



U.S. Immigration and Customs Enforcement

STATEMENT

OF

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REGARDING A FIELD HEARING ON

*“ADDRESSING THE EVOLVING THREAT OF ILLEGAL DRUG TRAFFICKING TO OUR
COMMUNITIES”*

BEFORE THE

UNITED STATES SENATE
COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
SUBCOMMITTEE ON EMERGING THREATS AND SPENDING OVERSIGHT

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Manchester, New Hampshire

Chairwoman Hassan, Ranking Member Paul, and distinguished members of the Subcommittee on Emerging Threats and Spending Oversight:

Introduction

Thank you for the opportunity to appear before you today to discuss the efforts of U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI) to secure the homeland from transnational organized crime and threats. My statement will focus on the important role HSI plays internationally, domestically, and locally in identifying, disrupting, and dismantling transnational criminal organizations (TCOs) that seek to exploit the global infrastructure through which international trade, travel, and finance move.

As the principal investigative component of the Department of Homeland Security (DHS), HSI is a premier global law enforcement organization responsible for conducting federal criminal investigations at every critical location in the drug smuggling supply chain: internationally, in cooperation with foreign counterparts, where transnational criminal and terrorist organizations operate; at our Nation's physical border and ports of entry (POEs) where illicit smuggling cells attempt to exploit America's legitimate trade, travel, and transportation systems; and in communities – large and small – throughout the United States, where criminal organizations earn substantial profits off their illicit activities.

In collaboration with its partners in the United States and abroad, HSI special agents gather evidence used to identify and build criminal cases against TCOs, terrorist networks and facilitators, and other criminal elements that threaten the homeland. HSI works with prosecutors to indict and arrest violators, execute criminal search warrants, seize criminally derived money and assets, and take other actions designed to disrupt and dismantle criminal organizations operating around the world. These efforts protect the national security and public safety of the United States.

HSI's unique authorities allow us to work beyond the international border and enable collaboration with law enforcement both around the world and here in New Hampshire. This holistic strategy starts with a focus on the foreign sourcing of illicit substances and extends into cities and towns across America where the goal is to disrupt and dismantle the TCOs that profit from the poisoning of Americans.

HSI International Efforts

HSI's international presence is a key facet of its approach to countering transnational organized crime. HSI special agents abroad develop and foster relationships with host government law enforcement partners to exchange information; coordinate and support investigations; and facilitate enforcement actions and prosecutions to deter the ability of TCOs to smuggle drugs, people, and other contraband into and out of the United States. HSI and its counterparts in other countries identify and disrupt sources of supply as well as transportation and smuggling routes. These efforts enable HSI and its partners to prevent dangerous narcotics and other illicit goods

from reaching our borders and stop illicit southbound flows of illegally derived currency or weapons.

HSI is the largest international investigative presence in DHS and comprises 86 offices in 54 countries. HSI focuses on expanding the borders out, and forward leaning in our approach to identify and mitigate threats before they reach our borders. This multi-tiered, multi-pronged strategy is one that spans international boundaries and crosses all investigative program areas.

In 2011, HSI established the **Transnational Criminal Investigative Unit (TCIU)** Program to act as a force multiplier in the fight against TCOs. HSI TCIUs are comprised of host-country law enforcement officials, customs officers, immigration officers, and prosecutors who undergo a strict vetting process. Upon completion of vetting, candidates must complete a three-week International Task-Force Agent Training course. HSI TCIUs facilitate information exchanges and rapid bilateral investigations involving violations within HSI's investigative authority, including weapons trafficking and counter-proliferation; money laundering and bulk cash smuggling; human smuggling and trafficking; narcotics smuggling; transnational gang activity; child exploitation; and cybercrime. TCIUs enhance the host country's ability to investigate and prosecute individuals involved in transnational criminal activity that threatens the stability and security of the region and, ultimately, our homeland security. More than 430 vetted and trained host-country law enforcement officers comprise the 11 TCIUs and two International Task Force units. In Mexico, where I previously served as the Attaché in charge of HSI's Mexico operations, the TCIU is comprised of 31 officers and prosecutors from their Attorney General's office. TCIU personnel work with HSI on key programmatic areas, including opioid trafficking, and deploy to locations across Mexico in furtherance of these high-profile investigations. In Fiscal Year (FY) 2021, the HSI Mexico TCIU made approximately 100 arrests; seized \$3 million USD; 4,300 pounds of cocaine; 350 pounds of fentanyl; and 58,000 pounds of other drugs.

HSI's **National Targeting Center (NTC) - Investigations Unit** was established in December 2013, in collaboration with U.S. Customs and Border Protection (CBP), to enhance our shared border security mission. HSI's increased manpower and concerted efforts at the NTC support the entire border security continuum, from CBP interdictions and HSI investigations, to the joint exploitation of intelligence. Working in a collaborative environment at the NTC, HSI provides support to HSI Domestic and International offices by targeting illicit precursor movements within commercial modalities of transportation, including air and maritime.

HSI uses a methodology developed by special agents and analysts that blends interagency collaboration, industry partnerships, and computer-based analytical tools and techniques to process and analyze large volumes of data. HSI employs multiple data streams and works with partners to illuminate anomalous shipments indicative of illicit contraband, including precursor movements. The focus of this multi-agency taskforce by targeting global maritime container shipments through emerging technologies and industry intelligence data has degraded the TCO supply chain. Thus far, this methodology has resulted in seizures of approximately 443,000 kilograms of fentanyl and methamphetamine precursor chemicals. In May 2019, following sustained engagement by the United States, China scheduled all fentanyl-related substances as a class. Since that time, seizures of illicit fentanyl coming directly to the United States from China have fallen to near zero. Fentanyl precursor chemicals are now being shipped to Mexico where

fentanyl is manufactured and then smuggled across the U.S. border using traditional smuggling methods.

HSI Domestic Efforts (Border)

HSI's efforts continue at the border and within our field offices throughout the United States, where HSI special agents respond to and investigate schemes that are encountered or identified at the U.S. border. These leads come to us in a variety of ways, including border interdictions; referrals from federal, state, and local law enforcement partners; confidential informants and sources of information; tip line or social media reporting; community relations and public affairs outreach; criminal analysis/targeting; and information gleaned from existing operations.

At POEs along the Southwest land border, smugglers use a wide variety of tactics and techniques for concealing illicit contraband. Our special agents work every day with CBP officers from the Office of Field Operations to identify, seize, and investigate drug smuggling organizations that attempt to exploit POEs to introduce illicit contraband into the United States. As such, HSI focuses on disrupting and dismantling TCOs by collecting, analyzing, and exploiting information gathered from interdictions to further ongoing investigations; develop and pursue additional investigative leads; and execute enforcement actions to disrupt criminal activity, all with the goal of building criminal cases against active TCOs that will result in dismantling their operations.

The following HSI initiatives are used to combat TCOs:

In December 2012, the *Jaime Zapata Border Enforcement Security Taskforce (BEST) Act* was signed into law. It was named in memory of Jaime Zapata, an HSI special agent assigned to a BEST unit, who was killed in the line of duty in Mexico. This law amended the Homeland Security Act of 2002 to formally establish the BEST program, with the primary mission of combating emerging and existing transnational organized crime by employing a threat-based/risk mitigation investigative task force model that recognizes the unique resources and capabilities of all participating law enforcement partners.

BESTs eliminate the barriers between federal and local investigations, close the gap with international partners in multinational criminal investigations, and create an environment that minimizes the vulnerabilities in our operations that TCOs have traditionally capitalized on to exploit our nation's borders. There are currently 80 BESTs located across the United States, Puerto Rico and the U.S. Virgin Islands, comprising more than 2,000 law enforcement officers and personnel representing more than 200 federal, state, local, tribal, and international law enforcement agencies, and National Guard units. These personnel include HSI special agents, task force officers, intelligence analysts, and investigative support personnel. Since inception through the end of FY 2021, BESTs have collectively initiated more than 44,000 investigations resulting in more than 54,000 criminal arrests and seizures of more than 3.6 million pounds of narcotics, 32,000 weapons, and more than \$704 million in cash/monetary instruments.

HSI Domestic Efforts (Interior)

HSI increased the number of BEST units at international mail facilities (IMF), express consignment hubs and international airports acting as IMFs, as part of HSI's targeted response to the opioid crisis. This strategy facilitates the immediate application of investigative techniques on seized parcels, which aid in establishing probable cause needed to effect enforcement actions on individuals associated with fentanyl-laden parcels. This facet is particularly important in New Hampshire where HSI staffs a full Resident Agent in Charge (RAC) Office in Manchester that is focused on the flow of narcotics into the Granite State. Current trends indicate that seizures of fentanyl have increased nationally by 128 percent between FY 2020 and FY 2022. The IMF and express consignment environments are a significant avenue for the movement of fentanyl and other illicit narcotics.

Between FYs 2018-2021, BEST units at international airports, IMFs, and express consignment hubs initiated more than 3,790 investigations resulting in more than 2,750 criminal arrests and seizures of more than 68,400 pounds of illicit drugs and/or drug precursors. These seizures included nearly 590 pounds of fentanyl, and over \$52 million in cash/monetary instruments. These law enforcement operations have disrupted movement of illicit opioids and opioid precursors transiting through the mail and express consignment shipments and have aided in dismantling distribution networks.

In 2019, HSI and CBP partnered to address the opioid epidemic in the United States. This collaborative effort, which also includes the Drug Enforcement Administration (DEA) and the United States Postal Inspection Service (USPIS), established a methodology for intelligence gathering, lead generation, and strategies to detect, prevent, and prosecute those engaged in unlawful activity. This whole-of-U.S. Government approach focuses on the importing of pill presses, die molds, capsule fillers, and binding agents used by fentanyl, opioid, and designer drug traffickers. In FY 2021, this effort referred 341 leads to HSI field offices resulting in 1,068 pounds of narcotics being seized and 48 criminal arrests.

HSI New England and our RAC Manchester Office take pride in our network of partnerships, which include agencies represented here today by CBP, DEA, the New Hampshire State Police (NHSP), and the New Hampshire Attorney General's Office, as well as USPIS, Manchester Police Department, Nashua Police Department, Keene Police Department, Portsmouth Police Department, and various Sheriff's Offices, including Merrimack and Strafford counties. These partnerships are amplified by the following programs:

The **High Intensity Drug Trafficking Area (HIDTA) Program** was initiated in 1990 by the Office of National Drug Control Policy (ONDCP) in order to designate certain geographical areas as having especially high concentrations of drug trafficking activities such as distribution, transportation, and smuggling. The New England HIDTA Program plays a critical role in enabling participation by State and Local law enforcement on Task Forces that are focused on investigating the criminal organizations that traffic fentanyl. This comes in the form of operational and resource funding – from workspaces to vehicles – that would otherwise go unfunded.

The **Organized Crime Drug Enforcement Task Forces (OCDETF) Program** allows our special agents and other police investigators to partner and collaborate in investigations using our unique and far-reaching authorities to enforce and regulate the movement of carriers, persons, and commodities between the United States and other nations. We have dedicated personnel on 11 OCDETF co-located Strike Forces. These Strike Forces extend the OCDETF program beyond the creation of prosecutor-led task forces that join together on case-specific efforts and then disband at the end of the investigation. Now, permanent task force teams work together to conduct intelligence-driven, multi-jurisdictional operations against the continuum of targets.

HSI and our RAC Manchester Office's use of Agency resources and our particular emphasis on collaboration have produced impactful and notable results for the citizens of New Hampshire. There was a joint HSI, NHSP, NH Attorney General's Office, and Keene Police Department OCDETF investigation that led to the seizure of 5.9kg of Fentanyl, assorted narcotics, 13 Firearms, and \$60,000. This case resulted in 10 federal drug trafficking convictions, and 5 state convictions.

HSI also works with our partners to attack regional fentanyl and opioid supply lines, which greatly increases the safety of people in New Hampshire. These efforts were most recently exemplified in a Boston OCDETF Strike Force's operation, which was an HSI-led narcotics investigation that focused on Massachusetts-based narcotics traffickers who supplied the New England region with assorted narcotics, including fentanyl. A multi-state enforcement operation was undertaken in December 2021 that resulted in the arrest of 23 subjects charged with assorted narcotics trafficking violations along with the seizure of fentanyl, firearms, and narcotics proceeds.

Summary

HSI's authorities and dynamic approaches to counternarcotics allow us to pursue impactful investigations and attack all aspects of the organizations responsible for this ongoing public health crisis. While our collective efforts are executed with diligence and a commitment to public safety, work remains at all levels – internationally, on the border, and in our communities. HSI is committed to continuing the fight against the opioid epidemic on all fronts.

Thank you again for the opportunity to appear before you today and for your continued support of HSI and the critical role it plays in attacking the fentanyl supply chain. I look forward to your questions.