Question#:	1
Topic:	southbound inspections
Hearing:	Improving Security and Facilitating Commerce at America's Northern Border and Ports of Entry
Primary:	The Honorable John Cornyn
Committee:	JUDICIARY (SENATE)

Question: Various experts have indicated that one way for the U.S. to stem the flow of bulk cash and illegal weapons into Mexico is to institute 100% southbound inspections. According to CBP, DHS is currently conducting southbound inspections at all Southwest border ports of entry. However, these inspections are not conducted on a 24/7 a day basis.

How has CBP adjusted its resources to address the additional resources needed to conduct southbound inspections?

Response: Regarding resource adjustments to conduct southbound inspections, U.S. Customs and Border Protection (CBP) has:

- Assigned CBP officers to Temporary Duty Assignments to Southwest Border (SWB) ports of entry (including canine teams);
- Temporarily assigned local area CBP Border Patrol agents to work outbound operations alongside CBP officers;
- Permanently transferred several non-intrusive inspection (NII) systems to enhance outbound enforcement operations in support of the interdiction of high-risk cargo, bulk currency, and stolen vehicles departing the U.S. along the SWB; and
- Deployed available technologies, including wireless devices such as laptops and handheld devices to CBP Officers.

CBP is preparing to deploy temporary outbound infrastructure (e.g., temporary canopies to protect traveling public and officers from the elements, lighting for operations at night, speed calming devices, connectivity to law enforcement databases, signage) to support outbound operations along the SWB.

Additionally, since March 2009, CBP has enhanced its SWB outbound posture by:

- Conducting "pulse and surge" operations, that are either random or intelligence based. Pulse and surge operations are short duration, periodic outbound inspections followed by periods without inspections;
- Scanning 100 percent of all departing rail cars;
- Increasing its multi-agency cooperation, working with: U.S. Immigration and Customs Enforcement (ICE) and other federal agencies, as well as state and local law enforcement agencies;

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- Conducting national level targeting of commercial shipments of precursor chemicals, dual-use commodities, and weapons, originating from and transshipping through the United States; and
- Working closely with ICE through ICE-led Border Enforcement Security Teams (BEST) to develop actionable intelligence as well as participating in enforcement activity during outbound operations.

In addition, CBP has placed personnel at the El Paso Intelligence Center (EPIC) to increase collaboration with federal, state, and local agencies. The collaboration includes information sharing that contributes to outbound weapons and currency seizures. Alert information is placed into TECS through border license plate readers data collection.

Question: What efforts have been undertaken to coordinate southbound inspections with Mexican authorities?

Response: In accordance with Bilateral Strategic Plan Initiatives, international meetings were held between the Department of Homeland Security and representatives of the Government of Mexico at Cuernavaca and Brownsville, and a joint operation plan was devised with Mexico's General Administration of Customs (MXC) in an attempt to reduce the illegal movement of firearms, ammunition, implements of war, bulk currency, and narcotics.

As a result, CBP has been conducting coordinated inspection operations with MXC at ports on both sides along the Southwest Border. Since June 6, 2009, CBP and MXC have coordinated over 50 southbound enforcement operations focused on disrupting the operations of criminal enterprises responsible for border violence. These coordinated operations are on-going.

The Port Bi-National Security Committees were established in May 2010 and are intended to create a formalized process to address security concerns and other related issues at ports of entry on both sides of the shared border. These committees help in the development of open and consistent communication between both countries' border security authorities that have equities in and around the ports of entry along the shared border. The Port Security Committees hold meetings monthly.

Question: What efforts have been undertaken to coordinate southbound inspections with state and local law enforcement?

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Response: The ports of entry along the Southwest Border (SWB) have a long history of working with state and local law enforcement agencies and over the years have developed good working relationships with those authorities. Communications and joint outbound operations held between the law enforcement agencies take place on a monthly, weekly, or sometimes on a daily basis, depending on the port. State and local law enforcement officers are a tremendous asset to CBP, acting as force multipliers by providing their knowledge of the community, and their understanding of local criminal elements.

Question: Does DHS have the authority to cross designate state and local law enforcement officers to assist in southbound operations?

Response: Yes, 19 U.S.C. § 507 provides CBP with the authority to request assistance from state and local law enforcement officers to assist CBP in carrying out its mission responsibilities. When trained and appropriately assisting CBP officers, state and local law enforcement officers are afforded the opportunity to assist with border searches when working alongside CBP officers.

Question: How many officers did DHS cross designate for this purpose in 2010?

Response: CBP designated 167 SWB state and local law enforcement officers in 2010.

Question: Can you explain why we do not have 100% southbound screening at this time?

Response: CBP's enforcement strategy is to focus resources on high-risk travelers, conveyances, or cargo exiting the United States, using available capabilities. Attempting to screen 100 percent of all travelers and cargo departing the United States, assuming current resources, technologies, and infrastructure would have a significant, adverse impact on legitimate travel and trade.

Question: What is your plan to put 100% southbound screening into effect by the end of FY 2013?

Response: There are substantial costs – related to implementation, infrastructure and facilities, staffing resources, inspection equipment, operations and maintenance, and disruption to trade and travel – that are associated with outbound screening. CBP's goal is to use unpredictable pulse and surge southbound operations to disrupt the ability of transnational criminal organizations to transport money and guns across the border.

Question#:	2
Topic:	southbound technology
Hearing:	Improving Security and Facilitating Commerce at America's Northern Border and Ports of Entry
Primary:	The Honorable John Cornyn
Committee:	JUDICIARY (SENATE)

Question: The GAO cites limited equipment, technology, and infrastructure as a major challenge to stopping the money and guns going south. For example, ATF officers at the U.S.-Mexico border have indicated that one of their challenges in intercepting illegal firearms heading to the border is the ability to quickly provide identifying information about a vehicle to CBP officers. According to the GAO, currently license plate readers are only available at 48 of 118 outbound lanes on the southwest border and none have been installed at the 179 outbound lanes on the northern border.

When will CBP have all ports of entry equipped with license plate readers for inbound and outbound traffic?

*******LAW ENFORCEMENT SENSITIVE START *******

Response:

[redacted]

[redacted]	[redacted]
[redacted]	[redacted]

[redacted]

- [redacted]
- [redacted]
- [redacted]

[redacted]

Question#:	2
Topic:	southbound technology
Hearing:	Improving Security and Facilitating Commerce at America's Northern Border and Ports of Entry
Primary:	The Honorable John Cornyn
Committee:	JUDICIARY (SENATE)

[redacted]

*******LAW ENFORCEMENT SENSITIVE END *******

Question#:	2
Topic:	southbound technology
Hearing:	Improving Security and Facilitating Commerce at America's Northern Border and Ports of Entry
Primary:	The Honorable John Cornyn
Committee:	JUDICIARY (SENATE)

Question: If funding is an issue, has DHS asked for additional resources to purchase and install license plate readers at all ports of entry?

Response: The FY2012 DHS budget request does not include funding for additional license plate readers.

Question: What metrics are currently used by CBP to evaluate vehicular and pedestrian wait times?

Response: CBP measures and records vehicular and pedestrian wait times for each operating hour at every land border crossing with significant traffic volume. Within the vehicle category, CBP separately measures wait times for commercial and private vehicles, as CBP processes these different types of vehicles at their respective dedicated lanes. Moreover, CBP separately measures wait times at booths and lanes dedicated for participants in the various Trusted Traveler Programs (NEXUS, SENTRI, FAST), and is beginning to separately measure wait times at the RFID-enabled Ready Lanes.

All the wait time measurements are recorded and stored in CBP's Border Wait Time (BWT) administrative tool. This system contains every hourly recorded wait time – for each location and lane type where they were measured – going as far back as mid-year of calendar year 2003. This system also stores the number of lanes that were staffed with CBP officers during those same hours when the wait times were recorded. This abundance of collected data provides a rich source of data for CBP to evaluate vehicular and pedestrian wait times.

Using this stored data, CBP defines average wait time as the arithmetic mean of all hourly recorded wait times of a specific lane type at a specific location (or groups of locations) over a certain period of time. For example, CBP could calculate the average wait time for privately owned vehicles at El Paso's Bridge of the Americas during the month of April 2011. This average wait time metric allows CBP to compare wait times among locations and over time. CBP regularly uses the average wait time metric to determine which crossings have longer wait times than others or to determine whether wait times are increasing or decreasing at certain locations.

Since the wait times are recorded by hour of the day, CBP has the ability to determine when the peaks – or longest wait times – occur. At most land border crossings, particularly busy ones, there are typical times of the day when wait times reach their peak. CBP defines average peak wait time as the arithmetic mean of the maximum daily

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recorded wait time of a specific lane type at a specific location over a certain period of time. As with the average wait time metric, the average peak wait time metric can be used to compare wait times among locations or over time. The average peak metric, of course, is focused more on the worst case scenario or longest wait time experience, rather than being a measure of central tendency.

Question: Are the current programs to facilitate frequent, pre-vetted travelers (SENTRI, FAST) operating effectively to facilitate travel?

Response: CBP's trusted traveler programs, with over one million members, expedite the processing of known, low-risk "trusted travelers" arriving into the United States; the success and popularity of these programs is driving their expansion. These programs – Global Entry, Secure Electronic Network for Travelers Rapid Inspection Program (SENTRI), NEXUS, and Free and Secure Trade (FAST) – free up valuable time at the borders for our CBP officers (over 132,000 hours annually) allowing CBP Officers to focus on higher risk, unknown travelers. At the land borders, there are 33 vehicle lanes along both borders solely dedicated to trusted travelers.

CBP continually looks for ways to facilitate the process for low-risk travelers. All major border crossings are equipped with radio frequency identification technology (RFID) infrastructure that allows vehicle lanes to easily be designed for SENTRI or FAST as traffic warrants.

Travelers carrying documents equipped with RFID can access a priority traffic lane at 10 land border crossings under a CBP pilot program called "Ready Lane," launched in 2010. The "Ready Lane" program facilitates the entry process for travelers using RFID documents including the United States passport card, enhanced drivers license, enhanced identification card, enhanced tribal card, trusted traveler card, as well as an RFID-enabled permanent resident card or border crossing card. The "Ready Lane" gives travelers with RFID-enabled documents priority, and allows the CBP officer to view the results of law enforcement checks before the individual arrives at the inspection booth but is not a trusted traveler lane. The accepted RFID-enabled travel documents denote citizenship and identity and were issued in a secure process; however, the card holder may not have gone through the extensive law enforcement checks conducted on trusted travelers as part of the enrollment process. To date, over 10 million RFID-enabled travel documents have been issued to travelers. Data queries on RFID documents are 60% faster than manual queries. "Ready Lanes" will be available at the 17 busiest land border crossings by the end of FY 2011–which will provide reduced wait times to travelers with RFID documents.

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The segregation of travelers by lanes, based upon the type of travel document presented, provides CBP with the ability to process travelers in a more efficient manner. Without a RFID-enabled document, a traveler's processing time can be well over 115 seconds as compared to SENTRI card holder's average processing time of 24 seconds.

Question: Are these programs adequate to accommodate low-risk frequent travelers, both vehicular and pedestrian?

Response: CBP believes these programs are well-suited to adequately accommodate low-risk and frequent travelers, both vehicular and pedestrian. CBP is in the preliminary steps of transitioning the "Ready Lane" concept to pedestrian operations in El Paso. CBP is also in the process of deploying a Pedestrian Reengineering pilot at the Paso del Norte crossing in El Paso, TX. The Pedestrian Reengineering pilot involves:

- Innovative technical and infrastructure enhancements to establish a model pedestrian process, more efficiently identify and process travelers, and create a welcoming and secure inspection environment.
- Construction is in progress on significant facility and signage enhancements, and an innovative technical solution is currently being designed for (phase-one) integration and deployment in December 2011, to securely and efficiently move pedestrians.

Question#:	3
Topic:	southbound infrastructure
Hearing:	Improving Security and Facilitating Commerce at America's Northern Border and Ports of Entry
Primary:	The Honorable John Cornyn
Committee:	JUDICIARY (SENATE)

Question: I understand that CBP has set aside $10 million for temporary outbound infrastructure improvements, such as canopies, on the southwest border. This project was scheduled to begin in February 2011.

How many ports of entry have been completed?

Response: As of May 2011, no temporary outbound infrastructure improvements have been deployed. CBP, in coordination with its service provider, U.S. General Services Administration (GSA), delayed the schedule for temporary outbound infrastructure to incorporate port hardening activities into the program schedule. The consolidation of the two programs will provide several benefits, including a more efficient use of government resources, more expedient deployment of the technology and security infrastructure needed to enhance officer safety, and increased resistance to terrorism and smuggling exploitation. CBP released the Request for Proposal on May 18, 2011, and a design/build contract is expected to be awarded as early as July 2011. Construction will begin shortly after contract award.

Question: What are you doing to expedite these infrastructure improvements?

Response: In an effort to expedite the deployment of the Outbound Infrastructure Program, CBP, in coordination with its service provider, GSA, will complete the improvements through a design/build contract. A design/build contract allows the government to contract directly with one company that provides both design and construction services. This will eliminate the need to complete a second acquisition process after design of the infrastructure improvements for construction services.

Furthermore, the Outbound Infrastructure Program will be deployed through a geographically-phased schedule moving from the west to the east and in some cases, with installations being done simultaneously. This phased deployment will not only save time but also be the most effective use of government resources.

Question#:	4
Topic:	CBP Officers
Hearing:	Improving Security and Facilitating Commerce at America's Northern Border and Ports of Entry
Primary:	The Honorable John Cornyn
Committee:	JUDICIARY (SENATE)

Question: According to the supplemental signed last year, DHS was given $68 million to hire 250 new CBP officers.

Can you tell me if those officers are fully on board?

Response: CBP currently has 129 of the 250 CBP officers onboard. The remainder will be brought onboard before the end of the fiscal year.

Question: How many new officers have been stationed at ports of entry on the southern border?

Response: All of the 129 new officers have been stationed at ports of entry on the Southern border.

Question#:	5
Topic:	Roma Port of Entry
Hearing:	Improving Security and Facilitating Commerce at America's Northern Border and Ports of Entry
Primary:	The Honorable John Cornyn
Committee:	JUDICIARY (SENATE)

Question: The port of entry near Falcon Lake is fairly remote and we have heard through various intel and press reports that the Falcon Lake dam is a potential target for terrorist activity. Specifically, we hear that the dam could be blown up and cause catastrophic damage to this Texas border region known as the Rio Grande Valley.

Are you aware of these reports?

*******LAW ENFORCEMENT SENSITIVE START *******

[redacted]

*******LAW ENFORCEMENT SENSITIVE END *******

Question: What steps is CBP taking to better secure this port of entry and the region?

Response: CBP coordinates closely with all of our Federal and State partners on security issues in the area, and from a regional perspective we have increased our activities in the area.

Question#:	6
Topic:	drug cartels
Hearing:	Improving Security and Facilitating Commerce at America's Northern Border and Ports of Entry
Primary:	The Honorable John Cornyn
Committee:	JUDICIARY (SENATE)

Question: With the increased violence on the U.S.-Mexico border, many members of drug cartels and their families are moving to the United States. The Pacific Council's Binational Task Force on the United States-Mexico Border recommended that the U.S. deny members of drug trafficking organizations and their families safe haven north of the border. The Task Force also recommended that the U.S. bar family members and known associates of Mexican criminal organizations from entry and, if they were are already in the United States, revoke their visas and deport them.

What are you doing to bar family members of drug cartel leaders from entry into the United States?

Are there any legal authorities that you need to implement that Task Force's recommendations?

Response: Agencies within DHS (U.S. Immigration and Customs Enforcement (ICE), U.S. Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Services, as well as the Department of State (DOS) and the Department of Justice (DOJ), remain committed to utilizing our law enforcement databases and civil and criminal law enforcement authorities to identify individuals associated with drug trafficking organizations and to either deny them entry to the United States or initiate removal proceedings provided they are removable under the Immigration and Nationality Act (INA). Additionally, ICE and CBP are in a position to utilize our sizeable footprint at our nation's land, sea, and air borders, coupled with ICE's longstanding experience in investigating transnational criminal organizations, to exploit any investigative information associated with these individuals at the time of their encounter with law enforcement.

ICE and CBP, along with other DHS components, DOS, and DOJ, find the use of existing sections of the INA very effective in accomplishing the recommendations of the Pacific Council Task Force. Specifically, the utilization of INA § 212(a)(2)(C), 8 U.S.C. § 1182(a)(2)(C), which provides that an alien is inadmissible when there is a reasonable belief that the alien:

i. is or has been an illicit trafficker in any controlled substance or in any listed chemical . . . , or is or has been a knowing aider, abettor, assister, conspirator, or

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colluder with others in the illicit trafficking in any such controlled or listed substance or chemical, or endeavored to do so; or

ii. is the spouse, son, or daughter of an alien inadmissible under clause (i), has, within the previous 5 years, obtained any financial or other benefit from the illicit activity of that alien, and knew or reasonably should have known that the financial or other benefit was the product of such illicit activity.

Pursuant to INA § 221(g) and related authorities, DOS has the authority to refuse issuance of a visa to inadmissible aliens. The Secretary of Homeland Security has the authority to refuse or revoke visas, pursuant to section 428(b) of the Homeland Security Act of 2002 (Pub. L. No. 107-296) and consistent with the related memorandum of understanding with DOS regarding implementation of that authority. In addition, when an alien has a visa, DHS officers may, with an adequate factual basis, find that an alien is inadmissible under INA § 212 at a port of entry and may, in appropriate circumstances, revoke, by physically canceling a visa, pursuant to 22 C.F.R. § 41.122(h).

An example of this type of enforcement action is "Operation No Refuge" (ONR), which is an initiative with the El Paso Intelligence Center (EPIC) and its Situational Awareness and Targeting Unit, to identify transnational criminals, associates, and family members. There are currently a total of 1,772 subjects targeted under ONR. Additionally a CBP analyst is embedded into the EPIC Research and Analysis Section's Southwest Border Unit and is working directly with the Drug Enforcement Administration (DEA), the Federal Bureau of Investigation (FBI) and other federal, state, and local analysts on the Gatekeeper North Project, giving CBP direct access to intelligence on drug cartel members and their families living on both sides of the border. From this research, ancillary subjects of interests are also developed.

Question#:	7
Topic:	2010 GAO report
Hearing:	Improving Security and Facilitating Commerce at America's Northern Border and Ports of Entry
Primary:	The Honorable Jeff Sessions
Committee:	JUDICIARY (SENATE)

Question: According to the December 2010 GAO report, overlap exists in mission and operational boundaries among agencies at the northern border due to a lack of coordination among the involved agencies. As a result, officials from federal, state, and local law enforcement agencies may patrol in the same geographic area and pursue the same persons or criminal organizations.

A recent article in the Wall Street Journal discussed the amount of federal funding given to northern border states under Operation Stonegarden which totaled $11.1 million last year. While DHS intended to limit these grants to southwest border states for FY11 and FY12, the restriction was removed in the budget bill passed by Congress.

Does DHS's intention to limit these grants to the southwest border states indicate only that there is a more pressing need there, or that state law enforcement is less equipped to handle the unique threats we face at the northern border?

Response: For FY11, the same 39 States and territories that were eligible to receive funding in FY10 remain eligible to apply. DHS has not yet made the decision about how much to allocate to the Southwest or Northern border regions, and will do so based on the most current assessment of risk prior to announcement later this summer. In FY10, the Southwest border represented about 4/5ths of the enforcement activity volume that CBP faced.

Although funding is allocated based on the *greatest need*, the allocation of grant funds has not been limited to only the Southwest Border states. Funding under Operation Stonegarden is also available for Northern Border areas.

Question: The article I mentioned quotes a Blaine County Sheriff who says that he has not spent the money he was given in 2009 or 2010. Interestingly, Blaine, WA was identified by the GAO as a state with a known presence of terrorist organizations. Is it common that counties receiving grants for border security purposes lack productive ways to spend the money?

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Response: Blaine County has used about half (47%) of the funds it was allocated during the FY-2009 program period. The guidelines of the Stonegarden grant program allow the funds to be used within a 36 month timeframe. Funds disbursed in FY-2009 program period* may be used throughout fiscal years 2010, 2011, and 2012.

The Operation Stonegarden grants are available for 36 months from the time of award. Since the types of activities allowed under this program varies from personnel costs, which are typically drawn down incrementally for operational activity, to large equipment purchases that may require long procurement processes or environmental assessments, the time it takes for each jurisdiction that receives funds varies.

**Funding disbursed under the FY-2009 program period was available for recipients to use at the beginning of FY-2010.*

Question: How well equipped are state and local law enforcement officials to handle terror threats or attempted terrorist entry into the U.S. at the northern border? Are state and local law enforcement officials an effective partner when it comes to terrorism related threats at the northern border?

Response: Each state and local law enforcement agency along the northern border possesses varying degrees of preparation and capability. The purpose of grants to local law enforcement such as Operation Stonegarden is to enhance border security by supporting the strategies of agencies like U.S. Customs and Border Protection. Other grant programs within the Homeland Security Grants Program have the purpose of increasing the resilience of communities by helping them to prepare for, respond to, and recover from incidents such as natural disasters or to help prevent or protect against terrorist attacks.

Question#:	8
Topic:	2008 GAO report
Hearing:	Improving Security and Facilitating Commerce at America's Northern Border and Ports of Entry
Primary:	The Honorable Jeff Sessions
Committee:	JUDICIARY (SENATE)

Question: A 2008 GAO report highlighted the issue of arrest authority at preclearance sites on the northern border. According to officials from the U.S. and Canada, the host country would have sole authority to make arrests at the preclearance site. The report cites concerns by U.S. officials that our government would lack the ability to arrest and later prosecute high value terrorists who present themselves at the border; rather, such individuals would have to be extradited to the U.S.

Is this still the policy in place at preclearance cites? Have any changes or exceptions to this policy been made?

Response: Yes, it is still the policy. There have been no changes or exceptions to the issue of arrest authority at preclearance sites. CBP continues to operate air preclearance under the existing Air Preclearance Agreement with Canada which was signed in 2001.

CBP officers have limited search authority where CBP officers can conduct pat downs for officer safety purposes or contraband. In the event that there is evidence of criminal activity and/or violations of law, CBP officers must rely on host government law enforcement officials to conduct more invasive personal searches and arrest authority. Preclearance CBP officers cannot make arrests and cannot make seizures of currency violations.

Question: If not, does the possibility that the U.S. would be unable to obtain custody of an individual who presents a threat to our national security raise concerns with DHS?

Response: CBP retains and exercises the authority to prevent such individuals from boarding flights to the United States. Should the U.S. seek to pursue prosecution of an individual in the U.S., it may seek extradition of that individual under the U.S.-Canada Extradition Treaty.

Question#:	9
Topic:	DTOs
Hearing:	Improving Security and Facilitating Commerce at America's Northern Border and Ports of Entry
Primary:	The Honorable Jeff Sessions
Committee:	JUDICIARY (SENATE)

Question: According to the U.S. Department of Justice's National Drug Threat Assessment for 2010:

"The rising influence of Asian DTOs that was observed and reported by law enforcement agencies in 2008 continued to increase in 2009. . . . Asian DTOs that had previously trafficked high-purity Southeast Asian heroin have become the predominant distributors of MDMA and high-potency marijuana, drugs typically associated with low criminal penalties and high profit margins. Asian DTOs increasingly smuggle large quantities of MDMA through and between ports of entry along the U.S.-Canada border, as evidenced by seizure data that show a substantial increase in the amount of MDMA seized along the Northern Border from 2004 to 2009. While Asian DTOs continue to produce high-potency marijuana in Canada, they have decreased their reliance on foreign production by establishing marijuana grows in the United States, further reducing associated smuggling risks and costs. Consequently, the amount of marijuana seized along the U.S.-Canada border decreased from 10,447 kilograms in 2005 to 3,423 kilograms in 2009."

What specific steps has CBP taken to increase coordination and intelligence-sharing with DEA, Canadian law enforcement and other relevant agencies to address the evolving threats from these Asian drug trafficking organizations operating on our northern border?

Response: In an effort to stem the flow of drugs and identify those organizations, including Asian drug trafficking organizations responsible for the trafficking of drugs along the Northern border, CBP has increased its deconfliction and sharing of intelligence, and coordinates operational activities with the Drug Enforcement Administration (DEA). CBP shares intelligence with the Canada Border Services Agency (CBSA) and the Royal Canadian Mounted Police (RCMP). Strong partnerships between CBP and Canadian law enforcement partners have led to significant success stories in recent years across the northern border, including a 314% increase in Border Patrol marijuana seizures across the northern border from FY08 to FY09. From FY10 to FY11, cocaine and MDMA seizures have increased significantly. Field commanders have enhanced border security through these partnerships by coordinating patrols, sharing available resources, and conducting intelligence driven, risk based patrols.

CBP also coordinates with DEA and with Canadian government officials to discuss trends, tactics, and procedures; and discuss membership in integrated working groups, such as the Integrated Border Enforcement Team (IBET). Further, CBP's Office of

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Intelligence and Operations Coordination (OIOC), which has recently been reorganized as the Office of Intelligence and Investigative Liaison (OIIL), has a CBSA intelligence analyst assigned to the office to ensure information is shared between both countries in a timely, efficient manner. OIIL, in partnership with CBSA, has also produced two joint threat assessments that address drug threats pertaining to the Northern border.

In working to gather intelligence related to drug trafficking, including drug organizations, OIOC assigned two CBP officers to work at DEA's Special Operation Division. In this forum, DEA agents and CBP officers work together to ensure that information is properly shared and disseminated to appropriate personnel. In several instances, CBP officers provided useful information for DEA investigations; likewise, DEA agents shared information with CBP for tactical operations at the ports of entry.

Additionally, other intelligence and law enforcement communities receive CBP intelligence reports via DHS channels. By using this mechanism, information is timely disseminated to a wider array of agencies.

In January 2004, the Government of Canada established the National Risk Assessment Center (NRAC) at the CBSA to protect Canadians against current and emerging threats. NRAC, which operates 24 hours a day, seven days a week, is one of the first points of contact and liaison for national and international partners involved in security, intelligence and law enforcement.

CBPs National Targeting Center-Passenger (NTC-P) continues to work with its Canadian counterparts at NRAC on the sharing of traveler-related data. CBP and CBSA have agreed to the exchange of targeting analysts to act as liaisons between its centers. The NRAC liaison arrived at the NTC-P the second week in June 2011, and the NTC-P liaison will report to NRAC by early July 2011.

U.S. Immigration and Customs Enforcement (ICE) has the most expansive investigative authority and largest force of investigators in the Department of Homeland Security (DHS). With more than 7,000 special agents assigned to more than 200 cities throughout the United States, and 70 offices in 48 countries worldwide, ICE is uniquely positioned to leverage its broad statutory authority to support border enforcement by targeting the illicit pathways and organizations that produce, transport, and distribute illegal contraband across our borders.

Strong partnerships and intelligence programs exist across the Northern Border and will continue to be strengthened. DHS components such as U.S. Customs and Border

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Protection (CBP), ICE, and the U.S. Coast Guard (USCG) regularly coordinate efforts with each other and other Federal agencies.

Since 2005, CBP has been an active partner in the ICE-led Border Enforcement Security Task Force (BEST) to identify, disrupt, and dismantle criminal organizations that seek to exploit vulnerabilities along the U.S. borders and threaten the overall safety and security of the American public. BESTs are designed to increase information sharing and collaboration among the participating agencies through co-location, focusing toward the identification, prioritization, and investigation of emerging or existing threats.

ICE, and its predecessor agencies, has participated in the Organized Crime Drug Enforcement Task Force (OCDETF) program since its inception in 1982. Using combined immigration and customs authorities, ICE agents combat large-scale drug trafficking organizations, sophisticated money laundering organizations and foreign born nationals who are principle members of criminal organizations trafficking drugs across our borders.

ICE has long understood the value of taking the assets and money away from criminal organizations and has been on the forefront of developing the most effective ways to accomplish this through the initiation of complex financial investigations as well as parallel asset identification and removal investigations. The goal of these financial investigations is to deny criminal organizations their capacity to profit and thus to survive.

In addition to financial expertise, ICE has a large footprint at the U.S. land, air and sea borders, which naturally positions special agents to be able to support OCDETF's efforts to attack the drug trade and the bulk cash smuggling of drug proceeds.

ICE on a daily basis conducts investigations aimed at targeting illicit trade, travel, and finance through the identification, disruption, and dismantlement of criminal and terrorist organizations. ICE special agents utilize their authority, expertise, and investigative techniques, such as certified undercover operations, Title-III electronic intercepts, informants, asset identification and removal, financial and trade information exploitation to not only identify and dismantle transnational criminal organizations, but to deny these organizations the capacity and structure to regenerate the resources and capital needed to survive.

Partnerships with CBP, state, local, tribal, other federal agencies and foreign law enforcement along the northern border are essential to enhance situational awareness,

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conduct joint investigations and operations along the border. ICE has six Special Agent in Charge (SAC) offices located at or near the northern border, including Boston, Buffalo, Detroit, St. Paul, Denver, and Seattle with numerous sub-offices at or near the northern border as well as international corresponding offices in Canada: Vancouver, Ottawa, Toronto and Montreal.

ICE also participates in the IBET program with personnel from the six northern border SAC offices across the U.S.-Canadian border. Primarily through integrated intelligence gathering, the mission of the IBET's is to enhance border security between the ports of entry by identifying, investigating, and interdicting individuals and organizations that pose a threat to national security or are engaged in other organized criminal activity.

The IBET concept currently operates in 15 individual regions across the northern U.S. border.

- Enhancing border integrity and security between designated ports of entry;
- Exchanging cross border actionable intelligence; and
- Identifying, investigating and interdicting persons, organizations and goods that threaten the national security.

ICE, as part of the IBET, combats criminal organizations seeking to exploit the Northern Border as a vector for their illicit actions.

Question: A particular problem on our northern border is the smuggling of MDMA, the drug popularly known as ecstasy. Years ago, this drug was sourced primarily from Europe, but, in recent years, the primary supply of ecstasy in the United States has been from Canadian sources. Nonetheless, the number of seizures decreased from 708 in 2008 to 357 for 2009, according to the National Drug Threat Assessment for 2010. Has CBP developed a coordinated strategy with DEA and other relevant agencies for dealing with the supply chain of ecstasy?

Response: CBP is working closely with DEA, ICE and our other Federal partners to monitor and identify trends and patterns with regards to the production and illicit movement of ecstasy.

Part of this relationship includes CBP's Office of Intelligence and Operations Coordination (OIOC), which has recently been reorganized as the Office of Intelligence and Investigative Liaison (OIIL), and the newly opened Operations Integration Center (OIC) in Selfridge, Michigan, DHS continues to improve its ability to ascertain, analyze,

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and share information with its partners and provide improved overall border management situational awareness.

As the largest investigative arm in DHS, ICE works on a daily basis with additional DHS operational components to be the investigative arm for the uniformed and interdiction centric agencies of CBP and the USCG.

ICE and CBP leadership meet on a regular basis along with the leadership of other DHS components to discuss areas of mutual concern. ICE field leadership determines the prevailing threats in their respective areas of operation and to determine which of the agency's assets and programs will counter those threats. ICE ensures at the field level that IBETs and BESTs coordinate, cooperate, interact, share information, and deconflict investigations and operations. To this end, BEST Field Executive Boards, which include representation from local participating agencies, meet quarterly, or more often if necessary, to establish priorities and increase the efficacy of operations.

Question: As Canada-based DTOs increasingly begin to rely on domestic growing of Marijuana in order to avoid smuggling risks and costs, has CBP developed a mechanism or strategy for sharing what it has learned about these organizations and their smuggling operations that will allow us to better target the smuggling of cash proceeds from these sales?

Response: Through liaison activities and intelligence sharing, CBP has worked closely with Canadian law enforcement agencies for decades. There are a number of mechanisms that facilitate the sharing of information about smuggling trends, means, and methods. CBP and Canada Border Services Agency (CBSA) are currently developing a joint intelligence briefing product that will be used as the basis for a monthly teleconference to share and discuss current intelligence, trends, and enforcement operations along the Northern Border. This product and briefing will also include information provided by other US and Canadian law enforcement agencies. Some other examples include:

- The Integrated Border Enforcement Teams (IBET) are multi-disciplinary, multi-agency intelligence driven/intelligence led enforcement teams. They work in land, air, and marine environments between the ports of entry along the Canada/United States border, while respecting the laws and jurisdiction of each nation.

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The IBET functions through a partnership of five core agencies: CBP, ICE, U.S. Coast Guard (USCG), RCMP, and CBSA. On the local level, partnerships with other Federal, state, provincial, municipal, and tribal entities are encouraged.

- BESTs incorporate personnel from ICE, CBP, USCG, CBSA, RCMP and other key federal, state, and local agencies. BESTs were developed as a comprehensive approach to identifying, disrupting, and dismantling criminal organizations, including drug trafficking organizations, posing significant threats to border security at or around the ports of entry. There are currently 21 established BEST units, including four along the northern border – Seattle and Blaine, Washington, Detroit, Michigan, and Buffalo, New York areas of responsibility.

  CBP engages in integrated Cross-Border Maritime Law Enforcement Operations. On May 26, 2009, the United States and Canada signed the Framework Agreement on Shiprider. Once Canada passes implementing legislation, the agreement will allow the exchange of cross-designated officers on a permanent basis in order to create seamless maritime law enforcement operations that diminish the ability of drug traffickers to use the international border as a way to evade pursuit. Currently still a pilot, Shiprider enables the RCMP and USCG to cross-train, share resources and personnel, and utilize each others' vessels in the waters of both countries.

ICE has six Special Agent in Charge (SAC) offices located near or at the northern border, including Boston, Buffalo, Detroit, St. Paul, Denver, and Seattle with numerous sub-offices at or near the northern border as well. ICE has the largest investigative footprint of any U.S. law enforcement agency in Canada with personnel positioned in Canadian cities (Ottawa, Vancouver, Toronto, and Montreal) for coordination with Canadian law enforcement partners.

ICE has seen the following trends during its investigations of drug trafficking organizations operating on the Northern Border:

- Increased sophistication;
- U.S. cities serving as transit points for bulk currency and narcotics; and
- Increased alliances with Mexican transnational criminal organizations.

Additionally, drug trafficking organizations have been successful in overcoming traditional northern border impediments to smuggling, such as geography and weather, by using more sophisticated smuggling techniques.

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Question: The Government Accountability Office (GAO) issued a report in December 2010 identifying a variety of difficulties with interagency coordination, information sharing, and efficient resource allocation along the northern border.

Following the release of the report, DHS notified the GAO that it would be releasing a Northern Border Strategy Implementation Plan sometime this year, which aims to provide Department-wide guidance to better integrate, coordinate, and achieve its northern border management missions.

When can we expect this plan to be released?

Does the plan provide for serious implementation of the recommendations made in the GAO report?

Were all of the federal and local law enforcement entities involved in northern border security given an opportunity to submit proposals or raise concerns before the plan was finalized?

Response: The U.S. Department of Homeland Security (DHS) has enhanced the security and resiliency of the northern border while facilitating the flow of lawful trade and travel at northern border ports of entry. Cooperation with federal, state, local, tribal, and Canadian partners is critical in these efforts. DHS concurred with the recommendations presented by the GAO in the December 2010 report**,** *BORDER SECURITY: Enhanced DHS Oversight and Assessment of Interagency Coordination Is Needed for the Northern Border*, and is taking steps to further improve northern border coordination.

Most notable among these efforts is the creation of the DHS Northern Border Strategy (NBS). The NBS will for the first time articulate a Department-wide vision for managing the U.S.-Canada border. It will identify past successes and future goals for the Department at the northern border, and emphasize the importance of partnerships in that effort. While the NBS is a leadership-directed initiative, it was advanced through a bottom-up approach and drew upon the experiences and expertise of front-line personnel. DHS is currently collecting input from the federal interagency. The Department expects to finalize and release the NBS in the coming months and is determining the best path forward for its implementation. It is important to note that a DHS implementation effort

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will draw from interagency and state and local input, and will require continuous coordination with federal, state, local, tribal, and Canadian partners.