
TESTIMONY OF

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Chairwoman Sanchez, Ranking Member Souder, Members of the Subcommittee, it is a privilege and an honor to appear before you today to discuss the work of U.S. Customs and Border Protection (CBP), particularly the tremendous dedication of our men and women in the field both at and between our ports of entry.

CBP is the largest uniformed federal law enforcement agency in the country. We station over 20,000 CBP officers at access points around the nation – air, land, and sea ports. By the end of FY 2009, we will have deployed over 20,000 Border Patrol agents between the ports of entry. These forces are supplemented with 980 Air and Marine agents, 2,260 agricultural specialists, and other professionals.

I am pleased to report that CBP continues to achieve success in performing our traditional missions, which include stemming the flow of illegal drugs and contraband, protecting our agricultural and economic interests from harmful pests and diseases, protecting American businesses from theft of their intellectual property, enforcing violations of textile agreements, tracking import safety violations, protecting the economy from monopolistic practices, regulating and facilitating international trade, collecting import duties, and enforcing United States trade laws. At the same time, our employees maintain a vigilant watch for terrorist threats. In FY 2008, CBP processed more than 396 million pedestrians and passengers, 122 million conveyances, 29 million trade entries, examined 5.6 million sea, rail, and truck containers, performed over 25 million agriculture inspections, apprehended over 720 thousand illegal aliens between our ports of entry, encountered over 220 thousand inadmissible aliens at the ports of entry, and seized more than 2.8 million pounds of narcotics.

We must perform our important security and trade enforcement work without stifling the flow of legitimate trade and travel that is so important to our nation's economy. These are our twin goals: border security and facilitation of legitimate trade and travel.

Border Security Between the Ports of Entry

The primary goal of our strategy between the ports of entry is to gain effective control of our nation's borders. Effective control is achieved when a Chief Border Patrol Agent determines that agents deployed in any given area are consistently able to: detect an illegal entry into the United States between the ports of entry; identify and classify the threat level associated with that illegal entry; respond to the area of the illegal entry; and bring the situation to a law enforcement resolution.

During Secretary Napolitano's congressional hearing a few weeks ago, she explained the importance of having a border security strategy that incorporates the elements of effective control. Effective control is established through the proper mix of technology, personnel, and infrastructure that will allow CBP personnel to confront the criminal element before they can get away. Secretary Napolitano often refers to this strategy as the "three-legged stool." One of these legs cannot, in and of itself, provide effective control. However, the mix of these three components will vary depending on the

challenges of the focus area. Technology is the baseline requirement for any area of operations. It allows us to detect the entries and to identify and classify the threat. Personnel provide the response to confront the criminal element. Tactical Infrastructure supports the response by either providing access, or extending the time needed for the response by deterring or slowing the criminal element's ability to easily cross the border and escape.

Essentially, two basic conditions must exist to ensure that our agents can safely and effectively secure our borders between the ports of entry. First, we must have situational awareness—that is, we must have knowledge about what is happening between the ports of entry. The knowledge must be precise and timely enough for us to react to the knowledge. Second, we must have the capability to react to the knowledge at a time, place, and manner of our choosing.

As of the end of fiscal year 2008, we determined 757 miles of border were under effective control. Of that total, 625 miles were on the southwest border between the United States and Mexico, which is where a majority of illicit, cross-border activity occurs. Where we do not yet have control on the southwest border, we have made significant strides in increasing our situational awareness and tactical advantage over those seeking to violate our laws. With increased situational awareness, we can better understand where we have the highest threats and vulnerabilities, and assess where we need to apply our resources. The ability to have situational awareness also enables our agents and officers to perform their jobs more safely and more effectively. This is especially critical during times such as these where we are experiencing high levels of violence at our nation's borders.

Between the ports of entry, CBP personnel involved in border security include Border Patrol Agents, Air Interdiction Agents, and Marine Interdiction Agents. Personnel in adequate number are highly effective resources. They can observe and therefore provide for the type of situational awareness that is necessary for effective control. Unique among the elements of the three-legged stool, personnel also have the capacity to respond. Personnel are highly effective and flexible, but the number of personnel required to perform the entire border security mission would be prohibitive if they were not properly augmented by tactical infrastructure and technology.

Tactical infrastructure includes – among other things – pedestrian fence, vehicle fence, roads, and lighting. Tactical infrastructure supports CBP's ability to respond in several ways. Fence, for example, is a fixed resource that provides a constant and continuous effect. I wish to be very clear—fence alone does not and cannot, in and of itself, provide effective control of the border. It does, however, deter and delay illicit cross-border incursions. This continuous and constant ability to deter or delay is what we refer to as “persistent impedance.” There are areas of the border where we have concluded that we must have persistent impedance in order to achieve effective control, because we must at least delay attempted illicit incursions. These delays buy time for our agents to respond. This is critical in areas near cities, for example, where illicit border crossers could blend into the population before we could interdict them. It is also critical

in areas where vehicles could reach nearby roads faster than we could respond without persistent impedance.

Technology is an important leg of the stool. Although some refer to technology as a “virtual fence,” technology does not have the persistent impedance capability of a real fence. It does, however, provide timely and accurate information that physical infrastructure could not. Between the ports of entry, technology includes sensors, command and control systems, and communications. Technology is a powerful force multiplier because it has tremendous capability to provide the situational awareness that is a precursor to effective control. Sensors can “watch” the border continuously, guided by appropriate command and control systems. These command and control systems can also help sort the data coming from the sensors so that our responders have very quick access to the most critical information. Technology also supports response capability. With accurate information to identify and classify illicit incursions, agents have many more options about how and when they will respond to the incursion. Improved communications capability also supports response by ensuring our response forces can be properly directed and coordinated.

Over the past year, we have made significant strides in strengthening all three legs of our three-legged stool. As of February 14, 2009, we had 18,566 Border Patrol Agents on-board. We have identified 661 miles of southwest border where persistent impedance was a requirement and 610 miles of fence is already constructed along the southwest border. Most of the remaining mileage is under construction and will be complete this Spring. With respect to technology, we have purchased 40 mobile surveillance systems (MSSs) and deployed them to the southwest border. These MSSs provide radar and camera coverage and serve as a gap-filler while we deploy more permanent technology solutions. Later on in the testimony, I will provide more detail about our vision for those more permanent solutions.

Support of U.S./Mexican Counter-Drug and Counter-Terrorism Initiatives

A key and growing area of emphasis involves interdiction of weapons and currency. Escalating violence in the border regions and interior of Mexico poses a significant threat to both the United States and Mexico. Secretary Napolitano has tasked all DHS components, including CBP to examine how we can increase our enforcement activities in an effort to mitigate southbound weapon and currency smuggling to the extent that resources and infrastructure allow.

A majority of the illegal drugs consumed in the United States originate from or pass through Mexican territory and territorial seas. Huge, illicit trafficking profits flow back to Mexican drug trafficking organizations across our common border. The Mexican government's ability to confront its drug trafficking industry and its willingness to cooperate with U.S. efforts directly affect the impact of any southwest border initiative.

CBP has established positions at the El Paso Intelligence Center (EPIC), the Organized Crime Drug Enforcement Task Force (OCDETF) Fusion Center, and the DEA

Special Operations Division. These initiatives enhance interaction with the Intelligence Community (IC) and law enforcement agencies to more effectively facilitate the collection, analysis, and dissemination of actionable drug-related intelligence.

Additionally, CBP's Office of Intelligence and Operations Coordination established a National Post Seizure Analysis Team (PSAT) at the National Targeting Center-Cargo and is in the process of establishing Intelligence Operations Coordination Centers (IOCC) with the first one under construction in Tucson, Arizona. The IOCCs will make CBP a more fully integrated, intelligence driven organization by linking intelligence efforts and products to operations and interdictions. Reciprocal benefits will be a greater capability to expeditiously move feedback from the end users back to the originator.

Operation Panama Express is a multi-agency international drug flow investigation that combines detection and monitoring, investigative, and intelligence resources to provide actionable intelligence to Joint Interagency Task Force-South (JIATF-S) operations to interdict the flow of cocaine from northern South America to the United States. JIATF-S interdiction operations in the transit zone supported by CBP P-3 Airborne Early Warning, Coast Guard HC-130, Coast Guard vessels, and CBP P-3 Tracker aircraft interdict large, sometimes multi-ton, shipments before they can be split into smaller loads for movement across the southwest border over multiple routes and distributed to U.S. cities, towns, and small communities.

CBP continues to work with the Mexican Government in the development of increased law enforcement surveillance and interdiction capabilities. Detection of U.S./Mexican border air intrusions is essential to effective interdiction operations along our borders with Mexico. The primary means of detection is a large radar network, monitored at the Air and Marine Operations Center (AMOC) in Riverside, California. Information is fed to the AMOC through a network of airborne early warning, aerostat, Federal Aviation Administration (FAA), and ground based radar systems. Personnel at the AMOC detect aircraft "short landings" and border penetrations and coordinate CBP Air and Marine and Mexican interdiction assets to intercept, track, and apprehend smugglers as they transverse the U.S./Mexico border.

The Government of Mexico sustains a strong commitment to interdiction. CBP will continue to assist the government of Mexico in maintaining its counterdrug effort, including Command, Control, Communications, and Information support.

Intelligence and Operational Coordination

CBP continues its evolution to become a more integrated, intelligence-driven organization and we are in the process of establishing a robust field organization. The CBP Office Intelligence and Operations Coordination is in the process of developing capabilities which will integrate CBP intelligence and operational elements for more effective command and control, mission deployment, and allocation of resources.

Intelligence gathering and predictive analysis require new collection and processing capabilities. CBP is also developing the Analytical Framework for Intelligence (AFI), a set of data processing tools that will improve the effectiveness of CBP and other DHS analysts in detecting, locating, and analyzing terrorist networks, drug trafficking networks, and similar threats. These intelligence and operational coordination initiatives complement SBI's technology programs.

Conclusion

Thank you for the opportunity to describe our plans for border security and to highlight some of our progress to date. With your continued support of DHS, CBP and ICE, I am confident that we will continue to make tremendous strides in increasing control of our borders.

I look forward to your questions.