



U.S. Immigration and Customs Enforcement

STATEMENT

OF

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REGARDING A HEARING ON

**“EXAMINING PREPAREDNESS AND COORDINATION EFFORTS
OF FIRST RESPONDERS ALONG THE SOUTHWEST BORDER”**

BEFORE THE

U.S. HOUSE OF REPRESENTATIVES

COMMITTEE ON HOMELAND SECURITY

**SUBCOMMITTEE ON
EMERGENCY COMMUNICATIONS, PREPAREDNESS AND RESPONSE**

**Tuesday, March 31, 2009 - 10:00 a.m.
311 Cannon House Office Building**

Introduction

Chairman Cuellar, Ranking Member Rogers, and distinguished Members of the Subcommittee:

On behalf of Secretary Napolitano and Acting Assistant Secretary Torres, I would like to thank you for the opportunity to discuss U.S. Immigration and Customs Enforcement's (ICE) long-standing partnerships with our state and local law enforcement partners who, along with other federal agencies, respond to cross-border crimes. Recognizing that partnerships are essential, ICE works closely across agency and international boundaries with our law enforcement partners to create a multi-layered law enforcement network, which provides effective cross-border communication, information sharing, and emergency preparedness. While ICE does not traditionally perform the functions of a state or local police officer, who responds to a myriad of crimes on a daily basis, ICE materially augments first responder resources on the Southwest Border by deploying the largest force of investigators in the Department of Homeland Security (DHS). These investigators utilize expansive investigative authority to target criminal organizations engaged in the bi-lateral smuggling of people, narcotics, bulk cash, and weapons that threaten the well-being of the United States.

To ensure ICE is prepared to support first responders, ICE established the National Incident Response Unit (NIRU). This unit, working in conjunction with the National Response Framework, Emergency Support Function (ESF) – 13, responds in an efficient and coordinated way that addresses preparedness, prevention, and recovery during civil emergencies. NIRU develops, enhances, and oversees programs, policies and initiatives to focus ICE's emergency preparedness, management and response efforts and continuity of operations planning. This

includes ICE's support to ESF-13 and our law enforcement partners who respond to unexpected disasters such as avian and pandemic influenza and hurricanes. In 2008, ICE supported response and recovery efforts during the hurricanes that struck New Orleans and Houston. ICE also provided law enforcement support for National Special Security Events, such as the 2009 Presidential Inauguration. In addition, ICE partners with the Department of Homeland Security's U.S. Customs and Border Protection (CBP) personnel who are often first responders themselves. ICE's investigative mission is directly linked to CBP's border protection and interdiction mission, and ICE augments CBP's effort through investigative, transportation, and public safety support.

Another example of ICE's support of first responders is ICE's Law Enforcement Agency Response (LEAR) program. Established in September 2006 to provide a more comprehensive response to Arizona law enforcement agencies seeking assistance from ICE during encounters with suspected illegal aliens, the LEAR unit received 1,283 calls for assistance and arrested 6,235 illegal aliens last year.

As you may know, on March 24, 2009, the Administration announced several Southwest Border initiatives aimed at cracking down on Mexican drug cartels through enhanced border security. The Administration's comprehensive plan calls for additional personnel, increased intelligence capability, and increased coordination with state, local and Mexican law enforcement authorities. Specifically, Secretary Napolitano announced that ICE will double assignments to ICE's Border Enforcement Security Task Forces (BEST) from 95 agents to 190. ICE is also increasing ICE Attaché personnel in support of Mexican law enforcement efforts and ICE's BEST efforts from 24 to 36 agents. Moreover, ICE will quadruple the number of agents designated as Border Liaison Officers, from 10 to 40 personnel who work to create cooperative

relationships between U.S. and Mexican law enforcement authorities. In addition, DHS will continue Operation Armas Cruzadas, an ICE-led bi-lateral law enforcement and intelligence-sharing operation to thwart export of arms from the U.S. into Mexico. These DHS task forces include important partners such as Customs and Border Protection (CBP), Alcohol, Tobacco, Firearms and Explosives (ATF) and other foreign, federal, state and local task force offices. When it comes to countering the illicit weapons trade in particular, we closely coordinate our efforts with ATF, as they possess long-standing expertise in gun trafficking investigations and in engagement with Federal Firearms Licensees.

Border Enforcement Security Task Force (BEST)

While ICE is generally not a first responder, the BEST task forces are the DHS operational platform that provides the most direct support to state and local first responders. In July 2005, in response to increased violence in Nuevo Laredo, Mexico and Laredo, Texas, ICE, CBP, the Drug Enforcement Administration (DEA), and other federal, state, and local law enforcement agencies, including Mexican agencies, expanded the ongoing Border Crimes Initiative by creating an international, multi-agency initiative called Operation Black Jack. This initiative used the respective authorities and resources of its members to dismantle cross-border criminal organizations. In its first six months, its target-driven focus led to the dismantling of a murder/kidnapping cell operating on both sides of the border, including the seizure of high-powered fully automatic weapons and live grenades; the components to make over 100 improvised explosive devices (IEDs), such as pipe bombs and grenades; and over \$1 million in U.S. currency.

Crucial to our success is the cooperation of our international partners. The BESTs on the Southwest Border have secured the participation of the Mexican law enforcement agency, Secretaria de Seguridad Publica (SSP). Through the interaction and coordination of all the member agencies, BESTs provide for immediate and international enhanced information sharing on border violence due to geographic proximity to the U.S. borders.

Through BESTs, we have dismantled arms trafficking, human trafficking, bulk-cash, alien and narcotics smuggling organizations and their hostage-taking and murder/kidnapping cells in the United States and Mexico. Since July 2005, BESTs' efforts have resulted in 2,034 criminal arrests and 2,796 civil immigration arrests. The U.S. Attorneys Offices have worked with ICE to secure more than 800 indictments, and more than 700 convictions. In addition, BESTs have seized approximately 7,704 pounds of cocaine, 159,832 pounds of marijuana, 558 pounds of methamphetamine, 39 pounds of crystal methamphetamine, 1,023 pounds of ecstasy, 213 pounds of heroin, 97 pounds of hashish, 22 pounds of opium, 515 weapons, 341,345 rounds ammunition, 745 vehicles, six properties, and \$22.7 million in U.S. currency and monetary instruments.

I would like to share a few of our successes with you: the discovery and repatriation by the El Paso BEST of one of Mexico's top ten most wanted fugitives; the arrest by the Laredo BEST of a weapons trafficker who supplied cartels with assault rifles used to murder Mexican Police Officer Navarro Rincon and others; and the arrest by the Los Angeles Seaport BEST of an arms trafficker and seizure of 38 military style weapons. These cases clearly illustrate the violence that results from narcotics trafficking, weapons smuggling, alien smuggling, human trafficking, and money laundering at our borders. BESTs provide a unified and international response to securing our borders, stemming the violence, and assisting first responders.

I would also like to share with you an example of how our foreign partnerships and information sharing benefits ICE, as well as front line officers from the Texas Department of Public Safety (DPS). On February 6, 2009, a Texas DPS trooper conducted what he thought was a routine vehicle stop of a Ford F-250 truck near Laredo, Texas. When the trooper stepped out of his patrol car and began walking towards the truck, the driver, Lino ZAMORA, placed the truck in reverse and attempted to run the trooper over. Fortunately, the trooper was not injured, and a high speed chase ensued ending by the Rio Grande river banks near the World Trade Bridge where ZAMORA waded into the river and into Nuevo Laredo, Tamaulipas, Mexico. Texas DPS officers requested immediate assistance from the Laredo BEST indicating they had discovered 897 pounds of marijuana hidden inside the truck and that the driver, ZAMORA, absconded to Mexico.

The Laredo BEST, which has a Mexican law enforcement officer embedded in the task force, coordinated with the Mexican Military and Immigration Officials to locate ZAMORA, who was hiding in Nuevo Laredo, Mexico. Mexican military officers located ZAMORA, a United States Citizen, and turned him over to Mexican Immigration officials. These officials then turned ZAMORA over to Laredo BEST agents without incident. Texas DPS officers arrested ZAMORA for possession of marijuana and assault on a peace officer. Just after 10:00 a.m., ZAMORA fled from the Texas DPS officer, and at 3:30 p.m. he returned and was arrested in the United States.

Although we have had significant success in dismantling transnational smuggling organizations, they have proven to be flexible, wealthy, well-organized, and intelligent. While the contraband the organizations smuggle may vary, these organizations use the same smuggling corridors to further their enterprise. Cartels invest significant resources in gaining and

maintaining control of these lucrative smuggling corridors, expecting a considerable financial return from smuggling ventures and from user fees paid by other transnational smuggling organizations. To protect these lucrative corridors, cartels hire assassins to kidnap, torture and murder competitors that they perceive to infringe upon their territory.

The magnitude of violence surrounding these transnational smuggling organizations in recent years necessitated expertise of multiple law enforcement and intelligence entities through task forces such as the ICE-led BEST, and law enforcement outbound operations such as our weapons smuggling initiative, Operation Armas Cruzadas, and our bulk cash smuggling initiative, Operation Firewall.

As I have noted, ICE plays several roles varying from assisting federal, state, and local front line officers in emergency situations to coordinate bi-national efforts beyond our borders. ICE has agents in attaché offices in embassies and consulates worldwide, as well as foreign law enforcement officers such as Mexico's Secretaria de Seguridad Publica, co-located within our Border Enforcement Security Task Forces in the United States.

Armas Cruzadas

As I mentioned previously, ICE is focused on the illicit flows of weapons and bulk cash to reduce border violence through our "Armas Cruzadas" initiative.

In June 2008, ICE, in partnership with CBP, formally launched Operation Armas Cruzadas to combat transnational criminal networks smuggling weapons into Mexico from the United States. As part of this initiative, the United States and the Government of Mexico (GoM) agreed to bi-lateral interdiction, investigation, and intelligence-sharing activities to identify, disrupt, and dismantle these networks engaged in weapons smuggling. This initiative has resulted in actionable intelligence leading

to arrests, as well as the seizure of firearms and ammunition on both sides of the border. ICE has provided training in appropriate export and other weapons' laws and methods used to combat transnational smuggling; used its Project Shield America outreach program and made presentations to groups involved in the manufacture, sale or shipment of firearms and ammunition along the Southwest Border; reinvigorated the ICE Border Liaison Program to sustain an open and cooperative working relationship with foreign and domestic government entities; initiated a Weapons Virtual Task Force to create virtual communities where law enforcement can rapidly share intelligence and communicate in a secure environment; created a U.S.-vetted GoM Arms Trafficking Group; and used the ICE Border Violence Intelligence Cell. In addition, ICE recognizes the need to coordinate with ATF, the agency with principal firearms enforcement responsibility, in its efforts to slow the flow of firearms into Mexico. On this front, ICE will coordinate its Armas Cruzadas Initiative with ATF's Project Gunrunner.

Since June 2008, Operation Armas Cruzadas has resulted in 112 criminal arrests, 40 administrative arrests, 80 criminal indictments, 43 convictions and in the seizure of 1,417 weapons and 116,478 rounds of ammunition.

Operation Firewall

One of the most effective methods to deal with violent, transnational criminal organizations is attacking the criminal proceeds that fund their operations. Well financed criminal organizations present a threat to all law enforcement as their use of high-powered firearms presents a real danger to first responders. ICE targets those individuals and organizations that exploit vulnerabilities in financial systems to launder illicit proceeds, and ICE pursues the financial component of every cross-border criminal investigation. The combination

of successful financial investigations, Bank Secrecy Act reporting requirements, and Anti-Money Laundering compliance efforts by traditional and non-traditional financial institutions has forced criminal organizations to seek other means to transport illicit funds across our borders.

Currently, the smuggling of bulk currency out of the United States, especially along the Southwest Border, is the prevailing method. ICE is the primary investigative agency with jurisdiction over bulk cash smuggling crimes. Since its inception, Operation Firewall has resulted in the seizure of over \$183 million, including \$62 million seized overseas, and 423 arrests.

Conclusion

ICE is committed to effective cross-border communication and information sharing to stem bi-national criminal activity and associated violence through the deployment of the BESTs, Operation Armas Cruzadas and Operation Firewall. By partnering with other law enforcement agencies, we are able to use a broad range of authorities, including the most sophisticated investigative tools available, such as certified undercover operations and electronic surveillance operations to respond to and conduct our investigations.

Once again, I would like to thank the Subcommittee for its continued support of ICE and our law enforcement mission. I would be happy to answer any questions that you may have at this time.