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**U.S. CUSTOMS AND BORDER PROTECTION**  
**DEPARTMENT OF HOMELAND SECURITY**

**BEFORE**

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**Subcommittee on Disaster Recovery and Intergovernmental Affairs**

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## Introduction

Chairman Pryor, Ranking Member Ensign, and distinguished Members of the Subcommittee, it is a pleasure to appear before you today to discuss U.S. Customs and Border Protection's (CBP) efforts to secure our nation's borders.

As America's frontline border agency, CBP is responsible for securing America's borders against threats while facilitating legal travel and trade. To do this, CBP has deployed a multi-layered, risk-based approach to enhance the security of our borders while facilitating the flow of lawful people and goods entering the United States. This layered approach to security reduces our reliance on any single point or program that could be compromised. It also extends our zone of security outward, ensuring that our physical border is not the first or last line of defense, but one of many.

I'd like to begin by recognizing those at the Department of Homeland Security (DHS) who have given their lives in service to our nation. The loss of these brave agents and officers is a stark reminder of the sacrifices made by the men and women of DHS every day. It also strengthens our resolve to continue to do everything in our power to protect against, mitigate, and respond to threats and secure our border.

## Overview of Border Security Efforts

Over the past two years, DHS has dedicated historic levels of personnel, technology, and resources to the Southwest border. In March 2009, DHS launched the Southwest Border Initiative to bring unprecedented focus and intensity to Southwest border security, coupled with a smart and effective approach to enforcing immigration laws in the interior of our country. We have increased the size of the Border Patrol to more than 20,700 agents today, more than double the size it was in 2004. DHS also quintupled deployments of Border Liaison Officers to work with their Mexican counterparts and began screening more vehicle traffic and 100 percent of southbound rail to look for illegal weapons and cash that, when smuggled across the border, help to fuel the cartel violence in Mexico.

With funding provided by the enacted Fiscal Year (FY) 2010 Border Security Supplemental, we are continuing to add technology, manpower, and infrastructure to the Southwest border, including 1,000 new Border Patrol agents; 250 new CBP officers at our ports of entry (POEs); improving our tactical communications systems; and adding two new forward operating bases to improve coordination of border security activities. The Supplemental also provided CBP two new Unmanned Aircraft Systems (UAS), further strengthening our UAS operations, which now cover the Southwest border from the California-Arizona border to the Gulf of Mexico in Texas.

We've also constructed 649 miles of fencing of the 652 miles that Border Patrol field commanders determined are operationally required, including 299 miles of vehicle barriers and 350 miles of pedestrian fence.

While there is still work to be done, every key measure shows we are making significant progress along the Southwest border. Border Patrol apprehensions—an indicator of illegal immigration—have decreased 36 percent in the past two years, and are less than a third of what they were at their peak. We have matched these decreases in apprehensions with increases in seizures of cash, drugs, and weapons—demonstrating the effectiveness of our layered approach to security. Violent crime in border communities has remained flat or fallen in the past decade, according to the Federal Bureau of Investigation's (FBI) Uniform Crime Report, and some of the safest communities in America are at the border. In fact, violent crimes in Southwest border counties overall have dropped by more than 30 percent and are currently among the lowest in the nation per capita, even as drug-related violence has significantly increased in Mexico.

Nonetheless, we acknowledge that there is still work to do. We remain concerned about the drug cartel violence taking place in Mexico and continue to stand vigilant against spillover effects into the United States. We will continue to assess and support the investments in the manpower, technology and resources that have proven so effective over the past two years in order to keep our borders secure and the communities along it safe.

We are also concerned about the increasing influence of Mexican Drug Trafficking Organizations (DTOs) over U.S.-based gangs as a way to expand their domestic distribution process. Gang members are heavily involved in the domestic distribution of the narcotics and to a much lesser extent, the actual movement of contraband across the Southwest border. The Mexican Mafia and Barrio Aztecas are two examples of U.S.-based gangs with significant ties to Mexican DTOs that operate on both sides of the border. In an effort to combat the threat of transnational criminal gangs, CBP developed the Anti-Gang Initiative (AGI). The AGI is a multi-year strategic plan to combat transnational criminal gangs. It focuses on the effective management and coordination of CBP personnel, systems, and resources to detect, disrupt, and interdict criminal gang members and their illicit cross-border activities.

The CBP Office of Intelligence and Operations Coordination (OIOC) supports AGI efforts by facilitating the sharing of intelligence generated by multiple federal, state and local agencies. OIOC assets are embedded within both the Operations Section-Gangs located within the Special Operations Division at the Drug Enforcement Administration (DEA), and the FBI's National Gang Intelligence Center. As a contributing member to both these gang-focused operations, CBP has access to operational intelligence that is generated not only by the DEA, but by our other law enforcement partners, including the Federal Bureau of Investigation, U.S. Marshals Service, Bureau of Prisons, and U.S. Immigration and Customs Enforcement (ICE).

### Overview of Smuggling Methods

CBP's mission is complex and challenging. Vast expanses of remote and rugged terrain between our POEs, coupled with the large volumes of trade and traffic at our POEs, are targeted for exploit by smugglers and other cross-border criminal organizations. Smugglers use a wide range of ever evolving methods to attempt to move their illicit goods into the U.S. both at and between our POEs, including the subterranean movement of contraband by way of tunnels. These illicit goods include people, weapons, cash, narcotics and other contraband, which are concealed on people, in vehicles, in cargo, on aircraft and marine vessels. On a typical day, CBP seizes 5,154 kilograms (11,362 pounds) of drugs and \$403,066 in undeclared or illicit currency. The Southwest border is the primary entry point for cocaine, heroin, marijuana, and methamphetamine entering the United States.

To meet the challenges of the complex environments in which we operate and address the evolving smuggling techniques we encounter, the CBP OIOC monitors, collects, analyzes and produces intelligence reporting on drug smuggling tactics, techniques, and procedures. In addition, OIOC analysts disseminate information and intelligence from our federal, state, local, tribal and international partners to CBP operational components. This reporting provides our field leadership and frontline personnel with a better understanding of the illicit transportation methods and concealment techniques they are likely to encounter. This information is also used at all levels of the organization to assess the effectiveness of our interdiction operations.

To detect this contraband in vehicles and other conveyances, CBP employs a wide-range of interdiction methods to include behavioral observation, fiber-optic scopes, and non-intrusive inspection (NII) technologies, as well as the intuition of our well-trained officers and agents. NII technologies, to include large scale X-ray and Gamma-ray imaging systems, are an important part of our layered enforcement strategy. These technologies are deployed at our nation's air, sea and land border POEs to screen and identify anomalies that may indicate the presence of contraband or other illegal materials. These NII technologies are force multipliers that enable us to scan or examine a larger portion of the people, conveyances and cargo entering and exiting the U.S. for the presence of contraband, while continuing to facilitate the flow of legitimate trade and travel. NII technologies also give CBP the capability to perform thorough examinations of conveyances and cargo without having to resort to the costly, time-consuming, and intrusive process of manually searching, drilling or dismantling.

NII technologies are also the only effective means of screening the large volume of rail traffic entering the United States from Mexico. CBP currently has eight rail imaging systems deployed to the eight Southwest border commercial rail crossings. These rail systems currently provide CBP with the capability to image and scan 100 percent of all commercial rail traffic arriving in the United States from Mexico. The rail NII imaging technology is bi-directional which provides CBP with the added capability to image southbound trains. In March 2009, CBP began conducting 100 percent outbound screening of rail traffic departing the United States for Mexico for the presence of contraband, such as explosives, weapons and currency.

Through funding received from the American Recovery and Reinvestment Act, CBP has procured one high-energy integrated rail replacement system for deployment to the Southwest border. The system, a dual function radiography/radiation detection unit, is currently undergoing testing and evaluation at the manufacturer's location. CBP anticipates deploying this system in FY 2011.

Due to increased CBP land and air interdiction efforts along the U.S.-Mexico border, drug and human smuggling and trafficking organizations are increasingly turning to maritime smuggling routes to transport their illegal cargo into the United States. Mexican smuggling organizations use a variety of methods to enter the United States via maritime routes, including the use of small wooden fishing vessels. These small, wood, locally built fishing vessels attempt to evade detection by CBP and U.S. Coast Guard surface patrol vessels and patrol aircraft by transporting illegal cargo to the United States at night.

Mexican smuggling organizations also use pleasure boats in a number of areas in an attempt to blend in with legitimate boaters and transport illegal cargo during broad daylight. Smuggling operations utilizing this technique rely on the sheer number of similar pleasure boats on U.S. waters on any given day to "blend-in."

A third method of smuggling illegal cargo into the U.S. is through the use of small commercial fishing and shrimping vessels in areas where there are commercial fishing fleets. Similar to the pleasure boat smuggling outlined above, this smuggling method relies on "blending-in" with normal boating traffic in an effort to elude detection.

Mexican smuggling organizations also attempt to transport illegal cargo across rivers via high-speed vessels. The limited crossing distance in many areas means that these high-speed vessels can cross in a matter of seconds. To counter this threat, CBP has an array of marine vessels assigned to its riverine patrol stations and additionally use a wide array of shore-side sensors and agents in high-threat areas.

To counter the maritime smuggling threat posed by Mexican smuggling organizations, CBP uses a mix of coastal interceptor and riverine patrol vessels equipped with marine surface search radars and electro optic infrared sensors. These vessels and the CBP marine crews who operate them are on the water 24 hours a day and seven days a week, identifying and intercepting Pangas and Shark boats – pleasure and fishing boats used by Mexican smuggling organizations. Additionally, CBP Office of Air and Marine uses an array of patrol aircraft equipped with marine search radars to conduct periodic patrols of the maritime approaches to the United States.

As CBP continues to expand its control of the border, smugglers are using new methods in attempts to push their illicit cargo into the U.S. One such method being used is the ultralight aircraft. Ultralights have been discovered performing airdrops, as well as landings, to pass off their cargo. During FY 2010, there were 228 confirmed events with ultralight aircraft, with 22 narcotics seizures, 12 arrests, and 5 ultralight aircrafts seized. Currently, the Air and Marine Operations Center uses their capabilities, as well as those of the Department of Defense and civilian radar capabilities to identify and track suspect ultralight aircraft incursions. CBP is also working to procure a radar solution specifically designed to detect ultralight aircraft.

An additional smuggling method is the use of tunnels under the international border. The first tunnel was discovered by the U.S. Border Patrol in 1990, and CBP has seen an increase of tunneling activity in the past few years. To date, there have been a total of 133 tunnels discovered crossing under the international border —132 of which have been on the Southwest border with one discovered along the Northern border near Lynden, Washington, in July 2005. Tunnels have ranged from highly sophisticated to rudimentary. When tunnels are detected, each Southwest border sector follows established protocols for notification, investigation, and remediation. CBP is working with DHS's Science and Technology Directorate to test and ultimately deploy tunnel detection technology in support of CBP's operations.

In November 2010, the San Diego Tunnel Task Force discovered two tunnels and seized more than 50 tons of marijuana. The first tunnel, discovered on November 2, 2010, was a 600-yard underground cross-border passageway equipped with rail, lighting, and ventilation systems. Surveillance operations and collaboration with Mexican law enforcement led to the discovery of this tunnel and resulted in the seizure of 30 tons of marijuana. The second tunnel, which was discovered on November 26, 2010, was even more sophisticated and included reinforced supports, advanced rail, electrical, and ventilation systems. This tunnel discovery resulted in the arrest of eight individuals and the seizure of more than 20 tons of marijuana. The two discoveries are the result of collaboration between CBP and ICE, along with other agencies and use of state-of-the-art electronic surveillance technology to investigate cross-border smuggling by criminal organizations.

### Working Together to Thwart Smuggling

In addition to the tools that CBP utilizes to thwart smuggling attempts, CBP works with our federal, state, local, tribal and international partners to address smuggling along the Southwest border and to combat transnational threats.

CBP hosts a weekly briefing/teleconference with state and local partners regarding the current state of the border. These calls are designed to establish and refine a mechanism to monitor emerging trends and threats along the Southwest border with a specific focus on the Arizona corridors, and to provide a cross-component, multi-agency venue for discussing trends and threats.

The weekly briefing focuses on CBP narcotics, weapons, and currency interdictions and alien apprehensions both at and between the POEs across the Southwest border. These briefings/teleconferences currently include over 290 participants representing agencies and units across law enforcement, Department of Defense, and the intelligence community. Examples of participants include: U.S. Coast Guard; DEA; ICE; National Drug Intelligence Center; U.S. Northern Command; Joint Interagency Task Force-North; Joint Interagency Task Force-South; Bureau of Alcohol, Tobacco, Firearms, and Explosives; U.S. Attorneys' Offices; Canada Border

Services Agency; Naval Investigative Command; State Fusion Centers; and local law enforcement.

Moreover, CBP has increased partnerships with federal, state, local, and tribal law enforcement agencies and our Mexican counterparts, as well as with the public and private sectors.

Coordination and cooperation among all entities that have a stake in our mission have been, and continue to be, paramount to an effective Southwest border strategy. CBP is working closely with federal, state, local, tribal and international partners to increase intelligence and information sharing. A Processing, Exploitation, and Dissemination cell has been established at the Air and Marine facilities in Riverside, California, and Grand Forks, North Dakota, to provide essential information to law enforcement across the nation—increasing understanding of evolving threats and providing the foundation for law enforcement entities to exercise targeted enforcement in the areas of greatest risk. This intelligence-driven approach prioritizes emerging threats, vulnerabilities, and risks, which greatly enhances our border security efforts.

An example of our collaborative efforts along the Southwest border is the Alliance to Combat Transnational Threats (ACTT) in Arizona. ACTT is a collaborative enforcement effort, established in September 2009, that leverages the capabilities and resources of more than 60 federal, state, local, and tribal agencies in Arizona and the Government of Mexico to combat individuals and criminal organizations that pose a threat to communities on both sides of the border. Through ACTT, we work with our federal, state, local, and tribal law enforcement partners to increase collaboration; enhance intelligence and information sharing; and develop coordinated operational plans that strategically leverage the unique missions, capabilities and jurisdictions of each participating agency. Since its inception, ACTT has resulted in the seizure of more than 725,747 kilograms (1.6 million pounds) of marijuana, 1,723 kilograms (3,800 pounds) of cocaine, and 453 kilograms (1,000 pounds) of methamphetamine; the seizure of more than \$13 million in undeclared U.S. currency and 268 weapons; nearly 14,000 aliens denied entry to the U.S. at Arizona POEs due to criminal background or other disqualifying factors; and approximately 270,000 apprehensions between POEs.

In addition to the work that we do with our state, local, and other federal partners, President Obama authorized the temporary deployment of up to 1,200 National Guard troops to the

Southwest border to contribute additional capabilities and capacity to assist law enforcement agencies as a bridge to longer-term enhancements in the efforts to target illicit networks' trafficking in people, drugs, illegal weapons, money, and the violence associated with these illegal activities. These National Guard troops are providing Entry Identification Teams and criminal investigation analysts in support of these efforts. Their support has allowed us to bridge the gap and hire the additional agents to support the Southwest border, as well as field additional technology and communications capabilities that Congress so generously provided.

Beyond these measures, in recent months we have taken additional steps to bring greater unity to our enforcement efforts, expand coordination with other agencies, and improve response times. In February, we announced the Arizona Joint Field Command—an organizational realignment that brings together Border Patrol, Air and Marine, and Field Operations under a unified command structure to integrate CBP's border security, commercial enforcement, and trade facilitation missions to more effectively meet the unique challenges faced in the Arizona area of operations. We also are improving coordination with military forces on the Southwest border. In partnership with the DEA, and with support from the Department of Defense, DHS is standing up the new Border Intelligence Fusion Section (BIFS) in the El Paso Intelligence Center, which will integrate and synthesize all available Southwest border intelligence from our federal, state, local, tribal and international partners to create a common intelligence picture to support border enforcement activities on the Southwest border. By disseminating real-time operational intelligence to our law enforcement partners in the region, BIFS will streamline and enhance coordinated federal, state, local, and tribal operations along the border. Additionally, we are continuing to work with Mexico to develop an interoperable, cross-border communications network that will improve our ability to coordinate law enforcement and public safety issues.

Additionally, CBP participates in ICE-led Border Enforcement Security Taskforces (BESTs), which are composed of federal, local and international law enforcement stakeholders. BESTs currently operate in 21 locations, including 11 along the Southwest border. BESTs bring federal, state, local, territorial, tribal, and foreign law enforcement together to work to increase security along the border. In FY 2010, BESTs made 1,616 criminal arrests and 907 administrative arrests; helped bring 868 indictments; and helped secure 689 convictions.

Through collaboration and coordination with our many federal, state, local, tribal and international government partners, we have made great strides with regards to the integrity and security of our borders. With your continued assistance, we will continue to refine and further enhance the effectiveness of our detection and interdiction capabilities.

### Conclusion

Chairman Pryor, Ranking Member Ensign, and members of the Subcommittee, thank you for this opportunity to testify about the work of CBP. We are committed to providing our frontline agents and officers with the tools they need to effectively achieve their primary mission of securing America's borders. I look forward to answering any questions you may have at this time.