



TESTIMONY OF

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BEFORE

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Committee on the Judiciary  
Subcommittee on Border Security and Immigration

ON

“Narcos: Transnational Cartels and Border Security”

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Chairman Cornyn, Ranking Member Durbin, and Members of the Subcommittee, it is my honor to appear before you today.

Eight years ago, U.S. Border Patrol Agent Brian Terry was murdered during a gunfight between Border Patrol Agents and five members of a cartel “rip crew.” This “rip crew,” and others like them, patrol the desert along our border with Mexico, looking for opportunities to rob migrants and drug mules. Agent Terry was a military veteran and former police officer who had been serving with the Border Patrol for three and a half years. Though he knew the risks inherent in his job, the murder of a Border Patrol Agent is a great loss for our agency and our Department, and illustrates the dangers presented by cartels and their associates.

Cartels and other transnational criminal organizations (TCOs) are a threat to our national security and our public safety. TCOs maintain a diverse portfolio of crimes, including fraud, human trafficking, kidnapping, and extortion. They are also heavily involved in human, weapon, bulk cash, and drug smuggling through their sophisticated criminal networks. In fiscal year (FY) 2018, the Border Patrol seized more than \$7 million in currency; more than 7,000 pounds of cocaine and heroin; and more than 450,000 pounds of marijuana. Furthermore, Border Patrol seizures of methamphetamine have increased 75 percent since FY 2015, and we have seen a 115 percent increase in fentanyl seizures between the ports in FY 2018.

TCOs also maintain influence over U.S.-based gangs as a way to expand their domestic distribution process. This means TCOs present a threat not only at our borders, but—through criminal networks and criminal alliances—also in the interior of our country. Although not all gang members are affiliated with cartels, last year the Border Patrol apprehended more than 800 gang members—a 50 percent increase over the previous year. This is in addition to the nearly 6,700 criminal aliens with histories including theft, drugs and weapons trafficking, and violent crimes that Border Patrol apprehended last year.

TCOs are motivated by money and power and have little regard for human life. Their networks are commodity agnostic—a human being is moved along with no more care than a gun or a bundle of drugs. When desperate aliens enter these networks, they may find themselves beaten, assaulted, raped, and even killed by TCO members.

TCOs are both motivated and ruthless—they are not bound by legitimate business practices or the pace of bureaucracy, and will stop at nothing to gain power and profit. They are agile and adaptable, and are willing to spend countless resources maintaining and expanding control of their criminal enterprises.

### **TCO Operations**

TCOs continually adjust their operations to avoid detection and interdiction by law enforcement, and—like legitimate businesses—are quick to take advantage of improved technology, cheaper transportation, and better distribution methods.

Much of the illegal drug trafficking encountered by CBP officers and agents originates with TCOs operating in Mexico. The reach and influence of Mexican cartels stretches across and beyond the Southwest border, operating through networks and loose affiliations with smaller

organizations in cities across the United States. These criminal organizations traffic heroin, methamphetamine, cocaine, and marijuana throughout the United States using established transportation routes and distribution networks. This activity contributes to our nation's ongoing drug epidemic, and fuels violence in American communities and beyond.

TCOs exploit both the large expanses of remote and rugged terrain between our ports of entry (POEs) and the large volume of trade and travel at our POEs. This includes moving drugs by foot, conveyance (such as trucks, trains, or ships), tunnels, and the use of projectile-type systems<sup>1</sup>. These groups also rely on supporting tactics such as counter-surveillance, concealment, and logistical support to further their drug smuggling operations.

TCOs are known to use scouts as a counter-surveillance tactic. Scouts embed in both remote, rugged terrain and in urban communities, watching and reporting on law enforcement activities. TCOs who deploy these scouts use robust, high-technical communication methods to conceal their communication from law enforcement. TCOs also attempt to intercept law enforcement communication. While it is illegal to attempt to obtain law enforcement sensitive information, some scouts simply exploit public venues where law enforcement operates, such as monitoring the coming and going of patrol vehicles from a Border Patrol station.

### **Countering TCOs**

Addressing the TCO threat requires a united, comprehensive strategy and an aggressive approach by multiple entities across all levels of government. In close coordination with local, state, tribal, international and Federal law enforcement partners—including U.S. Immigration and Customs Enforcement and the Drug Enforcement Administration—CBP's continued efforts to interdict illegal aliens, drugs, cash, and weapons at the border are a key aspect of U.S. border security efforts.

To combat the threat of TCO drug smuggling activities along the Southwest border between the POEs, CBP relies on a network of information, integration, personnel, technology, and infrastructure systems. CBP has deployed sophisticated detection technology, including fixed towers, mobile surveillance units, ground sensors, and thermal imaging systems to increase the ability to detect illegal cross-border activity and contraband and maintains 654 miles of border barriers in key trafficking areas. Approximately 300 miles of that barrier is vehicle barrier, designed to thwart drug runners. However, as our adversaries are increasingly sophisticated we must invest in an upgraded border wall system to keep pace against the threat.

To identify and disrupt TCO scout activity, CBP uses predictive analysis, available technology, targeted enforcement, and the ability to rapidly readjust counter surveillance activity to degrade the scouts' ability to operate in a given environment. When a scout's location is discovered, we work quickly to counter the scout's ability to take advantage of major vantage points, forcing spotter displacement or relocation. This forces the scouts—and by extension, the TCOs—into costly, vulnerable, and continuous reorganization.

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<sup>1</sup> TCOs previously threw small loads of drugs over the border fence by hand; they now use compressed air cannons to launch bundles of illicit narcotics—weighing more than 100 pounds—over the border fence.

When tunnels are detected and investigated, each U.S. Border Patrol (USBP) sector follows established protocols for coordination, confirmation, assessment, investigation, exploitation, and remediation. The USBP is also an active participant in ICE Homeland Security Investigations' (HSI) tunnel task forces. Since 2010, CBP has operated a Tunnel Detection and Technology Program to integrate the efforts of CBP, ICE, the DHS Science and Technology Directorate (S&T), and the DEA to address tunnel-related activities and technology.

### **Intelligence and Information Sharing**

Information sharing is critical in targeting and interdicting TCOs, and CBP contributes to several initiatives that improve and integrate the combined intelligence capabilities of multiple federal entities. For example, CBP participates in the Office of National Drug Control Policy's Southwest Border Counternarcotics Strategy implementation effort, which includes a focus on improving intelligence and information sharing among law enforcement agencies at the federal, state, local, tribal, and territorial levels. We are committed to the creation of an intelligence and information enterprise that benefits all those combating drug smuggling.

CBP also hosts monthly briefing/teleconferences with international, federal, state and local partners—the Government of Canada, the Government of Mexico; ICE; USCG; DEA; FBI; U.S. Northern Command; Joint Interagency Task Force-South; Bureau of Alcohol, Tobacco, Firearms, and Explosives; U.S. Attorneys' Offices; Naval Investigative Command; State and Major Urban Area Fusion Centers; and other law enforcement agencies as appropriate—regarding the current state of both our Northern and Southwest borders. These calls, which focus on narcotics, weapons, currency interdictions and alien apprehensions both at and between the POEs, allow us to better monitor emerging threats and trends and provide a cross-component, multi-agency venue for discussion.

CBP also contributes to the whole-of-government effort to combat narcotics-related threats by sharing critical information on travelers and cargo with investigative and intelligence partner agencies to identify and disrupt sophisticated routes and networks. Recognizing the need for open and sustainable channels to share information with our law enforcement and intelligence partners, personnel are co-located at the National Targeting Center to support efforts to combat narcotics and contraband smuggling by integrating real-time intelligence and all-source information into CBP targeting efforts and enforcement actions.

Information exchange with our partners within the Government of Mexico, facilitated by the CBP Attaché office in Mexico, has allowed for an unprecedented exchange of real time information through deployments of personnel between our countries. Representatives from Mexican Customs (Servicio de Administración Tributaria) are deployed at the CBP National Targeting Center in Virginia, to share information and assist in targeting narcotics and other contraband. Likewise, CBP personnel are assigned to Mexico City and Panama City under the Joint Security Program where we exchange alerts on suspicious TCO movements through the monitoring of CBP's Advance Passenger Information System.

## **Conclusion**

Thanks to the support of Congress, in the past decade, the Department of Homeland Security—of which CBP is a part—has deployed more personnel, resources, technology, and tactical infrastructure than at any other time in our history. CBP’s mission demands we examine all border security threats, and as TCOs continue to exploit the border environment for their own gains, we continue to meet and counter these dangerous organizations.

It is my honor to represent the men and women who bravely combat cartels and other TCOs every day, and make our country safer. When Border Patrol personnel report to work, they may encounter a family lost in the desert, a cartel “rip crew,” extreme weather, or dangerous wildlife. The job is unpredictable, but whether they are stopping criminals and narcotics or saving lives, the men and women of the Border Patrol are well-trained and effective guardians of America’s front line.

I thank you for your time, and look forward to your questions.