

TESTIMONY OF

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ON

“America’s Heroin Epidemic at the Border:
Local, State, and Federal Law Enforcement Efforts to Combat Illicit Narcotics Trafficking”

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Introduction

Good morning, Chairman Johnson, Ranking Member Carper, and distinguished Members of the Committee. Thank you for the opportunity to appear today in Arizona to discuss the role of U.S. Customs and Border Protection (CBP) in combating the flow of dangerous drugs into the United States.

The use and availability of heroin and other illegal opioids, as well as the nonmedical use of prescription opioids in the United States, have been increasing at an alarming rate. The situation is one of the most important, complex, and difficult challenges our Nation faces today. According to a recent report¹ from the Centers for Disease Control and Prevention, overdose deaths involving heroin nearly doubled between 2011 and 2013 and are climbing.

There is no single entity, nor a single solution, that can address this problem. Tackling this complex threat involves a united, comprehensive strategy and aggressive approach by multiple entities – from law enforcement, science, medicine, education, social work, and the public health sector – across all levels of government. While continued efforts to interdict heroin and other drugs at the border are a key aspect of addressing this crisis, interdictions, arrests and convictions alone cannot mitigate the far-reaching effects of nonmedical prescription opioid and heroin abuse. We need to focus on prevention and treatment, and identify the characteristics of developing cases of opioid use disorder before they escalate. We must also concentrate on deterring opioid trafficking by transnational criminal organizations (TCO), cartels, and other distribution networks.

To do this effectively, we must better integrate our efforts, share information, and partner with federal, state, local and tribal communities as well as the private sector. The High Intensity Drug Trafficking Areas (HIDTA) Heroin Response Strategy,² recently announced by the Office of National Drug Control Policy (ONDCP), will foster a collaborative partnership between public health and law enforcement entities. The strategy seeks a comprehensive response to this complex epidemic by addressing the broad range of efforts required – on the international, national, and local levels – to reduce the use, distribution, and trafficking of this dangerous substance.

As America's unified border agency, CBP has a critical role in the efforts to keep dangerous drugs like heroin and other opioids out of the hands of the American public. Combating TCOs and drug trafficking organizations (DTO) is a key component of our multi-layered, risk-based approach to enhance the security of our borders. This layered approach to security reduces our reliance on any single point or program, and extends our zone of security outward, ensuring that our physical border is not the first or last line of defense, but one of many.

Secretary Johnson's Unity of Effort initiative has put in place new and strengthened management processes to enable more effective DHS component operations to address TCOs, drug-trafficking, and other cross-border threats. In addition, DHS-wide border and maritime security activities are guided by the new Southern Border and Approaches Campaign Plan and complement the Administration's National Drug Control Strategy, and the *National Southwest Border Counternarcotics Strategy*. Aimed at leveraging the range of unique Department roles,

¹ *Vital Signs*, a report from the Centers for Disease Control and Prevention; July 7, 2015.

² <https://www.whitehouse.gov/the-press-office/2015/08/17/white-house-drug-policy-office-funds-new-projectshigh-intensity-drug>

responsibilities, and capabilities, the Campaign enhances our ability to work together in a more unified way to address these comprehensive threats. In support of this new Campaign, on November 20, 2014, the Secretary announced the creation of three new joint task forces (JTF) to coordinate the efforts of the combined resources of DHS component agencies. Joint Task Force-East is responsible for the maritime approaches to the United States across the southeast, from the Gulf of Mexico to the Caribbean. Joint Task Force-West is responsible for the southwest land border from Texas to California. And, supporting the work of the other two task forces is a standing Joint Task Force for Investigations. These three JTFs reached full operational capability on July 30 of this year.

Interdictions and Trends

In Fiscal Year (FY) 2014, CBP officers and agents seized 3.8 million pounds of drugs across the country. During FY 2015, CBP saw a four- percent increase from FY 2014 in overall nationwide seizure events, but a six- percent decrease in drug seizures by weight. Additionally, heroin total seizure amounts for FY 2015 increased 23 percent to more than 6,000 pounds. CBP seizures of clandestinely made opioids like fentanyl, while relatively small compared to heroin, have also significantly increased from 1.1 kg in FY 2013 to 3.7 kg seized in FY 2014 and 89.7 kg seized in FY 2015. These figures demonstrate the continued effectiveness of CBP's detection and interdiction abilities, but may also indicate that manufacturers and traffickers are increasing the production and supply of heroin in the United States.

Mexican manufacturers and traffickers continue to be major suppliers of heroin to the United States. Although the vast majority of CBP's heroin interdictions are seized from DTO smuggling networks along the Southwest land border, CBP also interdicts this dangerous drug in all environments and transportation modes. The reach and influence of Mexican cartels, notably Los Zetas, and the Gulf, Juarez, Jalisco New Generation, and Sinaloa Cartels, stretches across and beyond the Southwest border, operating through loose business ties with smaller organizations in cities across the United States. The threat of DTOs is dynamic; rival organizations are constantly vying for control, and as U.S. and Mexican anti-drug efforts disrupt criminal networks, new groups arise and form new alliances.

DHS Resources and Capabilities to Counter Drug Trafficking Organizations

CBP, responsible for America's frontline border security, has a significant role in the Nation's efforts to combat the cross-border criminal activity of cartels and other drug trafficking organizations. In the past decade, DHS has deployed more resources, technology, and tactical infrastructure for securing our borders than at any other time in history. Technology and detection capabilities significantly contribute to identifying and deterring the entry of potentially dangerous people and contraband.

Between the Ports of Entry (POEs) along the Southwest border, CBP has made significant technology deployments in recent years. These deployments have included mobile surveillance units, ground sensors, and thermal imaging systems to increase its ability to detect illegal cross-border activity and contraband. CBP maintains 652 miles of fencing and has deployed other tactical infrastructure to key trafficking areas. Additionally, the CBP ReUse effort utilizes Department of Defense (DoD) technologies that are no longer needed by DOD but can be used to

satisfy critical border security missions while saving DHS resources. For example, CBP received from DOD and delivered to its field operators aerostat technology, spectrometers, and night vision equipment. DHS and CBP have employed these technologies for line-watch persistent surveillance, aerial surveillance, detection of contraband and Weapons of Mass Destruction, and agent/officer safety. For example, tactical aerostats deployed in the Rio Grande Valley enabled the Border Patrol to seize over 100 tons of narcotics to date.

As part of its efforts to prevent the illicit smuggling of humans, drugs, and other contraband, CBP's Border Patrol maintains checkpoints and a high level of vigilance on corridors of egress from our Nation's borders. For example, this past May, San Diego Sector Border Patrol agents made an arrest after discovering more than 16 pounds of heroin in the back of a vehicle travelling along Interstate 5 in California. In August of this year, Border Patrol agents in the El Centro Sector, also in California, arrested a suspected drug smuggler during a check of a commercial passenger bus at the Highway 86 checkpoint after discovering packages of heroin hidden inside his shoes. And earlier this year, Border Patrol agents participated in "Operation Crazy Bull", which targeted drug traffickers in northwest Pennsylvania and other states in the region. The operation, which resulted in the arrest of 15 suspected members of a DTO, included federal and state agencies and was the culmination of a two-year investigation initiated by the Border Patrol and U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI).

At POEs, the Office of Field Operations (OFO) utilizes technology, such as non-intrusive inspection (NII) x-ray and gamma ray imaging systems, and canine teams to detect the illegal transit of drugs hidden on people, in cargo containers and in other conveyances. Since September 11, 2001, NII technology has been the cornerstone of the CBP multi-layered enforcement strategy. The President's FY 2016 Budget requests an increase of \$85.3 million for its NII program to fund recapitalization of aging systems. Without this funding increase, maintenance costs will increase, systems will become obsolete, system downtime will rise, all negatively impacting the effectiveness and cost of inspections due to the need for manual inspection, ultimately delaying the movement of legitimate trade and travel.

As of October 15, 2015, 315 Large-Scale (LS) NII systems are deployed to, and in between, our POEs. In FY 2014, LS-NII systems were used to conduct more than 7.2 million examinations resulting in more than 2,000 seizures and more than 249,000 pounds of seized drugs. Just a month ago, in three separate smuggling incidents, CBP officers at the DeConcini POE in Nogales, Arizona arrested three Mexican nationals and a U.S. citizen and seized more than 75 pounds of heroin, worth more than \$1 million, that was concealed in their vehicles. This past August, CBP officers conducting a container check in San Juan, Puerto Rico discovered two backpacks with brick-shaped objects inside that tested positive for cocaine and heroin. While cargo containers may be a popular conveyance for smuggling, DTOs also move heroin in smaller quantities to try to evade detection. Last December, CBP officers working express consignment operations in Cincinnati seized five pounds of heroin when a shipment manifested as a baby playpen arrived at the facility for processing. The shipment was mailed from Malaysia and was destined for delivery in Toronto, Canada. ICE and the Royal Canadian Mounted Police Serious and Organized Crime Division conducted a controlled delivery that resulted in the arrest of two individuals suspected of illegal importation and drug trafficking.

CBP also contributes to the whole-of-government effort to combat drug - related threats from Mexico by sharing critical information on travelers and cargo with investigative and intelligence partner agencies to identify and disrupt sophisticated routes and networks. Recognizing the need for open and sustainable channels to share information with our law enforcement and intelligence partners, CBP co-locates interagency personnel at its National Targeting Center (NTC) to support efforts to combat drug and contraband smuggling by integrating real-time tactical intelligence into CBP targeting efforts and enforcement actions. This whole-of-government counter network approach has resulted in TCOs being identified and dismantled, and their smuggling routes shut down. An example of this successful collaboration can be seen in the aggressive targeting of heroin transiting, or destined for, the United States. In FY 2015, CBP efforts at the NTC, in conjunction with increased cooperation from foreign and domestic law enforcement partners, resulted in 40 seizures of heroin with a gross weight of 47.7 kilograms as well as several arrests.

The Office of Field Operations National Canine Enforcement Program deploys 478 specialized detection canine teams throughout the nation. These canine teams are trained to detect drugs and concealed humans. The majority of the canine teams are concentrated in four field offices along the southwest border. Of those 478 canine teams, 49 of these teams are trained in the detection of firearms and currency. During FY 2015, OFO canine teams were responsible for the seizure of 603,283 pounds of drugs, \$34,991,253 in seized property, and \$39,323,455 in currency.

The United States Border Patrol (USBP) Canine Program deploys over 808 specialized detection canine teams throughout the nation. These canine teams are trained to detect narcotics and concealed humans. The majority of the canine teams are concentrated in the nine Sectors along the southwest border. Of those 808 canine teams, 37 of these teams are trained in the Search and Rescue discipline, 11 are trained the Human Remains Detection discipline, and 20 are trained in the Patrol discipline. During FY 2015 USBP canine teams were responsible for the seizure of 432,761 pounds of narcotics, \$3,073,313 in currency, and 39,942 human apprehensions.

CBP also has capable and effective aerial and marine assets, including manned aircraft, unmanned aircraft systems and strategic and tactical aerostats, providing critical surveillance coverage and domain awareness toward counternarcotic efforts. In the maritime domain, CBP's Air and Marine Operations (AMO) employs high speed Coastal Interceptor Vessels that are specifically designed and engineered with the speed, maneuverability, integrity and endurance to intercept and engage a variety of suspect non-compliant vessels in offshore waters, as well as the Great Lakes on the northern border.

This past May, AMO participated in a joint law enforcement operation with the Drug Enforcement Administration (DEA) targeting a heroin ring in Philadelphia, PA, and Rochester, NY. AMO's highly-trained air crews and marine agents conducted aerial and land surveillance and executed search warrants. The operation yielded the arrest of more than a dozen suspects and seizure of \$187,000 in currency, 1.6 kg of heroin, five handguns, and an assault rifle.

CBP AMO P-3 Orion Aircraft (P-3s) have also been an integral part of the successful counternarcotic missions operating in coordination with Joint Interagency Task Force South (JIATF-S). The P-3s patrol in a 42 million-square mile area known as the Source and Transit Zone, which includes more than 41 nations, the Pacific Ocean, Gulf of Mexico, Caribbean Sea, and seaboard approaches to the United States. In Fiscal Year 2014, CBP's P-3s operating out of

Corpus Christi, Texas and Jacksonville, Florida flew more than 5,900 hours in support of counternarcotic missions resulting in 135 interdiction events of suspected smuggling vessels and aircraft. These events led to the total seizure of 57,374 kg of cocaine with an estimated street value of \$9.47 billion.

Improved technology and enhanced capabilities have also expanded the collection, analysis, and dissemination of information between law enforcement partners working to dismantle DTO networks. For example, CBP's Laboratories and Scientific Services Directorate uses advanced techniques to provide qualitative identification and quantitative determination as well as pollen analysis of heroin, cocaine, marijuana, and methamphetamine to assist with identifying potential drug smuggling routes. In addition, DHS Science and Technology Directorate (S&T) is working with CBP to develop, test, and pilot new technology for securing and scanning cargo, improving surveillance of the Southern border, and enhancing detection capabilities for radar-evading aircraft. S&T is also pursuing and fielding new technology to monitor storm drains, detect tunnels, track low-flying aircraft, monitor ports, and enhance current mobile/fixed radar and camera surveillance systems to increase border security. Recently, S&T-developed technology was put into operational use at the US-Mexican Border. These technologies included a new general aviation aircraft scanner in Laredo, TX, and a new Brownsville-Matamoros Rail Non-Intrusive Inspection Microwave Data Transmission System.

Intelligence and Information Sharing

Criminal intelligence sharing is a key component of countering drug-trafficking along the Southwest and Northern borders. CBP contributes to several initiatives to improve the combined intelligence capabilities of Federal, state, local, tribal, and international partners.

CBP hosts monthly briefings/teleconferences with Federal, state and local partners regarding the current state of the border – the Northern border and Southwest border – in order to monitor emerging trends and threats and provide a cross-component, multi-agency venue for discussing trends and threats. The monthly briefings focus on drugs, weapons, and currency interdictions and alien apprehensions both at and between the POEs. These briefings/teleconferences currently include participants from: the Government of Canada; the Government of Mexico; ICE; U.S. Coast Guard (USCG); DEA; Federal Bureau of Investigation (FBI); U.S. Northern Command; Joint Interagency Task Force-South; Bureau of Alcohol, Tobacco, Firearms, and Explosives; U.S. Attorneys' Offices; Naval Investigative Command; State and Major Urban Area Fusion Centers; and other international, Federal, state, and local law enforcement as appropriate.

JTF operations increase information sharing with Federal, state and local law enforcement agencies, improve border-wide criminal intelligence-led interdiction operations, and address transnational threats. Physical evidence gathering and forensic analysis is also valuable to the information sharing effort. Substantive and timely information sharing is critical in targeting and interdicting individuals that move drugs and illicit merchandise from the POEs to their destinations throughout the United States and Mexico.

CBP exchanges information with our partners within the Government of Mexico. This information sharing, facilitated by the CBP Attaché office in Mexico, has allowed for an unprecedented exchange of real-time information through deployments of personnel between our countries. Today, Mexican Federal Police personnel sit with our personnel in Tucson, Arizona,

and Laredo, Texas, where they assist us with targeting criminal activity through the sharing of Mexico criminal history database information. Likewise, CBP personnel are assigned to Mexico City under the Joint Security Program where we exchange alerts on suspicious TCO movements through the monitoring of our Advance Passenger Information System. This information sharing has also led to numerous seizures and cases within Mexico that serve to disrupt the activities of TCOs throughout the Western Hemisphere.

Enhancing counternarcotic operations in the air and maritime environments, the Air and Marine Operations Center (AMOC), a state-of-the-art law enforcement radar surveillance center, integrates data from multiple sensor sources to provide real-time information on suspect targets to responders at the Federal, state, and local levels. AMOC's capabilities are enhanced by the continued integration of DHS and other Federal and Mexican personnel to increase efforts to identify, interdict, and investigate suspected drug trafficking in the air and maritime domains.

Operational Coordination

Our Nation's borders – land, maritime, and air environments – cannot be effectively policed by a single DHS component or even a single governmental entity. A whole-of-government approach that leverages interagency and international partnerships as a force multiplier has been and will continue to be the most effective way to keep our border secure.

Providing critical capabilities toward the whole-of-government approach, CBP works extensively with our Federal, state, local, tribal, and international partners to address drug trafficking and other transnational threats along the Southwest border, Northern border, and coastal approaches. Our security efforts are enhanced through special joint operations and task forces conducted under the auspices of multi-agency enforcement teams. These teams are composed of representatives from international and U.S. federal law enforcement agencies who work together with state, local, and tribal agencies to target drug and transnational criminal activity, including investigations involving national security and organized crime.

Under the Secretary's Unity of Effort initiative and with the three new DHS JTFs, CBP is enhancing our collaboration with other DHS components – specifically ICE and USCG – to leverage the unique resources, authorities, and capabilities of each agency to more effectively and efficiently execute our border security missions against TCOs, drug-trafficking and other threats and challenges.

Through JTF-W's integrated efforts in the South Texas Corridor (STC), two TCOs were impacted utilizing counter network strategies and unity of effort amongst DHS components. In addition, the STC employed integrated intelligence collection to enhance joint interdiction and investigations significantly disrupting the TCOs ability to smuggle their commodity through the application of consequences. These two organizations were designated as priority targets culminating into enforcement actions under Operations Fusion One-Five and Project Highway 83.

Under Operation Fusion One-Five, multiple members of the Brewster Criminal Organization, to include the leader of the organization, were targeted and arrested. This investigation resulted in an additional 22 criminal arrests, 497 UDAs, and the seizure of various types of narcotics. On August 10, 2015, members of the Brewster Organization appeared in federal court and received a

cumulative sentence of 12.5 years for their roles in human smuggling. This was an HSI led investigation with support from CBP assets.

Under Operation Project Highway 83, six TCOs operating within the STC were targeted as part of an illicit network utilizing money service businesses to facilitate human smuggling. This investigation led to the issuance of 31 arrest warrants in San Antonio, Dallas, and Crystal City, Texas. To date, over 400 individuals involved in this network have received consequences ranging from arrests, indictment, and/or administrative actions. This investigation was initiated and led by the HSI Eagle Pass and Laredo Offices, assisted by USBP Del Rio and Laredo Sectors, and OFO Laredo Field Office.

CBP is a critical partner in the ICE-led Border Enforcement Security Task Forces (BESTs), which are composed of Federal, state, local, and international law enforcement and intelligence stakeholders working together to counter TCOs and enhance border security. BESTs currently operate in 37 locations, including 14 along the Southwest border. In FY 2015, BESTs made more than 3,700 criminal arrests and 960 administrative arrests; seized more than 269,100 pounds of drugs, 800 weapons, and \$29 million in currency and monetary instruments; and federal prosecutors obtained more than 2,100 indictments and 1,700 convictions in BEST-investigated cases.

Other investigative agencies such as ICE-HSI, DEA, and FBI utilize AMO specific skills for air and marine relevant investigations, in order to help identify and dismantle the organized flow of narcotics and trans-criminal organizations. This leads to significant intelligence and seizures, and the critical information gained is often crucial to identifying TCO suspects, associates, and accomplices. The threat in the air and maritime domains require specialized skills and tactics tailored to the specifics of each of those environments. In the maritime domain, AMO personnel routinely augments vessel crews from investigative partner agencies when air and marine investigative skills and technical expertise are needed for investigation or operation of these maritime assets.

In the air domain, AMO detects, identifies, investigates, and interdicts potential air threats to the United States including general aviation (GA) aircraft involved in the aerial transit of contraband. The AMOC monitors complex airway traffic to identify illicit use of aircraft and those attempting to blend in with legitimate traffic. AMO, through its national SKY PRO initiative and in collaboration with ICE-HSI, the Federal Aviation Administration, and state, local, and tribal law enforcement agencies, works to enhance law enforcement interactions with the GA community to increase awareness and intelligence on international and domestic smuggling activities.

Also, AMO actively participates in Operation Martillo, an international counter illicit trafficking initiative whereby U.S. and regional partner nations' military and law enforcement agencies patrol the air and sea environments in the Caribbean Sea, Gulf of Mexico and the Eastern Pacific on a year-round basis.

Because DTOs are also known to use legitimate commercial modes of travel and transport to smuggle drugs and other illicit goods, CBP partners with the private sector to provide anti-drug smuggling training to air, sea, and land commercial transport companies (carriers). The overall goals of these programs and their training component are to encourage commercial carriers to

share with CBP the burden of stopping the flow of illicit drugs; to deter smugglers from using commercial carriers to smuggle drugs; and to provide carriers with the incentive to improve their security and their drug smuggling awareness. The Carrier Initiative Program is a voluntary training program directed at employees of carriers with route systems that are high risk for drug smuggling. The Super Carrier Initiative Program is for those carriers that face an extraordinarily high risk from drug traffickers. Participating carriers sign agreements stating that the carrier will exercise the highest degree of care and diligence in securing their facilities and conveyances, while CBP agrees to conduct site surveys, make recommendations, and provide training. CBP and various carriers have signed over 3,800 Carrier Initiative Agreements and 27 Super Carrier Agreements.

Heroin trafficking is a global problem, and CBP continues to work with our international partners to share information and leverage resources to combat this threat. Through the 21st Century Border Management Initiative, the U.S. Government and Government of Mexico (GOM) are working to strengthen our collaborative relationship and efforts to secure and facilitate the cross-border flows of people and cargo. CBP also has Border Patrol International Liaison Units (ILU) who facilitate cooperation between U.S. and Mexican law enforcement authorities as part of a multi-layered effort to target, disrupt, and dismantle criminal organizations. During FY 2015, the U.S. Border Patrol and GOM conducted multiple joint bi-national operations targeting TCOs. During these operations, and as a direct result of intelligence sharing with GOM, USBP and GOM were able to locate more than 30 illicit tunnels, and seize approximately 80,000 lbs. of drugs.

AMOC's coordinating efforts with the GOM and the deployment of shared surveillance technology has enabled the GOM to focus aviation and maritime enforcement efforts to better combat TCO operations in Northern Mexico and the contiguous U.S./Mexico border. For example, this past January, officers working at the AMOC detected a suspicious aircraft travelling north towards the United States. AMOC subsequently alerted GOM of the activity, and both the Mexican Federal Police and Air Force responded to investigate. The abandoned aircraft was located by Mexican officials a short time later, where 27 bags containing approximately 389 kilos methamphetamine, 79 kilos of cocaine, 79 kilos of white heroin, and 1.5 kilos of black tar heroin were discovered and seized.

CBP, together with our international, federal, state, local, and tribal partners, is committed to reducing the risk associated with TCOs by addressing threats within the Southern Border and Approaches Joint Operating Area. The establishment of JTFs marks a renewed commitment to seek out and coordinate optimal, multi-component authorities, capabilities, competencies, and partnership expertise to combat all threats to the homeland.

Lastly, it is important to acknowledge the significant strides that Mexico has taken in recent years to address transnational organized crime generally, and drugs smuggling specifically. I noted some examples of this earlier, but I wanted to highlight for the Committee that CBP's relationship with its Mexican counterparts is stronger today than it has ever been. We receive information from Mexican authorities on a daily basis that helps us better target drugs smugglers at the border. Just last month, I participated in a high level bilateral and interagency security cooperation meeting in Mexico City, where senior Mexican officials committed to working with the U.S. Government even more closely—including expanding efforts to combat heroin cultivation, production, and trafficking, and sharing more information on smuggling routes and networks, and

crafting a binational action plan specifically focused on heroin smuggling. While more can always be done, I am pleased that Mexico and the United States are working in close cooperation as we seek to identify, interdict, and take down the cartels.

Conclusion

CBP, through collaboration and coordination with our many Federal, state, local, tribal, international government, and other partners, has made great strides with regard to the integrity and security of our borders.

With continued support from Congress, CBP, in coordination with our partners, will continue to refine and further enhance the effectiveness of our detection and interdiction capabilities to combat transnational threats and the entry of heroin into the United States. We will continue to work with the intelligence community and our law enforcement partners to improve the efficiency of information sharing with relevant partners, to guide strategies, identify trafficking patterns and trends, develop tactics, and execute operations to address the challenges and threats posed by TCOs to the safety and security of the American public.

Chairman Johnson, Ranking Member Carper, and distinguished Members of the Committee, thank you for the opportunity to testify today. I look forward to your questions.