

**Statement  
of  
Kim Thorsen  
Deputy Assistant Secretary, Law Enforcement, Security, and Emergency  
Management  
United States Department of the Interior**

**Before the  
House Committee on Oversight and Government Reform,  
Subcommittee on National Security, Homeland Defense, and Foreign  
Operations  
And  
House Committee on Natural Resources,  
Subcommittee on National Parks, Forests, and Public Lands**

**April 15, 2011**

Chairmen Bishop and Chaffetz, Ranking Members Grijalva and Tierney, and Members of the Subcommittees, thank you for the opportunity to appear before you today to discuss the important issues of border security and the Department of the Interior's (Interior) role in the Administration's collaborative efforts to address illegal cross-border activity on public lands. My name is Kim Thorsen, and I am the Deputy Assistant Secretary for Law Enforcement, Security, and Emergency Management at Interior. I have been a law enforcement officer for twenty-five years with both Interior and the U.S. Forest Service and have been involved in border issues for the last eight years.

**Introduction**

We appreciate the attention that your Subcommittees have given to the issue of securing our borders. The Department of Homeland Security (DHS), including U.S. Customs and Border Protection (CBP), has been given the mandate to secure our international borders and deter illegal border related activity. At Interior, we have the responsibility of administering uniquely beautiful and environmentally sensitive lands along the borders.

As manager of one in every five acres of the United States, Interior's land managing agencies, the Bureau of Land Management (BLM), the National Park Service (NPS), the U.S. Fish and Wildlife Service (FWS), and the Bureau of Indian Affairs (BIA), take this responsibility very seriously. We recognize the significant ecological and cultural values of the extensive lands Interior agencies manage near this border, and we strive to maintain their character and fulfill our mission to protect and preserve these assets on behalf of the American people.

We also recognize that these two objectives – securing our borders and conserving our federal lands – are not mutually exclusive; we are not faced with a choice between the two. Instead, we can, and should, do both.

We at Interior are proud of the strong working relationship – based on cooperation and a mutual commitment to accomplishing our important agency missions – among all of our partner agencies. In my testimony today, I would like to share with you the many ways that our Departments are working together to achieve our separate and important missions in the context of the dual objectives mentioned above.

### **Memorandum of Understanding**

#### *Cooperative Approach to Operations*

Federal agencies with law enforcement presence on federal lands along the borders include DHS' Office of Border Patrol (Border Patrol), a component of CBP; Interior's component agencies, the BLM, NPS, FWS, and, in certain circumstances, the BIA; and the U.S. Department of Agriculture's (USDA's) U.S. Forest Service (USFS). These agencies have developed a cohesive, cooperative approach to border security.

In March 2006, Interior, DHS and USDA entered into a Memorandum of Understanding (MOU) entitled *Cooperative National Security and Counterterrorism Efforts on Federal Lands along the United States' Borders*. This MOU provides the Departments with goals, principles, and guidance related to securing the borders, addressing emergencies involving human safety, and minimizing the environmental damage arising from illegal cross-border activities on federal lands. The MOU contains provisions related to the development of an efficient means of communication, cooperative identification of patrol routes and operations, conduct of joint enforcement operations, cooperation in the development of environmental and cultural resources awareness training, and guidance on construction and maintenance of tactical infrastructure. And it addresses expedited completion of environmental compliance documents, including documents required by the National Environmental Policy Act and the Endangered Species Act.

#### *Flexible Access to Federal Borderlands*

The MOU also contains provisions for access by CBP agents to federal lands along the border, including those lands designated as wilderness areas under the Wilderness Act. Depending on the means of access to these federal lands and the circumstances at the time, little or no consultation may be required. On any federal lands at any time, CBP may patrol on foot or horseback. At any time, CBP may conduct motorized patrols on public and administrative roads and trails, and in areas previously designated by the land management agency for off-road vehicle use.

Under exigent or emergency circumstances, including pursuit of suspected cross-border violators, no consultation is required for CBP to use motorized vehicles to access any of these federal lands.

Our goal is to provide flexibility and realistic options for patrol and infrastructure access to Interior lands by CBP while continuing to maintain an emphasis on protection of federal trust resources such as endangered species, cultural resources, tribal interests, national wildlife

refuges, national parks, public lands, and designated wilderness. We believe the guidelines contained in the MOU have been effective in providing both Interior and CBP with the necessary framework to strike this important balance.

Since entering into this MOU, the three Departments have continually and successfully worked together to carry out the tenets outlined in the MOU at both the Headquarters and the field levels.

### **Coordinated Federal Responses to Illegal Activity on Federal Lands**

#### *Regular Management Collaboration*

In order to facilitate efforts with the Border Patrol to address the challenges presented by illegal cross-border activity on our lands, Interior has established at the headquarters level a department-wide coordination structure. This includes the establishment, within Interior's Office of Law Enforcement and Security (OLES), of a Border Management Branch that comprises a full-time Branch Chief, an Interagency Borderlands Coordinator for environmental coordination, a Southwest Border Coordinator in Tucson, Arizona, and a Northern Border Coordinator in Spokane, Washington. The primary function of these positions is to coordinate and collaborate with Border Patrol Sectors and Interior agency representatives on a regular basis. Further facilitating this collaboration, the Border Patrol has agreed to co-location of these Interior field coordinators in applicable Border Patrol Sector offices.

Additionally, at the headquarters level, Interior, USDA, and DHS have formed an interagency Environmental and Cultural Stewardship Training task force to build on existing environmental and cultural training for Border Patrol agents whose patrol activities include federal lands. A first product resulting from this effort will be completed in the summer of 2011 and will consist of a two-hour, on-line training module to be provided to each Border Patrol agent.

#### *On the Ground Collaboration*

This collaborative effort is also taking place with the Border Patrol in the field. The Border Patrol, in cooperation with Interior and USDA, established a Public Lands Liaison Agent (PLLA) position in each of its 20 Sectors. Interior land managers communicate and collaborate on issues of mutual interest or concern with these PLLAs on a regular basis. Meetings between the land managers and the PLLAs are held every few months, or as needed, to facilitate open and regular communication, cross-training, and sharing of intelligence.

In addition, Border Patrol agents frequently conduct joint patrols with Interior law enforcement personnel on Interior lands, including national parks, wildlife refuges, and public lands. This close coordination provides staff with training and orientation on each agency's mission, while enhancing homeland security activities and resource-related investigations.

Recently, in the Tucson Sector, joint law enforcement patrol operations were conducted during anticipated peak periods of illegal activity, from January to March 2011, under *Operation Trident Surge*. The operation included the BLM, NPS, FWS, USFS, and the Border Patrol, and consisted of intelligence-supported joint patrols on Interior and USFS lands that were designed to reduce border-related crime and provide additional intelligence to Border Patrol to identify and target Alien Smuggling Organizations and Drug Trafficking Organizations operating on

federal lands. Interior officers focused on resource mission-related violations during this operation. This effort served to deter illegal smuggling into the United States. We additionally are continuing to conduct joint operations under *Operation Trident*.

#### *Shared Intelligence Assessments*

With respect to coordinating on intelligence assessments at the field level, the Border Patrol Spokane Sector Intelligence Unit regularly provides briefings and intelligence to Interior law enforcement personnel about current threats and activities on federal lands. This coordination has led to joint Interior-Border Patrol patrols by field personnel and has enabled training and orientation activities on each agency's mission, while enhancing homeland security and resource-related interdictions and investigations.

Similarly, in California, the Border Patrol El Centro Sector and the BLM have coordinated on *Operation Take it Outside*, conducted throughout 2010. This operation allowed for the gathering of intelligence regarding smuggling organizations and traffic patterns that can be used to develop future operational plans and strategies in the area.

These few examples are just a sampling of the ongoing, collaborative dialogue and strong relationship that Interior agencies and personnel have developed with our colleagues in Border Patrol. As discussed in more detail below, the cooperation and collaboration evident in these operations across the border areas, including areas within national parks, wildlife refuges, and public lands, has led to reduced environmental impacts on federal lands along the border.

### **Addressing the Impacts**

The deployment of CBP personnel, equipment and infrastructure along the southwest border has led to significant improvements in border security. We are very pleased with these improvements because of the enhanced security to our Nation, and also because these efforts lead to overall healthier conditions on Interior lands along the border. Many of the natural and cultural resources under Interior's responsibility have been adversely affected by illegal activities due to accumulations of trash, establishment of illegal roads and trails, and overall degradation of the environment. By deploying personnel, equipment and infrastructure, CBP operations have reduced cross-border illegal activity and the environmental impacts of this illegal activity in a number of areas.

During this deployment of additional border security resources, we have worked closely with CBP to avoid or mitigate impacts to the environment from CBP actions. DHS has worked closely and well with Interior and USDA to attempt to offset these impacts through mitigation and coordination with federal land managers to conduct field operations in a manner that avoids or minimizes the impact of those operations on federal lands.

We have made and are continuing to make significant progress and we recognize DHS's leadership on these issues.

## **Conclusion**

Chairmen Bishop and Chaffetz, I want to thank you and the Members of your Subcommittees for your continued interest in the Interior law enforcement program and our role in the Administration's efforts to secure and protect the border region and its natural resources.

In closing, I would like to recognize the collective efforts that Interior, DHS and USDA have taken to meet the intent of the 2006 interagency MOU and the shared commitment by our Departments to accomplishing the missions of our agencies. We are proud of our accomplishments, but at the same time we recognize there is still more to be done. We invite you to come to the border so that we may show you firsthand how successful we have been in cooperating with DHS in achieving our respective missions. We will continue to work with DHS to better our collaborative relationship. We look forward to continuing the positive dialogue to improve our law enforcement and land management capabilities, and to working with the Subcommittees to better understand your concerns.

This concludes my statement, and I am happy to answer any questions that you might have.