**Question:** Efforts to Combat the threat of Drug Trafficking Organizations

Mexican drug trafficking organizations (DTOs) are poly-drug organizations that traffic heroin, methamphetamine, cocaine, and marijuana throughout the United States, using established transportation routes and distribution networks. They control drug trafficking routes across the Southwest Border and are moving to expand their share of US illicit drug markets, particularly heroin markets. The organizations use violence and intimidation to increase control of routes which spills over to the general public.

According to the 2015 National Drug Threat Assessment, Mexican DTOs remain "the single greatest drug trafficking threat to the United States." I also understand that these organizations have ties to gangs in cities across the United States to facilitate their illegal operations.

Given that drugs like methamphetamine and heroin continue to come across the border in ever greater numbers, what specific steps is CBP taking to address this problem?

**Response:** As America’s unified border agency, U.S. Customs and Border Protection (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 Transnational Criminal Organizations (TCOs) and Drug Trafficking Organizations (DTOs) is a key component of our multi-layered, risk-based approach to enhance the security of our borders, at and in between the ports of entry (POEs). CBP is enhancing our collaboration with our domestic partners and Government of Mexico (GOM) counterparts, by increasing information sharing and coordinating bi-national enforcement initiatives, to more effectively and efficiently execute border security operations against DTOs.

Specifically, **t**he U.S. Border Patrol (USBP) works closely with several GOM agencies, such as the Federal Police (PF) and Gendarmerie (Mexican special federal police force), the National Migration Institute (INM), the Secretariat of National Defense, and other local municipal police agencies to address bi-national threats and exchange information on DTOs. For example, CBP and GOM established Border Violence Protocols (BVP) and Border Violence Prevention Protocols (BVPPs) that provide for a coordinated bi-national response to incidents of cross-border violence and crime, as well as a comprehensive approach for preventing violence in shared border regions. The BVPP complements BVP response procedures and creates a mechanism for CBP and GOM law enforcement agencies to jointly assess threats and inform the planning of coordinated patrols and enforcement actions against intelligence driven threats and known TCO activity. The BVPP heads of relevant U.S. and GOM agencies meet monthly to assess current threats, discuss significant arrests, and discuss strategies to disrupt and dismantle TCOs.

USBP also provides training for Mexican law enforcement officers in border operations. These efforts have promoted a fluid exchange of information between USBP and our Mexican law enforcement partners resulting in more timely and effective coordination. For example, USBP has trained 47 Mexican Federal Police to facilitate the Cross Border Coordination Initiative (CBCI), a component of the BVP and BVPPs. The CBCI is designed to coordinate enforcement actions between the Mexican Federal Police and USBP and create an environment that disrupts and degrades TCO activities, while improving safety along shared U.S./Mexico border.

CBP’s Air and Marine Operations (AMO) also provides critical resources and capabilities to detect and respond to TCO activities. Using sophisticated aviation, maritime, and domain awareness platforms, AMO enables field leadership to execute proactive law enforcement operations and position operators in the right place at the right time.  AMO works extensively with our federal, state, local, tribal and international partners through special joint operations and task forces to address drug trafficking and other transnational threats along the U.S. borders and coastal approaches.

AMO’s Air and Marine Operations Center (AMOC) coordinates the fusion of maritime surveillance measures, investigative information, and national criminal intelligence to provide real-time information on maritime suspect targets and advance notification of imminent maritime smuggling events to responders at the federal, state, and local levels.  AMOC is a state-of-the-art law enforcement radar surveillance center that uses data gathered by radar, air, and maritime platforms fed into the Air and Marine Operations Surveillance System (AMOSS).  Data gathered from these assets feed into the AMOSS and, in turn, the AMOC provides real-time information on suspect targets to responders at the federal, state, and local levels.  AMOC uses this information to detect, identify, sort, track, and direct the interdiction of suspect targets.  AMOC provides direct coordination and support to DHS components and other federal, state, and local law enforcement agencies performing interdiction missions. The technological sensor fusion capabilities of the AMOC have been enhanced by the continued integration of a joint DHS staff that concentrates the authorities and resources of participating DHS components to better support all efforts to identify, interdict, and investigate threats in the air and maritime domains.  AMOC is aggressively pursuing new technology and interagency staffing enhancements to fully enable integrated domain awareness.

AMO is also a critical partner in the U.S. Immigration and Customs Enforcement’s (ICE) Border Enforcement Security Task Forces, composed of federal, state, local, and international law enforcement and intelligence stakeholders working together to counter TCOs and enhance border security

At POEs, CBP’s Office of Field Operations (OFO) uses a layered strategy that incorporates a broad range of tools and capabilities that are essential to detect and interdict the smuggling of drugs and other contraband into the United States, while facilitating trade and travel. As part of these efforts, OFO engages in advance cargo and passenger targeting; stations CBP interdiction assets at the airport in Mexico City and in Southern Mexico; forms supply chain security partnerships with Mexico’s private sector through the Customs Trade Partnership Against Terrorism; and has established critical information sharing and border liaison mechanisms with GOM. OFO also has a robust Intelligence Driven Special Operations (IDSO) program that utilizes actionable intelligence and information to design a short-term special enforcement operation to be executed at specified ports of entry in a uniform and consistent approach. Several IDSOs were implemented in 2015 that directly address narcotics smuggling, including Operation Tar at land border POEs in Southern California and Operation Phoenix at various major airports in the United States. These IDSOs integrate CBP resources, including OFO and USBP K-9 Enforcement Teams; Antiterrorism Contraband Enforcement Teams; Passenger Analysis Units; Passenger Rover Teams in concert with ICE; and using technology, such as non-intrusive inspection) imaging systems to detect drugs hidden on people, in cargo, and in other conveyances.

CBP, specifically USBP, AMO, and OFO, continue to work closely with the DHS Science and Technology Directorate (S&T) to identify and develop technologies to improve our surveillance and detection capabilities along our land and maritime borders which directly support the National Drug Control Strategy. This includes investments in tunnel detection and tunnel activity monitoring technology, low-flying aircraft detection and tracking systems, maritime data collection/integration/data sharing capabilities, supply chain cargo security, cargo scanning technology, and improved border surveillance tools.

**Question:**  Do you believe that the current allocation of resources between the four pillars of the Merida strategy need to be adjusted in order to get this problem under control?

**Response:** The Merida Initiative is an unprecedented partnership between the United States and Mexico which has allowed U.S. Customs and Border Protection (CBP), through Department of State funding, to collaborate with various Government of Mexico agencies, including Customs, Federal Police, and the National Migration Institute, to interdict illicit narcotics, arms, and money, as well as strengthen control of porous border areas. This partnership is also important because it is based on principles of shared responsibility, mutual trust, and respect for sovereign independence. The training and technical assistance under the Merida Initiative promotes a shared vision of security between the U.S. and Mexican Governments and is beneficial to the United States because it complements U.S. domestic efforts to reduce drug demand, stop the flow of arms and weapons, and confront gangs and criminal organizations by supporting the Mexican agencies which are responsible for combating them in Mexico. The training also complements broader efforts to engage on every front in the battle against organized crime. CBP believes that all four pillars are equally important, necessary, and integral to countering the drug-fueled violence that threatens citizens on both sides of the border. The existing allocation of funds is meeting CBP’s current requirements.

Through the Merida Initiative, CBP has been able to influence its anti-narcotics law enforcement stance via U.S. Department of State’s Bureau of International Narcotics and Law Enforcement Affairs (INL) sponsored projects. Utilizing a CBP Advisor within INL to manage several key border security programs, CBP, through the Offices of International Affairs, Field Operations, Training and Development, and Information Technology, is actively training the Government of Mexico’s (GOM) Tax Administration Service’s (or SAT by its acronym in Spanish) Mexican Customs personnel in such topics as Airport Passenger Roving Inspection, Maritime Cargo (Rip-Load) Inspection, Chemical Precursor Inspection, Incident Command System Training and Risk Analysis Training. Crediting several Inter-Agency Agreements between INL and CBP, CBP has trained GOM personnel on a variety of topics including: officer safety, search techniques, gang identification, fraudulent document detection, interview techniques, human tracking, and checkpoint operations. CBP’s Canine Centers, El Paso and Front Royal, have also combined to train 225 detection canines and GOM federal agencies (SAT, Federal Police and Attorney General’s Office) handlers in the fields of Narcotics, Currency and Weapons, and Human Remains detection utilizing CBP Canine Center methodology.

 The U.S. Border Patrol (USBP), through an Inter-Agency Agreement with the Department of State, is training 400 Gendarmerie Federal Police Officers to deploy along Mexico’s northern and southern border, and 182 local Federal Police Officers along Mexico’s northern border. These officers will be used to support coordinated patrols along our shared border with Mexico, and to improve Mexico’s security efforts along its southern border with Guatemala and Belize. With CBP expertise from the Office of Field Operations, INL has invested heavily in providing Non-Intrusive Inspection Equipment (NIIE) and training to the GOM to combat Transnational Criminal Organizations (TCOs) and their illicit activities. Since 2009, INL has spent over $131M USD on NIIE such as Z Backscatter Vans, all-terrain vehicles, Mobile X-Ray Machines, CT-30s and handheld equipment. The GOM has set up a “CORE” Group of CBP trained instructors to travel throughout Mexico training NIIE operators on the proper and effective use of the equipment. CBP will continue to partner with INL and the corresponding GOM agencies to improve border security efforts, particularly at ports of entry.

CBP Air and Marine Operations (AMO) operates almost exclusively in the area of pillars #1 and #3, which are to Disrupt Capacity of Organized Crime to Operate and Create a 21st Century Border Structure. The Joint Interagency Task Force-South (JIATF-S) has 34 bilateral law enforcement agreements to conduct interagency and international operations facilitating the interdiction of illicit trafficking and other narco-terrorist threats in support of national and partner nation security in the transit zone.  As part of these efforts, AMO’s P-3 and MQ-9 aircraft patrol a 42 million-square mile area of the Caribbean and Eastern Pacific, and utilize advanced radar systems and tracking software to detect and monitor suspect vessel traffic in the maritime transit zone, and to identify and track maritime targets smuggling illegal cargo. AMO’s missions in the source and transit zones directly affect TCOs main source of narcotic revenue and provides a flexible, specialized capability to overcome threats to national security moving towards the borders of the United States, and continue to play a critical role in the success of the Department of Homeland Security (DHS) defense-in-depth strategy.

Historically, AMO P-3 operations provided approximately 85 percent of their funded flight time to the Source and Transit Zone, representing more than 40 percent of total JIATF-S flight time over the last several years.  Currently, AMO is scheduled to fly over 1,500 hours of MQ-9 support in Fiscal Year (FY) 2016.  For the past 30 years, AMO/U.S. Customs Service has been the largest provider of air support and the sole provider of unmanned aircraft systems to JIATF-S. In FY 2014 AMO P-3's and UAS Flew 6237 hours with an interdiction rate of 20.4 pounds of cocaine per hour. In FY 2015 AMO P-3's and unmanned aircraft systems flew 6,340 hours with an interdiction rate of 22.9 pounds of cocaine per hour. Since the inception of the P-3 U.S. Customs Service program in 1986, more than 2.1 million pounds of cocaine has been interdicted in the source and transit zone.

**Question:** Money Laundering - Bulk Cash Smuggling

DTOs use a variety of methods to move the millions garnered through illegal activities back across the border. Hundreds of millions of dollars in illegal funds are moved annually from the United States to Mexico. The most common method is bulk cash smuggling. Much of the bulk cash is consolidated by the DTOs in several key areas, including Atlanta, Chicago, Los Angeles, New York City, and North Carolina, where it was prepared for transport to the U.S.-Mexico border and then smuggled into Mexico.

What additional steps can we take to strengthen our anti-money laundering laws to do a better job of stopping the movement of bulk cash between the borders?

**Response:** While any changes to the U.S. money laundering laws themselves would require statutory or regulatory changes, there are additional steps that we could take to strengthen enforcement of existing laws, including

* Continuing to enhance information sharing between CBP and other federal and state law enforcement agencies regarding violations of the money laundering laws, which could result in additional seizures;
* Working with the Department of Justice to increase prosecution of bulk cash smuggling cases, where such cases cannot be resolved at the administrative level;
* Continuing to work with the Department of Treasury to enhance the monitoring of existing cross-border monetary transactions.

**Question:** What assistance are we providing to the Government of Mexico to assist them in strengthening their anti-money laundering laws and activities?

**Response:** U.S. Customs and Border Protection (CBP) is actively engaged in providing Government of Mexico (GOM) officials training and advice on the identification and disruption of money launderers and Mexican money smuggling organizations. In 2015, the CBP Attaché Office Mexico City (CBPMX) helped the GOM Procuduria General de La Republica (Mexico Attorney General Office) Financial Division identify a major money launderer for the Cártel de Jalisco Nueva Generación drug cartel and helped them obtain information for the prosecution on the subject. CBPMX has also provided mentoring and training for the GOM Attorney General's Office and Tax Administration Service (SAT) on how to better identify and target straw method smugglers. As a result of these efforts, the GOM began seizing and arresting mules for tax evasion related charges, thereby disrupting this method of laundering money to South America. CBPMX showed members of GOM how jewel traffickers use cargo to avoid paying duties and then launder money to avoid fiscal detection by law enforcement.

CBP also participates in special operations, such as Operation Broken Wing, in which CBP (via the Miami Tactical Analytical Unit) identified targets of bulk cash smuggling for U.S. Immigration and Customs Enforcement’s (ICE) Homeland Security Investigations (HSI) and GOM’s SAT. Operation Broken Wing targeted airline personnel who were smuggling currency into South America from Mexico. Other operations, which have targeted multiple bulk cash smugglers, have resulted in significant seizures of drugs in Colombia. Lastly, CBPMX assisted GOM in recovering money acquired by defrauding retirees millions of dollars and identifying and arresting members of the defrauding organization.

**Question:** What other emerging trends and methods of money laundering are prevalent or emerging and significant threats?

**Response:** Transnational Criminal Organizations (TCOs) use a variety of methods to launder proceeds of criminal activities and move illicit money. These methods are in constant evolution as TCOs attempt to circumvent detection and enforcement. Some of these methods include the use of banks and money services business for electronic transfers and the use of shell and front companies. TCOs will also move large amounts of drug proceeds incrementally, in smaller quantities, in order to minimize the impact of a single seizure on an organization.

**Question:** The U.S. and Mexico have signed numerous bilateral agreements and declarations to deepen cooperation and collaboration in the areas of enforcement, planning, information and intelligence sharing, joint operations, and trade facilitation along the Southwest border. The first strategic objective of the 2013 National Southwest Border Counternarcotics Strategy is to enhance criminal intelligence and information sharing capabilities and processes associated with the Southwest border. The United States and Mexico continue to work for the expansion of coordinated intelligence sharing and joint strategic, intelligence-driven plans.

What new programs are being developed to expand intelligence sharing?

**Response:** The U.S. Customs and Border Protection’s (CBP) Office of Intelligence has liaisons in Mexico City who are working closely with the CBP Attaché in the U.S. Embassy and Mexican fusion center on expanding intelligence sharing and communication. Additionally, in support of Secretary Johnson’s Southern Border and Approaches Campaign Plan (SBACP), on December 15, 2014, the Department of Homeland Security (DHS) announced three pilot task forces. In particular, the Joint Task Force – West (JTF-W) is responsible for overseeing the security objectives of the Southwest border corridors, which includes the land border with Mexico from California to the Gulf of Mexico. JTF-W leverages intelligence and investigative efforts of supporting components through enhanced communication and messaging efforts within DHS and Mexican partners. The overarching goal of the SBACP is effective enforcement and interdiction across land, sea, and air; to degrade Transnational Criminal Organizations while still facilitating the flow of lawful trade, travel, and commerce across our borders.

**Question:** What problems has your agency encountered in coordinating intelligence and information sharing both with other U.S. agencies and with the Government of Mexico?

**Response:** U.S. Customs and Border Protection (CBP) and the Government of Mexico (GOM) continue to work through information sharing challenges such as standard operating procedures, classification of information, and technical issues. However, CBP and GOM are working to improve coordination and enhance intelligence sharing to further strengthen the collaborative relationship between our two governments.

CBP strives to share information with the GOM to the extent allowable under law. This information sharing, facilitated by the CBP Attaché office in Mexico, has led to numerous seizures and cases within Mexico that serve to disrupt the activities of Transnational Criminal Organizations throughout the Western Hemisphere. Since December 2014, information sharing has led to the disruption in the movement and laundering of over $860,000 in currency, and the seizure of over $330,000 in money laundering cases by the United States, Mexico, and other Western Hemisphere countries. These cases also resulted in 10 arrests, 17 persons refused admission to a destination country, and 13 U.S. visas revoked. Additionally, since December 2014, information sharing has led to over 48 kilograms of drugs seized, 11 arrests, 7 U.S. visas revoked and 2 persons denied entry to Mexico.

Furthermore, CBP’s Office of Intelligence has jointly produced strategic threat assessments with GOM, and assisted in the coordination and production of the Southwest border corridor joint threat assessments.

In addition, CBP and GOM continue to collaborate to address the threat of corruption. While CBP’s partners in GOM do not show signs of being involved in any illicit activity, CBP continues to provide a variety of training courses that include modules of integrity with a focus on tactics to avoid potential ethical violations. In 2015, with the support of the U.S. Department of State’s Bureau of International Narcotics and Law Enforcement, CBP provided GOM Customs with Rip-Load Identification Training, Passenger Enforcement Roving Team Training, and Drug and Chemical Precursor Training to improve Mexican Customs officers’ ability to effectively target, locate, and interdict contraband. This training further allows GOM Customs to develop and enhance their skills, which translates to gains for both countries – border security and increased efficiency. CBP also provided Incident Command System (ICS) Training. ICS helps ensure integration of our response efforts when an incident occurs that requires a response to protect life or property.

**Question:** As you know, seizures of heroin at the Southwest Border have more than doubled in the past five years and seizures of meth have more than tripled. I am alarmed by the fact that more than half of all heroin and meth seized at the border in 2014 was seized in my home state of California.

Most of these seizures occur at ports of entry. The number of Border Patrol agents has more than doubled in recent years, but the number of Customs and Border Protection officers has not.

The Fiscal Year 2014 Consolidated Appropriations Act included funding for 2,000 additional Customs and Border Protection officers. What progress has been made in hiring these additional officers?

**Response:** During Fiscal Year (FY) 2014 and FY 2015, U.S. Customs and Border Protection (CBP) hired a total of 2,473 CBP officers. The net hires (total hires minus attrition) for the 2-year period were 1,104. The majority of attrition is a result of employee retirement actions and transfers to other positions within CBP and within the Federal Government. The largest challenge for CBP has been the lack of qualified applicants who can meet the rigorous hiring standards for CBP law enforcement positions. This situation is not unique to CBP; other law enforcement organizations are facing similar hiring challenges. The CBP hiring model suggests the hiring goal of 2,000 additional CBP officers will be met either at the end of FY 2016 or during the first quarter of FY 2017, if the current hiring and attrition rates remain unchanged.

**Question:** Given that customs agents account for the majority of seizures for heroin and meth at the border, does your agency have the necessary resources to counter this threat?

**Response:** U.S. Customs and Border Protection (CBP) continues to prioritize the allocation of CBP officers, technology, and other resources to the Southwest border ports of entry (POEs) to counter the threat of smuggled drugs, cash, and weapons into and out of the United States. CBP narcotics interdiction strategies are designed to be flexible so that they can successfully counter the constantly shifting narcotics threat at the POEs.

To address appropriate staffing levels, CBP has developed a 3-part Resource Optimization Strategy (ROS) that includes identifying staffing requirements through the use of a Workload Staffing Model (WSM). The WSM employs a rigorous, data-driven methodology to identify staffing requirements by considering all the activities performed by CBP officers at POEs, the volume of those activities, and the levels of effort required to carry them out. While business process improvements and increased CBP officers have been successful, CBP estimates significant remaining staffing needs for CBP officers throughout the country. The most recently published WSM shows that CBP needs an additional 2,624 CBP officers to address the current workload at our nation’s ports of entry, on top of the 2,000 additional CBP officers from the Fiscal Year (FY) 2014 appropriations. CBP is actively working to reduce these staffing needs by further transforming business processes and pursuing alternative sources of funding, including public private partnerships, reimbursable agreements, and user fees.

Aside from staffing issues, CBP is intent on using resources to develop and implement security programs that safeguard legitimate trade from being used to smuggle the implements of terror and other contraband, including narcotics, into the United States. The Customs-Trade Partnership Against Terrorism (C-TPAT) provides the business community and government a venue to exchange ideas, information, and best practices in an ongoing effort to create a secure supply chain, from the factory floor to U.S. POEs. Partnership programs such as C-TPAT, the Americas Counter Smuggling Initiative, the Carrier Initiative Program, and the Business Anti-Smuggling Coalition, remain instrumental in expanding CBP’s counter narcotics security programs with trade groups and governments throughout the Caribbean, Central and South America, and Mexico.

CBP has implemented a Field Operations Intelligence Program, which provides support to CBP inspection and border enforcement personnel in disrupting the flow of drugs through the collection and analysis of all source information and then dissemination of intelligence to the appropriate components. In addition, CBP interdicts undeclared bulk currency, cutting off funds that fuel terrorism, narcotics trafficking, and criminal activities worldwide. CBP officers perform enforcement operations to screen outbound travelers and their personal effects. On the Southwest border, CBP employs a risk-based strategy for outbound operations, which are normally periodic and short in duration. This allows for the immediate stand-down of outbound inspections to manage traffic flow departing the POE.

**Question:** Are funds prioritized so that ports of entry with high seizure rates, such as those in California, have the necessary resources to counter increased levels of drug trafficking?

**Response:** U.S. Customs and Border Protection (CBP) continues to prioritize the allocation of personnel, technology, and resources to the Southwest border to counter the threat of drugs, cash, and weapons smuggling into and out of the United States. In California, CBP takes a whole-of-government approach to coordinate counter narcotics operations through force multiplier approaches that leverage interagency resources through joint operations. The San Diego Field Office has been identified as the most active entry corridor for heroin from Mexico based on recent seizure data and intelligence. To address this threat, Operation Tar was implemented in the San Diego Field Office in November 2015 and utilized additional resources to conduct enhanced passenger screening, interviews, baggage examinations, and personal searches to target drug smugglers. Operation Tar was led by CBP Office of Field Operations and included collaboration with the Office of Intelligence, Office of Air and Marine Operations, and Border Patrol. Operation Tar enhanced current operations in the San Diego Field Office by bolstering existing resources and provided intelligence for our analytical units for targeting drug shipments.