



U.S. Immigration and Customs Enforcement

STATEMENT

OF

KUMAR C. KIBBLE
SPECIAL AGENT IN CHARGE
HOMELAND SECURITY INVESTIGATIONS DENVER

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
DEPARTMENT OF HOMELAND SECURITY

REGARDING A HEARING ON

“PROTECTING OUR NORTHERN BORDER:
ENHANCING COLLABORATION AND BUILDING LOCAL PARTNERSHIPS”

BEFORE THE

UNITED STATES SENATE
COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
SUBCOMMITTEE ON THE EFFICIENCY AND EFFECTIVENESS
OF FEDERAL PROGRAMS AND THE FEDERAL WORKFORCE

Friday, July 12, 2013 – 1:00 p.m.

Havre, Montana

Introduction

Chairman Tester and Congressman Daines:

On behalf of Secretary Napolitano and Director Morton, thank you for the opportunity to appear before you today to discuss the efforts of U.S. Immigration and Customs Enforcement (ICE) to improve security along the Northern Border of the United States.

ICE employs a multi-layered law enforcement approach to Northern Border security based on an understanding that our geographic boundary with Canada is only one piece of the criminal continuum – it is neither the starting point nor the final destination of cross-border criminal activity. In fact, this illicit activity is often rooted in interior cities, as well as in smaller communities throughout the United States. It is in these communities where the vast profits are generated that sustain the operations of transnational criminal organizations (TCOs), and where ICE succeeds on a daily basis, together with our interagency partners, in disrupting and dismantling the entire smuggling enterprise.

As the principal investigative agency within the U.S. Department of Homeland Security (DHS), ICE is positioned to leverage its broad statutory authority to support border enforcement by working in close coordination with other DHS components and U.S. interagency partners, as well as our counterparts in Canadian law enforcement to target the illicit pathways and organizations that produce, transport, and distribute contraband. ICE applies a full range of innovative investigative and enforcement techniques, including leading and participating in joint U.S. - Canadian task forces, undercover operations, controlled deliveries, asset identification and removal, the use of well-placed confidential informants, and Title III electronic intercepts to identify TCOs and disrupt their ability to operate.

ICE continues to disrupt cross-border criminal activity systematically at all stages and, through effective cooperation and collaboration with our federal, state, local, tribal, and international law enforcement partners, we are making it increasingly difficult for TCOs and other criminals to operate.

ICE Assets along the Northern Border

Over the past several years, DHS has made critical security improvements along the Northern Border by investing in additional personnel, technology, and infrastructure. ICE currently has approximately 1,300 Homeland Security Investigations (HSI) Special Agents and 130 intelligence research specialists operating out of several ICE offices with responsibility for Northern Border states. Many of these agents and analysts are stationed at our various sub-offices located either on or in proximity to the Northern Border. HSI employs more than 6,000 Special Agents in communities throughout the country who work tirelessly to detect, disrupt, and dismantle TCOs engaged in the smuggling of people, narcotics, bulk cash, weapons, and weapons-related components across our borders.

In fiscal year (FY) 2012, HSI's seven Special Agent in Charge offices covering the Northern Border, often in joint or cooperative investigations with federal, state, local, tribal and Canadian law enforcement, seized a combined total of more than \$83 million in cash and monetary instruments, nearly 67,313 pounds of marijuana, 1,958 pounds of cocaine, 385 pounds of ecstasy, 544 pounds of heroin, 535 pounds of methamphetamine, 1,355 weapons and firearms, 84,438 rounds of ammunition, and 132,763 weapon components. HSI Special Agents made approximately 5,743 criminal arrests resulting in 4,172 indictments, and 3,734 convictions.

These statistics reflect the impact of our coordinated law enforcement investments and investigations along the Northern Border.

Additionally, HSI maintains the largest investigative footprint of any U.S. law enforcement agency in Canada with four Attaché and Assistant Attaché offices (Ottawa, Vancouver, Toronto, and Montreal) that enhance national security by conducting investigations involving TCOs and serving as the agency's liaison to our interagency partners and counterparts in local government and law enforcement. In Montreal, HSI operates a Visa Security Unit (VSU) to complement traditional screening by providing an additional level of review of visa applications of special interest persons before they enter the United States. VSUs work cooperatively with the U.S. Department of State and other partners to prevent terrorists, criminals, and other ineligible applicants from receiving visas issued by the United States.

Northern Border Partnerships

A crucial aspect of our approach to Northern Border security is our partnerships with our colleagues across DHS agencies, as well as with federal, state, county, local, tribal, and foreign agencies. These partnerships are essential to joint operations and information sharing along the Northern Border and beyond, and are conducted in the spirit of the President and the Prime Minister's "Beyond the Border" initiative which seeks to promote integrated cross-border law enforcement. Collectively, these agencies possess a unique understanding of the threats, risks, and vulnerabilities along the Northern Border that enhance our ability to deter, disrupt, and investigate illegal cross-border activity.

ICE is also an active participant in the Canada – United States Cross Border Crime Forum (CBCF). The CBCF meets annually, with smaller working-level meetings throughout the

year, bringing together more than 100 senior law enforcement officials and prosecutors from Canada and the United States to address cross-border issues, including counterterrorism cooperation, mass-marketing fraud, interoperability of our respective law enforcement agencies along the border, and combating organized crime. Currently, the CBCF takes the lead on integrated cross-border law enforcement and cross-border undercover operations, and will have a leading role in implementing the Beyond the Border Action Plan. In addition, we have taken a number of steps to better integrate domestic Northern Border enforcement efforts. For instance, ICE and U.S. Customs and Border Protection's (CBP) U.S. Border Patrol leadership meet on a regular basis along with leaders of other DHS components to discuss areas of mutual concern.

In addition, ICE plays a lead role in the implementation of the 2012 *National Northern Border Counternarcotics Strategy*. The *Strategy* emphasizes federal engagement with state, local, and tribal law enforcement in a genuine partnership to enable the nation to address the threat of counternarcotics trafficking across the Northern Border in a comprehensive manner.

Border Enforcement Security Task Force

HSI's flagship task force program, the Border Enforcement Security Task Force (BEST), was created in 2005 as a mechanism to address the threat of cross-border crime. BEST provides a proven and flexible platform from which DHS investigates and targets transnational criminal organizations that attempt to exploit perceived vulnerabilities at our nation's borders. BEST units differ from other task forces due to the BEST units' proximity to the borders, and in the program's focus on cross-border criminal activity. In 2007, ICE began to deploy BEST units along the Northern Border. Congress codified the establishment of the program by passing the Jaime Zapata Border Enforcement Security Task Force Act, which was signed into law by

President Obama in December 2012. Currently, there are four BEST units operating along the Northern Border: Blaine, Washington; Detroit, Michigan; Buffalo, New York; and Massena, New York.

One significant advantage of the BEST task force model is the participation and integration of foreign law enforcement personnel to address criminal activity on both sides of the border. On the Northern Border, Canadian law enforcement participation includes representatives from the Royal Canadian Mounted Police, the Canada Border Services Agency, the Ontario Provincial Police, the Niagara Regional Police Service, the Windsor Police Service, the Peel Regional Police Service, the Akwesasne Mohawk Tribal Police, the Toronto Police Service, and the Police Nationale du Québec Sûreté (Quebec Provincial Police).

In addition to our Canadian partners, we receive the support and participation of our partner U.S. law enforcement agencies including: CBP; the U.S. Coast Guard; the Bureau of Alcohol, Tobacco, Firearms and Explosives; the Drug Enforcement Administration; and other federal, state and local law enforcement agencies. These task forces enable United States and Canadian law enforcement agencies to identify threats, address vulnerabilities, and identify, investigate, disrupt, and dismantle TCOs in a cohesive and coordinated environment.

In addition, pursuant to Title 19 of the United States Code, ICE designates United States and Canadian law enforcement officers as customs officers (excepted) to enforce customs laws in the United States, thereby overcoming the jurisdictional restrictions of the physical border. These officers and agents participate on task forces and conduct joint investigations that enhance law enforcement's ability to disrupt and dismantle threats to our borders.

Illicit Pathways Attack Strategy

In 2011, ICE developed the Illicit Pathways Attack Strategy (IPAS). IPAS supports the Administration's Strategy to Combat Transnational Organized Crime, an initiative launched in July 2011, which seeks to integrate federal resources in order to combat transnational organized crime and related threats to national security and public safety while urging foreign partners to do the same.

As a key part of this effort, IPAS is working to identify and dismantle high-risk smuggling and trafficking routes, pathways, and integrated networks that support transnational organized crime. IPAS initially focused on combating human smuggling and has now expanded to illicit finance, and counter-proliferation threats. IPAS is a coordinated strategy to identify illicit pathways and attack criminal networks at multiple locations along the illicit travel continuum. The concept involves:

- Attacking criminal networks within and beyond our borders;
- Prioritizing networks and pathways that pose the greatest threats;
- Participating in and facilitating robust interagency engagement; and
- Pursuing a coordinated, regional approach that leverages foreign partners.

Our first IPAS focused on high-risk human smuggling in the Western Hemisphere to identify and target human smuggling organizations and their pathways across the globe. ICE plays a key role in investigating human smuggling and this core mission function has a direct impact on national security, public safety, and human dignity.

IPAS combines traditional law enforcement investigations and prosecutions with a holistic government effort to overtly disrupt and deter the underlying criminal activity. Our experience has shown that if we simply try to disrupt criminal activity by focusing law

enforcement action in one geographic area, criminal organizations will quickly adapt and shift to an area where detection or interdiction by law enforcement is less likely. ICE seeks not only to stop individual criminals, but to reduce overall criminal activity by disrupting and dismantling the entire criminal enterprise.

Conclusion

ICE investigative and intelligence personnel are working tirelessly in coordination with DHS and our interagency counterparts, as well as with our Canadian colleagues, to identify, disrupt and dismantle TCOs that subvert the rule of law, violate our immigration and customs laws, destabilize our communities, and threaten national security. ICE commits substantial resources to securing the Northern Border, and our considerable efforts are part of a comprehensive strategy that focuses on securing the border, dismantling the infrastructure that supports cross-border criminal activity, and identifying and seizing the illicit profits from these crimes. We are dedicated and committed to this mission, and we look forward to continuing to work with Congress on these efforts.

Thank you again for the opportunity to appear before you today. I would be pleased to answer any questions.