the physical border wall: Not only would immigrants be kept out of the United States, but they could now be known, documented through digital technology's biological mapping. The promise of the virtual border wall goes beyond the brick-and-mortar wall: It promises to solve *the Latinx immigrant threat* (Chavez, 2008)—a threat that reaches beyond the idea of citizenship in the United States into a source of anxiety concerning nonparticipation in producing data that is crucial for digital capitalism.

With the virtual border wall, technology accomplishes what ICE, the border patrol, white nationalists, English-only policies, Proposition 187, and voters in the borderlands could not accomplish over centuries of attempts to reverse the influx of the Latinx population in the US borderlands; a promise of technological futurity that arose with more gusto in the 2010s, when border technology proposed a United States with a controllable immigrant influx at the border.

We are increasingly seeing Latinx immigrants in borderlands referred to as data and engaged as the object of mobilizing information technology and defining citizenship inclusion. Recent investment in the collection of biodata on the border and around the “belonging” of citizenship is a highly profitable grab around different groups of immigrants, Latinx undocumented people, permanent residents, and Latinx citizens (Cagle, 2017). The surveillance of Latinx immigrants and development of technology around Latinx bodies is not new (Chaar-López, 2019); but the scale and networked circulation of that data has changed. As data gathering increases, US citizens and Latinx immigrants become more intertwined in the borderland milieu that historian Oscar Martínez originally theorized, into what is now a state of data body milieu.

This book is about the emerging state of borderland surveillance that brings all people, citizen and immigrant, into an intimate place of surveillance where our data lives together and defines us in a digital borderlands. This surveillance places the Latinx immigrant body at the center of technological innovation and development and an emerging industry at the crossroads of Silicon Valley and ICE. Companies such as Quanergy Electric, Anduril, BI2, Palantir, Amazon, LexisNexis, and DNA testing companies all have a stake in gathering data of undocumented people at ports of entry, borderlands, detention centers, and immigrant-populated cities—and subsequently US citizens as

well. While surveillance and contentious relations along the US-Mexico border are not new, what is new is both the scale at which data is gathered and the move to biological data—from retina scanning to DNA testing.

This is the evolving state of data body milieu. Latinx immigrants becomes valued as a data body, one that is used for purposes of technological design and valuable as a source of data in and of itself. Silicon Valley is physically reshaping around the US-Mexico borderlands, and US residents engage in a constant state of borderland surveillance, intimately entangled with undocumented data surveillance. Information technology on the border and in the ubiquitous data borderland is approached as an avenue to manage the excess of Latinx immigration into the United States. This emerging industry posits that the “next new” technology can contain the US-Mexico border’s rugged terrain, quantify immigrants under control, and manage the nonassimilated excess of *Latinidad*.

Silicon Valley’s move to design technology around Latinx immigrants is building on a long history of surveillance projects networked into and justified around communities of color as a perceived threat to white and citizen safety. Data body milieu is the name I give this recent trend, but it is always interconnected and built onto the ways in which surveillance and technologies have been encoded with bias, racism, sexism, classism, and ableism to benefit normative and acceptable states of citizenship.

This book does not encapsulate all immigrant experiences across the United States and is not comprehensive of the Latinx immigrant experience. I’m focused on the US-Mexico border, the Latinx immigrants traditionally targeted in political rhetoric by way of US anxieties along that border (Mexican and Central American), and the communities built around migrations and residencies from that launch point. There should be work that focuses further on the ways in which surveillance technologies and the developing data body milieu sets its gaze on different immigrants, and how these forms of policing are interconnected.

Black, Latinx, Middle Eastern, Indigenous, Asian American, and Muslim communities have been used as a launching point and a central focus for developing surveillance technologies for decades. One of the most infamous of those was the COunter INTELigence PROgram (COINTELPRO), the US FBI project that surveilled American political organizations from the 1950s through the 1970s, with a particular focus on Black, Chicano, and Native American organizations (Ogbar, 2017). Post 9/11, the 2001 Patriot Act allowed US law enforcement to

use extreme surveillance techniques to investigate terrorism-related crime; it allowed for wiretapping, the collection of American phone records, delayed notification of search warrants, federal agents to obtain bank and business records, network information sharing between government agencies, and further screening in travel and airports (Puar, 2007). That act brought surveillance into the public sphere as far as the public library, with librarians receiving National Security Letters: gag orders by the FBI to turn over patrons' book checkout records (Chase et al., 2016).

Another group drastically impacted by these developed and emerging surveillance technologies are the Indigenous nations that live along the border. Native Americans live and have lived in the ever-changing borderlands since before colonization, and they experience surveillance projects intensely themselves. Most recently, the Integrated Fixed Towers, built by Elbiet systems, Israel's military defense company, have been forced onto the Tohono O'odham Nation in Arizona. Those Indigenous groups are harassed by CBP daily, and their own lives have changed in the span of one lifetime, the borderlands so militarized that their previous more fluid movement and community from Mexico to the United States has lost its flexibility and severed their previous community network (Jaacks, 2020; Parrish, 2019).

Many scholars have described the moving parts of the current power structures of technology and society. In 2016 Cathy O'Neil raised the red flag from her own work in data processing and mathematics, finding that these mathematical algorithmic systems were determining high stakes in citizens' everyday lives, such as which teachers to fire based on numbers and algorithmic decisions, not their abilities; health care access and cost based on an individual's likelihood to get sick; and stop-and-frisk policies, to name a few.

Internet scholar Safiya Noble (2016) observed the seemingly "neutral" technologies of our everyday lives as deeply intertwined in the power dynamics that are embedded in our social structures. Noble lifted this veil by naming these "algorithms of oppression": she searched for "Black girls" on Google and found solely pornographic images on the first page of results of the web and image search; she found the same for Latina and Asian girls (Dave, 2022, Noble, 2018). She described the bigger picture here: technologies in our everyday lives are not neutral and value free but indeed reflect the anti-Black and misogynist social structures that have been established in the United States. Now that same

racism, sexism, and class inequality is built into algorithms—algorithms that determine home loans, medical coverage, and other everyday life necessities. African American Studies scholar Ruha Benjamin (2019) calls the benign and often altruistic ways in which these technologies are developed, designed, and delivered into consumers' hands the *New Jim Code*, justified through the necessity of progress. We will see those justifications used to embed data border technology into everyday systems of information frequently throughout this book.

On the topic of data borders, I am in conversation with scholars in various fields. These include critical internet and media scholars who interrogate how information technologies reproduce and challenge power and resist values holding that technology is neutral or technology leads to democratized progress. Latinx studies scholars have looked at the ways in which the state grants and denies citizenship based on race, gender, and sexuality. And library and information science (LIS) scholars think about ways in which information and data is organized that reaffirms structural inequality, presenting responses to further information equity instead. I also benefit from and discuss work on the quantified self, research on new media studies, the digital humanities, and histories of computing and technology.

The contemporary surveillance state is a messy network, like that box of old electronic cords that you have in your garage. This immigrant data surveillance state is a large ball of tangled mess that works together to connect and network in data that determines everything from our medical coverage and eligibility for loans to our movement across borders. This book attempts to pull on some of those wires and untangle this mess that is the contemporary surveillance state that organizes around Latinx immigrants along the US-Mexico border. I circle around questions such as: How are most people in the United States now connected to ICE systems of surveillance? How are technologies designed around Latinx immigrant data? How are US residents' data bodies living outside of our physical bodies? Also important to this study is: How are most people experiencing a borderland by way of their data, consciously or not?

One purpose of this book is to promote and accelerate immigrant data rights as a part of new necessary movements for immigrant rights overall, by demonstrating what this intimate digital surveillance state centered on Latinx immigrant (and perceived immigrant) data looks like, how it operates, how it builds on what came before and moves beyond, how it classifies and categorizes, how it expands beyond just

Latinx people, how it is commercialized and consumed. I weave personal stories of growing up in the physical borderlands as a second-generation Mexican American Latina to illuminate the contrast of the disembodied and embodied data borderlands. I'm concerned with the question: What does it mean that many people's data is in a constant state of correlation to ICE systems of surveillance, but they can't feel those borderlands? I continually reflect on my experience growing up in borderlands, and I bring in Latinx immigrant experiences of the borderlands to both put the body back in the data body and contrast the data border experience that is so pervasive in everyday lives.

My intention is to describe what is going on with the emerging commodified surveillance state and push toward immigrant data rights. But my hope is to tell the story of how I ended up networked into immigrant surveillance. The story of how you are networked into immigrant surveillance and deportation. The call to action for this story is to lead with undocumented immigrant data rights in policy by pivoting with parable in the concluding chapter, by ending with immigrant experiences of the borders and imagining techno-futures. Pivoting from story, I hope immigrant experiences of crossing the border, their awareness of the constraining technology of surveillance, and their imaginings of alternate borderland techno-futures act as a parable to counter the larger story structure in which we find ourselves (described further in chapter 5).

A second aim of this book is to look at what is happening around Latinx immigrant inclusion in and exclusion from the state by way of emerging information technology mergers between Silicon Valley's collaboration with the Department of Homeland Security (particularly ICE and border patrol). Not all forms of Latinidad are rejected by the state. For example, the now defunct Latina-designed AI "Emma," a chatbot that once faced immigrants on the United States Citizenship and Immigration Services (USCIS) website to answer questions about the citizenship process. Emma, and other emerging Latina AI, demonstrates that there are acceptable forms of Latinx immigrant assimilation and citizenship, when that citizenship is done "right," with features that are more Anglo, speaking English first and Spanish second (Sweeney and Villa-Nicholas, 2022; Villa-Nicholas and Sweeney, 2019). The emerging "datafication" (quantification of everything) trend toward Latinx immigrants in the borderlands suggests that those not immigrating through legal means can be removed back to their home countries and their citizenship "set right" with quantifying tools.