



Illegal Trafficking of Wildlife and Other Natural Resources

September 14, 2016

Fiscal Year 2016 Report to Congress



**Homeland
Security**

Message from the Deputy Under Secretary for Management and Chief Financial Officer

September 14, 2016

I am pleased to present the following report, “Illegal Trafficking of Wildlife and Other Natural Resources,” prepared by U.S. Immigration and Customs Enforcement.

This report is submitted pursuant to the language set forth in the Joint Explanatory Statement, House Report 114-215, and Senate Report 114-68, accompanying the *Fiscal Year 2016 Department of Homeland Security (DHS) Appropriations Act* (P.L. 114-113).

The report reinforces the Department’s active engagement with the Presidential Task Force on Wildlife Trafficking, as established by Executive Order No. 13468 on July 1, 2013, and highlights our collaborative efforts in preventing these illegal activities and in apprehending and prosecuting the offenders.



Pursuant to statutory requirements, this report is being provided to the following Members of Congress:

The Honorable John R. Carter
Chairman, House Appropriations Subcommittee on Homeland Security

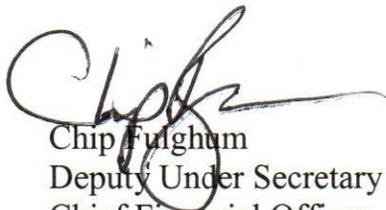
The Honorable Lucille Roybal-Allard
Ranking Member, House Appropriations Subcommittee on Homeland Security

The Honorable John Hoeven
Chairman, Senate Appropriations Subcommittee on Homeland Security

The Honorable Jeanne Shaheen
Ranking Member, Senate Appropriations Subcommittee on Homeland Security

Inquiries relating to this report may be directed to me at (202) 447-5751.

Sincerely,

A handwritten signature in black ink, appearing to read "Chip Fulghum". The signature is stylized with a large, circular initial "C" and a long, horizontal flourish extending to the right.

Chip Fulghum
Deputy Under Secretary for Management and
Chief Financial Officer

Executive Summary

This report highlights recent activities and initiatives that DHS has put forth to address wildlife and natural resources trafficking—illegal activities that pose both a conservation and national security threat to the United States.

Through its engagement with the Presidential Task Force on Wildlife Trafficking, DHS has taken steps to improve coordination with the U.S. Fish and Wildlife Service’s Office of Law Enforcement and has worked to implement the National Strategy for Combating Wildlife Trafficking. Further, DHS has aligned its resources to meaningful activities designed to address and eliminate the threat from these unlawful activities.

DHS remains strongly committed to combating wildlife trafficking, assisting foreign nations in building capacity to combat wildlife trafficking, and working with its partners to combat transnational organized crime.



Illegal Trafficking of Wildlife and Other Natural Resources

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I. Legislative Language

This document was compiled pursuant to the legislative language set forth in the Joint Explanatory Statement, House Report 114-215, and Senate Report 114-68 accompanying the *Fiscal Year (FY) 2016 Department of Homeland Security (DHS) Appropriations Act* (P.L. 114-13).

The Joint Explanatory Statement states:

Not later than 120 days after the date of enactment of this Act, the Secretary is directed to update the report required by Senate Report 113-198 regarding DHS activities related to wildlife trafficking and the illegal natural resources trade.

House Report 114-215 states:

The Committee continues to be concerned about the illegal trade in rhinoceros horns, elephant ivory from Africa, and illegally harvested timber, and understands its connection to trafficking in narcotics, arms, and human beings, as well as to the financing of groups that pose a threat to the United States. The Committee directs the Secretary to submit a report, not later than 120 days after the date of enactment of this Act, on the Department's activities to address wildlife trafficking and the illegal natural resources trade; its continued engagement as a member of the Presidential Task Force on Wildlife Trafficking; efforts to improve DHS coordination with the U.S. Fish and Wildlife Service Office of Law Enforcement; steps taken by DHS to implement the National Strategy on Wildlife Trafficking; and the alignment of resources to activities and initiatives that address wildlife and natural resources trafficking.

Senate Report 114-68 states:

WILDLIFE TRAFFICKING

The Committee notes the recent increase of illegal trade in rhinoceros horns, elephant ivory, and illegally harvested timber, along with the large sums of money that these products command on the black market. There are indisputable linkages between these activities and the financing of armed insurgencies and groups that threaten the stability and development of African countries and pose a threat to U.S. security interests. The Committee directs the Secretary to continue to report on wildlife trafficking

activities as specifically outlined in Senate Report 113–198. The Department works in partnership with U.S. Fish and Wildlife Service [USFWS] wildlife inspectors to serve as the Nation’s frontline defense against illegal international trade in wildlife and wildlife products. Therefore, the Committee recommends that CBP and USFWS improve cooperation and coordination among the agencies to better address wildlife trafficking.

II. Background

Wildlife trafficking has become an international crisis that threatens security, hinders sustainable economic development, and undermines our laws. The illicit trade in wildlife is destroying many species worldwide and threatens iconic species such as the rhinoceros, elephant, and tiger with extinction. The connections between trafficking in illegal wildlife and natural resources with the financing of groups involved in transnational organized crime pose additional threats to the United States.

In Executive Order No. 13648, *Combating Wildlife Trafficking*, issued on July 1, 2013, President Barack Obama addressed the significant effects of wildlife trafficking on the national interests of the United States. The order established the Presidential Task Force on Wildlife Trafficking (Task Force), led by the Department of State (DOS), the Department of Justice (DOJ), and the Department of the Interior (DOI) and included DHS and 13 other federal agencies and offices. The Task Force created a National Strategy for Combating Wildlife Trafficking (Strategy) that included consideration of issues related to combating trafficking and curbing consumer demand.

On February 11, 2015, the Task Force issued the Strategy's Implementation Plan, which reaffirmed our Nation's commitment to work in partnership with governments, local communities, nongovernmental organizations, and the private sector to stem the illegal trade in wildlife. DHS continues to work in concert with other agencies to help implement the key objectives of the Strategy: strengthening enforcement, reducing demand for illegally traded wildlife, and expanding international cooperation.

III. U.S. Immigration and Customs Enforcement Engagement

U.S. Immigration and Customs Enforcement (ICE) leads DHS participation on the Presidential Task Force on Wildlife Trafficking. ICE was actively involved in building the implementation plan and identified existing DHS resources and expertise capable of executing the plan's enforcement/investigative fundamentals. ICE Homeland Security Investigations (HSI) is working to disrupt and dismantle transnational criminal organizations involved in wildlife trafficking using its domestic and international resources, expertise, and authorities. ICE personnel are actively engaged with other U.S. Government agencies and nongovernmental organizations to promote ICE's role including capacity building as it relates to illegal wildlife trafficking, both domestically and abroad. These entities include DOI's Fish and Wildlife Service (FWS), DOS's Bureau of International Narcotics and Law Enforcement Affairs, and the World Customs Organization.

During 2015-2016, ICE, in coordination with FWS and the U.S. Postal Service (USPS), disrupted a wildlife trafficking organization. The organization was involved in capturing threatened North American wood turtles and other turtle species, shipping the turtles by mail through the United States, and then smuggling them out of the United States to Hong Kong. These actions were in violation of several U.S. laws, including the Lacey Act (16 U.S.C. § 3372). As a result of this interagency coordinated effort, hundreds of turtles have been seized, eight arrests have been made, and \$176,000 has been seized.

In coordination with FWS, U.S. Customs and Border Protection (CBP), and USPS, ICE disrupted a wildlife trafficking organization that exploited the foreign mail system. The organization falsified export documentation and smuggled hundreds of shipments of non-antique African and Asian elephant ivory from the United States to China and Hong Kong. The international trade of ivory is regulated by the Convention on the International Trade in Endangered Species treaty, and the exportation of non-antique African and Asian elephant ivory is prohibited, except in exceptional circumstances, under the *Endangered Species Act*. To date, the investigation has resulted in two arrests and 42 seizure incidents equating to 140 pieces of ivory. China and Hong Kong Customs assisted in this investigation under the umbrella of the Customs Mutual Assistance Agreement. Customs Mutual Assistance Agreements are the legal framework that allow for the exchange of information, intelligence, and documents to assist countries in the prevention and investigation of customs offenses.

In addition to the disruption of wildlife trafficking organizations, ICE also provides outreach and training. In May 2016, ICE participated in a workshop on illegal logging led by DOJ's Environmental Crimes Division. The training took place in Douala,

Cameroon, and included different aspects of illegal logging legislation, investigation, and prosecution. A total of 47 participants from Cameroon, Congo, Democratic Republic of Congo, and Gabon participated including magistrate judges, prosecutors, customs officers, and nongovernmental organizations. ICE also sponsored a 2-week course in first responder mobile forensics and cyber investigations held in Durban, South Africa. The participants included members of the South African Police Anti-Poaching Unit, which directly investigates wildlife trafficking crime. The course was part of a three-country U.S. Africa Command-funded training initiative in FY 2016 that included Tanzania and Namibia in July and August of 2016.

IV. U.S. Customs and Border Protection Engagement

CBP collaborates with both ICE and FWS in addressing threats related to this important issue. CBP partners with FWS to ensure that commodities/goods (in both the passenger and commercial environments) meet requirements for legal entry into the United States. FWS personnel also are stationed at various ports of entry and enforce their regulations alongside CBP officers and CBP agriculture specialists.

CBP also works with ICE and FWS through CBP's Commercial Targeting and Analysis Center to enhance efforts to combat illegal imports of endangered wildlife. The Commercial Targeting and Analysis Center mission is to join together federal agencies with authority over safety regulations of products imported into the United States. The Commercial Targeting and Analysis Center facilitates information sharing and leverages the collective resources of the 11 Commercial Targeting and Analysis Center Partner Government Agencies¹ to enhance the prevention, preemption, deterrence, analysis, and investigation of violations of importation laws that affect the United States' interest in the import safety environment. FWS joined the Commercial Targeting and Analysis Center on April 1, 2014. The inclusion of FWS in the Commercial Targeting and Analysis Center allows for better coordination and enhancement of operations toward thwarting illegal wildlife trade by joining FWS with other Commercial Targeting and Analysis Center Partner Government Agencies, including CBP and ICE.

FWS has committed multiple resources such as intelligence analysts and law enforcement agents, who are physically co-located at the Commercial Targeting and Analysis Center. CBP has provisioned these FWS representatives with access to several CBP systems in order to facilitate import targeting. CBP also has provided intensive systems and targeting training through the National Targeting Center - Cargo in Herndon, Virginia.

FWS broadened the scope of the Commercial Targeting and Analysis Center by bringing its subject matter expertise and resources to the targeting of illegal wildlife trade at our Nation's borders. The information sharing and collaboration efforts between FWS and the Commercial Targeting and Analysis Center Partner Government Agencies play a key role in tackling illegal wildlife trade, which contributes to advance FWS's mission.

¹ Commercial Targeting and Analysis Center Partner Government Agencies: U.S. Department of Agriculture (USDA) Animal and Plant Health Inspection Service, U.S. Consumer Product Safety Commission, CBP, U.S. Environmental Protection Agency, U.S. Department of Health and Human Services Food and Drug Administration, FWS, USDA Food Safety and Inspection Services, ICE, U.S. Department of Transportation (DOT) National Highway Traffic Safety Administration, U.S. Department of Commerce National Marine Fisheries Service, and DOT Pipeline and Hazardous Materials Safety Administration.

V. Conclusion

DHS remains steadfast in its commitment to combat wildlife trafficking and the illegal trading of other natural resources. Through its collaboration with interagency partners, DHS will continue to work and build upon the Strategy's three objectives: strengthening enforcement; reducing demand for illegally traded wildlife; and building international cooperation, commitment, and public-private partnerships.

VI. Appendix: List of Abbreviations

Abbreviation	Definition
CBP	U.S. Customs and Border Protection
DHS	U.S. Department of Homeland Security
DOI	U.S. Department of Interior
DOJ	U.S. Department of Justice
DOS	U.S. Department of State
DOT	U.S. Department of Transportation
FWS	U.S. Fish and Wildlife Service
FY	Fiscal Year
HSI	Homeland Security Investigations
ICE	U.S. Immigration and Customs Enforcement
USDA	U.S. Department of Agriculture
USPS	U.S. Postal Service