



JUNE 21, 2012

# U.S.-CARIBBEAN BORDER: OPEN ROAD FOR DRUG TRAFFICKERS AND TERRORISTS

UNITED STATES HOUSE OF REPRESENTATIVES COMMITTEE ON HOMELAND SECURITY,  
SUBCOMMITTEE ON OVERSIGHT, INVESTIGATIONS, AND MANAGEMENT

ONE HUNDRED TWELFTH CONGRESS, SECOND SESSION

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Customs and Border Protection  
U.S. Department of Homeland Security

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- <http://homeland.house.gov/hearing/subcommittee-hearing-us-caribbean-border-open-road-drug-traffickers-and-terrorists>



Committee on  
**HOMELAND SECURITY**  
Chairman Peter T. King

**Opening Statement**

June 21, 2012

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**Statement of Chairman Michael McCaul (R-TX)  
Subcommittee on Oversight, Investigations, and Management**

**“US Caribbean Border: An Open Road to Drug Traffickers and  
Terrorists”**

**June 21, 2012  
Remarks as Prepared**

Right now, somewhere on the streets of New York, Miami or maybe a few blocks away from where we sit in Washington, drug dealers are selling cocaine, heroin or marijuana. These drugs entered the United States through a wide open back door.

They didn't come across the US-Mexico or Northern border. Mr. Rodney Benson, Intelligence Chief for the Drug Enforcement Agency, said that larger and larger loads of both cocaine and heroin were transiting, and now staying, in Puerto Rico.

And once these drugs are in Puerto Rico, they have crossed our borders.

This Caribbean region is America's "Third Border;" an open door for drug traffickers and terrorists.

Because Puerto Rico is a US Territory, illegal contraband that makes it to the island is unlikely to be subjected to further US Customs inspections en route

to the continental United States, meaning it is easily mailed or placed on commercial aircraft without suspicion.

In FY 2011, 165,000 metric tons of illegal drugs were seized in the Caribbean, Bahamas and Gulf of Mexico, up 36% over four years. Up to 80% of cocaine trafficked through Puerto Rico is directed to US East Coast cities.

The maritime smuggling routes widely used by international drug trafficking organizations in the 1980's the "Miami Vice Era", are utilized more and more today.

These routes are a threat to America's national security. The Caribbean region is also susceptible to smuggling nuclear, radiological, chemical, and biological materials, and it could easily be used as staging areas for violence against the United States.

In 1982, President Ronald Reagan said, "Puerto Ricans have borne the responsibilities of US citizenship with honor and courage for more than 64 years. They have fought beside us for decades and have worked beside us for generations." President Reagan added that Puerto Rico's "strong tradition of democracy provides leadership and stability" for the Caribbean.

These statements also apply to the US Virgin Islands.

Today that stability and the millions of American citizens in the region are under siege.

Puerto Rico and the US Virgin Islands' close proximity to the continental United States and their lack of effective security infrastructures make them an appealing gateway for drug cartels.

The Caribbean region is also experiencing an escalation in trafficking of persons and firearms, as well as money laundering.

As these networks and drug routes evolve so do the potential links to terrorism and transnational crime.

On average one person is murdered on the islands every 7.5 hours, and at least half of those murders involve drug trafficking organizations.

Last year there were 30 homicides for every 100,000 Puerto Ricans. This rate is far higher than any state in the mainland.

Drug shipments from locations including Haiti, Colombia, Venezuela, and the Dominican Republic are transported to the islands on board "fast boats" and submersibles. Cargo is then dropped at obscure port locations or just simply unloaded into the water and flagged for later pick up.

These locations are so remote that it can take federal law enforcement officers hours to reach them.

The Caribbean region Drug Trafficking Organizations have proven flexible, adaptable and can change routes quickly.

The US Postal Inspection Service seized hundreds of weapons hidden in packages postmarked for Puerto Rico including assault rifles, AK-47s, AR-15s, and armor-penetrating "cop-killer" bullets.

On June 6, 2012 the Drug Enforcement Agency arrested thirty-six people in a drug-trafficking ring that used Puerto Rico's International Airport in San Juan to smuggle large quantities of cocaine off the island aboard US-bound passenger flights.

From San Juan, drugs were flown to Miami, Orlando, and Newark. The drug ring had been operating for ten years inside the San Juan airport.

The Caribbean region also has an active black market selling fraudulent documents. According to the Department of State 40 percent of identity fraud in the United States involved birth certificates from Puerto Rico.

In January, fifty people were charged with conspiring to sell the identities of hundreds of Puerto Ricans to illegal immigrants on the American mainland. This was the largest single fraud case uncovered by Immigration and Customs Enforcement. Hundreds of birth certificates, social security numbers, and driver's licenses were sold for up to \$2500 a set.

James Clapper, Director of National Intelligence, recently testified, "terrorists and insurgents will increasingly turn to crime and criminal networks for funding and logistics... Criminal connections and activities of Hezbollah and al-Qaida in the Islamic Maghreb illustrate this trend."

These criminal networks in the region could potentially be exploited by terrorists seeking to do us harm inside our borders. This type of exploitation was evidenced in the thwarted plot to kill the Saudi Ambassador in Washington. The Iranian Quds Force attempted to solicit a Mexican Drug Cartel member to carry out the assassination.

Iran and the Bolivarian states—(Venezuela, Bolivia, Ecuador, and Nicaragua)—which are major drug producers—bring a dangerous new set of threats to the Western Hemisphere as they work together with transnational organized crime enterprises and terrorist groups. This threat includes the potential for Weapons of Mass Destruction-related trafficking.

These activities are carried out with the participation of regional state actors who have publicly articulated a doctrine of asymmetrical warfare against the United States and its allies explicitly endorsing the use of weapons of mass destruction.

This is not a regional problem that won't reach our shores- these *are* our shores.

Earlier this month, the Attorney General was asked why the Office of National Drug Control Policy has a Southwest and Northern border counternarcotics strategy but does not have a Caribbean border counternarcotics strategy.

Attorney General Holder's response was, "when one looks at the Caribbean, Puerto Rico in particular, I think we need a strategy. We have a task force on Puerto Rico that the Associate Attorney General is co-chair of. I think to the extent it is not explicit, we should develop such a plan."

Without a comprehensive strategy to counter the cartels increasing presence in the Caribbean, the region could continue to spiral out of control.

The American flag has flown over Puerto Rico for more than a century. The people of the US Virgin Islands have been American citizens for almost as long. These islands are American soil, and our fellow American citizens need our support now.

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## **TESTIMONY OF**

**Hon. LUIS G. FORTUÑO**  
**Governor of Puerto Rico**

## **BEFORE**

**U.S. House of Representatives**  
**Committee on Homeland Security**  
**Subcommittee on Oversight, Investigations and Management**

**June 21, 2012**  
**Washington, D.C.**

### **Welcome**

Chairman McCaul, Ranking Member Keating, and distinguished Members of the Subcommittee, I appear before you today to address the building national security threat posed by transnational drug trafficking organizations infiltrating our country and endangering the safety of over 4 million U.S. citizens living along the U.S. Caribbean Border.

I would like to thank Chairman McCaul for his leadership in calling this hearing and bringing attention to this growing security challenge that has been overlooked in Washington for too long. Because as you well understand, Mr. Chairman, this is not just about the safety and security of the U.S. citizens of Puerto Rico and the U.S. Virgin Islands, but also intricately linked to the safety of U.S. citizens throughout the mainland.

### **Current Situation**

Today, Puerto Rico is serving as the first line of defense in the Caribbean to prevent drugs and violence from reaching the U.S. mainland. Drug trafficking cartels operating from Colombia and through transit countries like Venezuela and the Dominican Republic are sparking a battle for drug turf in Puerto Rico and unleashing a brutal wave of violence in their wake.

Let me paint a picture of what we are facing. Last year, at a mall just outside of San Juan, a violent conflict between two drug dealers over the control of nearby drug retail points resulted in a bloody shooting that left one of the dealers dead and several innocent bystanders wounded.

At 5 o'clock in the afternoon, in the middle of the food court crowded with dozens of adults and children, 21-year-old Luis Daniel Valdez Meléndez opened fire, shooting rival Emmanuel "Manny" Zapata Cazo, 22 years old, nine times in the head and torso with a .40 caliber handgun.

Several in the crowd were struck by stray bullets during the melee. One of the victims was a 14-year-old girl, a ninth grade high school student who later testified at the shooter's trial. She had arrived at the mall with her grandfather and a friend from school, and was waiting in the food court to meet up with her brother.

A mother, who was in the food court as well with her 7-year-old child, was struck and rushed to the hospital for, thankfully, life-saving medical care.

After the shooting, the perpetrator fled the scene and Puerto Rico. In July, he was extradited from the state of New York where he had fled, was tried and convicted and is now serving a 199 year sentence for first-degree murder.

What stands out starkly is the callous audacity of this crime – committed at a crowded mall with dozens of witnesses, with the play-by-play caught on security cameras, and absolutely no thought given to the innocent.

Unfortunately, this is but one example of the blatant and unbridled drug related violence that is happening on U.S. soil right now and threatening the lives of over 4 million U.S. citizens residing in Puerto Rico and the U.S. Virgin Islands.

The U.S. Caribbean territories of Puerto Rico and the U.S. Virgin Islands are America's Caribbean Border. Because of their geographic proximity to drug producing and drug transiting countries in South America and the Caribbean, notably Colombia, Venezuela and the Dominican Republic, the U.S. Caribbean Border is increasingly being used as a transshipment zone, primarily for cocaine but also heroin, destined for mainland U.S. markets.

As a U.S. territory, once these drugs enter Puerto Rico, they are easily delivered to the states, through commercial airlines and container ships, without having to clear Customs or other heightened scrutiny.

An estimated 70 to 80 percent of the Colombian cocaine reaching Puerto Rico is then transshipped to U.S. cities across the eastern seaboard, from Florida to New York, according to local and federal law enforcement authorities.

Puerto Rico is in turn a destination for illicit drug money and illegal firearms coming from the U.S. mainland to fortify drug trafficking networks. The latest High Intensity Drug Trafficking Area analysis reports that Puerto Rico has also become a money laundering destination for large drug trafficking organizations that place illegal proceeds into bank accounts in Puerto Rico and then funnel the money—via wire transfers—to accounts in Asia, Europe, and even the Middle East.

And recent ATF data confirms that illegal firearms used to commit crimes in Puerto Rico can be traced back to more than 20 states - with Florida, Texas, Georgia and Ohio being the biggest source states for 2011.

The transnational criminal organizations operating through Puerto Rico and the states pose an ever changing threat and are quick to adapt in our global economy. The reality is that federal and state law enforcement have not been able to keep pace with this agile and well-funded enemy. As a result, the U.S. Caribbean Border is experiencing a dramatic upsurge in drug related crime and violence.

While the U.S. homicide rate has declined substantially in recent decades, Puerto Rico is experiencing an extraordinary uptick in drug related violence. In 2011, Puerto Rico had the highest number of murders in a single year in all of its history, with 1,136 murders for a population of approximately 3.7 million people. State law enforcement officials estimate that close to 80 percent of murders in Puerto Rico are related to the illegal drug trade.

This has driven Puerto Rico's murder rate to six times the national average and more than twice as high as any state. To put our figures in context, the Southwest border state of Texas with 25 million residents had 1,246 homicides in 2010.

One of the factors escalating drug-related murders is the excess supply of cocaine that stays on the island in the transshipment process. This product is often received by local traffickers as in-kind payments for their role in the drug supply chain leading to lucrative stateside markets. This form of payment has acted as a catalyst for brutal competition to control local distribution markets.

As anyone who understands basic economics can tell you, once the Puerto Rico market reaches saturation, local distributors can either drop their prices to generate greater demand from their existing consumer base, or they can eliminate their competition and steal away their customers. Judging from the levels of trafficker on trafficker violence, these criminals are routinely using intimidation and violence to gain and retain control of local retail drug markets.

What is also alarming is the recent increase in the ruthlessness of these violent crimes and the rising incidents of innocent bystanders being caught in the crossfire. A horrific example of this is the well-known "Tombola Massacre," which occurred in October 2009. Members of a drug ring used rifles and automatic weapons to attack a rival trafficker at a nightclub in Toa Baja, Puerto Rico, leaving eight bystanders dead and more than 20 wounded.

These tragedies have not adversely affected Puerto Rico tourism, partially attributed to our state police dispatching additional officers to protect high tourism areas. But this situation has greatly tested our resolve. The Government of Puerto Rico is doing everything within our limited jurisdiction and resources. But we cannot fight this war alone, nor should we be required to do so.

This is a shared responsibility. The consequences affect us all. Nearly 30 percent of the illegal drugs coming into the continental United States come through the Caribbean, making us as important a border from a defensive standpoint as the U.S.-Mexico border.

While a strong contingent of federal law enforcement resources have justifiably gone to the U.S.-Mexico border, defenses along the U.S. Caribbean Border have remained under-resourced. And

highlighting the interconnected nature of this national security challenge, the pressure brought to bear along the U.S.-Mexico border has resulted in traffickers increasingly using routes through the Caribbean.

Members of this committee are correct to be concerned about stopping drug trafficking in the Caribbean basin, as up to 80 percent of the cocaine coming through Puerto Rico reaches cities across the Eastern seaboard.

This is truly a *national security issue*. The federal government must take responsibility for guaranteeing the safety and security of America's Caribbean Border, the more than 4 million U.S. citizens who live there, and the stateside communities impacted by the flow of drugs and the inevitable violence.

### **Government of Puerto Rico's Efforts**

Puerto Rico is facing many challenges, and we are showing real and genuine accountability to confront those challenges. As governor, I refuse to shy away from making tough decisions that ultimately affect the safety and quality of life of my constituents. But I firmly believe the federal government must make an equally strong commitment. As a U.S. territory, we receive disproportionately less federal funding for law enforcement efforts when compared to states with similar populations and fewer responsibilities affecting national security.

Similar to the fiscal challenges we face at the federal level, Puerto Rico has faced significant deficit and budget challenges. I have made it clear to my entire team that everyone is expected to create a more efficient, effective and accountable government. And we have made great advances toward putting Puerto Rico on the right path. But when we dedicate all of the state level resources to law enforcement, a sacrifice that we continue to make alone, it places too much of a burden on my constituents.

Since I took office in 2009, I have been working not only to address this very serious drug trafficking problem and the violence against our citizens that it spawns, but also to bring about positive change in our state police and criminal justice system that have traditionally faced significant challenges due to years of underfunding, inefficiencies, lack of sufficient oversight and administrative neglect.

### **Puerto Rico Police**

The Government of Puerto Rico is implementing a comprehensive effort to improve the professionalization of the Puerto Rico Police, one of the nation's largest police forces with approximately 17,000 officers. We are addressing the issue through multiple fronts, including training partnerships and enhancements for the local police force including purchasing new equipment, improving precinct conditions and increasing officer salaries, as well as improving access to modern communications and technology.

The reform process is focused on changing and improving the policies and practices of the Puerto Rico Police in all aspects of the organization's culture, operations, structure,

investigations, education and services. The goal is to make the Puerto Rico Police a model for constitutional policing, and steady progress has been made and will continue toward that objective.

The U.S. Department of Justice's Civil Rights Division investigation into the Puerto Rico Police, which began before I took office, revealed brewing issues with our law enforcement. My predecessor regrettably ignored these violations, and it has taken time to make the improvements that I expect. But we have taken swift and decisive action to reform the state police. Without excuses or delays, we have assumed responsibility and initiated a full-fledged reform effort to not only help officers do their jobs better and within the framework of constitutional policing, but to restore public confidence and trust in the Police and the state justice system.

Toward this end, we established an independent monitor for the Puerto Rico Police that evaluated the policies, procedures and practices of the department; we've created a Reform and Compliance Committee; and we established a new use-of-force policy and have trained over 14,000 officers in that policy. We have worked to improve and expand officer training at our Police Academy for both new recruits and veteran officers, and we've improved officer supervision, instituting a performance and testing based promotion system.

I appointed Hector Pesquera, who is here with me today, as the new Superintendent of the Puerto Rico Police. Superintendent Pesquera is uniquely qualified to lead the reform efforts. He began his successful 27-year career with the FBI as an agent in Puerto Rico and has come back to Puerto Rico to help combat crime and strengthen collaboration between the police, local communities, and the federal government.

To help empower our citizens, we partnered with a local non-profit called, "Basta Ya," which means "Enough is Enough." "Basta Ya," was founded by Luis and Marie Rodriguez Romero, who lost their son just over a year ago because of a violent crime. This family has led by the powerful example of turning their personal tragedy into a community effort to help the police fight violent crime.

"Basta Ya" developed a service for people to anonymously file police reports, using online resources and mobile applications. This collaboration with individual communities has helped our police gather valuable intelligence in locating the scene of a crime and apprehending criminals.

My administration has expended considerable resources to reform and strengthen the Police by bringing in a multi-disciplinary team of experts in law enforcement and proper policing practices. This team has been working for the past two years to provide improved protocols and training to benefit both the police and the communities they serve. We are making real progress in terms of improving our police department, which we believe is a moral imperative to which my Administration is fully committed.

But keep in mind that the Puerto Rico Police is operating at a significant disadvantage when compared to many stateside police departments. For example, the total annual budget of the Puerto Rico Police, 17,000 officers serving 3.7 million constituents, is approximately \$800

million. In comparison, the Broward County Sheriff's Office in Florida, with 3,000 officers serving 1.7 million constituents, has an annual budget of approximately \$700 million.

### **Specific Efforts on Drug Trafficking and Border Protection**

To directly attack the drug problem and assist in protecting our borders, my administration has established several significant state level initiatives. The first initiative is called the "Strike the Drugpoint" (Golpe al Punto), which is a joint operation led by the Puerto Rico Police in conjunction with 33 prosecutors from the Puerto Rico Department of Justice's Organized Crime Unit. This "state strike force" has dismantled 741 drug retail points throughout Puerto Rico, obtaining very high conviction rates.

To help rehabilitate those addicts who are identified during these operations, we formed another strike force, called "Helping the User."

We have also gone after the drug trafficking networks supply chain. Our "Strike the Supplier" force allows state law enforcement officials to actively investigate and reduce the amount of drugs and weapons entering our harbors and airports. Our "Group of 100" initiative is comprised of officers with specialized knowledge and equipment related to narcotics, highway patrols, vehicle theft and tactical operations. The multidisciplinary units work collaboratively to identify, investigate, disrupt and dismantle drug retail points.

We also instituted a cargo container scanning and inspection program to identify contraband, drugs and weapons entering our territory illegally through our maritime ports. Inbound domestic cargo containers are scanned with rapid x-ray technology in dedicated truck lanes before they leave the port and enter the "stream of commerce" on our streets.

After much effort, we recently reached an agreement with U.S. Customs and Border Protection that will allow us to expand our port security program to include scanning of inbound international cargo. This effort is essential, given that a significant amount of Puerto Rico's interstate and international commerce takes place using maritime transportation.

After just one year of implementing our program, we are now scanning more than 90 percent of inbound cargo containers arriving at the Port of San Juan, the Island's largest shipping port, with a goal of scanning up to 100 percent of inbound cargo by later this summer.

### **Treatment and Prevention Efforts**

While these border security measures have been essential, I realize that we cannot arrest our way out of this problem. That's why my administration is also implementing treatment and prevention services to reduce the threats that these dangerous drugs pose on our people. My administration has partnered with many non-profits to treat as many drug abusers and addicts as possible.

On the prevention side, we have implemented a CeaseFire pilot program in Puerto Rico called Acuerdos de Paz. The CeaseFire model, which has been used successfully in major metropolitan

areas such as Chicago, has been successfully adapted to help treat drug addicts and criminals. CeaseFire creates a Neighborhood-by-Neighborhood strategy to end the cycle of violence and restore peace. Community leaders and local citizens learn how to partner with our public safety leaders and become first-responders. We always know what's happening in our neighborhoods – now we can actually do something about it. It's the first step toward taking back our streets.

As an Island, we need to be more effective as first-responders within our communities. We must prevent violent acts from occurring. We must identify the people who are most vulnerable. In many disadvantaged areas of Puerto Rico, no different than in many of your districts, gangs are brainwashing our children, leading them down a deadly path. We have a responsibility to rescue our children from the deadly influence of gang violence. We need to give our children the positive influences they need to become responsible citizens. CeaseFire is not only teaching responsibility, it is saving lives.

We also launched a youth-focused initiative called Value Your Life (Valora Tu Vida), led by the Puerto Rico Department of Justice and providing at-risk youth with workshops and facilitated dialogues with both reformed convicts and victims of crime. The goal is to strengthen these young people's value of both their own lives and the lives of others, and increase their commitment to ethical behavior.

We have also worked with the renowned Josephson Institute of Ethics to adapt and implement the Character Counts program throughout our public schools. It's an opportunity to underscore the values we want to pass on to our children, and it is seamlessly integrated into school curriculums and learning environments. We have already seen a noticeable reduction in bullying, fighting and dropouts, as well as an improvement in academic performance. That is real progress. That is something that every Puerto Rican family should be proud of. After all, we're in this together.

### **Local Efforts Making a Difference**

Through the collaboration of government as well as community and faith-based organizations, we implemented the most successful weapons amnesty program in Puerto Rico's history. In a period of just 90 days, 1,966 illegal firearms and 100,129 rounds of ammunition were taken off our streets.

With entire communities working together, we proved that you can get weapons off the streets and out of the hands of those considering a life of crime. I am proud of their decision. And for those who did not surrender their weapons, we will not allow them to threaten our quality of life. Our police officers are working closely with every community, so that we can all take responsibility in protecting our neighborhoods.

Puerto Ricans will continue to show strength on public safety during a referendum this August. We hope to amend our territorial Constitution to limit suspected criminals from being released on bail. This provision would apply to all suspects accused of committing premeditated murder, as well as murder that involves stalking, home robbery, kidnapping, sexual assault, firing a weapon in public or from a moving vehicle, and when the victim is an officer on duty. Passing

this amendment will address the Achilles heel of Puerto Rico's criminal justice system, which for decades has allowed violent criminals who have been arrested on murder charges to walk right back out onto the streets and kill more innocent civilians, including potential witnesses. This situation is simply unacceptable. And I plan to do everything I can to support this referendum, in order to better protect Puerto Rican families.

### **Collaboration with Federal Authorities**

Since coming into office, my administration has worked hard to re-establish and improve relationships between state and federal law enforcement agencies. I have personally hosted regular meetings to bring together federal and state law enforcement leadership on the Island, and we have the success stories to prove that this partnership can work.

The first big breakthrough was in February 2010 with the signing of a Memorandum of Understanding (MOU) between the U.S. District Attorney's Office, the Puerto Rico Department of Justice and the Puerto Rico Police on the referral and handling of cases involving concurrent state and federal jurisdiction. This MOU laid the foundation for the investigative and prosecutorial responsibilities in a range of drug trafficking and violent crime cases.

Puerto Rico has also detailed over 260 state police officers to work directly in federal law enforcement agencies through joint Task Forces, with officers detailed to the FBI, DEA, ATF, ICE, CBP-Air and Marine, TSA, U.S. Marshalls, U.S. Postal Inspector, IRS and other federal agencies.

We also worked with federal authorities to create an "Illegal Firearms and Violent Crime Strike Force" that operates in five of the Island's 13 police regions. As of this May, the strike force has already yielded 336 arrests of which 314 suspects were being detained without bail. This is in large part responsible for the over 20% reduction in murders this year over last for the zones covered by the agreement.

The proof of the success of these joint federal/state task forces is in the statistics. In 2011 alone, the task forces arrested over 1,800 individuals of whom more than 170 were illegal immigrants. They also seized close to \$95 million in illegal drugs, over 800 illegal firearms and 5,000 rounds of ammunition, and over \$27 million in vehicles, boats, airplanes and real estate being used by criminal networks.

Other joint operations include the Puerto Rico National Guard's (PRNG) Counterdrug Program, which is funded by the Department of Defense through the National Guard Counter-Drug Program. The PRNG dedicates approximately 76 guardsmen to the program from its Army and Air units. These soldiers and airmen work to operate the fixed radar system and receive data feeds from the mobile radars and the Radar Over the Horizon (ROTHR).

The PRNG has also provided support to U.S. Counterdrug efforts in the Dominican Republic and Honduras, nations that are part of the U.S.-sponsored Central American Regional Security Initiative (CARSI) and the Caribbean Basin Security Initiative (CBSI), through which the federal government has provided over \$360 million and \$139 million respectively in foreign assistance.

Our PRNG forces are more than willing to do their part to support national security efforts in other states and abroad. But given the level of drug related crime in our own territory, it is difficult to understand why the federal government leadership would not ensure their agencies on the Island have the needed resources.

### **Challenges Facing Federal Authorities in PR**

We have collaborated successfully with federal law enforcement officials in Puerto Rico. They have performed exceptionally under very challenging circumstances. They are often doing their work with fewer resources, less manpower, less funding and less strategic support from federal law enforcement officials in Washington than their counterparts in other U.S. jurisdictions. While I applaud their perseverance, they lack the appropriate resources to overcome the homeland security threats that pervade this nation, including in our U.S. territories. That's the primary role of the federal government. Yet, it is clear that over 4 million U.S. citizens in the Caribbean territories are being left under protected.

We have observed that there is a clear mismatch between the level of drug-related violence occurring along the U.S. Caribbean Border and the size and scope of the federal response. When American lives are in danger, we have a moral obligation to protect them wherever they may be. I know that you share my belief. And I need your commitment to act on this principle. Unfortunately, the limited attention and leadership from Washington's federal law enforcement agencies suggests that Puerto Rico and USVI are lower priorities.

We're not just talking about the value of life. We're talking about American lives. Puerto Ricans have fought and died for this country in many wars. We take that honor seriously. And we expect the same principle that compels us to fight for this nation will also persuade federal law enforcement officials to aid their fellow Americans in Puerto Rico.

This lack of sufficient attention is most blatantly evidenced by the absence of any kind of comprehensive interagency strategy by the federal government to counteract the drug violence and national security threats these criminal networks generate along the U.S. Caribbean Border. Threats that range from laundering illicit drug proceeds to trafficking of illegal weapons. Threats that involve other criminal enterprises such as human trafficking, prostitution, identity fraud and financial crimes. All these crimes chip away at our nation's security and undermine the safety of our citizens.

Even worse, we know some of the drug trafficking organizations operating through Puerto Rico have had ties to narco-guerilla organizations, such as the Revolutionary Armed Forces of Colombia (or FARC), which has been known to demand payments from trafficker networks in exchange for help transporting drugs from Colombia to Venezuela on their way to Puerto Rico and then the states. These are the same narco-guerillas that the federal government has sought to defeat by investing close to \$8 billion in foreign assistance through Plan Colombia, a decade-long effort to help the Colombian government in its fight against drug producers and traffickers.

In a recent example, the Drug Enforcement Administration (DEA) dismantled a well-oiled distribution chain that between 2006 and 2011 moved close to 4,000 kilos of cocaine from

Guatemala, Honduras, Ecuador, Colombia, Venezuela, Tortola, Antigua and the British Virgin Islands to Puerto Rico using planes and luxury cruisers. As part of their operation, this network had an agreement with the 10th division of the Colombian leftists guerrilla group FARC where the narco-guerrillas received \$1,000 for every kilo of cocaine that was transported to the Valle de Apure in Venezuela.

Once the cocaine was on Venezuelan soil, the group would ship it via airplane to waters close to Tortola and Antigua, where the drugs were dropped and picked up by luxury ships bound for Puerto Rico. According to the charges, some cocaine remained in Puerto Rico while the majority was sent to Miami and New York.

As William F. Wechsler, Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats, affirmed in a recent irregular warfare summit sponsored by the Institute for Defense and Government Advancement, the convergence of crime, terrorism and insurgency and its threat to U.S. national security is a growing concern for the Defense Department.

In 2011, President Barack Obama issued a Strategy to Combat Transnational Organized Crime declaring these organizations a national security threat. The strategy also noted the complex and in some places opaque relationships developed among criminal organizations, terrorist groups and insurgent movements, which points to the likelihood that more terrorist organizations are using criminal mechanisms to support themselves and more criminal organizations are using the tactics of terrorist organizations. As Director of National Intelligence James Clapper recently testified, “terrorists and insurgents will increasingly turn to crime and criminal networks for funding and logistics, in part because of U.S. and western success in attacking other sources of their funding.”

We cannot allow this threat to take hold along the U.S. Caribbean Border where drug trafficking networks already have a clearly established supply chain to the states. Because God Forbid, this established network could be bought for the right price and used to bring in terrorists that can harm or kill American citizens. We must act with greater urgency.

Up to now, the federal government’s domestic efforts have focused on securing the Southwest and Northern Border by surging manpower, technology and resources. This is completely necessary given the U.S.-Mexico border serves as a primary point of entry for illegal drugs and immigrants into the U.S., and the Northern Border is one of the longest continuous borders in the world. These domestic efforts have been complemented by U.S. foreign policy initiatives with the investment of billions of dollars in foreign assistance to Mexico, Central America and Caribbean nations, through the Merida Initiative, the Central American Regional Security Initiative (CARSI) and the Caribbean Border Security Initiative (CBSI). More than \$1.6 billion has been appropriated for the Merida Initiative alone. However, as these efforts yield results, making it harder and costlier for drug trafficking organizations to use the Southwest border, this inevitably pushes traffic back to other points of entry, including the well-known Caribbean drug transshipment routes that were so prominent in the 1980s.

The unintended consequence of these U.S. domestic and foreign policies is that, in the absence of any significant federal law enforcement surge along the U.S. Caribbean Border, there has been

an increase in the vulnerability of both territories to the pressures of the drug trade and transnational criminal organizations.

The impact that those drugs are having on the levels of violence in Puerto Rico and USVI are disproportionately high even when compared to the Southwest border states. That violence is impacting U.S. citizens in our territories who deserve the same protection from the federal government as their family members who live in Texas, California, New York, Florida or any other state of the Union.

Yet Puerto Rico and the USVI are barely mentioned in the annual National Drug Control Strategy produced by the White House's Office of National Drug Control Policy (ONDCP). To make matters worse, when we were included in this year's strategy, it was one passing mention in a section on the Caribbean Basin Security Initiative (CBSI), a foreign assistance program which Puerto Rico, as a U.S. jurisdiction, is not even eligible to participate.

Further, Puerto Rico and USVI are not included in a variety of critical federal data sources on drug use and crime, most notably the National Survey on Drug Use and Health. This is a critical oversight, given this data is used to develop the National Drug Control Strategy, and to measure the effectiveness of drug control programs. So why was Puerto Rico excluded from over 50% of the surveys, studies, data sets, reports and programs included in the 2011 National Drug Control Strategy Data Supplement? The exclusion contradicts federal reports that performance statistics on the Island were outstanding.

It appears that federal officials in Washington are selectively including us when it benefits them while excluding us when it tarnishes any national statistics.

But let us not fool ourselves. By excluding Puerto Rico and the USVI from these national statistics, the National Drug Control Strategy, and other plans, the federal government does a disservice to the U.S. citizens they have sworn to serve and protect. They deny us vital federal resources, making it convenient for policymakers to ignore the deeper challenges we face.

It's also become clear that federal law enforcement agencies in Puerto Rico lack sufficient aircraft and maritime units. The Coast Guard currently does not have any fixed-wing coastal patrol airplanes permanently stationed in Puerto Rico. Although fixed-wing aircraft stationed in neighboring regions are used for interdiction missions in Puerto Rico, these aircraft cannot respond quickly to incidents in Puerto Rico.

One of the significant challenges we face is vacancies in key federal law enforcement agencies on the Island. The number of authorized positions is too low, and the number of vacancies at those agencies is too high. According to information provided by the agencies themselves, ATF has a vacancy rate of 39%, DEA has a vacancy rate of 12%, and ICE has a vacancy rate of 15%. And we have been advised that due to lack of personnel, an insufficient number of CBP agents are available to patrol the eastern coast of the Island, which has been a growing target for traffickers.

These are just some examples of what appears to be a pattern of neglect by top level federal authorities.

### **What can Federal Authorities Do to Secure the U.S. Caribbean Border**

The Government of Puerto Rico is doing everything it can to increase public safety but this is a national security issue that must be confronted.

We simply cannot do it alone. Unless Washington acts, these criminal organizations will only strengthen their foothold in the region.

I have repeatedly called on the President and senior federal law enforcement officials to establish a U.S. Caribbean Border Initiative to be led by the White House and the Office of National Drug Control Policy. All I am seeking from the federal government is the same level of commitment that has been provided to combat the drug trade along the Southwest and Northern borders.

We must bolster resources, funding and staffing of federal law enforcement agencies throughout Puerto Rico that remain under-staffed and under-funded compared to their stateside counterparts.

We must fill federal agency vacancies.

We must ensure the Customs and Border Protection has the resources to carry out cargo container scanning at Puerto Rico's ports and to patrol our borders.

We must provide on-the-ground assistance to train Puerto Rico Police to deal with the security challenges created by transnational criminal organizations operating in the region.

We must ensure Puerto Rico is included in national border security and drug trafficking strategies.

Right now, Puerto Rico is serving on the front lines. We need help fighting this battle along the Caribbean border, to protect the U.S. citizens there being buffeted by violence and to prevent the fight from spreading further onto the streets of the U.S. mainland.

We cannot win without the active involvement of the federal government to secure all of our nation's borders. Our constituents deserve and expect no less.

Thank you, Mr. Chairman, and distinguished members of the committee for having me here today. I would be happy to answer any questions you may have.

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**TESTIMONY OF**

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**BEFORE**

**House Committee on Homeland Security  
Subcommittee on Oversight, Investigations, and Management**

**June 21, 2012  
Washington, DC**

## **Introduction**

Chairman McCaul, Ranking Member Keating, and distinguished Members of the Subcommittee, it is a pleasure to appear before you today to discuss the Department of Homeland Security's efforts to secure our Nation's borders.

No one entity can tackle these transnational criminal enterprises alone. Rather, it requires a multi-agency, multi-national, and layered approach. To that end, U.S. Customs and Border Protection (CBP), Immigrations and Customs Enforcement (ICE), and the U.S. Coast Guard (USCG ) forge strong and cooperative relationships and work closely with state, local, tribal, territorial, Federal, and international partners toward our mission to promote homeland security and uphold public safety through the criminal and civil enforcement of Federal laws governing border control, customs, trade, and immigration.

To do this, DHS has deployed a multi-layered, risk-based approach to enhance the security of our borders while facilitating the lawful flow of people and goods entering 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.

As America's frontline border agency, CBP is responsible for securing America's borders while facilitating legal travel and trade. Over the past three years, the Department of Homeland Security (DHS) has dedicated historic levels of personnel, technology, and resources in support of our border security efforts. The President's Fiscal Year (FY) 2013 Budget Request continues these efforts by supporting the largest deployment of law enforcement officers to the frontline in our agency's history: more than 21,000 Border Patrol agents, 1,200 Air and Marine agents, and 21,100 CBP officers, all who work 24/7 with state, local, tribal, and Federal law enforcement in targeting illicit networks trafficking in people, drugs, weapons, and money. Over the last year, we have brought greater unity to our enforcement efforts, expanded collaboration with other agencies, and improved response times.

U.S. Immigration and Customs Enforcement's (ICE) mission is to promote public safety through the criminal and civil enforcement of Federal laws governing border control, customs, trade, and immigration. ICE's Homeland Security Investigations (HSI) directorate is responsible for investigating a wide range of domestic and international activities arising from the illegal movement of people and goods into, within, and out of the United States. In addition to overseeing the agency's international and intelligence functions, HSI investigates, among other things, immigration crime, human rights violations and human smuggling, smuggling of narcotics, weapons, and other types of contraband, financial crimes, cyber crime, and export enforcement issues. ICE is well positioned to disrupt and dismantle transnational criminal organizations by targeting the illicit pathways and organizations that engage in the production, transportation, and distribution of illicit contraband.

For more than 220 years, the U.S. Coast Guard has safeguarded the Nation's maritime interests and natural resources on our rivers and ports, in the coastal regions, and on the high seas, in the Caribbean region and around the world. The Coast Guard saves those in peril and protects the Nation's maritime border, marine transportation system, natural resources, and the environment. Coast Guard men and women – active duty, reserve, civilian and auxiliaries alike – deliver premier service to the public. The Coast Guard is an adaptable, responsive, military force of maritime professionals whose broad legal authorities, assets, geographic diversity, and expansive partnerships provide a persistent presence in the inland waters, ports, coastal regions, and far offshore areas of operations. This presence, coupled with over two centuries of experience as the Nation's maritime first responder, provides tremendous value and service to the public. As such, the Coast Guard shapes national maritime policy, including in the Caribbean region, to protect the Nation's interests.

### **Overview of CBP Operations in Puerto Rico / U.S. Virgin Islands (USVI)**

In FY 2011, CBP processed approximately 4.8 million travelers and more than 109,000 containers through our ports of entry in the Caribbean. The San Juan Field Office processed over \$40 billion in trade, an increase of more than 15 percent from the prior year. During this time, CBP officers arrested 345 people wanted for crimes, including murder, rape, assault, and robbery, and denied entry to nearly 3,000 people at Puerto Rico's ports of entry. The San Juan

Field Office has 626 employees across the region: 318 CBP Officers, 76 Agriculture Specialists, and 111 support positions are assigned to Puerto Rico; and 80 CBP Officers, 11 Agriculture Specialists, and 30 support positions are located in the U.S. Virgin Islands.

CBP's Caribbean Air and Marine Branch (CAMB) plays a major role in deterring illegal activity in the region through the coordinated use of integrated air and marine forces to detect, interdict, and prevent the unlawful movement of people, illegal drugs, and other contraband in the area. The CAMB is headquartered in Aguadilla, Puerto Rico and possesses six aviation assets, including two AS-350 Light Enforcement Helicopters, two UH-60 Medium Lift Helicopters, and two DeHavilland DHC-8 Maritime Patrol Aircraft, which are state-of-the-art aircraft used for detecting vessels. Also assigned to CAMB are four marine units located in Fajardo, Ponce, and Mayaguez, Puerto Rico and St. Thomas, U.S. Virgin Islands. The marine units have ten Midnight Express interceptors, which are the fastest, most capable law enforcement vessels in the world, and five additional support vessels. The 60 enforcement personnel of the CAMB seized approximately 10,250 pounds of narcotics and \$2.1 million in currency in FY 2011.

The Caribbean Air and Marine Operations Center (CAMOC), a sub-unit of the CBP's Air and Marine Operations Center (AMOC), is also located in Puerto Rico. CAMOC is a state-of-the-art law enforcement radar surveillance center designed to counter the ongoing threat of airborne drug smuggling and provides detection, monitoring, and coordination between CAMB assets and other Federal and local authorities.

Ramey Sector Border Patrol agents patrol coastal areas in Puerto Rico and work to prevent, deter, and interdict illegal aliens and narcotics. During FY 2011, Border Patrol agents apprehended 642 undocumented aliens and seized more than 2,180 pounds of narcotics between the ports of entry. The Sector also has a full-time Prosecution Unit, a full time Public Affairs Office, a robust Intelligence Unit, and five canine teams deployed in Puerto Rico. These canine teams assist the San Juan Field Office with container checks and ferry operations and are also deployed to support the local law enforcement community.

CBP also supports the six municipalities in Puerto Rico in developing operational plans and preparing funding requests for Operation Stonegarden grants. Utilizing the resulting Operation

Stonegarden grants, these municipalities – Aguadilla, Cabo Rojo, Lajas, Ponce, Yabucoa, and Ceiba – work in unison with Border Patrol agents to fuse knowledge, experience, assets, and jurisdictional authorities in an effort to develop actionable intelligence, deter illegal activities, and help protect our coastal communities.

CBP continues its efforts to prevent narcotics and unreported currency from entering Puerto Rico and the U.S. Virgin Islands. Collectively, CBP officers and agents seized more than 19,000 pounds of narcotics with an estimated street value of approximately \$140 million, and seized more than \$7 million in unreported currency in FY 2011.

### **Overview of ICE Resources in the Caribbean**

ICE currently has seven domestic offices in Puerto Rico and the U.S. Virgin Islands; these include the HSI Special Agent in Charge (SAC) office in San Juan (SAC San Juan); and the subsidiary Resident Agent in Charge (RAC) offices in Fajardo, Arecibo, Ponce, Mayagüez, St. Thomas, and St. Croix. The HSI Caribbean Attaché, physically located in Miami, Florida is responsible for overseeing HSI Assistant Attaché offices in the Nassau, Bahamas; Kingston, Jamaica; and Santo Domingo, Dominican Republic. These offices work with HSI domestic offices and foreign counterparts to combat transnational criminal organizations through capacity building, information sharing, and joint investigations. ICE's presence in the region, in collaboration with other law enforcement partners, has directly resulted in more than 1,000 criminal arrests, and the seizures of more than 1,200 firearms, 25,500 pounds of narcotics, and nearly \$17 million in illicit proceeds from October 2010 through June 2012.

### **Overview of Coast Guard Operations in Puerto Rico/USVI**

The Coast Guard and its interagency partners have seen tremendous interdiction successes over the past several years in the Caribbean Transit Zone. The Coast Guard interdicted and seized over 198,000 lbs of contraband (cocaine and marijuana) in FY 2011, and 181,000 lbs thus far in FY 2012.

The Coast Guard interdicted three Self-Propelled Semi Submersible (SPSS) vessels in the Caribbean Sea in FY 2011 and another two in the first two quarters of FY 2012. Though not

present in the same numbers as go-fasts, the SPSS and Fully Submersible Vessels (FSV) are potentially an even more insidious threat to the security of the United States for two reasons: (1) their large, up to 10-ton payload and (2) the extraordinary difficulty of detecting these vessels at sea. This makes them a dangerous drug conveyance that could potentially be adapted for transporting other more serious security threats to the United States.

The Caribbean has many areas of shallow water with islands scattered throughout the different transit routes. To prevent drug traffickers from retrieving their illicit cargo after scuttling, the Coast Guard led an interagency response to recover contraband from two of the scuttled SPSS vessels. The other SPSS vessels had been scuttled in waters too deep to safely conduct dive operations. This interagency and international effort led to the recovery of over 12 metric tons of cocaine.

The foresight and wisdom of the U.S. Congress deserves a note of thanks for enacting 18 USC § 2285, the Drug Trafficking Vessel Interdiction Act of 2008, which made the mere operation of these stateless vessels in international waters a crime. This has greatly helped interdiction efforts whereby law enforcement authorities no longer need to recover contraband in order to affect successful arrests and prosecutions.

Since 1980, the Coast Guard has interdicted over 364,000 migrants at sea. The majority of migrant interdictions occur in the Florida Straits, and Windward and Mona Passages. The Coast Guard interdicted 2,474 undocumented migrants who attempted to enter the United States via maritime routes during fiscal year 2011. This statistic represents an 18 percent increase in interdictions when compared with fiscal year 2010 (2,088) and a 29 percent decrease in interdictions when compared with fiscal year 2009 (3,467). The Coast Guard interdicted 796 undocumented migrants in the maritime domain in the first quarter of fiscal year 2012, which is more than the numbers interdicted during the first quarters of fiscal years 2011 (410) and 2010 (188), and less than the number interdicted during the first quarter of fiscal year 2009 (1,062).

### **International/Bi-Lateral Agreements**

The Coast Guard maintains 45 maritime bi-lateral law enforcement agreements with partner nations, which enable the Coast Guard to coordinate with partner nations and more effectively operate forward deployed boats, cutters, aircraft, and personnel to deter and counter threats as close to their origin as possible. Each bilateral agreement is independently negotiated but follows a standard framework; elements may include: ship boarding; ship rider; pursuit; entry to investigate; over-flight; order to land; and international maritime interdiction support. These agreements also enable the Coast Guard to assist partner nations in exercising their span of control and maritime domain awareness of their waters. Migrant bilateral agreements include an agreement with the Dominican Republic, the Comprehensive Maritime Agreement with the Bahamas, and the Migrant Accords with Cuba.

The Coast Guard-sponsored Multilateral Maritime Counter Drug Summit focuses on strengthening international partnerships and disrupting illicit drug trafficking and associated violence in the transit zone. The Summit is geared towards Western Caribbean countries, with international participation representing ten partner nations in Central and South America.

In the Eastern Caribbean, the Caribbean Law Enforcement and Intelligence Council facilitates communication, information sharing, law enforcement operations planning, and interoperability amongst participating international countries (United Kingdom, France, and the Netherlands). It serves to enable face-to-face interaction between key local, Federal and international law enforcement and intelligence organizations throughout the Caribbean region.

The Coast Guard provides international training and education through resident schools and “on the job training” at operational units in the U.S., and through Mobile Education and Training Teams deployed to host countries. Approximately sixty formal resident courses and eleven on-the-job training courses are open for international military student attendance. The Coast Guard courses are developed and conducted to meet mission requirements and are intended to improve performance. Exportable training is one of the Coast Guard’s most versatile and cost effective international training tools, providing training to more than 2,000 international students in approximately sixty countries each year. The Coast Guard delivers a complete package of

beginning, intermediate, or advanced training to units, small groups or larger multi-agency audiences. All of these training and education outreach activities result in participants being more capable partners in maritime law enforcement, marine safety and environmental protection, small boat operation and maintenance, search and rescue missions, and port security and infrastructure development for countries with waterway law enforcement programs.

### **Collaborative Efforts**

In addition to its operational presence in Puerto Rico and the U.S. Virgin Islands, DHS has increased its collaboration with Federal, state, local, and international partners to arrest individuals and target criminal organizations that pose a threat to our communities. This collaboration has resulted in successful operations at and beyond our borders.

Collaborative efforts such as the Caribbean Border Interagency Group (CBIG) have proven to be an effective force multiplier by coordinating joint planning and execution of operations among CBP, ICE, USCG, Department of Justice (DOJ), the Office of National Drug Control Policy's High Intensity Drug Trafficking Area program (HIDTA), and Puerto Rico's Fuerzas Unidas de Rapida Acción (FURA) partners. Through these coordinated efforts, DHS has reduced illegal migrant activity coming into Puerto Rico via the Mona Passage by 90 percent over the last five years, and is successfully mitigating the smuggling threat along Puerto Rico's western coast

### **Operation Caribbean Resilience**

It is ICE's assessment that Puerto Rico is a primary Caribbean drug transshipment point from South America to the U.S. mainland. In direct response to the threat of criminal organizations, related violence, and its impact on the quality of life for those residing in Puerto Rico and the U.S. Virgin Islands, and in response to recommendations contained in the President's Report on Puerto Rico's Status, HSI initiated Operation Caribbean Resilience in FY 2012. This operation worked in collaboration with CBP, ATF, Puerto Rico Police Department, San Juan Municipal Police has focused resources toward Puerto Rico in an effort to concentrate on complex transnational criminal organizations.. The operation, which began with a 90-day surge and has continued with the temporary assignment of agents from around the country, seeks to identify, disrupt, and dismantle drug trafficking organizations that destabilize Caribbean nations and territories and threaten regional security.

As of June 19, 2012, Operation Caribbean Resilience has resulted in a total of 287 arrests as well as the seizure of nearly 181 firearms, 6,340 rounds of ammunition, and \$91,630 in illicit proceeds.

### Caribbean Corridor Initiative

Operation Caribbean Corridor is a Puerto Rico-based multi-agency task force that consists of HSI, the United States Attorney's Office for the District of Puerto Rico, the Office of National Drug Control Policy's High Intensity Drug Trafficking Areas program, CBP, DEA, FBI, the USCG Investigative Service, Joint Interagency Task Force South, and state and local law enforcement agencies. Caribbean Corridor is a comprehensive intelligence-driven initiative focusing on South American drug trafficking and money laundering organizations responsible for transporting multi-ton loads of cocaine through the Eastern Caribbean en route to the United States and Europe.

One example of an investigation under Operation Caribbean Corridor is a recent SAC San Juan investigation into a large-scale narcotics smuggling organization operating between the Dominican Republic and Puerto Rico. To date, this investigation—known as Operation Wild Surf—has resulted in 36 arrests and the seizure of approximately 1,800 kilograms of cocaine, 26 kilograms of heroin, \$1.8 million dollars, and 14 vessels.

### Border Enforcement Security Task Forces

HSI has partnered with Federal, state, local, and foreign law enforcement counterparts to create the Border Enforcement Security Task Force (BEST), a series of multi-agency teams developed to identify, disrupt, and dismantle criminal organizations posing significant threats to border security. The BEST program operates in 31 locations throughout the United States and Mexico. BEST leverages over 750 Federal, state, local, and foreign law enforcement agents and officers representing over 100 law enforcement agencies. BEST also provides a co-located platform to conduct intelligence-driven investigations. In FY 2011, BESTs made nearly 2,300 criminal arrests and more than 1,100 administrative arrests. Meanwhile, Federal prosecutors obtained nearly 1,400 indictments and 1,200 convictions in BEST-investigated cases.

In October 2011, HSI stood up the San Juan BEST, which includes partners from CBP, Puerto Rico Police Department, USCG, ATF, San Juan Police Department, the Colombian National Police, Puerto Rico Ports Authority, and Puerto Rico's Department of Treasury, all working collaboratively to share information and expertise in cooperative investigations. In February 2012, the San Juan BEST seized 109 kilograms of cocaine and contraband with an estimated price per kilogram of \$2.4 million dollars during an inspection of incoming containers on board a motor vessel arriving from the Dominican Republic. During the inspection of one of the containers, which was manifested as carrying aluminum construction materials, CBP officers found four duffle bags with a total of 101 bricks of cocaine. The contraband was turned over to HSI for further investigation. More recently, the San Juan BEST seized six kilograms of cocaine during a routine CBP inspection of a passenger vehicle that arrived from the Dominican Republic onboard a vessel. The vehicle and contraband were turned over to HSI, which arrested three individuals allegedly involved in the drug smuggling venture.

#### Prosecution Partnerships

In addition to enhancing partnerships with local law enforcement, DHS's relationship with the Puerto Rico U.S. Attorney's Office is an instrumental component of our efforts to reduce the smuggling threat in the Caribbean area. The U.S. Attorney has dedicated an Immigration Unit to support enforcement operations, which has assisted in reducing the number of re-apprehended undocumented immigrants. The Immigration Unit consists of an Assistant U.S. Attorney, two Special Assistant U.S. Attorneys (one from ICE and one from USCG), and a full time paralegal specialist provided by CBP's Office of Border Patrol. The creation of the Immigration Unit in October 2006 has resulted in a greater number of immigration cases accepted for prosecution (and more quickly), which has had a deterrent effect. During FY 2011, Ramey Sector Border Patrol agents had more than 150 cases accepted for criminal prosecution which included charges of illegal entry, re-entry after deportation, failure to heave to, and presenting false documentation. So far in FY 2012, agents have presented 131 cases that were accepted by the U.S. Attorney's Office for criminal prosecution.

#### Puerto Rico Working Group

In response to a request from the Governor of Puerto Rico in July of last year, CBP created a Puerto Rico Work Group to look for ways that CBP could continue to make and sustain gains in border security with its existing resources. The work group identified three areas that provided the greatest force multiplier capability – Intelligence, Joint Operations, and deployment of CBP resources. The efforts of the work group members have resulted in:

- Increased collaboration and joint operations within CBP, as well as with external law enforcement partners, to address the threat in the eastern side of the island;
- Increased collaboration with the Puerto Rico Police Department authorities on enforcement efforts;
- Increased coordination with municipalities for the application of Federal funding; and
- Increased CBP capabilities, such as the cross-training of OFO personnel to support marine operations, and additional force presence for special operations and enhanced enforcement efforts.

#### White House Task Force

In March 2011, the President’s Task Force on Puerto Rico’s Status recommended the convening of a working group to begin a formal interagency process of coordination and collaboration regarding Puerto Rico’s security and safety. In response, the Puerto Rico Interagency Public Safety Working Group (PSWG) was convened. The PSWG, co-chaired by DOJ Associate Attorney General Tony West and DHS Assistant Secretary for Intergovernmental Affairs Betsy Markey, is tasked with examining the economic and safety/security threats facing Puerto Rico and developing a plan to address those challenges from an interagency perspective. Since October 2011, CBP has been an active participant in the PSWG. In addition to providing advice and expertise on CBP-related issues, CBP briefs the PSWG on CBP operations, collaborative efforts, and potential concepts for the PSWG to pursue.

#### CBP/USCG Cargo Container Inspections

In April 2012, by leveraging associated USCG and CBP border search authorities, CBP initiated a multi-jurisdictional integrated law enforcement effort between CBP, HSI, USCG, and Puerto Rico state and local law enforcement personnel to interdict drugs and other contraband by conducting inspections of domestic containers bound for CONUS. Using collective intelligence

and targeting assets from all law enforcement partners, sea cargo destined for CONUS are selected and scanned using CBP large-scale NII equipment. When the NII image reveals anomalies within the contents of the container, the container and contents are checked by canine units and physically inspected by officers in an effort to detect and deter criminal organizations from transporting illegal contraband to CONUS. Upon completion of these operations, a detailed report with findings is forwarded to CONUS ports where the vessel is scheduled to arrive from Puerto Rico, including Houston, Jacksonville, Newark, and Philadelphia. These port communities subsequently conduct inspections of the arriving vessels and cargo using all available resources.

A recent success occurred on May 15, 2012, when the Anti-Terrorism and Contraband Enforcement Team (A-TCET) at the Philadelphia Seaport observed anomalies on an inbound vehicle from Puerto Rico utilizing large-scale inspection equipment. A subsequent physical inspection of the automobile by CBP Officers revealed packages containing a total of ten kilograms of cocaine.

### **Conclusion**

Chairman McCaul, Ranking Member Keating, and members of the Subcommittee, thank you for this opportunity to testify about the work of DHS. We are committed to providing our frontline personnel with the tools they need to effectively achieve their primary mission of securing America's borders. We look forward to answering any questions you may have at this time.