

Opening Statement of Mark L. Pryor
Subcommittee on Disaster Recovery and Intergovernmental Affairs,
“Exploring Drug Gangs’ Ever Evolving Tactics to Penetrate the Border and the Federal
Government’s Ability to Stop Them”
March 31, 2011

Before we begin, I want to offer my condolences to ICE and the family of ICE Agent Jaime J. Zapata. Agent Zapata was killed after he and Agent Victor Avila were shot in the line of duty in February. These agents will be always remembered for their heroic service. I extend my wishes for a speedy recovery to Agent Avila, and pray that Agent Zapata’s family is comforted through this time.

Today the Subcommittee on Disaster Recovery and Intergovernmental Affairs will discuss methods drug gangs are using to penetrate the Southwest border in an effort to traffic drugs and people into the United States. We have asked witnesses from Federal border protection and drug enforcement agencies to join us today, as well as officials from the States of Arkansas and Nevada. I’d like to extend a special thank you to Ms. Fran Flener, who is the State Drug Director, from my home State of Arkansas. Fran is a dear friend and a very knowledgeable expert, and I am glad she has made the long trip to attend our hearing today.

The fight to secure the United States’ borders is a constant concern for the people living in Border States as well as the government officials who represent them. There are few threats as deadly and menacing than that posed by drug gangs, particularly Mexican drug gangs, operating near our border. Many Americans, and likewise many lawmakers, may be inclined to believe that this is a problem for the Border States to solve. Yet there can be no doubt that this is a problem for all Americans, North to South, Coast to Coast. An estimated 230 American cities, including three cities in my state, feel the presence of Mexican gangs in their cities. We must do everything we can to disrupt their networks and to prevent them from moving product onto American soil.

There is no shortage of adjectives to describe the menace of Mexican drug gangs. Some that come to mind are dangerous, violent, merciless, heartless...and evil. Yet, in recent years, drug

gangs have earned another adjective, one that should be a cause for alarm for Federal, state, and local officials throughout the country: Clever.

News coming out of the Southwest is filled with stories detailing new and unfortunately inventive tactics the drug gangs have employed in an effort to move greater quantities of drugs and people across the United States border. Drug gangs have begun to use bold tactics that include creating mock border patrol vehicles to bypass legitimate border officials, and modifying vehicles to look like Wal-Mart trucks or Fed Ex vans. Just last week, a white van pulled up to a border checkpoint along Interstate 8 in eastern San Diego County. The van appeared to be filled with Marines in uniform. According to the Associated Press, a plainclothes Border Patrol Agent who had served in the Marine Corps became suspicious when the driver didn't know the birthday of the Marine Corps, something all Marines know. In the end, the 13 fake Marines were actually illegal Mexican immigrants and two were suspected U.S. smugglers.

The efforts of drug gangs to smuggle people and goods range from the truly bizarre to the truly extraordinary. This past January, U.S. National Guard troops at the Naco Border Patrol station about 80 miles southeast of Tucson, Arizona alerted the Mexican Army after a surveillance camera spotted several traffickers hurling bundles of marijuana over the border with a catapult. The catapult was found about 20 yards from the border on a flatbed platform towed by an SUV, according to the Associated Press.

Officials estimate that Mexican drug cartels smuggle up to \$25 billion of illegal drugs as well as people into the U.S. The unimaginable amount of money being made by these gangs makes them particularly dangerous, and coupled with evolving creativity they have the means to turn bizarre and unlikely ideas into reality.

In recent years, drug gangs have turned to new forms of transportation to take drugs from points south into U.S. territory. Drug gangs, in addition to using high quality fake vehicles...and catapults apparently...have begun to use small planes, or ultralight aircraft (Please see photo to my left), to fly over the border and beneath radar detection. According to the U.S. Customs and Border Protection Agency (CBP), from October 2009 to mid-April 2010, the agency detected 193 suspected airspace incursions and 135 confirmed incursions by ultralight aircraft. The U.S.

Immigration and Customs Enforcement (ICE) agency believes the number of incursions over the border more than tripled between fiscal years 2009 and 2010, from 118 to 379. However, only 10 ultralights have been seized and only 27 people arrested for using them to smuggle drugs.

Ultralight aircraft aren't the only out-of-the-ordinary tools being used by drug gangs. Drug gangs have also begun using drug submarines, mostly to transport cocaine from Columbia into Mexico, although more recently they have been found closer to US waters. While most drug submarines are unsophisticated, unable to dive deep into the seas, and propelled by small low-speed diesel engines, some drug gangs are now spending money on more advanced submarines. According to a recent Homeland Security Today article entitled, "Counternarcotics, Terrorism & Intelligence Narco Wars Today: Creativity In A Bad Cause," in July of last year, Ecuadorian counternarcotics officials working with our Drug Enforcement Agency (DEA) seized a fully operational submarine built for the primary purpose of transporting multi-ton quantities of cocaine. The submarine came equipped with a periscope and air conditioning system. DEA intelligence helped lead to the seizure of this submarine, which was the first seizure of its kind.

Another hard-to-detect tactic is the use of drug tunnels. While the use of these tunnels is known to be widespread, they continue to evolve in both number and sophistication. Since 2006, CBP has discovered 75 smuggling tunnels along the U.S.-Mexico border. These tunnels range from unsophisticated boar-holes stretching hundreds of feet in length, to far more sophisticated tunnels made with wood and cinderblock walls, rail systems, electricity, and ventilation. Last Thanksgiving, U.S. and Mexican authorities discovered a tunnel that started in the kitchen of a home in Tijuana, Mexico. The tunnel ran a half-mile or about seven football fields into two Southern California warehouses. The tunnel was found when officials noticed a tractor-trailer arriving at a warehouse in Southern California. Authorities found the truck stuffed with 27,000, 600-pound packages of marijuana, worth \$20 million. Tunnels dug into warehouses present a particular problem because there are hundreds, if not thousands, of privately owned warehouses in cities along the border. Border security personnel have expressed frustration that they do not have the resources to adequately attack the problem.

These are just a few examples that illustrate the extent and scope of the problem. All of these new methods present unique challenges to border and drug enforcement officials. Our officials

are being called upon to respond to very clever and well-funded attempts by drug organizations that will stop at nothing to make a profit by destroying American lives, and importing violence and chaos into our cities. The intent of this hearing is to examine: 1) the strategies our Federal agencies are employing to stop drug gangs; 2) the level of coordination between Federal agencies, and between Federal agencies and State and local governments; and 3) whether agencies have the resources and manpower to creatively respond to these new tactics. We will also learn from our Arkansas and Nevada witnesses about the consequences that result when drug gangs succeed and their products reach our cities.