



U.S. Immigration and Customs Enforcement

STATEMENT

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REGARDING A HEARING ON

“SECURING THE BORDER: UNDERSTANDING
THREATS AND STRATEGIES FOR THE NORTHERN BORDER”

BEFORE THE

UNITED STATES SENATE
COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

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342 Dirksen Senate Office Building

Introduction

Chairman Johnson, Ranking Member Carper, and distinguished members:

Thank you for the opportunity to appear before you today to discuss the efforts of U.S. Immigration and Customs Enforcement (ICE) to improve security along the Northern Border of the United States.

ICE employs a multi-layered law enforcement approach to Northern Border security based on an understanding that our geographic boundary with Canada is only one piece of the criminal continuum – it is neither the starting point nor the final destination of cross-border criminal activity. In fact, this illicit activity is often rooted in interior cities, as well as in smaller communities throughout the United States. It is in these communities where the vast profits are generated that sustain the operations of transnational criminal organizations (TCOs), and where ICE succeeds on a daily basis, together with our interagency partners, in disrupting and dismantling the entire smuggling enterprise.

As the principal investigative agency within the U.S. Department of Homeland Security (DHS), ICE Homeland Security Investigations (HSI) is positioned to leverage its broad statutory authority to support border enforcement by working in close coordination with other DHS components and U.S. interagency partners, as well as our counterparts in Canadian law enforcement, to target TCOs involved in illicit travel, trade and finance. ICE applies a full range of innovative investigative and enforcement techniques, including leading and participating in joint U.S.-Canadian task forces, undercover operations, controlled deliveries, asset identification and removal, confidential informants, and Title III electronic intercepts to identify TCOs and disrupt their operations.

ICE continues to disrupt cross-border criminal activity systematically at all stages and, through effective cooperation and collaboration with our federal, state, local, tribal, and international law enforcement partners, we are making it increasingly difficult for TCOs and other criminals to operate. Our activities along the Northern Border constitute an important part of the National Northern Border Counternarcotics Strategy, and are fully supportive of the National Strategy to Combat Transnational Organized Crime.

ICE Assets along the Northern Border

ICE currently has nearly 1,300 HSI Special Agents and 100 intelligence research specialists operating out of several ICE offices with responsibility for Northern Border states. Many of these agents and analysts are stationed at our various sub-offices located either on or in proximity to the Northern Border. HSI employs nearly 6,000 Special Agents in communities throughout the country who work tirelessly to detect, disrupt, and dismantle TCOs engaged in the smuggling of people, narcotics, bulk cash, weapons, and weapons-related components across our borders.

In fiscal year (FY) 2014, HSI's seven Special Agent in Charge offices covering the Northern Border, often in joint or cooperative investigations with federal, state, local, tribal and Canadian law enforcement, seized a combined total of more than \$237 million in cash and monetary instruments, nearly 26,000 pounds of marijuana, 1,995 pounds of cocaine, 146 pounds of ecstasy, 719 pounds of heroin, 949 pounds of methamphetamine, 1,354 weapons and firearms, 55,164 rounds of ammunition, and 8,374 weapon components. HSI Special Agents made approximately 5,729 criminal arrests resulting in 3,752 indictments, and 3,481 convictions.

These statistics reflect the impact of our coordinated law enforcement investments and investigations along the Northern Border.

Additionally, HSI maintains the largest investigative footprint of any U.S. law enforcement agency in Canada. HSI's four attaché and assistant attaché offices, located in Ottawa, Vancouver, Toronto, and Montreal, further enhance national security by serving as the agency's liaison to our interagency partners and counterparts in local government and law enforcement. Like its other international offices, HSI's Canada offices also support the efforts of the HSI Visa Security Program. As part of this program, HSI works cooperatively with the U.S. Department of State and other partners to prevent terrorists, criminals, and other ineligible applicants from receiving visas issued by the United States by providing visa security activities including, examining visa applications for fraud, conducting in-depth interviews of select special interest persons before they enter the United States, and providing law enforcement training and advice to the Department of State consulates.

Northern Border Partnerships

A crucial aspect of our approach to Northern Border security is our partnerships with our colleagues across DHS components, as well as with federal, state, county, local, tribal, and foreign agencies. These partnerships are essential to joint operations and information sharing along the Northern Border and beyond, and are conducted in the spirit of the President and the Prime Minister's "Beyond the Border" initiative, which seeks to promote integrated cross-border law enforcement. Collectively, these agencies possess a unique understanding of the threats, risks, and vulnerabilities along the Northern Border that enhance our ability to deter, disrupt, and investigate illegal cross-border activity.

ICE is also an active participant in the Canada – United States Cross Border Crime Forum (CBCF). The CBCF endeavors to meet annually, with smaller working-level meetings throughout the year, bringing together senior law enforcement officials and prosecutors from Canada and the United States to address cross-border issues, including counterterrorism cooperation, mass-marketing fraud, interoperability of our respective law enforcement agencies along the border, and combating organized crime. The plenary CBCF met on March 31, 2015, in Ottawa, Ontario, and ICE participated in the meeting. Currently, the CBCF takes the lead on integrated cross-border law enforcement and cross-border undercover operations along the Northern Border, and will have a leading role in implementing the Beyond the Border Action Plan. In addition, we have taken a number of steps to better integrate domestic Northern Border enforcement efforts. For instance, ICE and U.S. Customs and Border Protection’s (CBP) Border Patrol leadership meet on a regular basis along with leaders of other DHS components to discuss areas of mutual concern.

Border Enforcement Security Task Force

HSI’s flagship task force program, the Border Enforcement Security Task Force (BEST), was created in 2005 as a mechanism to address the threat of cross-border crime. BEST provides a proven and flexible platform from which DHS investigates and targets transnational criminal organizations that attempt to exploit perceived vulnerabilities at our nation’s borders. BEST units differ from other task forces due to the BEST units’ proximity to the borders, and in the program’s focus on cross-border criminal activity. In 2007, ICE began to deploy BEST units along the Northern Border. Congress codified the establishment of the program by passing the Jaime Zapata Border Enforcement Security Task Force Act, which was signed into law by

President Obama in December 2012. Currently, there are four BEST units operating along the Northern Border: Blaine, Washington; Detroit, Michigan; Buffalo, New York; and Massena, New York.

One significant advantage of the BEST task force model is the participation and integration of foreign law enforcement personnel to address criminal activity on both sides of the border. On the Northern Border, Canadian law enforcement participation includes representatives from the Royal Canadian Mounted Police, the Canada Border Services Agency, the Ontario Provincial Police, the Niagara Regional Police Service, the Windsor Police Service, the Peel Regional Police Service, the Akwesasne Mohawk Tribal Police, the Toronto Police Service, and the Police Nationale du Québec Sûreté (Quebec Provincial Police).

In addition to our Canadian partners, we receive the support and participation of our partner U.S. law enforcement agencies including: CBP; the U.S. Coast Guard; the Bureau of Alcohol, Tobacco, Firearms and Explosives; the Drug Enforcement Administration; and other federal, state and local law enforcement agencies. These task forces enable U.S. and Canadian law enforcement agencies to identify threats, address vulnerabilities, and identify, investigate, disrupt, and dismantle TCOs in a cohesive and coordinated environment.

Illicit Pathways Attack Strategy

In 2011, ICE developed the Illicit Pathways Attack Strategy (IPAS). IPAS supports the Administration's Strategy to Combat Transnational Organized Crime, an initiative launched in July 2011, which seeks to integrate federal resources in order to combat transnational organized crime and related threats to national security and public safety while urging foreign partners to do the same.

As a key part of this effort, IPAS is working to identify and dismantle high-risk smuggling and trafficking routes, pathways, and integrated networks that support transnational organized crime. IPAS initially focused on combating human smuggling and has now expanded to illicit finance, trafficking in cultural property, artifacts and antiquities. IPAS is a coordinated strategy to identify illicit pathways and attack criminal networks at multiple locations along the illicit travel continuum. The concept involves:

- Attacking criminal networks within and beyond our borders;
- Prioritizing networks and pathways that pose the greatest threats;
- Participating in and facilitating robust interagency engagement; and
- Pursuing a coordinated, regional approach that leverages foreign partners.

In 2011, our IPAS focused on high-risk human smuggling in the Western Hemisphere to identify and target human smuggling organizations and their pathways across the globe. ICE plays a key role in investigating human smuggling and this core mission function has a direct impact on national security, public safety, and human dignity.

In an effort to combat TCOs involved in human smuggling, IPAS works towards prioritizing the networks and pathways utilized by criminal organizations that pose the greatest threat to public safety and national security. This is achieved through robust interagency engagement and coordinating a regional approach that leverages foreign partners. IPAS also leverages subject matter experts and interagency intelligence centers to produce focused intelligence collection and analytic assessments to develop and share timely and actionable intelligence.

In addition, IPAS combines traditional law enforcement investigations and prosecutions with a holistic government effort to overtly disrupt and deter the underlying criminal

activity. Our experience has shown that if we simply try to disrupt criminal activity by focusing law enforcement action in one geographic area, criminal organizations will quickly adapt and shift to an area where detection or interdiction by law enforcement is less likely. ICE seeks not only to stop individual criminals, but to reduce overall criminal activity by disrupting and dismantling the entire criminal enterprise.

Examples of Successful Collaboration

Recognizing that partnerships with our international law enforcement partners is vital to identifying, disrupting, and dismantling TCOs, HSI has worked to coordinate with our Canadian counterparts beyond our shared border. This collaborative relationship can be seen clearly through the following case examples.

Operation Primed is an HSI Buffalo investigation which targeted a cocaine smuggling organization involved in the illicit movement of cocaine and bulk cash within Canada, the U.S., and Mexico. Investigators estimated that this organization was responsible for smuggling approximately 1,600 kilograms of cocaine into Canada with a street value of over \$60 million. Through successful collaboration with Canadian law enforcement, in May 2014, a U.S. Department of Justice-designated Regional Priority Organization Target was sentenced in the Western District of New York to 84 months incarceration for violation of 21 U.S.C. § 863, import or export of drug paraphernalia. This individual was arrested in September 2010 when attempting to export 97 kilograms of cocaine across the Lewiston Bridge Port of Entry from New York into Canada. The 97 kilograms represents the single largest cocaine seizure in the Port of Buffalo's history.

An additional investigation involved joint U.S. and Canadian law enforcement efforts to dismantle a British Columbia-based group whose operations stretch across the entire Northern Border and beyond. This violent criminal organization operated from the Lower Mainland of British Columbia, Canada, and was actively involved in large-scale narcotics trafficking and money laundering activities. Its operations stretch into the U.S., Mexico, Venezuela, Colombia, India, Vietnam, Australia, and Great Britain. This group exported large quantities of Canadian-grown marijuana into the United States and used the revenue generated to purchase cocaine from abroad, which was then smuggled into British Columbia and sold throughout Canada. During a recent HSI-led investigation with our Canadian, federal, state and local law enforcement partners, HSI uncovered evidence that the British Columbia-based group imports hundreds of pounds of cocaine into British Columbia every month.

After Canadian marijuana is smuggled into the U.S., group members sell it for U.S. dollars. These proceeds are then smuggled by couriers in the form of bulk currency from cities across the U.S. to California where they are used to purchase cocaine from abroad. This cocaine, in turn, is smuggled into Canada and subsequently sold for Canadian dollars. This method of drug trafficking and money laundering exemplifies the sophistication and reach of the TCOs, and is deemed to be an ongoing drug trafficking trend. Significant enforcement outcomes have been attributed to this investigation, including the seizure of 2,169 pounds of marijuana, 335 kilograms of cocaine, two pounds of crack cocaine, four pounds of methamphetamine, five firearms, \$125,000 worth of jewelry and approximately \$2 million in currency.

Conclusion

HSI investigative and intelligence personnel are working tirelessly in coordination with DHS and our interagency counterparts, as well as with our Canadian colleagues, to identify, disrupt and dismantle TCOs that subvert the rule of law, violate our immigration and customs laws, destabilize our communities, and threaten national security. ICE commits substantial resources to securing the Northern Border, and our considerable efforts are part of a comprehensive strategy that focuses on securing the border, dismantling the infrastructure that supports cross-border criminal activity, and identifying and seizing the illicit profits from these crimes.

We are dedicated and committed to this mission, and we look forward to continuing to work with this committee on these efforts. Thank you again for the opportunity to testify today.

I would be pleased to answer any questions.