



TESTIMONY OF

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ON

“Protecting the U.S. Homeland: Fighting the Flow of Fentanyl from the Southwest Border”

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Introduction

Chairman Higgins, Ranking Member Correa, and distinguished Members of the Subcommittee, thank you for the opportunity to discuss U.S. Customs and Border Protection's (CBP) efforts to combat the dynamic threat of transnational criminal organizations (TCOs) and prevent the entry of dangerous illicit drugs, including fentanyl, into the United States.

The reach and influence of TCOs continues to expand across and beyond the Southwest and Northern Borders. These criminal organizations are sophisticated and operate with immense capability, capacity, and nearly unlimited resources. TCOs increasingly demonstrate the intent and ability to produce and modify synthetic drugs, making detection and identification difficult. They also continually adjust their tactics, techniques, and operational procedures to circumvent detection and interdiction by law enforcement, including transporting smaller quantities of drugs and improving concealment techniques.

As others have testified,¹ synthetic opioids like fentanyl – a synthetic opioid that is 80-100 times stronger than morphine – and its analogues are produced using precursor chemicals made available by criminal elements, often in the People's Republic of China. The precursor chemicals are shipped to Mexico where TCOs use these precursors to finish production. This fentanyl is either sold in powder form or pressed into pills. These drugs are then smuggled across the Southwest Border, most often through ports of entry (POEs).²

Because there is no single tool or capability that can detect all suspected threats in all situations and environments, CBP uses a multifaceted, intelligence-driven approach that combines advance targeting, sophisticated detection capabilities, specialized canines, non-intrusive inspection technology (NII), laboratory testing, scientific analysis, domestic and foreign partnerships, and information sharing. Most importantly, we also have dedicated, highly trained officers, agents, and intelligence research specialists whose experience and expertise are essential components of all CBP's efforts to combat transnational threats and prevent the entry of illegal drugs into U.S. communities.

Our enforcement approach enables the agency to nimbly shift resources and swiftly respond to emerging threats, such as the deadly threat posed by illicit fentanyl, fentanyl analogues, other synthetic opioids, and methamphetamine, as well as the precursors and other chemicals used in illicit drug production.

Drug Trends and Interdictions

As noted above, most illicit drugs, including fentanyl, enter the United States through our Southwest Border POEs, hidden in passenger vehicles or belongings, concealed in commercial

¹ See, e.g., Written testimony, Kemp Chester, Senior Advisor, International Relations and Supply Reduction, Office of National Drug Control Policy, for a February 1, 2023, House Energy and Commerce Committee Hearing. https://d1dth6e84htgma.cloudfront.net/Witness_Testimony_Chester_HE_02_01_2023_487130aade.pdf?updated_at=2023-02-01T14:37:29.433Z.

² <https://www.cbp.gov/newsroom/stats/drug-seizure-statistics>.

trucks, and carried by pedestrians. In Fiscal Year (FY) 2022, for example, nearly 66 percent of illicit drugs seized by weight by CBP at the Southwest Border were seized at POEs.³

CBP seizures of fentanyl have been escalating for several years.⁴ In FY 2022, CBP seized nearly 15,000 pounds of fentanyl nationwide, with the majority – 12,500 pounds – seized at POEs. We have already exceeded that amount this fiscal year. At our POEs alone, fentanyl seizures increased more than 200 percent in FY 2022 compared to FY 2019 and FY 2020 totals combined. In FY 2023 to date, CBP seizures at POEs already exceed more than 17,600 pounds of fentanyl.⁵ These seizures permanently removed these drugs from the illicit supply chain, kept them out of our communities, and denied drug trafficking organizations profits and operating capital.

Marijuana, methamphetamine, heroin, and cocaine remain the top-seized drugs by weight but shifting trends over recent years produced significant increases in synthetic drugs like fentanyl. Fentanyl is the most frequently seized illicit synthetic opioid, but CBP has also encountered 31 substances that are chemically similar to fentanyl, as well as 44 unique synthetic opioids that are not from the fentanyl class.⁶

Although our statistics measure drug seizures by weight, CBP estimates it interdicted 1.1 billion potential doses of illicit fentanyl in FY 2022. By the measure of potential doses, CBP fentanyl seizures were only second to methamphetamine, of which an estimated 16 billion doses in FY 2022 were seized.⁷ For reference, Earth's population is approximately 8 billion people.

CBP's enforcement efforts focus on detecting and interdicting suspected illicit drugs; quickly anticipating and adapting to changing tactics and techniques used by cartels, traffickers, smugglers, and their networks; enhancing collaboration among key partners; producing actionable intelligence to target the illicit opioid supply chain; and protecting our personnel from exposure to opioids.

Detection and Inspection

CBP, with the support of Congress, continues to make significant investments and improvements in our drug detection capabilities and interdiction technology. Our highly trained officers use narcotic detection canines and a variety of technologies to detect the presence of illicit drugs, including illicit opioids, in all operating environments.

CBP's canine program continues to demonstrate its significant contribution to our efforts to intercept dangerous illicit drugs and disrupt TCO activity. In FY 2022, CBP canine teams assigned to the Office of Field Operations and U.S. Border Patrol assisted in the seizure of more than \$19 million in undeclared or illicit drug-related currency, more than 400 firearms, and nearly

³ Of the 288,287 pounds of drugs CBP seized at the Southwest Border in FY 2022, 189,682 pounds were seized at POEs. Excluding marijuana, CBP seized 202,631 pounds of illicit drugs at the Southwest Border, of which 179,317 pounds (88.5 percent) were seized at POEs. <https://www.cbp.gov/newsroom/stats/drug-seizure-statistics>. CBP Air and Marine Operations also contributed to drug seizure events with other agencies. These operations resulted in the seizure of approximately 270,000 pounds of drugs in FY 2022. <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics/air-and-marine-operations-statistics>.

⁴ <https://www.cbp.gov/newsroom/stats/drug-seizure-statistics>.

⁵ As of May 31, 2023.

⁶ A complete list can be made available by CBP Laboratories and Scientific Services.

⁷ CBP would be happy to brief the Subcommittee on its illicit drug dose estimation tool and how it derived these estimates.

290,000 pounds of drugs, including nearly 13,000 pounds of fentanyl – approximately 87 percent of CBP’s fentanyl seizures – valued at more than \$2.5 billion. The effectiveness of our canine teams is demonstrated daily. For example, in a single event on April 18, 2023, a canine team in Otay Mesa, California, aided in the seizure of 776 pounds of fentanyl pills valued at more than \$21 million.⁸

CBP canine teams often work alongside officers conducting other inspection activities. CBP has deployed more than 350 large-scale and 4,500 small-scale NII X-ray and gamma-ray imaging systems to detect the presence of illicit substances, including synthetic drugs such as fentanyl. This technology enables detection of these illicit substances hidden within passenger belongings, cargo containers, commercial trucks, rail cars, and privately owned vehicles, as well as express consignment carrier and international mail parcels. In FY 2022, CBP officers used large-scale NII systems to scan more than 7.6 million conveyances, which resulted in the interdiction of more than 100,000 pounds of narcotics and approximately \$2 million of undeclared U.S. currency.

Canine teams and NII technology are complementary detection and inspection capabilities that are critical to the continued success of CBP’s interdiction operations at the POEs. At the core of these efforts are specially trained officers and specialists using their expertise and experience to maximize technological capabilities and resources. Every seizure we make at the border is important. It stops the flow of drugs into our communities, contributes to investigations, and increases our awareness of emerging trends and illicit networks.

Advance Information and Targeting

CBP’s interdiction efforts begin well before a conveyance or shipment arrives at a POE. Advance electronic shipping information,⁹ actionable intelligence, and information sharing partnerships are critical components of CBP’s ability to quickly identify, target, and deter the entry of dangerous illicit drugs in all operational environments.

All advance shipment information is automatically fed into the National Targeting Center’s (NTC) Automated Targeting System (ATS), an enforcement and decision support system. At CBP’s NTC, advance data converges with law enforcement and intelligence records to facilitate the targeting of persons, conveyances, and items of cargo that pose the highest risk to our security in all modes of transportation. Advance information is a critical and effective component of CBP’s targeting and interdiction efforts. We continue to pursue solutions to expand advance information opportunities to the land POEs, where—unlike travel processes over air and sea—CBP often receives no advance traveler information, limiting traveler vetting conducted before an individual arrives at a land POE.

In addition to targeting illicit substances directly, CBP and Homeland Security Investigations (HSI) target precursor chemicals shipped through the United States to destinations in Mexico and other countries. While many of the precursor chemicals used to synthesize methamphetamines

⁸ <https://www.cbp.gov/newsroom/local-media-release/we-re-spilling-beans-211-million-worth-fentanyl-pills-concealed-within>.

⁹ See section 343 of the *Trade Act of 2002* (Pub. L. 107-210), as amended; the *Security and Accountability for Every Port Act or SAFE Port Act of 2006* (Pub. L. 109-347); and the *Synthetics Trafficking and Overdose Prevention (STOP) Act* (Pub. L 107-210) of 2018.

and synthetic illicit opioids such as fentanyl have legitimate uses, CBP and HSI coordinate with the Drug Enforcement Administration (DEA) to intercept and seize precursors if they can be identified as having been brought into the United States in violation of U.S. law, such as Title 21 of the U.S. Code. CBP also targets production-related equipment such as pill presses and tableting machines. The DEA regulates pill press/tableting machines, and the HSI Diversion Coordinator works on behalf of DHS to coordinate the investigations of pill press/tableting machine imports being diverted for illicit uses. The HSI Diversion Coordinator works closely with the NTC to identify and target individuals importing and diverting pill press/tableting machines to produce illicit fentanyl and other synthetic drugs.

The increasing ability of TCOs to produce sophisticated forms of synthetic drugs and develop new ways to smuggle is a challenge to CBP's counter-narcotic efforts. In addition to CBP's advance detection and targeting efforts, CBP's laboratory testing and analysis capabilities are invaluable to the timely identification of suspect substances and the disruption of drug trafficking networks. These capabilities not only contribute to our targeting and interdiction success, but also aid our intelligence and investigative partners in their criminal prosecution efforts.

Analysis and Intelligence

Just as TCOs rapidly evolve their illicit production and smuggling operations, CBP must advance its capabilities to quickly and reliably identify the dangerous substances it encounters and provide analysis for targeting and other enforcement and investigative actions.

Sound analytical methodology centers on providing timely and actionable intelligence to our frontline officers and agents, decision makers, and partners. To strengthen our intelligence posture in responding to this complex threat environment, CBP's Intelligence Enterprise (IE) was established in 2017 as a cohesive, threat-based, data-driven, and operationally-focused effort to leverage the collective intelligence capabilities and expertise across CBP's operational components.

To enhance its intelligence capacity, CBP IE established investment priorities that support a whole-of-agency approach to countering various border threats, such as the use of a common reporting platform to timely share and disseminate threat information to disparate offices. CBP's IE was also responsible for launching the CBP Watch, a situational awareness facility that provides trend analysis and real-time feedback to better support the Agency's operational frontline 24 hours a day, seven days a week.

Laboratory Testing

CBP's ability to swiftly and accurately identify suspect substances is a critical part of our ability to determine new production trends and seize illicit drugs, but also a critical tool for partner investigative agencies, such as HSI, to make law enforcement-controlled deliveries that could lead to arrests and the shutting down of criminal networks. CBP officers use various field-testing devices and leverage CBP's 24/7 Narcotic Reachback program to obtain a swift, presumptive identification of a suspect substance from a CBP Laboratories and Scientific Services (LSS) scientist. CBP has also positioned Forward Operating Labs (FOL) at strategic locations where new or emerging substances enter the United States. At the FOLs, LSS can triage quickly if a

potentially new analogue of an illicit substance or designer drug is encountered and send it to the LSS INTERDICT Science Center for comprehensive testing. These newly encountered substances, particularly synthetic opioids or other significant chemicals of interest, are added to the user libraries of the handheld field-testing devices used by CBP officers and agents to rapidly screen suspected substances. Since January 2022, 170 new spectra have been added to the equipment's factory library. Since the start of the designer drug wave in 2009, LSS has identified over 550 new substances.

CBP scientists participate in weekly operational roundtable discussions with intelligence personnel and law enforcement partners from federal, state, and local agencies to share information on the latest analysis on encountered substances. Based on pollen analysis and suspected controlled substance analysis results, CBP develops intelligence products to share with CBP officers and agents, intelligence analysts, policy makers, and relevant external partners at federal, state, local, and international organizations to maintain a consistent understanding of the fentanyl threat picture nationally, not just at the borders.¹⁰

Collaboration and Information Sharing

Shifting trends and sophisticated TCO tactics mean that now, more than ever, efforts to counter TCO activity require coordination and cooperation across the law enforcement community. CBP leverages collaboration with our federal, state, local, tribal, and international partners to address drug trafficking and other transnational threats across all our operational environments. This includes working closely with the Office of National Drug Control Policy's High Intensity Drug Trafficking Area program and continuous work with other laboratories and the medical community, including coroners and medical examiners, to identify emerging drug threats.

CBP works closely with key partners, including HSI, DEA, the United States Postal Inspection Service, the Federal Bureau of Investigation, and other federal, state, local, tribal, and international partners, to share information, coordinate enforcement actions, and facilitate investigations regarding intelligence and seizures. For seizures that do not meet a federal threshold, intelligence and information derived from these seizures are provided to local, state, and regional task forces for situational awareness and further investigative and prosecutorial actions.

CBP regularly hosts briefings with federal, state, local, territorial, and tribal partners regarding the current state of the border, providing a cross-component, multi-agency venue for discussing trends and threats. Engagements focus on interdictions and arrests at both the border and interior areas within the United States. These briefings also include participants from the Governments of Canada and Mexico.

Strong international partnerships are a critical part of CBP's ability to respond to the global challenges that affect our border operations. CBP works closely with our foreign partners and contributes to multilateral forums by sharing information and leveraging partner capabilities to combat transnational threats and advance our national security.

¹⁰ <https://www.cbp.gov/document/fact-sheets/cbp-fentanyl-factsheet>.

CBP also participates in joint operations and multi-agency enforcement teams composed of representatives from international and federal law enforcement agencies. Working together with state, local, and tribal agencies, these operations target drug and transnational criminal activity, and often contribute to investigations involving national security and organized crime.

Our partnerships are also invaluable to our enforcement efforts. For example, CBP and HSI recently concluded Operation Blue Lotus, a two-month, multi-agency effort led by CBP and HSI focused on narcotics smuggling attempts at POEs in Arizona and California. Through targeted inspections at border crossings, cross-border investigations, and the leveraging of advanced analytics and intelligence capabilities, approximately 8,000 pounds of fentanyl, more than 4,600 pounds of methamphetamine, more than 1,050 pounds of cocaine, and more than 72 pounds of heroin were seized – leading to more than 250 arrests by CBP and HSI. U.S. Border Patrol ran a complementary operation between POEs and at checkpoints near the border, leading to additional seizures of approximately 2,500 pounds of fentanyl, 6,500 pounds of methamphetamine, 330 pounds of marijuana, 620 pounds of cocaine, and 60 pounds of heroin.

Following the success of these enforcement efforts, DHS recently announced the next special operations of its surge campaign to target and prevent fentanyl from entering the United States.¹¹ Operation Artemis, led by CBP and supported by HSI, will leverage intelligence and investigative information derived from Operation Blue Lotus to focus on critical junctures in the illicit production and international trafficking of fentanyl and other synthetic drugs by targeting precursor chemicals, pill presses and parts, movement of finished substances, and illicit proceeds. Concurrently, Operation Rolling Wave will surge inspections at U.S. Border Patrol checkpoints along the Southwest Border, covering every sector and leveraging predictive analysis and intelligence sharing. CBP will run a parallel intelligence and analysis operation, Operation Argus, to provide trade-focused analysis in support of Artemis.

In collaboration with multiple Department of Justice components, in particular the Bureau of Alcohol, Tobacco, Firearms, and Explosives, CBP and HSI also lead Operation Without a Trace, a joint platform for our personnel to target and investigate smuggling networks to disrupt and dismantle their illegal gun trafficking operations. Since the initiative's inception in FY 2020, Operation Without a Trace has achieved significant success preventing Mexico-bound gun trafficking, resulting in the initiation of 803 investigations, the execution of 555 arrests, and the seizure of 1,213 firearms, more than 723,203 rounds of ammunition, and \$16.5 million in illicit currency.¹²

Finally, CBP established the Southern Border Intelligence Center in April of 2023. The Southern Border Intelligence Center, located in Tucson, Arizona, will integrate CBP's Southwest Border Intelligence Enterprise through collaboration within CBP and with the interagency into a single intelligence focal point. The Southern Border Intelligence Center will build and maintain a trans-regional intelligence understanding of the entire southern border by integrating CBP's intelligence efforts and collaborating with the interagency.

¹¹ <https://www.dhs.gov/news/2023/06/22/next-phase-dhs-campaign-stop-fentanyl-will-focus-interdiction-and-supply-chain>

¹² As of March 28, 2023.

Conclusion

With continued support from Congress, CBP, in coordination with our partners, will continue to deploy critical resources to our nation's borders to refine the effectiveness of our detection, interdiction, and identification capabilities and combat transnational threats and the entry of illegal drugs into the United States.

CBP will continue investing in our frontline and intelligence capabilities, which are vital to all our law enforcement efforts. CBP will also pursue new partnerships and innovative technology to aid in our layered enforcement strategy to support our fight against this ever-evolving threat.

Thank you for the opportunity to testify today. I look forward to your questions.