Testimony of

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Chairmen Cuellar and Engel, Ranking Members Miller and Mack, and all the Members of the Subcommittees, I want to thank you for the opportunity to testify today about the Department of Homeland Security's (DHS) relationship with Mexico, and the future of that relationship.

As you know, President Obama hosted Mexican President Felipe Calderón for an official state visit last week. It was clear from this visit that the United States' relationship with Mexico has evolved in extraordinary ways over the last few years, and the visit reflected the depth, breadth, and importance of our relationship. Although security has rightly been a central focus of our recent engagement, Presidents Obama and Calderón emphasized that the relationship is far more comprehensive, especially in the realm of border management. The approach the Presidents envision is one based on shared responsibility and the need for coordinated approaches to tackling security issues, facilitating trade and travel, and managing other issues affecting the border. The state visit signals the beginning of a new era of cooperation.

The security situation in parts of Mexico, especially along the border, remains volatile and deeply concerning. Violence between and among drug trafficking organizations has escalated in places like Ciudad Juarez to unprecedented levels. Criminals are also targeting their violence at Mexican law enforcement and other Mexican government officials, and they are impacting the daily lives of innocent Mexican citizens. There have also been incidents of violence that have affected U.S. persons in Mexico, notably the murders of the persons associated with the U.S. consulate in Juarez. Additionally, the violence has created fear and uncertainty in U.S. border communities. The murder of Arizona rancher Robert Krentz and the potential connection to cross-border violence is of tremendous concern. Although we have not seen violence levels in U.S. border communities or elsewhere in the United States that approach what is occurring in parts of Mexico, we remain deeply concerned and the situation very much has the Department's attention. We clearly recognize that the violence in Mexico, and the cartels' associates and activities in the United States, remain homeland security threats—threats which Secretary Janet Napolitano and the Department are committed to addressing head-on.

A centerpiece of this Administration's response to this threat is the Southwest Border Initiative announced in March 2009. As Secretary Napolitano has explained, "we must strategically deploy our border security personnel in the roles and locations where they are best able to counteract illegal smuggling of goods, people, drugs, weapons, and currency—while simultaneously supplementing their efforts with the right mix of technology and infrastructure so that they can do their jobs effectively." I would like to highlight some of what DHS is doing along the border:

- More than 23,000 U.S. Customs and Border Protection (CBP) agents and officers, and 3,300 U.S. Immigration and Customs Enforcement (ICE) personnel, deployed along the Southwest Border;
- A surge of CBP Border Patrol agents, equipment, and patrols in key border entry points in Arizona;

- Ten ICE-led Border Enforcement Security Task Forces (BESTs) along the Southwest Border and one in Mexico City—and ICE has recently doubled the number of agents assigned to these teams;
- Targeted, intelligence driven southbound inspections to interdict illicit bulk cash, firearms, and ammunition and keep them from crossing the border into Mexico;
- For the first time, DHS is screening 100 percent of southbound rail shipments for illegal weapons, drugs, and cash;
- State-of-the-art technology to support enforcement efforts deployed strategically along the Southwest Border, including 23 additional Z-Backscatter Vans over the last two years to augment nine previously in place, which help CBP identify anomalies in passenger vehicles;
- CBP International Liaison Units, working hand in hand with Mexican federal, state, and local law enforcement authorities with the common goal of border safety and security;
- Deployment of the DHS Illegal Drug Project in Nogales, Arizona and El Paso, Texas to refer certain drug trafficking cases to Mexican authorities for prosecution, and the anticipated expansion of this program to other areas;
- The Border Violence Protocols, which formalize a system of bi-national communication during and after cross-border incidents have been successful at improving communication between CBP and the Government of Mexico (GOM);
- OASISS (Operation Against Smugglers Initiative on Safety and Security), a joint initiative between the U.S. and Mexico, under which GOM agrees to prosecute certain alien smugglers in Mexico in cases where the U.S. declines prosecution and endangerment of the smuggled aliens can be proven;
- A bilateral agreement between the United States and Mexico to build a new cross-border communications network for public safety and law enforcement organizations that will improve security along the shared border by allowing for effective coordination between participating federal, state, local, and tribal incident and emergency responders; and
- The recently announced authority to fly unmanned aerial vehicles over portions of Texas.

We are seeing results. In the first year of the Southwest Border Initiative, DHS seized the following at the Southwest Border:

- $85.7 million in currency—a 14 percent increase over the same period the previous year;
- $29.7 million in southbound seizures—a 39 percent increase over the same period the previous year;
- 1,425 firearms—a 29 percent increase over the same period the previous year; and
- 1.65 million kilograms of drugs—a 15 percent increase over the same period the previous year.

In addition, the U.S. Coast Guard (USCG) seized 64,918 pounds of marijuana from October 1, 2008, to May 1, 2010.

Our security work cannot stop at the border. As part of DHS' efforts to aggressively counter the threat posed by the cartels, DHS has dramatically improved our relationship and partnership with Mexico. Secretary Napolitano has made our relationship with Mexico a top priority for the Department. In President Calderón and his administration we have extraordinary and

courageous partners. As Secretary Napolitano put it, "our strategy also focuses on forging unprecedented partnerships with Mexican law enforcement as we work together to combat the shared threats to our mutual security. Mexico, under the strong leadership of President Calderón and his administration, has been conducting a valiant campaign to disrupt and dismantle the drug cartels that pose the threat of cross-border violence." The Secretary has traveled to Mexico multiple times, and she routinely meets and consults with her counterparts from GOM. Under Secretary Napolitano's leadership, the Department is constantly pushing to find new ways to partner and work with Mexico in order to address common security issues. The Secretary recently summed up the relationship by saying that, "[w]e are working with the Mexican government to build new collaborative efforts that will strengthen border enforcement by improving cross-border communications, coordinating enforcement against drug smuggling, improving the security of shared ports and of the aviation system, increasing law-enforcement-related information sharing, expanding law enforcement training, and strengthening trade."

I would like to offer a few examples of the unprecedented collaboration and partnership between DHS and counterparts within the Mexican government on security and law enforcement issues:

- In February, Secretary Napolitano signed a Declaration of Principles of Cooperation with Mexican Secretary of Public Safety (SSP) Genaro García Luna, which allows for the expansion of coordinated intelligence sharing and joint strategic, intelligence-driven plans in border corridors.
- In March, the Secretary signed a Memorandum of Cooperation with both Secretary García Luna and Mexican Interior Secretary Fernando Francisco Gomez-Mont to allow ICE to share select criminal history information with Mexican law enforcement about some Mexican nationals who are being repatriated and who have been convicted of felonies in the United States.
- DHS and GOM have made great strides in securing legitimate travel, including:
    - Implementing the Joint Security Program at the Mexico City airport, which allows for CBP officers to work side by side with Mexican federal law enforcement to interdict high risk passengers, contraband and other dangerous or illicit items; and
    - CBP and Mexico's National Institute of Migration agreed to develop a bilateral background check process that will allow Mexican citizens potential membership in the Global Entry program, which offers expedited clearance into the United States for low-risk air travelers. This effort will seek to include those already participating in SENTRI, a program that expedites land border crossings. SENTRI members' enrollment will be voluntary and free, and it is anticipated that this effort will immediately benefit more than 80,000 Mexican SENTRI members. Future enhancements may include a reciprocal program for US citizens traveling to Mexico.
- DHS' U.S. Visitor and Immigrant Status Indicator Technology (US-VISIT) office worked with Mexico's Department of the Interior to address expanded use of biometrics and assisted in the development and review of technical business requirements to incorporate biometrics into the data management system used by Mexican Immigration (the Integrated System for Migration Operations). In May 2010, Mexican Secretary of Interior Fernando Gomez-Mont noted that this biometric technology is being implemented along Mexico's southern border and is allowing Mexican immigration

officers to capture biometrics for interdicted illegal immigrants coming from Central America into Mexico.

- ICE's Operation In Plain Sight, an investigation that targeted transportation companies in Arizona that facilitate human smuggling, included unprecedented information sharing and collaboration with Mexican law enforcement, which led to parallel enforcement actions by SSP against human smugglers.
- Mexico's Navy is an active participant in the USCG coordinated biannual Multi-Lateral Counter Drug Summit, during which participating law enforcement agencies share, and exchange "best practices," and develop new tactics, techniques and procedures to counter threats along the southwest border.

Further, with Secretary Napolitano's support, DHS is an active participant in the Department of State (DOS)-led Merida Initiative. DOS has responsibility for policy oversight and for disbursing the appropriated Merida funds, with DHS and other U.S. Interagency partners participating in the initiative. A few examples of what DHS has done through Merida include the following:

- CBP provided training for Mexican Customs on canine handlers, training for Mexico Customs Academy instructors on law enforcement and interdiction methods, training to Mexican Federal Police (SSP) on non-intrusive inspection equipment, polygraph and internal controls system training for Mexican law enforcement;
- ICE is establishing vetted Mexican law enforcement units, providing training for SSP recruits on basic investigative techniques and training for senior officers on undercover investigations; and
- The U.S. Coast Guard is assisting in procuring aircraft and associated training for Mexico's Navy.

Should you desire more information on DHS' participation to date in Merida Initiative programs, we would be happy to provide such information.

Reflected in all of these initiatives and programs, and a myriad of other interactions from the field level to senior departmental leadership, is that the United States and Mexico are closer now than we have ever been. And the successes we have achieved demonstrate the value of our work together. Strong partnerships with international counterparts are particularly essential when we are dealing with shared problems like the transnational drug trade and human smuggling and trafficking—but the same lesson applies for border management more generally: we can only manage our side of the border. We need our Mexican partners to manage their side, and we are both better served if our respective leadership recognizes and seeks to build upon our shared interests. DHS is primed to elevate our relationship to the next level. Before describing what we envision for this new era and for 21st century border management and security, I would like to sketch some of the history that has led us to where we are now.

During the 1980s, it became increasingly obvious that the economic future of the United States was linked to the economic success of its North American partners. Since that time, it has become increasingly apparent that the competitiveness of the United States in the global economy is in part a function of the competitiveness of the North American supply chain. At the

same time, close engagement on economic issues has helped pave the way for close engagement in other areas.

The Merida Initiative heralded a change in the nature and extent of collaboration with Mexico on security and law enforcement issues. Although the Merida Initiative began as a fairly straightforward foreign assistance program with a focus on equipment purchases, it has evolved into a much broader security partnership, generally framed around four subject areas: (1) Disrupting Organized Criminal Groups; (2) Institutionalizing Reforms to Sustain Rule of Law and Respect for Human Rights; (3) Creating a 21st Century Border; and (4) Building Strong and Resilient Communities. Although there have been some challenges with Merida, it has helped lead to increased collaboration, understanding, cooperation, and trust.

There are of course areas that still need to be further developed. Though Mexico has taken tremendous steps forward, corruption remains an area of concern, as do low prosecution rates. While DHS recognizes these challenges, we believe that there is a strong foundation of cooperation to build upon and that with a reasoned and careful approach to border management we can enhance both security and trade through collaboration and the implementation of effective strategies. The U.S. and Mexico will continue to work together to secure the legitimate flow of goods and people—segmenting those flows so that we can focus law enforcement resources on the people or goods we know are dangerous or about which we know the least—and facilitating and expediting the movement of goods and people we know are not dangerous.

Presidents Obama and Calderón addressed this vision of the border last week. Their joint statement explained that, "the Twenty-First Century Border must ensure the safety and security of residents in communities along both sides of the border and affirmed the mutual interest of Mexico and the United States to prevent entry into our countries of people who pose a threat to the national security of both nations." The Presidents' border vision also recognizes the importance of facilitating lawful trade and travel—that we need to "develop [the border] and manage it in a holistic fashion and in ways that facilitate the secure, efficient, and rapid flows of goods and people and reduce the costs of doing business between our two countries."

As the Presidents indicated, this requires us to move beyond seeing border management as simply guarding and policing the jurisdictional line between the United States and Mexico. Threats can materialize long before they reach the border, and we need to leverage opportunities to intercept and neutralize threats before they reach the U.S. border. Enforcement at the border—between and at ports of entry—is a necessary component of any border security plan, but it should be part of a more comprehensive approach, through which we engage domestically, at the border, and abroad to secure the safety of United States.

We are already taking steps to implement the Presidents' vision of a safe, secure, and prosperous 21st century border. During the state visit, the United States and Mexico released a Declaration of Principles (DOP) setting forth the vision in concrete form. The DOP creates an Executive Steering Committee that will be made up of senior officials from the U.S. and Mexican governments to oversee implementation of a first-ever bi-national 24-month plan of action. Broadly speaking, the border vision and DOP address the three components of border management: border security; legitimate travel; and trade.

Further, this vision recognizes the importance of border communities. Communities like Laredo-Nuevo Laredo, Tijuana-San Diego, Nogales-Nogales, Ciudad Juarez-El Paso, and Matamoros-Brownsville have traditionally been at the heart of our bi-national relationship. In these communities, crossing the border is often a daily occurrence as these communities share strong social, cultural, economic, and familial ties. Both of our countries need to work jointly to ensure that they are thriving, economically vibrant places in which private citizens' public safety is not in doubt. DHS is committed to working with border communities to address border crime and security, including through field level partnership of DHS agents and officers, and with programs such as the Operation Stonegarden grant program.

In short, the way forward for the U.S.-Mexico relationship is to move away from a hard dichotomy between economic prosperity and border security. Further, we must move away from seeing our security interests in Mexico as being defined in terms of assistance and ad hoc collaboration. Instead we need to systematically work with Mexico as partners to address common issues and challenges along the border. As part of our partnership with Mexico, providing assistance—be it technology, training, or equipment—will and must remain a central part of our relationship, but assistance is only one part of a larger, comprehensive approach. We believe that, through this new framework and this deepening relationship with Mexico, we will enhance our economic competitiveness, security, and safety. The United States' and Mexico's shared goal is to ultimately fragment the cartels—benefiting both U.S. citizens and the people of Mexico.

I am optimistic about what we will accomplish with Mexico, but our objectives are not simple and this endeavor will take time. We must be prepared for a multi-year effort, and we must be prepared for setbacks that may occur. We also must be prepared to assert, when needed, our own prerogatives in terms of ensuring that our border security and law enforcement needs are met. DHS will be unyielding and vigilant in fulfilling the responsibility that has been placed with us to keep the American public safe.

DHS appreciates the support Congress has shown for our work, and for its support of the United States' relationship with Mexico through the Merida Initiative and otherwise. We look forward to working with Congress as we realize the border vision. Thank you again for the opportunity to testify. I am happy to take any questions you may have.