

# CBP Border Security Report

Fiscal Year 2017

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# Border Security Report

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### I. Introduction

As the guardian of our nation's borders and the gateway to our global economy, U.S. Customs and Border Protection (CBP) is a mission-focused agency committed to ensuring our safety, security and prosperity.

This report summarizes CBP's fiscal year 2017 border enforcement efforts, which reflect CBP's focus on counterterrorism, countering transnational organized crime, and border security.

## II. Enforcement

#### **Illegal Migration**

In FY17, CBP recorded the lowest level of illegal cross-border migration on record<sup>1</sup>, as measured by apprehensions along the border and inadmissible encounters at U.S. ports of entry.

CBP recorded **310,531** apprehensions by U.S. Border Patrol agents and **216,370** inadmissible cases by CBP officers in FY17, a **23.7** percent decline over the previous year. Illegal migration along the Southwest border declined sharply from Jan. 21 through April, which was the month with the lowest border enforcement activity on record.

This reflects the Administration's commitment to enforce the rule of law as directed in the President's executive order: <u>Border Security and Immigration Enforcement Improvements</u>, issued Jan. 25.

In May however, CBP began to see a month-over-month increase in apprehensions and inadmissible cases along the Southwest border, notably of children either as part of a family unit<sup>2</sup> or unaccompanied by their parent or legal guardian.

By the end of the year, family-unit apprehensions and inadmissible cases reached **104,997** along the Southwest border. Another **48,681** unaccompanied children<sup>3</sup> were apprehended or determined to be inadmissible.

CBP continues to be concerned about the steady increase in the flow of unaccompanied children and family units from Central America, as transnational criminal organizations continue to exploit legal and policy loopholes to help illegal aliens gain entry and automatic release into the interior of the country.

<sup>&</sup>lt;sup>1</sup> Nationwide, U.S. Border Patrol apprehensions averaged over 1 million per year between 1980 and 2016.

<sup>&</sup>lt;sup>2</sup> The term "family unit" represents the number of individuals (to include a child under 18 years old, parent, or legal guardian) apprehended with a family member.

<sup>&</sup>lt;sup>3</sup> Individuals under the age of 18 who were not with their biological parent or legal guardian at the time of the encounter.

In FY17, approximately **58** percent of U.S. Border Patrol apprehensions were individuals from countries other than Mexico—predominately individuals from Central America—up from 54 percent last year. Of the 310,531 apprehensions nationwide, **303,916** were along the Southwest border. Of those along the Southwest border, **162,891** were from El Salvador, Guatemala, and Honduras. Another **127,938** were from Mexico. Of those apprehended by the U.S. Border Patrol, 10 percent had been apprehended at least one other occasion in FY17, down from 12 percent in FY16. This is also known as recidivism<sup>4</sup>.

U.S. Border Patrol agents also rescued **3,221** illegal migrants in danger and, in some cases, life-threatening situations.

At ports of entry, CBP officers encountered **216,370** inadmissible individuals at ports of entry, a decrease of **21.2** percent from FY16. While the most common reasons CBP officers determined individuals to be inadmissible pertained to their inability to satisfy documentary requirements, CBP officers found some individuals to be inadmissible based on previous immigration violations, criminal grounds, and for national security-related reasons.

CBP's National Targeting Center, the Immigration Advisory Program<sup>5</sup>, and the Regional Carrier Liaison Group<sup>6</sup> led CBP efforts in FY17 to identify and prevent the boarding of **15,907** travelers on flights destined for the U.S. who may have presented an immigration or security risk.

In addition to the predeparture efforts for travel, NTC led CBP efforts to identify inadmissible individuals in various application programs. Continuous vetting of non-immigrant visas and Electronic System for Travel Authorization (ESTA) applicants allows CBP to immediately determine whether to provide a "no board" recommendation to a carrier in imminent travel situations, to recommend that Department of State (DOS) revoke the visa, or to deny an ESTA application. In FY17, CBP coordinated with DOS to revoke **4,102** visas, and received almost **15 million** ESTA applications, of which **103,133** were denied.

#### Criminal Aliens, Gang Affiliation and Counter-narcotics

In FY17, CBP officers and Border Patrol agents arrested **20,131** criminal aliens, and another **10,908** individuals who were wanted by law enforcement authorities.

<sup>&</sup>lt;sup>4</sup> Recidivism refers to percentage of individuals apprehended more than one time by the Border Patrol within a fiscal year.

<sup>&</sup>lt;sup>5</sup> The Immigration Advisory Program employs CBP officers at foreign airports where they review passenger information and/or assess the passenger documentation prior to their U.S.-bound flights. Immigration Advisory Program officers make "no board" recommendations to carriers and host governments regarding passengers bound for the U.S.

<sup>&</sup>lt;sup>6</sup> Regional Carrier Liaison Groups, located in Honolulu, Miami, and New York, expand the Nation's zone of security beyond physical U.S. borders by working with commercial carriers to prevent the boarding of passengers who may pose a security threat, have fraudulent documents, or are otherwise inadmissible.

U.S. Border Patrol agents arrested **536** illegal aliens who were affiliated with a gang, including,

- **228** MS-13;
- 66 Surenos;
- 53 Paisas; and
- **61** 18<sup>th</sup> Street gang members.

CBP law enforcement personnel also played a critical counter-narcotics role, resulting in the seizure of more than **2.14 million** pounds of narcotics and the disruption of more than **81,000** pounds of narcotics in FY17.

CBP seized:

1.59 million pounds of marijuana;
273,580 pounds cocaine;
66,617 pounds of methamphetamine;
5,760 pounds of heroin; and
1,485 pounds of fentanyl<sup>7</sup>.

While most illicit drug smuggling attempts occur along the Southwest border, CBP has seen a growing threat of illicit synthetic drugs smuggled to the U.S. through the international mail and express consignment carrier (ECC) environment. Several types of illicit synthetic drugs, also called "designer drugs," are being sold and shipped to endusers in the U.S., including synthetic opioids such as fentanyl, synthetic cannabinoids, and synthetic cathinones, commonly known as "bath salts."

CBP seizures of fentanyl have significantly increased over the past three years, from approximately 2 pounds seized in FY13 to approximately 1,485 pounds seized in FY17. CBP has made significant investments in and improved drug detection, identification and targeting capabilities. The additional resources, along with enhanced information sharing and partnerships, are critical components of CBP's ability to detect and deter the entry of dangerous illicit drugs in the international mail and ECC environments.

CBP also seized more than \$96.8 million in unreported currency, 2,302 firearms, and 305,414 rounds of ammunition through enforcement operations.

In FY17, CBP's Air and Marine Operations (AMO) continued to secure the nation in the aviation and maritime environments. During FY17, Air and Marine agents contributed to the apprehension of **37,009** individuals by Border Patrol, and **2,573** criminal arrests by agents in conjunction with other law enforcement partners. Air and Marine Operations enforcement actions contributed to approximately **11.9** percent of the Border Patrol's overall apprehensions.

<sup>&</sup>lt;sup>7</sup> This is the first fiscal year CBP is releasing comprehensive seizures of fentanyl.

AMO's Air and Marine Operations Center (AMOC) continued to manage the air and maritime domain awareness of the Department<sup>8</sup>, supporting CBP efforts to secure America's borders and prevent the illegal flow of people and goods across the air, land, and sea approaches to the U.S. by evaluating 464,879 air target detections, achieving an overall mission accomplishment rate of 99.99 percent. AMOC successfully detected and resolved 188 of 192 suspect conventional aircraft border incursions that were potentially attempting to illegally enter the U.S., achieving a 97.9 percent mission success rate. AMOC also coordinated with AMO maritime and U.S. Coast Guard assets in interdicting 19 maritime suspect targets in the Gulf of Mexico, Florida Straits, Caribbean, and the Atlantic and Pacific oceans.

During FY17, AMO aircrews contributed to **155** seizure, disruption, or interdiction incidents in the transit zone, resulting in the seizure or disruption of over **209,390** pounds of cocaine. AMO, in coordination with Joint Interagency Task Force-South, conducts long-range aerial patrols and surveillance missions as part of Operation Martillo. The Task Force oversees the detection and monitoring of illicit traffickers and assists U.S. and multinational law enforcement agencies with the interdiction of maritime drug traffickers.

#### **Assaults against CBP Law Enforcement Personnel**

Assaults on agents and officers increased **44.8** percent to **847** in FY17.

ASSAULTS AGAINST CBP LAW ENFORCEMENT PERSONNEL BY FISCAL							
YEAR (FY 2012 – 2017)							
	FY12	FY13	FY14	FY15	<b>FY16</b>	FY17	
Assaults	555	468	373	477	585	847	

#### Use of Force

<u>Use of firearms</u> decreased to a record low of **17**, a **69.1** percent decrease from a high of 55 in FY12. Less-Lethal Device and Other Less-Lethal Force rose slightly in 2017.

CBP USE OF FORCE BY FISCAL YEAR (FY 2012 – 2017)						
	FY12	FY13	FY14	FY15	<b>FY16</b>	<b>FY17</b>
Firearm	55	45	23	28	26	17
Less-Lethal Device and	873	1,168	997	724	947	979
Other Less-Lethal Force						
Total	928	1,213	1,020	752	973	996

In FY17, CBP began reporting use of force incidents statistics (in addition to uses of force). The inclusion of incidents provides additional context to the uses of force and assaults, as there may be multiple actions—assaults and/or uses of force—during a single

<sup>&</sup>lt;sup>8</sup> As mandated in Public Law 114-125, "Trade Facilitation and Trade Enforcement Act of 2015."

incident. Presenting these actions within the framework of incidents depicts the circumstances more clearly.

CBP USE OF FORCE INCIDENTS BY FISCAL YEAR (FY 2016 – 2017)										
	Total	Use of		Singular Uses of Force					Force Used	
	Fo	rce	Fire	irearm Less-Lethal Other Aga		Firearm Less-Lethal Other		Less-Lethal Other		inst
	Incid	lents			Device		Device		Vehicles/Vessels	
	<b>FY16</b>	<b>FY17</b>	<b>FY16</b>	<b>FY17</b>	<b>FY16</b>	<b>FY17</b>	<b>FY16</b>	FY17	<b>FY16</b>	FY17
AMO	10	11	0	0	57	39	0	0	3	7
OFO	66	50	11	0	55	35	22	14	12	12
USBP	519	398	15	17	442	643	234	157	122	72
Total	595	459	26	17	554	717	256	171	137	91

In FY17, the CBP Use of Force Incident Team (UFIT) deployed to 12 use of force incidents, which involved 17 agents/officers who discharged their firearms. The National Use of Force Review Board (NUFRB) convened three times, deliberating on a total of 12 CBP use of force incidents. Additionally, the CBP UFIT review boards, known as Local Use of Force Review Boards (LUFRB), reviewed 162 use of force incidents. CBP released the results of four incidents reviewed by the NUFRB and will release the remaining cases once they have completed the full review process.

#### **Recruiting and Hiring Law Enforcement Personnel**

CBP surpassed FY16 hiring by **14** percent, adding **1,477** law enforcement personnel to the ranks, compared to 1,291 in FY16.

Notably, CBP saw a significant increase in fourth-quarter frontline personnel entering on duty (EOD), including a **165** percent increase for CBP officers, **205** percent increase for Border Patrol agents, and **125** percent increase for Air and Marine personnel.

FY16 to FY17 Frontline Gains						
	FY16 Gains	FY17 Gains	% Increase from FY16			
CBPO	758	916	20.8%			
BPA	504	522	3.6%			
MIA	18	18	0.0%			
AIA	11	21	90.9%			
TOTAL	1,291	1,477	14.4%			

Total law enforcement personnel onboard at the end of FY17 are as follows:

FY17 Frontline Onboard					
CBP officer	23,079				
Border Patrol agent	19,437				
Marine Interdiction agent	337				
Air Interdiction Agent	610				

#### **Border Infrastructure and Technology**

On Jan. 25, President Trump signed <u>Executive Order 13767</u>: Border Security and Immigration Improvements. Soon after, then-DHS Secretary John Kelly issued a <u>directive</u> to "take steps to immediately plan, design and construct a physical wall along the southern border, using appropriate materials and technology to most effectively achieve complete operational control of the southern border.

As a first step toward implementation, CBP issued two requests for proposals from industry for border wall prototypes. Following a procurement process, CBP selected six contractors to build eight prototypes along the border near San Diego. Construction began in September and was completed in October.

In September, the U.S. Border Patrol's Tucson Sector began evaluating Small Unmanned Aircraft Systems (SUAS) in the operational environment, as part of a pilot program. The remotely piloted SUAS will enable Border Patrol agents in the field to provide reconnaissance, intelligence, surveillance, tracking and acquisition capabilities in areas that are difficult to access or otherwise considered too high-risk for manned aircraft or CBP personnel on the ground.

The SUAS pilot program consists of two rotations in each of the three identified sectors. The first rotations began in September 2017 and the second will commence in January 2018. After measuring both hot and cold weather capabilities, CBP expects a final review, including future investment decisions and expansion of the program to other USBP Sectors, in late spring 2018.