

Statement of Commissioner Robert C. Bonner
U.S. Customs and Border Protection
Committee on Government Reform
Subcommittee on Criminal Justice, Drug Policy, and Human Resources
House Select Committee on Homeland Security
Subcommittee on Infrastructure and Border Security
Rayburn House Office Building
Washington, D.C.
July 22, 2004

Chairman Souder, Chairman Camp, and distinguished Subcommittee members: I am pleased to join my colleagues from the Department of Homeland Security to discuss U.S. Customs and Border Protection's role in our nation's drug interdiction and enforcement efforts.

CBP: The New Border Agency

Sixteen months ago, on March 1, 2003, for the first time in our Nation's history, all entities with significant border responsibility were unified into one frontline border agency—the U.S. Customs and Border Protection, or CBP, within the Department of Homeland Security—one agency at and between our nation's ports of entry.

This merger combined the personnel and functions of four different agencies—most of the former U.S. Customs Service, all of the former Immigration and Naturalization Service (INS) inspectors, Agriculture border inspectors, and the entire Border Patrol—42,000 employees, about one fourth of all employees of the Department of Homeland Security.

CBP creates what Secretary Tom Ridge has called "One Face at the Border," one agency to manage, secure, and control our borders, all ports of entry, and points in between. The very existence of CBP, a single border agency within the Department of Homeland Security, makes us vastly better able to protect our nation from all external threats, whether illegal migrants and illegal drugs, terrorists, terrorist weapons, including weapons of mass destruction, or those who attempt to smuggle items across our borders.

CBP's priority mission is homeland security, specifically to detect and prevent terrorists and terrorist weapons from entering the United States. We retain, however, the traditional enforcement and interdiction missions of our predecessor agencies, including the very important mission of preventing the entry of illegal drugs and apprehending those who would attempt to smuggle them into our country.

Our missions against terrorism and drug smuggling are complementary, not mutually exclusive. One does not come at the expense of the other. Rather, the initiatives to prevent terrorists and terrorist weapons from entering the U.S. have actually enabled us to be more effective in seizing other illegal contraband, including illegal drugs.

In fact, the lessons we have learned in our battle against international drug smuggling help us to understand and fight against international terrorism. And, as we've intensified our overall presence, heightened our security measures, increased our detection equipment and targeting abilities along our land borders and at our airports and seaports, we have significantly strengthened our counternarcotics mission.

With our layered defense strategy that employs interdiction enforcement strategies, technology, and inspections, we have increased our capacity to detect all threats. Since 9-11, we have added staffing for both inspectors at the ports of entry and Border Patrol Agents between the ports of entry, and have acquired more inspection technology. We conduct more questioning of travelers, and carry out more inspections of passengers and goods than ever before. As a unified border agency, there are approximately 30,000 uniformed personnel to protect our borders.

On our northern border, for example, before 9-11, we had approximately 1,000 customs inspectors and 500 immigration inspectors on our shared 4,000-mile border with Canada. There were approximately 350 Border Patrol Agents. Today, we have more than 3,400 CBP officers and 1,000 Border Patrol Agents along the northern border.

On our southern border, CBP has nearly 14,000 CBP Officers and CBP Border Patrol Agents. Prior to September 11th, we had 4,371 CBP frontline uniformed border personnel—Customs and INS inspectors—at the southern ports of entry. Today, we have more than 5,000. There are more than 9,000 Border Patrol Agents on and proximate to our southern border with Mexico. Many more of our CBP officers are deployed at our international airports and seaports and international mail and air courier facilities.

For the first time at the ports of entry, we have all border inspectors reporting to the same port director. Last week, we graduated our first class of CBP Agriculture specialists who are now serving to protect American agriculture and our nation's imported food supply from traditional threats, as well as the threats of agroterrorism and bioterrorism. As a single agency, CBP agriculture inspectors are more closely coordinated with other CBP officers in the counternarcotics mission, and work side-by-side with other CBP officers to detect illegal drugs secreted in luggage and carry-ons of passengers and via cargo shipments. Searching for agriculture products that may contain pests and diseases is leading to detection of illegal drugs, as well.

Since 9-11, we have more than doubled the number of large-scale, whole container, whole truck x-ray scanning Non-Intrusive Inspection (NII) systems deployed to our air, land, and seaports of entry—from 64 to 151, and we have seen a corresponding doubling in the number of narcotics seizures—from 225,000 pounds (102,272 kilos) to 442,000 (200,909 kilos).

This sustained border enforcement presence, supported by Border Patrol interior checkpoints that screen traffic traveling away from the border adds an additional level of national security and drug interdiction capability. Just last week, on July 17, for example, Border Patrol Agents in Falfurrias, Texas, seized more than 4,200 pounds of marijuana valued at more than \$3.3 million at the checkpoint. The marijuana was concealed in an empty tanker trailer used to transport hazardous materials. The driver of the truck was arrested and our CBP Border Patrol agents turned the driver and marijuana over to DEA for further investigation and prosecution. Our agents were assisted by our CBP canine patrol, another effective and critical component to the detection of drugs and other contraband.

Two weeks ago, on July 7, CBP Officers in El Paso, made a 1,876 pound seizure of marijuana that was concealed in a front wall compartment of a tractor trailer. After targeting the trailer for inspection and having one of our canine officers give a positive alert on the front wall, officers x-rayed the trailer and found the front to contain a false compartment filled with 82 bundles of marijuana.

As we have responded to the terrorist threat, we have increased our narcotic seizures, not lessened them. The numbers tell the story.

Last year, we seized more than 2.3 million pounds (1.1 million kilos) of illegal drugs. That's an average of more than 6,300 pounds a day. Almost 1 million pounds (455,000 kilos) were seized by CBP officers at the ports of entry; and more than 1.3 million pounds (591,000 kilos) were seized by CBP Border Patrol between the Ports of Entry.

Our recent drug seizures have included some of the largest made in recent years, including a nearly 11 ton marijuana seizure in Laredo, Texas, one of the largest single loads of marijuana seized at the Southwest Border. CBP's Automated Targeting System raised red flags on a tractor trailer, which we targeted for further inspection when it arrived at the border. CBP officers ran the 18-wheeler through NII and identified an anomaly within the trailer. Upon further examination, officers discovered 1,292 bundles of marijuana wrapped in plastic, totaling 21,947 pounds.

Last year was a record-breaking year for seizures and we are keeping that same pace this year. From October 2003 through June 2004, CBP seized more than 1.6 million pounds (727,272 kilos) of marijuana, almost 50,000 pounds (22,727 kilos) of cocaine, nearly 2,400 pounds (1,091 kilos) of heroin, and 608 pounds (276 kilos) of ecstasy.

In just seven months of this fiscal year, drug arrests are up over last year. So far, CBP Officers have made more than 5,000 drug arrests, compared to a total of 7,300 in 2003. And, to date, Border Patrol has made more than 4,900 arrests, compared to a total of 7,000 in 2003.

Coordinated Efforts Against Drugs

As a former Administrator of DEA, I am well aware that interdiction alone is not a strategy for success. It is a part of an overall national strategy set forth by the Director of National Drug Control Policy. Part of the national strategy includes multi-agency extended border interdiction coordinated by the United States Interdiction Coordinator (USIC).

Indeed, while CBP, as the single border agency, has become more adept at interdicting drugs, our success depends on our close cooperation and coordination with other law enforcement agencies, including Immigration and Customs Enforcement (ICE), Drug Enforcement Administration (DEA), and the U.S. Coast Guard.

The Interdiction Committee (TIC) has provided a useful forum for coordinating border interdiction efforts to promote a more effective integration of international and border interdiction efforts. TIC includes membership from Immigration and Customs Enforcement (ICE), Drug Enforcement Administration (DEA), U.S. Coast Guard (USCG), and the Department of Defense.

As Chairman of TIC, I work closely with Roger Mackin, the United States Interdiction Coordinator and the Department of Homeland Security Counternarcotics Officer, to ensure the optimum use of federal drug interdiction assets, both at—and beyond—our borders. TIC has worked jointly with the USIC by supplying staff, administrative support and analytical research to support the development of a Mexico Strategy, the creation of the Border Interdiction Support Center (BISC) and the Western Hemisphere Heroin Strategy.

CBP serves as **the** interdiction agency at the border. CBP Officers are the first line of law enforcement protection at more than 317 ports of entry. CBP Border Patrol is the first line of law enforcement protection between the ports of entry. Together, we are the arms and legs, the eyes and ears, of other law enforcement agencies with a counternarcotics mission, and we coordinate closely with other federal, state, and local investigative agencies, specifically with

ICE and DEA, to see that there is an appropriate hand off and investigative follow up for seizures and arrest made by CBP officers and agents.

CBP inspectors and officers at the border work hand-in-hand with the investigators and special Agents at ICE. The inspectors conduct interviews, perform searches of persons, conveyance, and cargo, and as necessary, initiate the first enforcement actions, including arrests, seizures, forfeitures and penalties. For those incidents requiring follow-up investigation, or referral to other law enforcement entities, CBP officers work with ICE Special Agents to ensure follow on investigative efforts, process controlled deliveries, preserve evidence, and with the assistance of federal and state prosecutors, prosecute of the more serious violation of federal drug smuggling laws.

At the ports of entry, we are in contact with ICE Special Agents, who are notified of all discoveries of illegal drugs, and we continue to work closely with ICE to see that appropriate follow up investigations and prosecutions occur.

Between the ports of entry, CBP's Border Patrol works closely with DEA, and state and local law enforcement agencies in seeing that follow up investigations of prosecutions occur. Border Patrol focuses on both people illegally entering the U.S., as well as those who smuggle illegal drugs between the ports of entry. Border Patrol is in contact with DEA to process illegal drugs seized by Border Patrol and to pursue investigative leads.

CBP Officers also cooperate with other law enforcement officers in the counternarcotics mission through a number of multi-agency groups, including Organized Crime and Drug Enforcement Task Forces (OCDETF), High Intensity Drug Trafficking Areas (HIDTA), and with our Canadian partners, the Royal Mounted Canadian Police (RCMP) and the Canadian Border Services Agency, IBETs, our 14 U.S. Canada Integrated Border Enforcement Teams.

Intelligence Drives CBP Operations

As important and successful as these relationships are, CBP needs good intelligence—and indeed needs more actionable intelligence—to better respond operationally to cross-border drug smuggling and other threats. The better we understand what's coming at us, the better prepared we will be to handle it, regardless of the nature of the threat.

CBP regularly shares counternarcotics information and conducts joint operations with other agencies. Indeed, CBP gathers data regarding drug seizures, analyzes trends regarding drug smuggling and drug smuggling methods at the ports of entry. This information is shared with DEA, ICE, and other members of the federal counternarcotics community.

The Border Patrol is one of the most robust collectors of human intelligence in law enforcement. With more than one million apprehensions a year, thousands of intelligence reports are generated by Border Patrol agents.

To date, this year, we have received more than 3,500 intelligence reports from the field. These reports, which include drug smuggling and means of smuggling illegal drugs, are screened by the Border Patrol Field Intelligence Center (BORFIC). Agents collect a variety of intelligence, including drug smuggling, alien smuggling and weapons smuggling. Actionable intelligence is then passed to the relevant Border Patrol sector or other law enforcement agency with primary authority over the enforcement action that is warranted.

Our Border Patrol Field Intelligence Center (BORFIC), in El Paso, Texas, provides daily summaries of organic intelligence reports, intelligence products, and requests for information in support of the CBP Office of Intelligence, Office of Field Operations (OFO), Immigration and Customs Enforcement (ICE), National Drug Intelligence Center (NDIC) Organized Crime and Drug Enforcement Task Force (OCDETF), Department of Justice (DOJ), High Intensity Drug Trafficking Areas (HIDTA), Office of National Drug Control Policy (ONDCP), and other agencies.

BORFIC also routinely provides intelligence reports to the El Paso Intelligence Center (EPIC). This information is incorporated into the EPIC data bases for further sharing within the broader law enforcement community.

CBP is seeking access to Secure Internet Protocol Router Network (SIPRNET) at BORFIC in El Paso to establish better contact and transfer with the U.S. Coast Guard. This is a critical step in improving coordination between CBP's Border Patrol and USCG for maritime intelligence and drug interdiction operations.

In addition, in order to improve intelligence and information sharing between the DHS and other agencies, BORFIC has analysts collocated from ICE, Joint Task Force-North (JTF-N) at El Paso and the Texas National Guard. BORFIC provides a weekly intelligence brief on narcotics and alien trafficking patterns, statistics and concealment methods to Operation Alliance, whose members are composed of drug interdiction agencies.

More specifically, the Arizona Border Control Initiative (ABCI), a joint multi-agency initiative developed by the Border Patrol and coordinated by Border and Transportation Security's Directorate became operational in March 2004 with the objective of establishing operational control the Arizona border. The agencies involved in ABCI include CBP, ICE, Tohono O'Odham Rangers, Arizona Department of Public Safety, and the National Park Service Rangers.

As a byproduct of asserting greater control over the Arizona border with Mexico, during its first three months of operation, the ABCI has resulted in seizure of more than 215,000 pounds of marijuana, more than 1,500 pounds of cocaine, 414 pounds of methamphetamine, and 75 pounds of heroin.

CBP also receives information from other federal, state, and local law enforcement agencies. We currently receive DEA finished products, including country assessments and specific drug threat assessments, as well as routine intelligence community traffic and reporting on drug issues and smuggling.

In addition, specific reports are also uploaded into ORION NetLeads, which is accessible by CBP, ICE, Citizenship and Immigration Services (CIS), Federal Air Marshals, Forensic Document Lab, and the U.S. Coast Guard, and TECS, a law enforcement database with daily intelligence reports and specific lookout information that can be accessed by all of CBP's land, sea, and air ports of entry enforcement personnel. Significant intelligence reports receive further analysis and are reported to DHS in the form of a Homeland Security Intelligence Report. These reports are then distributed by DHS to other federal, state, and local law enforcement agencies.

Although this level of sharing is great, and certainly better than it was before the creation of the Department of Homeland Security, we need better trend analysis and more robust information sharing across agencies in support of all missions, including the interdiction of drug smuggling. ONDCP estimates that each year Americans consume almost 260 metric tons of cocaine and between 13 and 18 metric tons of heroin. These are drugs we missed, which is why we need more and better intelligence.

The majority of CBP's drug seizures are the result of "cold" hits. By that I mean, they are not the result of actionable intelligence or information received from other agencies. For the most part, CBP's border seizures of illegal drugs are the result of CBP's knowledge of drug smugglers methods of concealment and analysis of trends, together with the detection work using CBP broad border search authority, and on many occasions, effective questioning by CBP officers.

We do get actionable intelligence. But CBP would greatly benefit, and drug interdiction would increase nationally, if the flow of potential actionable information and intelligence from investigative and intelligence agencies to CBP were greater.

This includes maintaining a strong feedback loop between drug investigative agencies and CBP, i.e. not just CBP providing seizure and apprehensions for investigative follow up. The investigative follow up results in increased border interdiction based on information developed during investigations.

The need for border awareness, i.e. actionable and strategic intelligence regarding what and who will attempt to penetrate our borders, both on Mexican and Canadian borders, has never been greater than since 9-11. Developing the means to bring together all threat information, including the information regarding the drug smuggling threat, and provide it to our frontline border agency, CBP, on a timely basis is needed in order to significantly increase our effectiveness to staunch drug smuggling, and to be in a better position to see that terrorists and terrorist weapons cannot successfully penetrate our borders.

Conclusion

During this challenging time in our nation's history, as we work to defeat international terrorist organizations, we have not ignored other threats to the security and well-being of our nation, specifically those posed by international drug trafficking organizations, the source of most illegal drug availability in our country.

Nearly everything CBP has done—and continues to do—to make our country more secure from terrorists also helps secure us from drug traffickers. Every hole we plug in our borders through the use of greater intelligence, more and better technology, and more coordination directly contributes to the security of our Nation. Our efforts to combat terrorism and drug trafficking are coordinated and complementary.

Thank you for this opportunity to appear today to share with members of this distinguished Subcommittee the remarkable story of our new agency—CBP—and of the good work being done by CBP and throughout the Department of Homeland Security to safeguard our Nation's borders and our citizens.

We are indeed better prepared to fight against both drug trafficking and terrorism—and other national security threats—than we were before 9-11. I am convinced that our Nation and its citizens are also safer today because of the measures that have been put in place at—and beyond—our borders.