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Congress of the United States
House of Representatives
Washington, DC 20515-5401

September 16, 2011

The Honorable John Morton
Director
U.S. Immigration and Customs Enforcement
500 12th St., SW
Washington, DC 20536

Dear Director Morton:

In July 2010, and again in March 2011, I wrote to Attorney General Eric Holder and Homeland Security Secretary Janet Napolitano to express serious concern about the level of federal resources being devoted to combat drug-related violence in Puerto Rico, which remains at an unacceptably high level. In those letters, and in subsequent meetings held with Attorney General Holder and senior officials at DHS, I expressed particular concern about the number of vacancies at federal law enforcement agencies that stand at the forefront in the fight against crime, including Immigration and Customs Enforcement. Specifically, in the summer of 2010, I was informed by your agency that 22% of its authorized positions in Puerto Rico were unfilled. I write now for two purposes. First, I respectfully request that you provide me with up-to-date information on the number of vacancies at ICE's Puerto Rico office so that I can determine what progress, if any, has been made. Second, I ask that you advise me on the specific steps you have already taken, or intend to take, to improve the recruitment and retention of ICE personnel in Puerto Rico. I am sending a similar letter to the directors of the Drug Enforcement Administration and Bureau of Alcohol, Tobacco, Firearms and Explosives, whose Puerto Rico offices also had significant vacancies.

There is an acute need for federal law enforcement personnel in Puerto Rico. Responding to that need, and with my strong support, the House Appropriations Committee recently directed ICE to brief the Committee "on its efforts to counter the illicit trafficking of drugs" in the Caribbean and on how ICE is devoting sufficient resources "to satisfy its mission requirements in this region."¹ Moreover, because of the difficulties federal law enforcement agencies face in recruiting and retaining personnel to work in high-need jurisdictions, such as Puerto Rico, this past July the House Judiciary Committee approved, by a unanimous vote, legislation that I had introduced to direct the Department of Justice, including its component agencies, to create a program to address the need to recruit, assign, and retain federal law enforcement officers in jurisdictions with a high rate of homicide or other violent crime (H.R. 1550). ICE should follow the same approach and take steps to improve recruitment and retention in Puerto Rico.

¹ H.R. REP. NO. 112-91, at 51 (2011).

The challenge federal law enforcement agencies face with respect to recruiting and retaining agents in Puerto Rico is not new. In 2000, the Special Agent in Charge of DEA's San Juan Field Division, Michael S. Vigil, testified before the U.S. House of Representatives' Committee on Oversight and Government Reform on drug trafficking through Puerto Rico. In his testimony, Agent Vigil stated that "[f]ew personnel from the Continental United States are willing to accept a transfer to Puerto Rico, and those who do so often want to leave soon after arrival."² Agent Vigil further testified that, despite offering certain incentives, DEA had not been able to increase the average length of a DEA employee's tour in Puerto Rico beyond two years.³

In light of the evident difficulties that ICE faces eleven years after Agent Vigil's testimony, I ask that you provide me with:

1. the most recent statistics on the number of authorized positions in ICE offices in Puerto Rico, and the number of those positions that are vacant;
2. a list and description of the incentives that ICE has used in recent years or is currently using to recruit and retain agents to serve in Puerto Rico;
3. statistics or other information that demonstrate the impact, if any, these incentives have had on recruitment and retention in Puerto Rico; and
4. a list and description of any other incentives that ICE is considering for use in recruiting and retaining agents to serve in Puerto Rico.

It is critical that ICE act quickly to reduce the vacancies in its Puerto Rico office. As recently reported by *The Miami Herald*, the U.S. government's efforts to prevent traffickers from transporting drugs across our nation's southwest border is creating a so-called "balloon effect," whereby traffickers are increasingly turning to the Caribbean region as a route for shipping drugs into the United States.⁴ I look forward to working with you to ensure that ICE's office in Puerto Rico has the personnel and other resources it needs to effectively perform its duties to counter the illicit trade in drugs.

Sincerely,



Pedro R. Pierluisi
Member of Congress

cc: The Honorable Janet Napolitano, Secretary of the Department of Homeland Security

² *Drug Trafficking in the Caribbean: Do Traffickers Use Cuba and Puerto Rico as Major Transit Locations for United States-bound Narcotics?: Hearing Before the Comm. on Gov't Reform, 106th Cong. 97 (2000)* (statement of Michael S. Vigil, Special Agent in Charge, San Juan Field Division, Drug Enforcement Administration).

³ *Id.* at 98.

⁴ Jay Weaver, *Feds: Uptick Expected in Narcotics Trafficking Through the Caribbean*, MIAMI HERALD, Aug. 25, 2011, available at <http://www.miamiherald.com/2011/08/25/2375190/feds-uptick-expected-in-narcotics.html>.