

**The Honorable Janet Napolitano**  
**Secretary**  
**United States Department of Homeland Security**  
**Testimony on**  
**“Oversight of the Department of Homeland Security”**  
**Before the**  
**United States Senate**  
**Committee on the Judiciary**  
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Chairman Leahy, Senator Sessions, and members of the Committee: Thank you for inviting me to testify today; I appreciate the great interest this Committee has in homeland security and law enforcement issues. Today I will focus on Southwest border security and the results of our enforcement efforts over the past fifteen months. Before I begin my testimony, I would like to thank Congress for their continued support on this critical homeland security and law enforcement priority. With your assistance, the resources dedicated to this mission through the Department's Southwest Border Initiative, and the unprecedented partnerships we have forged with the Mexican government and federal, state and local law enforcement, I believe we have the right strategy, the right partners and the necessary commitment to continue making unparalleled progress in creating a safe and secure Southwest border, while facilitating legitimate trade and travel.

### **Strategy for the Southwest Border**

When I first assumed office at DHS, drawing on my law enforcement and security experience on the Southwest border – first as the U.S. Attorney for Arizona, then as Arizona Attorney General and later as Governor of Arizona – I ordered a review of the Department's Southwest border enforcement efforts. That review helped generate our new strategy for the Southwest border and the Southwest Border Initiative. This strategy emphasizes three essential aspects of border security: personnel, technology, and infrastructure. Simply put, we must strategically deploy our border security personnel in the roles and locations where they are best able to counteract illegal smuggling of goods, people, drugs, weapons, and currency – while simultaneously supplementing their efforts with the right mix of technology and infrastructure so that they can do their jobs effectively.

Because our border security efforts are inextricably tied to the efforts undertaken by the Government of Mexico, our strategy also focuses on forging unprecedented partnerships with Mexican law enforcement as we work together to combat the shared threats to our mutual security. Mexico, under the strong leadership of President Calderón and his administration, has been conducting a valiant campaign to disrupt and dismantle the drug cartels that pose the threat of cross-border violence. To do our part to address this shared threat, DHS has deployed its resources to maximize the pressure we put on smuggling organizations with the goal of disrupting and dismantling their operations.

The Administration's increases in border security personnel, technology, and infrastructure; our interagency Southwest Border Counternarcotics Strategy; and our Department's continued efforts to combat drug cartels based in Mexico seek to stem the transnational threats that these organizations pose along the border. The cartels that Mexican authorities are confronting are the same criminal organizations that put drugs on our streets and use violence as a tool of their trade. The tragic murders of three people connected to our consulate in Ciudad Juarez and of longtime rancher Rob Krentz near Douglas, Arizona only serve to remind us of how drug violence can directly affect Americans and our nation's interests. Later, I will detail how the Department has surged resources in the areas of the border where these murders took place.

Our strategy also emphasizes collaboration with our state, local and tribal law enforcement partners – increasing information and intelligence sharing, providing additional federal support and coordination wherever possible, and ensuring we are maximizing all available resources in our collective efforts to bolster security at our borders.

## **Taking Action and Seeing Results**

In March 2009, DHS and other supporting federal agencies began executing our Southwest Border Initiative – deploying unprecedented resources to combat transnational crime and drug-related violence along the Southwest border to help ensure the security of both the United States and Mexico. Over the past year, this historic, collaborative effort has resulted in major progress in combating the cartels that threaten the safety of both our nations. It is important to note that the Southwest Border Initiative not only increases the resources dedicated to combating cartel violence at the border, but it also deploys these resources *strategically* to ensure we are utilizing proven, effective methods and maximizing every taxpayer dollar spent on border security.

### *Manpower*

DHS has put more boots on the ground at the border than ever before. Today, the Border Patrol is better staffed than at any time in its 85-year history, having nearly doubled the number of agents from around 10,000 in 2004 to more than 20,000 in 2009.

In addition, over the past year, DHS doubled the number of agents working on Border Enforcement Security Task Forces (BESTs) in the Southwest border region. BESTs are law enforcement task forces that combine federal, state, local, and international personnel to tackle border crime – including U.S. Immigration and Customs Enforcement (ICE), U.S. Customs and Border Protection (CBP), U.S. Coast Guard (USCG), Drug Enforcement Administration (DEA), Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), U.S. Attorney's Offices, Federal Bureau of Investigation (FBI), and state, local, tribal and foreign law enforcement agencies. The BEST model has proven extremely effective not only at interdicting illegal activity, but also at

building criminal cases that lead to high-value prosecutions. Doubling DHS personnel assigned to Southwest border BESTs has aided an increase in contraband seizures over the past year and has helped make the enforcement actions DHS undertakes more strategically focused and effective.

DHS also quadrupled the number of ICE agents in the Border Liaison Program. This program allows ICE to more effectively identify and combat cross-border criminal organizations by providing a streamlined information- and intelligence-sharing mechanism between U.S. and Mexican law enforcement.

The DHS Office of Intelligence and Analysis has tripled the number of intelligence analysts who are focused on the Southwest border – part of our efforts to build a more intelligence-based approach to combating drug smuggling and cartel violence, and in turn focus our resources more effectively.

DHS has also increased ICE Attaché personnel in Mexico by 50 percent, strengthening coordination with Mexico by locating more attaché personnel in Mexico City, Tijuana, Hermosillo, Ciudad Juarez, and Monterrey.

Finally, during the past year, CBP has deployed additional Border Patrol agents to augment outbound inspections at ports of entry, and has deployed three additional Mobile Response Teams of 25 CBP officers each to assist operations at ports of entry where needed. CBP also introduced 12 “dual-detection” canine teams – which are trained to detect both weapons and currency – as part of a strategy to detect outbound cash smuggling and weapons smuggling.

## *Technology*

In addition to manpower, DHS has increased the amount of proven, effective technology deployed at the border. CBP currently has 30 Z-Backscatter (ZBV) mobile X-Ray units – used in a mobile inspection capacity to identify anomalies in passenger vehicles – on the Southwest border, an increase from a total of nine in March 2009. These machines greatly assist CBP officers in inspections.

On top of this, the FY 2010 President's Budget included support for the expansion of CBP's License Plate Reader program, which assists in combating southbound firearms and currency smuggling. CBP has license plate readers at 52 southbound lanes at 16 Southwest border crossing sites, a number which will grow in the coming year.

Last year, Congress provided \$20 million for CBP to acquire Non-Intrusive Inspection Equipment (NIIE), which has enabled CBP to significantly increase southbound seizures. CBP now has 117 large-scale NIIE systems deployed to ports of entry on the southwest border – systems that have greatly improved the ability of our agents to find contraband quickly and to process a higher volume of travelers and shipments.

Thanks to investments that have been made in other technology at the border, CBP currently has a total of 21 low energy mobile imaging systems deployed to our ports of entry along the Southwest border. Two more systems will be deployed to our Southwest border ports of entry by the end of June 2010. Since receiving its first Predator B Unmanned Aircraft System (UAS) in 2005, CBP has increased the number of Predators Bs based along the Southwest border to three.

New technologies have allowed us to begin engaging in new tactical border security strategies. In particular, for the first time ever, the Border Patrol is screening 100 percent of

southbound rail shipments for cartel-related contraband. This practice augments the longstanding practice of screening 100 percent of northbound rail shipments.

### *Infrastructure*

This year, DHS finished constructing nearly all of the border fencing provided for by Congress. As of last month, all 298.5 miles of vehicle fencing had been completed, and only 5.7 miles of pedestrian fencing remained to be constructed. DHS operations will also benefit from \$720 million in Recovery Act funding provided to CBP and the General Services Administration for critical security upgrades to bring the alarmingly outdated infrastructure at our land ports of entry up to date with post-9/11 operational standards. This comes on top of \$260 million the Recovery Act provided for border security technology and improved tactical communications equipment. These improvements will provide for more efficient operations at our ports of entry and enhance the ability of DHS personnel to do their jobs.

### *Increased Support to State, Local, and Tribal Law Enforcement*

DHS has formed true two-way partnerships with state and local law enforcement in the border region in our efforts to combat cartel-related crime. Last year, we awarded \$90 million in Operation Stonegarden funding to support state, local and tribal law enforcement along the border, expanding eligible expenses to include additional law enforcement personnel, operational overtime expenses, and travel or lodging for deployment to the Southwest border. More than 84 percent of Operation Stonegarden funding went to the Southwest border (as opposed to the Northern border) in 2009, up from 59 percent the year before.

In addition to providing this kind of funding, DHS has greatly expanded its operational partnerships with state, local, and tribal law enforcement. We are strengthening law enforcement at that level through information sharing, which is aided by the expansion of the DHS intelligence enterprise.

CBP and ICE have established a presence at several institutions that serve to coordinate intelligence and operations between DHS components, other federal agencies, and state, local, and tribal government. CBP and ICE have established positions at the El Paso Intelligence Center (EPIC), which is a major component of building an intelligence-based approach to combating cartels on the southwest border. There is also ICE and CBP presence at the Organized Drug Enforcement Task Force (OCDETF) Fusion Center, which allows participating agencies to facilitate the collection, analysis, and dissemination of actionable drug-related intelligence.

CBP also recently established its first Intelligence Operations Coordination Center (IOCC) in Tucson, Arizona. Unlike the previous centers I mentioned, the IOCC is distinctly focused on the enhancement of field-level operations. One of its roles is to serve as the one-stop shop for coordinating field-level operations and sharing information between CBP and other federal, state, local and tribal partners. The Tucson IOCC will bolster our efforts to strengthen law enforcement in the border region through effective information sharing.

On top of these efforts, the Border Violence Intelligence Cell (BVIC) supports the national effort to combat weapons smuggling and stem the surge in violence along the United States-Mexico Border. This unit facilitates timely information sharing with state, tribal, local, foreign, and other federal law enforcement agencies, and serves as the focal point for analyzing all-source intelligence. The BVIC has provided critical support to BESTs in the past year to focus their efforts against weapons smuggling in an intelligence-based way.



Our goal is to ensure that we are acting in concert with state, local, and tribal authorities, as well as with our federal partners, in our efforts to secure the southern border region. We have also begun unprecedented outreach to local law enforcement in border communities, which includes regular conference calls to brief local police and sheriffs' offices on DHS activities along the border. I know from my own experience in state-level law enforcement that coordinating with the local officials in the region who have fought border-related crime for years will be critical to our success.

#### *Unprecedented Cooperation with Mexico*

An important part of our strategy is to strengthen law enforcement on both sides of the border through intensive coordination with Mexican authorities. The current level of cooperation between the United States and Mexico on combating cartels in the border region is unprecedented in the history of the two countries.

Conducting a coordinated campaign against cartel violence is absolutely essential to the success of our efforts. I have visited Mexico five times since the launch of the Southwest Border Initiative, and have met with President Felipe Calderón on multiple occasions – most recently last month as part of the U.S. delegation for the Merida U.S.-Mexico High Level Consultative group. President Calderón, his administration, and state and local authorities in Mexico have been dedicated, brave, and essential partners in our efforts. We are working with the Mexican government to build new collaborative efforts that will strengthen border enforcement by improving cross-border communications, coordinating enforcement against drug smuggling, improving the security of shared ports and of the aviation system, increasing law-enforcement-related information sharing, expanding law enforcement training, and strengthening trade.

Our expanded collaboration has produced several highlights. In February, I signed a Declaration of Principles of Cooperation with Mexican Secretary of Public Safety (SSP) Genaro García Luna, which allows for the expansion of coordinated intelligence sharing and joint strategic, intelligence-driven plans — already being implemented in the border region of Sonora and Arizona — to other border areas at high risk for transnational criminal activity.

Last month, I signed a memorandum of cooperation with both Secretary García Luna and Mexican Interior Secretary Fernando Francisco Gomez-Mont that will enable DHS to electronically share some criminal history information with Mexican law enforcement about Mexican nationals who are being repatriated from the United States and who have been convicted of felonies in the United States – enabling the seamless transmission of vital information regarding possible cartel operatives.

These instruments come in addition to other partnerships and collaborations that have been formalized since the launch of the Southwest Border Initiative. In September 2009, the United States and Mexico signed a bilateral agreement initiating a new cross-border communications network for public safety and law enforcement organizations. This will improve security along the U.S.-Mexico border by allowing participating federal, state, local and tribal public safety organizations to coordinate incident response. In August and December, I signed declarations of principles with the Mexican Secretary of Finance – the head of the ministry that controls Mexico’s ports – to create a joint U.S.-Mexico framework to improve security along the Southwest border and facilitate the flow of legitimate travel and trade at our ports.

I cannot overemphasize the importance of the unprecedented cooperation that has been taking place every day by law enforcement officials from both countries on the ground. These

collaborations strengthen this day-to-day operational cooperation, which is a cornerstone of our border security initiative now and for the future.

### *Using Border Security Resources Wisely*

While improving the technological capabilities of law enforcement at the border will always remain a critical part of border security, DHS must remain vigilant in ensuring all border security resources are going to the best use. The continued and repeated delays suffered by *SBI<sub>net</sub>* – the system of sensors and cameras along the Southwest border launched in 2006 – have raised fundamental questions about the program’s viability. The high cost of *SBI<sub>net</sub>* obligates this administration to conduct a full and comprehensive analysis of possible alternatives. In the meantime, we will use funds allocated to border security technology on proven, cost-effective border security measures that can be put in place now, rather than years down the road.

To that end, I announced last month that DHS is redeploying \$50 million of Recovery Act funding originally allocated for Block 1 of *SBI<sub>net</sub>* to other tested, commercially available security technology along the Southwest Border, including mobile surveillance, thermal imaging devices, ultra-light detection, backscatter units, mobile radios, cameras and laptops for pursuit vehicles, and remote video surveillance system enhancements. I also announced that DHS is freezing all *SBI<sub>net</sub>* spending beyond *SBI<sub>net</sub>* Block 1’s initial deployment to the Tucson and Ajo regions of the border until the Department-wide assessment of *SBI<sub>net</sub>* that I ordered in January is completed. This assessment is designed to identify if there are alternatives that may more efficiently, effectively and economically meet our border security needs.

### *Results: By the Numbers*

In the first year of the Southwest Border Initiative, seizures of contraband rose in every major category – cash, drugs, and weapons – compared to the year before, while illegal crossings continued to decline.

Since March 2009, CBP and ICE have seized \$85.7 million in illicit cash along the Southwest border, an increase of 14 percent over the same period during the previous year. This includes more than \$29.7 million in illicit cash seized heading southbound into Mexico – a 39 percent increase over the same period during the previous year.

During the same period, CPB and ICE together seized 1,425 illegal firearms, which represent a 29 percent rise over the same period in the previous year. At the same time, CBP and ICE seized 1.65 million kilograms of drugs along the Southwest border, an overall increase of 15 percent.

Additionally, the San Diego DHS Maritime Unified Command – comprised of U.S. Coast Guard, CBP, ICE and other law enforcement partners – saw a more than six-fold increase in maritime drug interdictions in the Pacific waters extending from the Southwest border. The Command seized more than 26,000 kilograms of drugs in fiscal year 2009, compared to 4,029 kilograms seized in fiscal year 2008.

And while these numbers represent significant increases, they are only one part of our efforts across the country to crack down on transnational criminal networks, carry out drug and cash seizures, and undertake enforcement actions.

#### *Resource Surge in Southeastern Arizona*

Despite these successes, it is clear that our work to secure the border region is far from over. We were all reminded by this by the outrageous murder last month of Robert Krentz, a

rancher in southeastern Arizona, who was killed on his land, most likely by a person who was in the U.S. illegally and was connected to cross-border smuggling.

DHS responded immediately to the murder. Immediately following the shooting, CBP deployed additional helicopters and fixed-wing aircraft to the area of the murder. Border Patrol trackers located the footprint sign of the suspect and tracked him back into Mexico. The Border Patrol dispatched additional mobile surveillance systems to the area and supplemented regular manned aerial surveillance with two new helicopter flights per day. CBP also transferred additional Border Patrol agents into the area around Douglas, Arizona, for a total of more than 100 agents. These include teams on horseback and on all-terrain vehicles (ATVs) that can operate across the area's desert terrain.

In addition to CBP, ICE has dedicated several agents to this case full time, and has assigned a full time senior intelligence research specialist to the Cochise County Sheriff's Office. ICE has 25 additional agents in its Douglas office to assist, and ICE continues to offer a \$25,000 reward for information that leads to an arrest. Both ICE and CBP are working closely with the Government of Mexico and the Cochise County Sheriff's Office.

As we continue our strategic approach to securing the Southwest border, this murder reminds us of the nature of the threat that we face along the border, and how we cannot rest on past successes.

## **Conclusion**

The steps we have taken over the last 15 months to bolster security on the Southwest border have put substantial pressure on cartels, making it much more difficult for them to thrive. However, we must also remember that the cartels themselves are adaptive; their tactics evolve in

response to our enforcement efforts. This reality means that, for our own part, we must continue to evolve, and that our work is not done. The United States is committed to doing its part to combat this transnational threat, in addition to working with the Mexican government and our state, local and tribal partners to combat cartel activity and all illicit and dangerous activity along our borders. Continually enhancing border security is not only critical for border communities, but is a necessary part of any comprehensive attempt to fix our nation's broken immigration system to make it work for the 21<sup>st</sup> Century – a high priority for this administration.

I appreciate the support of Congress and of this Committee in helping the Department to secure our border, and I look forward to continuing to work with you on these critical issues. Chairman Leahy, Senator Sessions, and members of the Committee: Thank you for the opportunity to testify today, and I am now happy to answer your questions on this or any other matter.