

TESTIMONY OF

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ON

“Violence on the Border: Keeping U.S. Personnel Safe”

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Introduction

Good morning, Chairman Chaffetz, Ranking Member Cummings, and distinguished Members of the Committee. Thank you for the opportunity to appear today to discuss the role of the Department of Homeland Security's (DHS) Joint Task Force – West (JTF-W) in combating transnational violence along the U.S.-Mexico border.

DHS uses a multi-layered, risk-based approach to enhance the security of our borders, while facilitating the flow of lawful commerce and travel entering the United States. This layered approach to security reduces our reliance on any single point or program and extends our zone of security outward, ensuring that our physical border is not the first or last line of defense, but one of many.

Secretary Johnson's Unity of Effort initiative has put in place new and strengthened management processes to enable more effective DHS component operations. In addition, DHS-wide border and maritime security activities are being strategically guided by the new Southern Border and Approaches Campaign and complement the biennial national Southwest Border Counternarcotics Strategy. Aimed at leveraging the range of unique Department roles, responsibilities, and capabilities, the Campaign enhances our operational approach to working together in a more unified way to address these comprehensive threat environments.

I assumed the position of Director of JTF-W in December 2014. I am working hand-in-hand with my counterparts, U.S. Coast Guard (USCG) Vice-Admiral William D. Lee, Director of the Joint Task Force–East, and U.S. Immigration and Customs Enforcement (ICE) Special Agent-in-Charge David M. Marwell, Director of the Joint Task Force–Investigations. Although we are in our early stages, we are working to coordinate resources from all the DHS operational components, including U.S. Customs and Border Protection (CBP), which is the executive agent for JTF-W, and leverage federal, international, state, local, and tribal resources to combat the threat of transnational criminal organizations (TCO) who exploit vulnerabilities in our Southern Border and Approaches. This level of integration among DHS component agencies is unprecedented since the creation of the Department in 2003.

Along the U.S.-Mexico border, the primary threats are southbound gun smuggling, northbound drug trafficking, human trafficking/smuggling, illegal immigration, and the violence associated with these criminal activities. We remain vigilant of the cartel-related violence on the Mexican side of the border, and are concerned with the recent shooting involving one of our aircraft, and the bold robbery of a truck transporting Border Crossing Cards that were en route to a U.S. Consulate in Mexico. The reach and influence of Mexican cartels, notably the Los Zetas Cartel, Gulf Cartel, Juarez Cartel, Jalisco New Generation Cartel, and the Sinaloa Cartel, stretches across and beyond the Southwest border, operating through loose business ties with smaller organizations in cities across the United States. The threat of these TCOs is dynamic; rival organizations are constantly vying for control, and as U.S. and Mexican anti-drug efforts diminish criminal networks, new groups arise and form new alliances. Further, the escape of Joaquin Guzman Loera ("El Chapo") could potentially instigate further border violence similar to incidents following his first prison escape in 2001.

Border Violence

Assaults Against DHS Law Enforcement Personnel

In the course of enforcing the law, DHS frontline agents, officers, and the general public are exposed to various forms of assault by subjects attempting to evade apprehension or arrest. Assaults on agents and officers can be physical and/or involve rocking, vehicles, shootings, lasers, verbal threats, sling shots, paintball, etc. Most of the violence against DHS personnel occurs on the Southwest border, with the top three Sectors for incidents of violence being Tucson, Rio Grande Valley, and San Diego.

While violence against DHS law enforcement personnel has decreased overall in recent years, the general decline is not without incident. In a well-known incident in February 2011, ICE agents Jamie Zapata and Victor Avila were driving from Monterrey to Mexico City, where they were assigned to ICE's attaché office, when they were forced from their vehicle and shot by members of the Los Zetas drug cartel. Jamie Zapata was fatally wounded.

More recently, on June 5, 2015, a CBP Office of Air and Marine (OAM) EC-120 Light Observation Helicopter received weapon fire from Mexico while flying north of Laredo, Texas. The area where the aircraft received fire contains several known narcotics trafficking and human smuggling routes. The Air Interdiction Agent took evasive action, and landed the aircraft in a safe area on the U.S. side of the river to conduct a damage assessment. Neither of the crewmembers was harmed.

These examples demonstrate that the work of DHS frontline law enforcement personnel is, by its very nature, dynamic, unpredictable and dangerous. In the course of any given day, agents are continually presented with new conditions and new situations. This type of work requires agents to follow leads, and to go where the illegal activity takes them. While securing the border increasingly involves technology, intelligence, and analytical support, officers and agents must remain vigilant given the continuing risks involved with direct law enforcement engagement.

DHS Resources and Capabilities to Counter Transnational Threats

Much of the illegal activity and associated violence on the Southwest border is interrelated given the well-documented link between drug trafficking and human smuggling/trafficking organizations. Responsible for America's frontline border security, DHS has a significant role in the Nation's efforts to combat the cross-border criminal activity of cartels and other transnational criminal organizations.

DHS has deployed more resources, technology, and tactical infrastructure for securing our borders than at any other time in history. We have completed 652 miles of fencing and deployed other tactical infrastructure to key trafficking areas. We have also made significant technology deployments, including mobile surveillance units, ground sensors, and thermal imaging systems to increase our ability to detect illegal cross-border activity and contraband. We have capable aerial and marine assets – including unmanned aircraft systems and strategic and tactical aerostats – providing critical surveillance coverage and domain awareness. At POEs, technology,

such as non-intrusive x-ray and gamma ray imaging systems, and canine teams detect the illegal transit of drugs, people, in cargo and other conveyances. Further, CBP's Laboratories and Scientific Services uses advanced techniques in pollen analysis to assist with tracking drug smuggling routes.

Advancements in surveillance and detection technology enable DHS law enforcement to monitor large areas of land more efficiently with fewer personnel than other types of technology. With enhanced surveillance capabilities, we can achieve increased situational awareness remotely, direct a response team to the best interdiction location, and warn the team of any additional danger otherwise unknown along the way. Tactical infrastructure, such as border lighting also enhances the ability of Border Patrol agents to sustain situation awareness during hours of darkness, maintain a visible presence, and remove the tactical advantage of the criminal element, while increasing officer safety. As a result, these investments increase the visibility of law enforcement on the border, multiply our operational capabilities, and enhance the safety of frontline law enforcement personnel.

Technology and detection capabilities significantly contribute to frontline personnel safety and assist with detecting and deterring the entry of potentially dangerous people and contraband. Apprehension and seizure data can also provide information on criminal networks and improve investigative activity. Progress in information sharing, in combination with improved technology and enhanced capabilities, have expanded the collection, analysis, and dissemination of information between partners at all levels of government.

Several of the new integrated processes established under the Secretary's Unity of Effort initiative, including the new DHS Joint Requirements Council, and new DHS joint operational plans and joint force management, in concert with the establishment of the three new DHS JTF, allows the Department to look across the range of its operational capabilities and current and future investments to ensure DHS most effectively and efficiently executes its border security mission against current and future threats and challenges.

Intelligence and Information Sharing

Criminal intelligence-sharing is a key component of enforcement efforts along the Southwest border. JTF-W and participating component agencies contribute to several initiatives to improve the combined intelligence capabilities of Federal, state, local, tribal, and international partners along the Southwest border.

CBP hosts a monthly briefing/teleconference with state and local partners regarding the current state of the border, in order to monitor emerging trends and threats along the Southwest border and provide a cross-component, multi-agency venue for discussing trends and threats. The weekly briefing focuses on narcotics, weapons, and currency interdictions and alien apprehensions both at and between the POEs across the Southwest border. These briefings/teleconferences currently include participants from: ICE; USCG; Drug Enforcement Administration; Federal Bureau of Investigation; U.S. Northern Command; Joint Interagency Task Force-South; Bureau of Alcohol, Tobacco, Firearms, and Explosives; U.S. Attorneys'

Offices; Naval Investigative Command; State Fusion Centers; and local law enforcement as appropriate.

The creation of JTF-W, a unified joint task force along the Southwest border, increases information sharing with Federal, state and local law enforcement agencies; improves border-wide criminal intelligence-led interdiction operations; and addresses transnational threats and associated violence. Information, including physical evidence and other forensic information, gathered at POEs is also valuable to the information sharing effort. Substantive and timely information sharing is critical in targeting and interdicting individuals that move drugs and illicit merchandise from the POEs to their destinations through the United States and Mexico.

In the air and maritime environments, technological advancements such as aerostats, augmented by the support of air assets, provide critical domain awareness needed to inform tactical border operations. The Air and Marine Operations Center (AMOC) is a state-of-the-art law enforcement radar surveillance center that integrates data from multiple sensor sources to provide comprehensive domain awareness in support of CBP's border security mission. AMOC's operational platform, the Air and Marine Operations Surveillance System, provides real-time information on suspect targets to responders at the Federal, state, and local levels. AMOC's capabilities are enhanced by the continued integration of DHS and other Federal and Mexican officials to better support all efforts to identify, interdict, and investigate threats in the air and maritime domains.

DHS also continues to improve communications interoperability between Southwest border law enforcement personnel. The ability to communicate effectively and quickly greatly contributes to interdiction, enforcement, and investigative operational success. For example, CBP has made significant progress in networking communication between its three operational components – the Offices of Air and Marine, Border Patrol, and Field Operations. It also provides direct communication between CBP and Government of Mexico (GOM) civil authorities at ten sets of U.S./Mexico paired cities.

Operational Coordination

The Southwest border region – land, maritime, and air environments – cannot be effectively policed by a single DHS Component or even a single governmental entity. A whole-of-government approach that leverages interagency and international partnerships as a force multiplier has been and will continue to be the most effective way to keep our border secure. Providing critical capabilities toward the whole-of-government approach, DHS works with our Federal, state, local, tribal and international partners – particularly, the GOM – to address transnational threats and associated border violence.

DHS, together with the Homeland Security Intelligence Enterprise, is committed to reducing the risk associated with TCOs by addressing threats within the Southern Border and Approaches Joint Operating Area through the campaign. Formation of JTF-W marks a renewed commitment to seek out and coordinate optimal, multi-component authorities, capabilities, competencies, and partnership expertise to combat all threats to the homeland. JTF-W will be a key player in multiple bilateral initiatives with the Government of Mexico, such as the 21st Century Border

Management Initiative, the DHS-Secretariat of Government (SEGOB) Memorandum of Cooperation/Action Plan, the DHS-Ministry of Finance and Public Credit (SHCP) Declaration of Principles, and the Border Violence Prevention Protocols.

Through the 21st Century Border Management Initiative, led by a binational Executive Steering Committee, the U.S. Government and GOM further strengthen our collaborative relationship and discuss topics relating to securing and facilitating the cross-border flows of people and cargo, strengthening public security, and engaging the border communities in the creation of this new border vision. The work of the Executive Steering Committee is carried out by three sub-committees: Infrastructure Planning, Secure Flows, and Corridor Security.

The DHS-SEGOB Memorandum of Cooperation /Action Plan and the DHS-SHCP Declaration of Principles reinforce the intention of the United States and Mexico to support and improve upon current and ongoing successful programs and to leverage joint resources and capabilities to improve security and safety on both sides of the border. Under the DHS-SEGOB, the governments of Mexico and the United States have strengthened programs to efficiently control regular and irregular immigration flux; formed an information exchange network, which includes security and other issues of mutual importance to both governments; and advanced the security conditions in the shared border region. The DHS-SHCP Declaration of Principles allows our governments to foster and promote economic competitiveness, expand our collaboration in matters of customs enforcement and security, and increase opportunities for engagement with the private sector.

Through the U.S.-Mexico Border Violence Prevention Council (BVPC), CBP, Mexico's Secretariat of Foreign Affairs and SEGOB address border violence, use of force, and ways to address and mitigate incidents of border violence. This bilateral forum was launched in August 2014 and focuses on four discussion topics: Diagnostics, Preventative Actions, Training, and Community Outreach. In addition to the BVPC, representatives from the U.S. and Mexico participate in Border Violence Prevention Groups (BVPG), an initiative focused exclusively on preventing and addressing border violence. BVPGs – located in the South Texas/Tamaulipas, West Texas/Coahuila, Arizona/Sonora, and San Diego/Tijuana corridors - bring together representatives of investigative and interdicting agencies from both countries, offering a forum where agencies work to standardize and facilitate the exchange of information and intelligence regarding incidents of violence in the border region, improve bilateral response for incidents of border violence and increase safety of law enforcement along the border. The groups also discuss the status of open investigative cases and jointly engage in preventive actions, training and community outreach.

Through these bilateral initiatives, the U.S. Government and the Government of Mexico jointly address issues pertaining to U.S./Mexico border security and border management, including border violence, managing the flow of legitimate travelers, and strengthening border security.

Conclusion

The U.S.-Mexico border regions, and the communities within it, are interconnected in many ways. Through collaboration and coordination with our many Federal, state, local, tribal and

international government partners, we have made great strides with regard to the integrity and security of our borders, and with the safety of our frontline personnel.

I would like to close by recognizing the dedicated men and women of DHS who have given their lives in service to our Nation. The loss of these agents and officers reminds us of the ever-present and inherent danger in the daily task of securing our Nation's border. It also strengthens our resolve to continue to protect against, mitigate, and respond to threats.

With continued support from Congress, DHS will continue to refine and further enhance the effectiveness of our detection and interdiction capabilities to combat transnational threats and associated border violence.

We will continue to work with the intelligence community and our law enforcement partners on both sides of the border to improve the efficiency of information sharing with relevant partners, to guide strategies, identify trafficking patterns and trends, create tactics, and execute operations to address the challenges and threats posed by transnational criminal organizations.

Chairman Chaffetz, Ranking Member Cummings, and distinguished Members of Committee. Thank you for the opportunity to testify today. I look forward to your questions.

Commander Robert L. Harris



Robert L. Harris assumed the duties as Director of Joint Task Force – West (JTF-W) of DHS’ Southern Border and Approaches Campaign Plan (SBACP) on December 15, 2014.

Previously Director Harris was the first named Commander of the South Texas Campaign (STC) from February 2012 to December 2014, overseeing more than 10,000 Customs and Border Protection (CBP) employees and approximately 463,900 square miles, 697 riverine miles and 1,000 littoral miles. Director Harris concurrently served as the Chief Patrol Agent of the U.S. Border Patrol’s (USBP) Laredo Sector. Director Harris has more than 30 years of distinguished Federal service with the Border Patrol. As a member of class 167 on October 14, 1984, he began his career at the San Clemente Station in San Diego Sector. He has served in many key leadership positions throughout the organization including national Deputy Chief – Office of Border Patrol, Associate Chief – Border Patrol Operations, Chief – Spokane Border Patrol Sector, Chief of Intelligence Operations and Assistant Chief.

As Deputy Chief, Director Harris developed a comprehensive national strategy to safeguard the country against terrorism and respond to any future attacks while leading and managing the transition of the Border Patrol into the newly created CBP, eliminating three regional offices and establishing a straight line chain of command. He led Operation Safe Passage – a national security deployment of 317 agents to nine international airports within 36 hours of terrorist attacks on U.S. soil, simultaneously implementing enhanced border security measures along the United States / Canada / Mexico borders.

Director Harris led the buildup of 1000 Border Patrol Agents along the U.S. / Canadian border. He led extraordinary change as the Task Force Director of Operation Jump Start, deploying 6000 National Guard Soldiers to the international borders in California, Arizona, New Mexico and Texas.

Director Harris is a member of the Border Patrol Tactical Unit (BORTAC), and has coordinated foreign and domestic enforcement operations, to include service in Bolivia, Guatemala, and Estonia. Director Harris was awarded the 2013 Presidential Rank Award for his excellence, superior performance and notable leadership and awarded the 2008 Secretary of Homeland Security, DHS Team Excellence Award.

Director Harris holds a Bachelor’s degree in Management and a Master’s degree in National Security Strategy from the National War College. He is a graduate of Harvard’s John F. Kennedy School of Government. He is also a second-generation Border Patrol Agent. His father and brother are both retired Border Patrol Agents from the San Angelo, Texas Border Patrol Station.