

**TESTIMONY OF**

**MICHAEL FISHER**  
**CHIEF**  
**UNITED STATES BORDER PATROL**

**U.S. CUSTOMS AND BORDER PROTECTION**  
**DEPARTMENT OF HOMELAND SECURITY**

**BEFORE**

**HOUSE HOMELAND SECURITY COMMITTEE**

**SUBCOMMITTEE ON BORDER, MARITIME, AND GLOBAL**  
**COUNTERTERRORISM**

**July 22, 2010**  
**Washington, DC**

## **Introduction**

Chairman Cuellar, Ranking Member Miller, and distinguished Members of the Committee, it is a privilege and an honor to appear before you today to discuss U.S. Customs and Border Protection's (CBP) efforts concerning alien smuggling along our nation's borders. I am Michael J. Fisher, Chief of the United States Border Patrol.

As America's frontline border agency, CBP's priority mission is to protect the American public, while facilitating lawful travel and trade. To do this, CBP has deployed a multi-layered, risk-based approach to enhance the security of the people and goods entering the United States. This layered approach to security reduces our reliance on any single point or program that could be compromised. It also extends our zone of security outward, making sure that our physical border is not the first or last line of defense, but one of many.

CBP's layered approach to security relies on a combination of manpower, technology, and infrastructure to confront transnational criminal organizations. Personnel provides a rapid response capability by being able to deploy agents, as needed, to address vulnerabilities. Tactical infrastructure supports response by providing access to the Border Patrol, or extending the time that agents have to respond by delaying criminals. Technology allows us to detect entries and to identify and classify threats.

Over the past year, we have significantly strengthened each of the three major elements – manpower, infrastructure, and technology. Currently we have over 20,000 Border Patrol Agents nationwide, more than ever before in the history of the country. As of July 1, 2010, we have constructed nearly all of the fencing that Congress has requested us to build – we have completed 646 miles along the southwest border, with about five miles to be completed this year. We have greatly improved our technological profile, purchasing and deploying 41 mobile surveillance systems (MSSs) to provide added radar and camera coverage along the borders, among other technologies, with plans to purchase additional off-the-shelf technology in FY 2010 and FY 2011. CBP also recently received approval to increase the miles of airspace available for Unmanned Aircraft System (UAS) operations performed by the Office of Air and Marine

(OAM) along the southwest border, enabling CBP to deploy UASs from the eastern tip of California extending east across the border into Texas.

We have significant results to show for these initiatives. During the first nine months of Fiscal Year (FY) 2010, CBP seized nearly 2.8 million pounds of drugs, encountered and arrested over 520,000 inadmissible and illegal aliens, and seized more than \$64 million in currency.

Compared to previous years, CBP has seen the overall apprehensions of illegal aliens decrease significantly, from our highest point of over one million apprehensions in FY 2000, indicating that fewer people are trying to cross the border.

We are not, however, resting on these successes; alien smuggling is one of many enduring challenges along the southwest border that CBP continues to combat. Along our nation's borders, CBP has the primary responsibility to attack these challenges in ways that are smart, tough, and strategic. Defeating transnational criminal organizations that smuggle aliens and drugs is a top priority for CBP and we continue to develop effective strategies to disrupt and dismantle their organizations and distribution networks. Today I will describe in detail some of the programs that CBP has in place to address this issue specifically.

### **New Resources on the Southwest Border**

President Obama recently requested \$600 million in supplemental funds for enhanced border protection and law enforcement activities, and announced the deployment of up to 1,200 National Guard troops to the Southwest border to contribute additional capabilities and capacity to assist law enforcement agencies.

These additional resources will enhance the ability of CBP and our partner agencies to execute our missions, including combating alien smuggling. The supplemental funding would allow CBP to hire an additional 1,000 Border Patrol agents and 30 CBP officers, create 20 new canine teams, and launch two new UASs. In addition, the deployment of 1,200 National Guard personnel to the southwest border will aid CBP agents and officers on the ground, providing critical surveillance support to CBP's counter-smuggling operations, as CBP recruits and trains additional officers and agents to serve on the border in the long term. Along the southwest

border, the National Guard has had an integrated effort with a counternarcotics mission for over two decades, with 300 National Guard troops already working with interagency partners. Although not a part of the supplemental request, an additional \$100 million of existing CBP resources shall be repositioned to higher priority replacement and repair of fences to enhance physical infrastructure along the Southwest border.

In addition, CBP and other DHS components are dedicating additional resources to the Tucson Sector along the Arizona border, which has become a particularly busy corridor for smuggling activity. As part of this deployment of resources, over 300 additional Border Patrol agents and CBP officers will be deployed to the Tucson Sector, in addition to technological assets such as six CBP aircraft (which include four Astar light observation helicopters and two Huey Medium lift/utility helicopters), 36 thermal imaging binocular units, and three trucks equipped with detection scopes. These deployments will strategically increase the resources available to counter smuggling in the busiest smuggling corridors.

#### **Office of Alien Smuggling Interdiction (ASI)**

Within CBP, OFO's Office of Alien Smuggling Interdiction (ASI) works to deter, detect, and disrupt illegal migration to the United States and increase criminal prosecution of smugglers and human traffickers. ASI has created a structure to share information regarding migrant smuggling, trafficking in persons, and clandestine terrorist travel within CBP as well as with other law enforcement agencies. In cooperation with the Human Smuggling Trafficking Center and the National Targeting Center, ASI focuses on migratory trends, specifically human smuggling and trafficking related issues. ASI coordinates alien smuggling interdiction efforts between multiple components including Passenger Analysis Units, Regional Carrier Liaison Groups (RCLG), Immigration Advisory Program (IAP) and the Fraudulent Document Analysis Unit to increase CBP's effectiveness in identifying, analyzing, assessing and responding to migrant smuggling threats. In addition, ASI actively promotes a national public awareness campaign at POEs aimed at identifying cases of human trafficking through the distribution of multi-lingual information cards and posters at all CBP POEs. To assist suspected victims of trafficking, CBP Officers use a subtler approach by discreetly providing an information card directly to the traveler.

In conjunction with ASI, and under ASI oversight, RCLGs comprised of specially trained CBP officers were established and operate out of the Honolulu, Miami and New York airports. RCLGs provide real-time worldwide response to human smuggling and trafficking by providing points of communication and coordination between carriers, immigration authorities and other DHS entities. They employ advanced targeting techniques and utilize intelligence shared by carriers and other liaisons, to identify inadmissible aliens prior to boarding U.S.-bound flights from foreign ports of departure. The RCLGs also work in conjunction with CBP's National Targeting Center to identify and deny boarding to passengers that are a potential security threat or inadmissible to the United States.

### **Partnerships with the Government of Mexico**

The Border Patrol has collaborated with the Government of Mexico on a number of bilateral initiatives to combat alien smuggling. Programs include the Operation Against Smugglers Initiative on Safety and Security (OASISS), the Mexico Interior Repatriation Program (MIRP), the Alien Transfer Exit Program (ATEP), Border Safety Initiative (BSI) and Humanitarian Campaigns. These programs are focused on prosecuting offenders, breaking the smuggling cycle, and saving lives. Collectively, they aid in the overarching effort to improve the safety and security of the border.

### **Operation Against Smugglers Initiative on Safety and Security (OASISS)**

OASISS is a bi-national coordinated effort designed to prosecute alien smugglers through the Mexican judicial system when the smuggler does not meet prosecutorial guidelines set by the U.S. Attorneys Office. Conducted in cooperation with Mexico's Attorney General's Office (PGR), through OASISS, select alien smuggling cases that are declined by United States Attorney's Offices are subsequently turned over to the Government of Mexico for prosecution under Mexico's judicial system. Since its inception on August 17, 2005, the OASISS program has generated 2,122 cases and led to 2,435 principals being presented to Mexico for prosecution.

## **Mexico Interior Repatriation Program (MIRP)**

The Mexican Interior Repatriation Program is a joint CBP and Immigration and Customs Enforcement (ICE) initiative established in coordination with the Government of Mexico. Under the MIRP, aliens apprehended from high risk areas of the Sonora Desert during the peak summer months are voluntarily repatriated to the interior of Mexico, closer to their homes or points of origin. MIRP is designed to break the smuggling cycle by removing participants from the immediate control of smuggling organizations, and also serves as a deterrent to entering the high risk area of the Sonora Desert. MIRP prioritizes the humane treatment of detainees throughout the removal process and reflects our mutual commitment to strong and effective enforcement of both nations' immigration laws.

While ICE is the lead agency for MIRP, the Border Patrol is responsible for processing and screening eligible participants, providing transition centers, and medically screening participants to fly on ICE chartered flights. MIRP 2010 began on June 1<sup>st</sup>, and during the month of June, 7,697 Mexican nationals were returned to the interior of Mexico.

## **Alien Transfer Exit Program (ATEP)**

ATEP is an ongoing program that supports the concept of “breaking the smuggling cycle” by allowing for the transportation of aliens out of an apprehending Border Patrol Sector for subsequent removal to Mexico through an adjacent sector. The program is designed to deny, disrupt and dismantle the ability of alien smuggling organizations operating in the participating sectors, by separating aliens from organized smugglers and establishing consequences for illegal entry. ATEP was initiated by the San Diego, Yuma and El Centro Sectors in February 2008 and has since expanded to Tucson and El Paso. As of June 30, 2010, a total of 73,266 detainees have been removed via ATEP.

## **Border Safety Initiative (BSI)**

The Border Patrol's Border Safety Initiative's (BSI) focused on reducing injuries and preventing deaths along the southwest border, many of which are linked to human smuggling. The Border

Patrol's Search Trauma and Rescue (BORSTAR) teams are located at every Border Patrol Sector along the southwest border, and are specially trained for rescue and emergent medical situations. Additionally, there are agents cross trained as Emergency Medical Technicians or First Responders who act as a force multiplier, enhancing our medical proficiency capabilities. In FY 2009, the Border Patrol recorded 1,312 rescues along the border. Additionally, 64 Rescue Beacons have been erected in strategic locations to enable illegal aliens to contact the Border Patrol when they are in distress and need medical assistance. Lastly, Public Service Announcements are broadcast in Mexico, warning of the dangers of illegally crossing the border as well as dangers posed by smuggling organizations.

### **Humanitarian Campaigns**

The Border Patrol has two humanitarian campaigns underway aimed at educating potential migrants from Mexico and Central America regarding the threats that endanger human life when illegally crossing the southwest border and the dangers of human trafficking. "*No Más Cruces*" (No More Crosses on the Border) and "*No Te Engañes*" (Don't Be Fooled: You Could Be the Victim of Human Trafficking) demonstrate our commitment to helping those who may unknowingly find themselves in a situation where they are being exploited by smugglers and transnational criminal organizations. The campaigns, which run in various media outlets, consist of television ads, radio ads and billboards, as well as grassroots marketing initiatives.

### **Conclusion**

Chairman Cuellar, Ranking Member Miller, and distinguished Members of the Committee, thank you for this opportunity to testify about the work of U.S. Customs and Border Protection, and particularly about our efforts concerning alien smuggling. The border is a dynamic environment and we will continue to strive to meet the demands of today as well as face the challenges of tomorrow. I look forward to answering your questions at this time.