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BEFORE

HOUSE COMMITTEE ON HOMELAND SECURITY
SUBCOMMITTEE ON BORDER AND MARITIME SECURITY

**“BORDER SECURITY AND ENFORCEMENT – DEPARTMENT OF
HOMELAND SECURITY’S COOPERATION WITH STATE AND LOCAL
LAW ENFORCEMENT STAKEHOLDERS”**

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Chairwoman Miller, Ranking Member Cuellar, and distinguished Members of the Subcommittee, it is a pleasure to appear before you today to discuss U.S. Customs and Border Protection's (CBP) cooperative efforts with our federal, state, local, and tribal law enforcement partners. I am Ronald Vitiello, Deputy Chief of the United States Border Patrol.

I'd like to begin by recognizing those at all levels of law enforcement who have given their lives in service to our mission. The loss of these brave men and women is a stark reminder of the sacrifices made by the law enforcement community. It also strengthens our resolve to continue to do everything in our power to protect against, mitigate and respond to threats and secure our border.

As America's frontline border agency, CBP's priority mission is to protect the American public while facilitating lawful travel and trade. To do this, CBP has deployed a multi-layered, risk-based approach to enhance the security of the people and goods entering and leaving the United States. This layered approach to security reduces our reliance on any single point or program that could be compromised. It also extends our zone of security outward, ensuring that our physical border is not the first or last line of defense, but one of many.

We rely on the appropriate combination of personnel, infrastructure and technology to secure our borders. This three-pronged strategic balance of resources reflects the reality that one of these elements cannot, in and of itself, secure our nation's borders. We also rely on strong partnerships with federal, state, local and tribal law enforcement agencies, as well as with the private sector. Coordination and cooperation among all entities that have a stake in our mission is paramount.

Over the past two years, the Department of Homeland Security (DHS) has dedicated historic levels of personnel, technology, and resources to the Southwest border. We increased the size of the Border Patrol to more than 20,700 agents today, more than double the size it was in 2004. We have constructed 649 miles of fencing, including 299 miles of vehicle barriers and 350 miles of pedestrian fence, where Border Patrol field commanders determined it was operationally required.

While there is still work to be done, every key measure shows we are making significant progress along the Southwest border. Border Patrol apprehensions have decreased 36 percent in the past two years, and are less than a third of what they were at their peak. In Fiscal Year 2010, CBP seized \$147 million in currency (inbound and outbound) at and between the ports of entry (POEs), a 34 percent increase from the previous fiscal year. CBP also seized 4.1 million pounds of narcotics, including 870,000 pounds seized at the POEs, 2.4 million pounds seized between the POEs, and 831,000 pounds assisted by Air and Marine interdiction agents. These numbers demonstrate the effectiveness of our layered approach to security.

As we continue to assess and support the investments in the manpower, technology and infrastructure that have proven so effective over the past two years, we will continue to deploy these resources in the most risk-based and effective manner in order to keep our borders secure and the communities along them safe. Additionally, we will continue to increase partnerships with federal, state, local and tribal law enforcement agencies, as well as with the private sector,

to add strengths and linkages as we protect and strengthen American communities along our borders.

CBP's immigration and customs inspectional authorities are derived from Title 8 and Title 19 of the U.S. Code, respectively. Additionally, some of our agents and officers are cross-designated with limited authority under Title 21, empowering them to make arrests and seizures at U.S borders and ports of entry. Another 39 officers are cross-designated with full Title 21 authority under Title 21 and are assigned to DEA Task Forces, empowering them to conduct drug investigations.

Throughout CBP's history, as well as in our legacy agencies, CBP officers and agents have been called upon to assist in law enforcement missions beyond the border security realm. Our agents and officers have been cross-deputized as U.S. Marshals or deputized by local law enforcement in order to assist in national emergency situations. Most recently, CBP officers and agents were deputized in North Dakota as Cass County deputies by Sheriff Laney in order to aid following the flooding that began on April 5, 2011. The CBP Office of Air and Marine is currently providing fixed wing, helicopter, and Unmanned Aircraft System surveillance support for the Federal Emergency Management Agency and state and local agencies.

Our employees are on the frontlines and work hand-in-hand with local law enforcement officers. Due to the fact that the Border Patrol and Air and Marine agents operate in rural or remote locations, we are often the first on the scene of an accident, or we are called upon to assist during routine police work. For example, in the Blaine Sector in Northern Whatcom County, Washington, CBP communications specialists are responsible for 911 calls, dispatching for the Blaine, Sumas, and Lynden Police departments. In September 2010, air interdiction agents supported the Whatcom County Sheriff's office in searching for and locating an armed man who was firing shots near a residence in Kendal, Washington. A CBP helicopter provided aerial support while the arrest was made and the trailer in which the man was hiding was cleared.

This is just one of numerous examples of Border Patrol assistance to state and local law enforcement agencies. In October 2010, Border Patrol agents assisting the California Highway Patrol responded to a citizen's report of an overturned vehicle in a lagoon. The agents were able to extricate the victim and render aid until Emergency Medical Service personnel arrived. Additionally, this month, air interdiction agents from the Montana Air Branch assisted the Lewis and Clark County Sheriff's department in locating a missing hiker who had been reported lost and was at high risk for hypothermia and frostbite due to winter weather conditions. Local law enforcement partners also support us – just last week, Pima County Sheriff's deputies working at a Border Patrol checkpoint responded to and rendered aid at a nearby motorcycle accident.

Cultivating State, Local and Tribal Partnerships

Law enforcement is a difficult job and is tirelessly performed by dedicated men and women across all levels of government. Our federal, state, local, tribal, and international partnerships are critical to the success of our mission, and we are committed to continuing to expand this collaboration.

Within CBP, we established the State, Local and Tribal liaison office which is responsible for advising senior leadership regarding the impact of CBP policies and initiatives on state and local stakeholders. The liaison office works to inform state and local stakeholders of current and proposed CBP programs, assists these stakeholders in addressing questions or concerns about CBP programs, and assists in building and maintaining partnerships with CBP. The aim is to build effective relationships between CBP and state, local and tribal governments through regular, transparent and proactive communications to allow for meaningful discussion on a range of issues in order to create a unified, effective approach to our mutual challenges with respect to border security. For instance, we have worked with Native American communities across the nation to strengthen our partnerships with tribal law enforcement, specifically with the Tohono O'odham Nation in Arizona and the Blackfoot Nation in Montana.

CBP works with our federal, state, local, tribal, and international partners to address smuggling along the Southwest border and to combat transnational threats. CBP hosts a weekly briefing/teleconference with state and local partners regarding the current state of the border. These calls were instituted to establish and continually refine a mechanism to monitor emerging trends and threats along the Southwest border with a specific focus on the Arizona corridors and to provide a cross-component, multi-agency venue for discussing trends and threats. The weekly briefing focuses on CBP narcotics, weapons, and currency interdictions and alien apprehensions both at and between the POEs across the Southwest border. These briefings/teleconferences currently include more than 290 participants representing agencies and units across law enforcement, Department of Defense, and the intelligence community. Examples of participants include: U.S. Coast Guard; Drug Enforcement Administration (DEA) and the DEA-led El Paso Intelligence Center (EPIC); Immigration and Customs Enforcement (ICE); National Drug Intelligence Center; U.S. Northern Command; Joint Interagency Task Force-North; Joint Task Force-South; Bureau of Alcohol, Tobacco, Firearms, and Explosives; Federal Bureau of Investigation; U.S. Attorneys' Offices; Canada Border Services Agency; Naval Investigative Command; state and major urban area fusion centers; and local law enforcement.

Whole-of-Government Approach

Our overarching border security efforts require a whole-of-government approach that emphasizes the importance of joint planning and intelligence sharing. In recent months, we have taken additional steps to bring greater unity to our enforcement efforts, expand coordination with other agencies, and improve response times. In February, we announced the Arizona Joint Field Command – an organizational realignment that brings together Border Patrol, Air and Marine, and Field Operations under a unified command structure to integrate CBP's border security, commercial enforcement and trade facilitation missions to more effectively meet the unique challenges faced in the Arizona area of operations.

Another example of our collaborative efforts along the Southwest border is the Alliance to Combat Transnational Threats (ACTT) in Arizona. The ACTT is an enforcement collaboration, established in September 2009, that leverages the capabilities and resources of more than 60 federal, state, local, and tribal agencies in Arizona and the Government of Mexico to combat individuals and criminal organizations that pose a threat to communities on both sides of the border. Through ACTT, we work with our international, federal, state, local and tribal law enforcement partners to increase collaboration; enhance intelligence and information sharing;

and develop coordinated operational plans that strategically leverage the unique missions, capabilities and jurisdictions of each participating agency. Since its inception, ACTT has resulted in the seizure of more than 1.6 million pounds of marijuana, 3,800 pounds of cocaine, and 1,000 pounds of methamphetamine; the seizure of more than \$13 million in undeclared U.S. currency and 268 weapons; nearly 14,000 aliens denied entry to the U.S. at Arizona ports of entry due to criminal background or other disqualifying factors; and approximately 270,000 apprehensions between ports of entry.

In partnership with DEA, and with support from the Department of Defense, DHS has achieved initial operational capability for the new Border Intelligence Fusion Section (BIFS) as part of the El Paso Intelligence Center. This new section will integrate and synthesize all available Southwest border intelligence from federal, state, local, and tribal partners to create a common intelligence picture to support border enforcement activities on the Southwest border. By disseminating real-time operational intelligence to our law enforcement partners in the region, BIFS will streamline and enhance coordinated federal, state, local and tribal operations along the border. Additionally, we are continuing to work with Mexico to develop a cross-border communications network that will improve our ability to coordinate law enforcement and public safety issues.

Along the Northern border, CBP has established the Operational Integration Center (OIC) located at Selfridge Air National Guard Base in Harrison Township, Michigan. The OIC is a demonstration project to enhance border security and situational awareness for CBP and its mission partners along a critical area of the Northern border by integrating personnel and technology. In terms of personnel, the OIC allows for a collaborative work area and communications capabilities for all components of CBP, the U.S. Coast Guard, other DHS entities, federal law enforcement agencies, state and local law enforcement, and appropriate Canadian agencies. The OIC brings together information feeds, including radar and camera feeds, blue force tracking, database query from databases not previously available to CBP, remote sensor inputs, Remote Video Surveillance Systems, and Mobile Surveillance Systems feeds, and video from various POE, tunnel and local traffic cameras. This level of personnel and technology integration may serve a model for technology deployments on the Northern border.

CBP is engaged with several national initiatives which all assist and add to the border security mission. Our officers and agents provide support to the Integrated Border Enforcement Teams (IBET) which operate as intelligence-driven enforcement teams comprised of U.S and Canadian federal, state/provincial and local law enforcement personnel. By incorporating integrated mobile response capability (air, land, marine), the IBETs provide participating law enforcement agencies with a force multiplier—maximizing border enforcement efforts. Our personnel additionally provide manpower to Border Enforcement Security Task Force (BEST) units, multi-agency teams which collaborate to identify, disrupt and dismantle criminal organizations which pose significant threats to border security.

In addition to these efforts, Operation Stonegarden (OPSG) grants are available and designed to incorporate the services of state, local, and tribal law enforcement agencies for the purpose of enhancing border security, while simultaneously mitigating the conspicuous effects of human trafficking organizations. While the grants themselves are managed by the Federal Emergency

Management Agency, the participating agencies are required to submit operations orders to the Border Patrol. The Border Patrol is responsible for ensuring that all operations funded by this grant have a direct nexus to border security.

CBP has also partnered with state and local law enforcement for certain outbound operations at POEs. Over the years, the personnel at the POEs along the Southwest border have developed good working relationships with state and local law enforcement agencies. State and local law enforcement officers are a tremendous asset to CBP as they act as force multipliers, bringing their knowledge of the community, and their understanding of local criminal elements. Joint outbound operations target proceeds, firearms, ammunition, stolen vehicles and fugitives.

Additionally, a Processing, Exploitation, and Dissemination cell has been established at the Air and Marine facilities in Riverside, California, and Grand Forks, North Dakota, to provide essential information to law enforcement across the nation—increasing understanding of evolving threats and providing the foundation for law enforcement entities to exercise targeted enforcement in the areas of greatest risk. This intelligence-driven approach prioritizes emerging threats, vulnerabilities and risks, greatly enhancing our border security efforts.

Building on a legacy initiative, in 2005, CBP created a robust Information Sharing Environment known as “BigPipe”, which links equipped CBP aviation assets, via the internet and information sharing protocols, to federal, state, local and tribal law enforcement agencies in order to provide near-real time video and sensor data—enhancing the situational awareness of officers across the law enforcement community. Additionally, BigPipe is used extensively by numerous federal, state, local and tribal agencies during warrant presentations, controlled deliveries, search and rescue and surveillance operations.

Conclusion

While our work is not done, every key metric shows that these collaborative border security efforts are producing significant results – in fact, studies and statistics have shown that some of the safest cities and communities in America are along the border. Violent crimes in Southwest border counties overall have dropped by more than 30 percent and are currently among the lowest in the nation per capita, even as drug-related violence has significantly increased in Mexico. Nonetheless, we must build on the progress made to ensure that those citizens living along the border are secure in their communities.

Chairwoman Miller, Ranking Member Cuellar, and members of the Subcommittee, thank you for this opportunity to testify about the work of U.S. Customs and Border Protection. CBP is committed to providing our frontline agents and officers with the tools they need to effectively achieve their primary mission of securing America’s borders. We look forward to continuing to work closely with our federal, state, local, tribal, and international partners in these efforts. I would be pleased to answer any questions you may have at this time.