



**Strategic Goal II:
Prevent Crime, Enforce Federal Laws, and Represent the Rights and
Interests of the American People**

**FIGHTING CRIMINAL ACTIVITY ON
THE U.S. SOUTHWEST BORDER**

+ \$100 million in Enhancements

Overview

Drug trafficking organizations along the Southwest Border now dominate the illicit drug trade and are largely responsible for the violence that is plaguing many border communities. The Southwest Border also poses significant challenges related to illegal immigration and illicit weapons. To address these ever growing problems, the Department proposes \$100 million for a Southwest Border Enforcement Initiative.

The Southwest Border of the United States is the principal arrival zone for most illicit drugs smuggled into the United States, as well as the predominant staging area for the subsequent distribution of drugs throughout the country. According to the El Paso Intelligence Center, most of the cocaine, marijuana, and methamphetamine available in the United States is smuggled across the Southwest Border. Further, the flow of illegal firearms into Mexico is a concern of the Attorney General and his counterpart in Mexico. During the Attorney General's recent visit to Mexico, firearms trafficking was a key topic of discussion. Given the magnitude of the threat, it is imperative that the Department add resources to better disrupt the organizations responsible for the movement of illicit drugs, proceeds, and weapons across the Southwest Border and to bring their leaders to justice.

Since the events of September 11, 2001, the Southwest Border has assumed even greater significance. The threat of terrorism exists wherever criminals regularly exploit gaps in homeland security. Terrorists could conceivably attempt to enter the United States or smuggle weapons of mass destruction across the Southwest Border by utilizing routes and methods established by drug and alien smugglers. Improved efforts to combat drug trafficking and violent crime will contribute to greater security against other homeland security threats.

In addition, the workload along the Southwest Border for Department of Justice agencies such as the U.S. Attorneys and the U.S. Marshals Service has increased dramatically in recent years as a result of increased efforts of partner federal agencies. For example, the Department of Homeland Security Border Patrol expanded from approximately 9,000 agents in 2001 to more than 13,000 by the end of FY 2007; by the end of 2008, there will likely be a total of more than 18,000 agents. DOJ has estimated that the additional Border Patrol agents will generate over 24,000 criminal immigration cases to be filed by

the U.S. Attorneys in Southwest Border districts over the next two years, approximately a 200 percent increase over the 12,000 felony cases filed in FY 2007.

The following information summarizes the \$100 million in enhancements for fighting criminal activity on the U.S. Southwest Border. More detailed information is available in the President's Budget and agency budget submissions.

New Investments

The following enhancements comprise the Department's Southwest Border Enforcement Initiative.

Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)

- **Firearms Industry Regulation: \$948,000 and 12 positions** to enhance ATF's ability to inspect and investigate the firearms industry. Firearms-related violence has been perpetrated by warring drug trafficking organizations in border cities such as Laredo, Texas, and Nuevo Laredo, Mexico. Agents have noted an "iron river of guns" with thousands of weapons per week crossing the border into Mexico from the United States. Approximately 40 percent of those weapons are linked to drug trafficking organizations. These additional positions will strengthen industry oversight in the region and implement a focused inspection program to identify purchasers, traffickers and non-compliant licensees that may be sources of illegally-trafficked firearms used by violent criminals.

Criminal Division (CRM)

- **Reducing Gang Violence: \$289,000 and 2 attorneys** to combat ever increasing gang threats facing the nation along the Southwest Border. The 2 attorneys will be part of the Criminal Division's Gang Squad, but will focus exclusively on Southwest Border enforcement cases and will work in tandem with the DOJ Gang Targeting, Enforcement, and Coordination Center (GangTECC).

Drug Enforcement Administration (DEA)

- **Foreign-deployed Advisory and Support Team (FAST) Expansion: \$7.0 million and 20 positions (18 agents and 2 intelligence analysts)** to establish 2 additional teams for the Western Hemisphere and funding to deploy them for up to 6 months annually. The teams will be regionally oriented to assist DEA's host nation counterparts in Central America, South America, and the Caribbean, where drugs flowing to the United States are produced or transited. These teams will provide the expertise, equipment, and personnel to augment DEA Country Offices targeting the most significant violators, Priority Organizational Targets, and Consolidated Priority Organizational Targets.

- **Strategic Drug Flow Enforcement Operations: \$2.0 million** to conduct one additional *Operational All Inclusive* (OAI) deployment each year in the Western Hemisphere. OAI is DEA’s primary large-scale and successful Drug Flow Attack enforcement operation in the source, transit, and arrival zones. This operational funding provides for travel, aviation support, intelligence collection, and host nation support.
- **Tactical Aircraft Section: \$8.9 million and 3 agent pilots** to purchase, operate, and maintain one new Bell 412 twin-engine helicopter to support interdiction operations in the transit zone, including FAST deployments, and address air, maritime, and land drug trafficking threats.
- **Southwest Border Staffing: \$2.5 million and 16 positions (9 agents and 2 intelligence analysts)** to reduce the flow of drugs across our Southwest Border, which remains a critical front in our Nation’s defense against both illegal drug trafficking and terrorism.

Executive Office for Immigration and Review (EOIR)

- **Digital Audio Recording System (DAR): \$8.3 million** for the implementation and maintenance of a Digital Audio Recording system to be provided to immigration courts nationwide. This system will substantially improve the audio quality of immigration court hearing recordings, and will allow the immigration judges to operate the recording system through the use of a desk-top computer.
- **Immigration Review Information Exchange System (IRIES): \$1.7 million** for IRIES through which EOIR will share mission-critical information with other federal agencies including, the Department of Homeland Security and the DOJ’s Civil Division.

Interagency Crime and Drug Enforcement (ICDE)

- **Vehicle Identification Initiative: \$2.8 million** to support communications costs associated with the Vehicle Identification Initiative, an effort to gather valuable law enforcement intelligence regarding Mexico-based Consolidated Priority Organization Targets and affiliated “Gatekeeper” organizations involved in bulk cash smuggling. Also included is \$500,000 to provide sufficient IT infrastructure for the Organized Crime Drug Enforcement Task Force (OCDETF) Fusion Center to process and develop the data collected.
- **Fugitive Apprehension Initiative: \$1.7 million and 6 Deputy U.S. Marshals** to increase USMS’ capability to apprehend OCDETF fugitives both domestically and in foreign countries, particularly those fugitives linked to South America and Mexico-based drug trafficking organizations.

- **Drug Prosecution: \$5.1 million and 50 positions (30 attorneys)** to support prosecution activities against significant drug trafficking organizations and money laundering organizations responsible for: (1) transporting or importing drugs and precursor chemicals to Mexico for subsequent distribution to the United States; (2) manufacturing or distributing drugs within Mexico for subsequent distribution to the United States; (3) transporting drugs across the Southwest Border of the United States and distributing those drugs in the United States; and (4) the laundering and the bulk cash smuggling of illicit proceeds across the U.S./Mexico border.

Office of the Federal Detention Trustee (OFDT)

- **Detainee Housing and Transportation: \$37.6 million** to accommodate an anticipated increase in the number of detainees housed in non-federal facilities. These resources will fund the costs associated with detention, care and transportation of detainees along the Southwest Border.

U.S. Attorneys (USA)

- **Southwest Border Prosecution: \$8.4 million and 83 positions (50 attorneys)** to support additional prosecutorial efforts along the Southwest Border. The Southwest Border is particularly vulnerable to the operation of cross-border criminal enterprises including: human smuggling, drug smuggling, homicide, robbery, hostage taking, and money laundering. Additional Assistant U.S. Attorneys and paralegals are needed to respond to these cross-border criminal activities and to the increases in immigration cases resulting from the substantial increases in Border Patrol Agents and the U.S. Government's overall effort to gain operational control of the border.

U.S. Marshals Service (USMS)

- **Prisoner Security and Transportation: \$12.7 million and 73 positions (52 Deputy U.S. Marshals)** to manage the increasing workload along the Southwest Border. As the number of illegal immigrants entering America has risen, the USMS has experienced substantial prisoner and fugitive workload growth along the Southwest Border. Total USMS prisoner productions in Southwest Border districts increased by 9 percent from FY 2006 to FY 2007, compared to a 2 percent increase in all other districts. This funding will allow the USMS to meet its responsibilities for protecting and securing federal detainees before, during, and after their judicial proceedings. Included in this initiative is \$2.1 million in non-personnel funding for the lease of additional prisoner transport vehicles.

Directed Investments

Office of Justice Programs (OJP)

- **Southwest Border Prosecution Program:** The Southwest Border Prosecutor Initiative provides funding for local prosecutor offices in the four border states (California Texas, Arizona, and New Mexico). Payments support approved prosecution and pre-trial detention costs for cases formally referred to local prosecutors by the U.S. Attorneys' Offices and cases diverted from Federal prosecution by law enforcement pursuant to locally negotiated agreement. These activities will be encompassed as a purpose area under the Byrne Public Safety and Protection Program in FY 2009. OJP as requested \$200,000 million in total for the Byrne Program in FY 2009. The FY 2008 enacted appropriation provides \$30.1 million for the Southwest Border Prosecution Program.

New/Directed Investment Summary

Bureau/Initiative	Positions	Amount (\$000's)
Bureau of Alcohol, Tobacco, Firearms and Explosives	12	\$948
Firearms Industry Regulation	12	948
Criminal Division	2	\$289
Reducing Gang Violence	2	289
Drug Enforcement Administration	39	\$20,425
Foreign-deployed Advisory and Support Team Expansion	20	7,000
Strategic Drug Flow Enforcement Operations	...	2,000
Tactical Aircraft Section	3	8,897
Southwest Border Staffing	16	2,528
Executive Office for Immigration and Review	...	\$10,000
Digital Audio Recording System	...	8,300
Immigration Review Information Exchange System	...	1,700
Interagency Crime and Drug Enforcement	56	\$9,643
License Plate Exploitation	...	2,802
Fugitive Apprehension	6	1,714
Drug Prosecution	50	5,127
Office of the Federal Detention Trustee	...	\$37,570
Detainee Housing and Transportation	...	37,570
U.S. Attorneys	83	\$8,400
Southwest Border Prosecution	83	8,400
U.S. Marshals Service	73	\$12,746
Prisoner Security and Transportation	73	12,746
Office of Justice Programs	...	***
Southwest Border Prosecution Program	...	***
Grand Total, New/Directed Investments	265	\$100,021

*** The Department is proposing a competitive grant process for the Byrne Public Safety and Protection Program. The Southwest Border Prosecution Program is one of the activities that could be funded through this competitive grant process.