

NATIONAL DRUG CONTROL STRATEGY NORTHERN BORDER COUNTERNARCOTICS STRATEGY

THE WHITE HOUSE
EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF NATIONAL DRUG CONTROL POLICY





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Introduction

Transnational Criminal Organizations (TCOs) operating on both sides of the United States-Canada border (Northern Border) often exploit the international boundary's vulnerabilities for illegal activities, at times in conjunction with outlaw motorcycle gangs. They smuggle illegal drugs as well as both weapons and the illicit proceeds from drug sales between the two countries. The predominate drugs trafficked across the Northern border are cocaine, which is smuggled into Canada, and MDMA (ecstasy), which is smuggled into the United States.ⁱ Though marijuana, heroin, and illicitly manufactured fentanyl are also trafficked across the Northern Border, their volume is substantially less than that which is trafficked across the Southwest Border.ⁱⁱ

The border between the contiguous United States and Canada is approximately 3,987 miles long and the border between Alaska and Canada is approximately 1,538 miles.ⁱⁱⁱ This is the longest land border in the world between two nations offering many opportunities for TCOs to traffic illicit drugs. The TCOs occasionally exploit the mountain valleys in Washington and Idaho and the deep ravines in Montana, while the waterways connecting and bordering the United States and Canada create a conducive environment to move contraband across the international border. Quickly traveling across the international border and making landfall on the opposite side, individuals and TCOs can take advantage of the narrow width of many river areas along the border to escape apprehension when detected by United States law enforcement authorities. In the winter months, snowmobiles and vehicles are used to transport contraband over frozen rivers and lakes. Similarly, apprehending maritime smugglers is challenging in the Pacific Northwest, due to a high number of short smuggling routes across the Strait of Juan de Fuca, and the high volume of legitimate maritime traffic between the United States and Canada.^{iv}

Illicit proceeds from drug sales move on a regular basis between the United States and Canada and provide TCOs the economic resources required to continue and further expand drug production, distribution, and sales.^v Bulk cash smuggling and some illicit money services businesses and currency exchanges facilitate money laundering and other financial crimes in both directions across the border.^{vi}

TCOs and associated trafficking groups have been known to exploit Tribal jurisdictions to smuggle illegal drugs into the United States.^{vii} Federally recognized Indian tribes are sovereign governments located within the boundaries of the United States. Several tribes have Tribal lands and Tribal Trust lands located on the Northern Border—in some cases, the Tribal land actually crosses the international border—allowing Tribal members to move easily between the United States and Canada.

To address the unique threats associated with the large volume of legitimate traffic in all modes, and the difficult and varied terrain across the United States-Canada border, complicated by the myriad jurisdictions along the border, the *Northern Border Counternarcotics Strategy (Strategy)* further refines the *National Interdiction Command and Control Plan (NICCP)* and the *National Drug Control Strategy (NDCS)* and supports the United States-Canada Joint Action Plan to Combat Opioids, by establishing the Administration's strategy to prevent the illegal trafficking



of drugs across the U.S.-Canada border, as mandated by the Congress in 21 U.S.C. § 1705(c) (3)(C). This *Strategy* reflects the longstanding tradition of close collaboration between the United States and Canada as a key element in achieving the objective outlined herein.

Strategic Objective

This *Strategy* is focused on achieving one overarching strategic objective:

Reduce the supply of illicit drugs smuggled across the Northern Border and into the United States that contribute to addiction and overdose as well as fuel crime and violence. This will be done by strengthening interdiction and law enforcement capabilities, countering criminal networks, leveraging illicit finance efforts, and targeting drug transportation routes and modalities to aggressively reduce illicit drugs crossing the Northern Border.

This *Strategy* consists of three interrelated elements; strengthening interdiction and law enforcement capabilities, countering criminal networks, and targeting drug transportation routes and modalities, designed to achieve the *NDCS* goal of reducing the supply of illicit drugs in the United States. The federal government must work not only with its domestic partners but also with the government of Canada and other international partners to prevent illicit drugs from ever reaching North America or the United States, by transiting across our shared border, especially in light of historic rates of overdose deaths in the United States.

Strategic Assumptions

The *Strategy* requires National Drug Control Program Agencies (NDCPA), along with other relevant federal agencies and departments, to develop and coordinate their counterdrug efforts in order to maximize the effectiveness of interdictions in support of the *NDCS*'s and *NICCP*'s supply reduction efforts. The *Strategy* makes several key assumptions:

- The United States and Canada will continue to work in partnership within, at, and beyond the border to enhance security through extensive law enforcement collaboration, including risk assessment and analysis, incident management, and coordinated messaging.
- Reducing the supply of illicit drugs in the United States by disrupting the illicit drug supply chain will allow our historic effort to develop an addiction prevention, harm reduction, treatment, and recovery infrastructure to take hold, thereby increasing the potential for sustainable success over time.



- Aggressive and versatile TCO will respond to sustained pressure placed upon them by disruption, dismantlement, interdiction, and judicial/prosecutorial efforts, and they will adapt their production and trafficking methods to minimize risk and maximize profits.
- TCOs are vulnerable to interdiction efforts by United States and partner nations at all points along their transportation and delivery routes.
- Interdiction of illicit drugs, drug proceeds, and weapons, and deploying economic and financial sanctions against TCOs and their affiliates, disrupts and degrades the ability of TCOs to deliver illicit drugs and profit from them.
- Interdictions directly support coordinated multi-agency, multi-jurisdiction criminal enterprise investigations and prosecutions, which are the most effective means to disrupt and dismantle TCOs.
- Fulsome and appropriate information- and intelligence-sharing among and between the NDCPAs, other relevant agencies and departments, and foreign partners will maximize the effectiveness of our collective interdiction efforts by expanding and de-conflicting criminal investigations and better informing interdiction efforts.
- The United States and like-minded domestic and international partners will continue to work in partnership to enhance operations through extensive law enforcement collaboration, including risk assessment and analysis, incident management, and coordinated messaging.

Strategy Implementation

This *Strategy* articulates the President’s priorities for the interdiction of illicit drugs along the Northern Border and sets strategic direction for the Administration to take the necessary measures to reduce the supply of drugs transiting across the United States-Canada border. It also provides the strategic direction that NDCPAs and other federal departments and agencies need to develop their own drug control plans and strategies, and ensures programming and resource decisions about how federal drug control funding is allocated in a manner consistent with the *NDCS*, *NICCP*, and Administration priorities.

NDCPAs should leverage their complete authorities, maximize the performance and effectiveness of existing capabilities, programs, and resources, and develop additional capabilities, focusing on emerging technologies, to drive effective and coordinated outcomes that are in keeping with the *Strategy*. Each plan shall give priority to disrupting and dismantling those TCOs identified as presenting the most significant drug trafficking threats to the United States. Plans and strategies shall be designed to promote, not hinder, legitimate trade and travel. Additionally, as TCOs continue to adapt, so too must our plans and strategies to counter their deleterious effects. Agencies and departments shall continuously and rigorously evaluate the effectiveness of their approach and identify gaps and changes needed to accomplish the *Strategy’s* supply reduction mission. Resource requirements needed to address identified gaps should be submitted for consideration through the President’s budget development process.



Gaps and changes in approaches that cannot be solved through the budget development process should be communicated in writing to the Director of National Drug Control Policy (ONDCP).

Strengthening Interdiction and Law Enforcement Capabilities

To protect the American people and reduce the supply of illicit drugs, the United States must continue to enhance interdiction and law enforcement capabilities at and between the POEs on the Northern Border. The United States must bolster domain awareness through the use of technologies, augmented by the fusion of investigative information and criminal intelligence to enable interdictions, facilitate criminal investigations, disrupt supply chains, and achieve successful prosecutions. To enhance the understanding of the impact that illicit drugs activity on the Northern Border has on counterdrug cases throughout the United States and across Canada, the United States must improve access to intelligence among law enforcement agencies at all levels to increase opportunities for coordinated enforcement activities.

Improve Information- and Intelligence-Sharing to Drive Targeted Interdictions (Treasury, DOS, DOD, DOJ, DHS, USPIS, DOL)

To increase the frequency and impact of targeted interdictions, federal law enforcement will continue to expand both domestic and international partnerships, such as developing relationships with relevant federal, state, territorial, local, Tribal, and international agencies and private sector and nonprofit partners to bring additional authorities and resources to the counterdrug effort. Information and data fusion centers are crucial to building information and intelligence sharing capacity capable to disrupting and dismantling TCOs and their networks. We must integrate technical and non-technical collection capabilities in accordance with existing authorities and work to institutionalize information-sharing among federal, state, territorial, local, and Tribal partners. Federal, state, territorial, local, and Tribal agencies will continue to refine and standardize processes, expand capabilities, and leverage resources among the law enforcement, defense, and intelligence communities to better serve the field and have a greater impact on countering illicit activity.

Develop More Effective Detection Technologies and Capabilities (DOD, DHS)

The federal government will continue to improve the technology employed by federal, state, territorial, local, and Tribal partners to expand the scope, quality, and timeliness of interdiction activities. To interdict drugs at POEs, the federal government will expand the use of detection technology, increase canine capacity, and enhance the capabilities of personnel inspecting potentially hazardous cargo and materials while ensuring the safety of both humans and canines.

Expand the Use of Deterrence Technologies and Capacities (DOD, DHS)

To deter effectively and reliably the trafficking of illegal drugs between Canada and the United States, the federal government will implement a multi-layered deterrence capability consisting of manned and unmanned systems, physical and virtual barriers, and land and air-based sensors. Analytic capabilities will be utilized to exploit information and intelligence gleaned from these



and other systems to identify and stop the flow of illicit drugs before they cross the Northern Border into the United States. NDCPAs and departments shall work to develop technologies and capabilities that can be shared and scaled.

Countering Criminal Networks

TCOs are the foundation of illicit drug trafficking in North America. To counter their vast networks, the United States must continue to share national-level intelligence and law enforcement information with Canada, and seek reciprocal sharing from Canadian agencies, so both countries can develop a more complete understanding of the tactical, operational, and strategic environments and the resources needed to disrupt and dismantle trafficking organizations. Continued efforts to improve information-sharing processes, procedures, and technology among federal, state, territorial, local, Tribal, and international partners will expand the scope, quality, and timeliness of actionable and strategic information to allow multi-agency taskforces to not only prosecute criminals, but also directly target TCOs, criminal biker gangs, and their criminal networks.

Expand the Use of Multi-Agency, Multi-Jurisdiction Law Enforcement Taskforces (Treasury, DOD, DOJ, DHS, USPIS)

Successful investigations of sophisticated TCOs are best achieved when we leverage the authorities and capabilities of multiple agencies, departments, and jurisdictions. Sufficient actions must be taken to optimize the use of federal resources to complement the efforts of state, territorial, local, Tribal, and international partners along the Northern Border, and conduct coordinated investigations and prosecutions of trafficking organizations. Our efforts must optimize scarce human resources such as law enforcement agents and prosecutors, expand proven federal task force programs to share information and de-conflict investigations, and identify priority drug trafficking threats to the United States. As resources allow, the federal government will provide a variety of training forums and seminars to enhance both state, territorial, local, Tribal, and Canadian interdiction efforts.

Integrate Our International Partners into Multi-Agency Law Enforcement Task Forces (DOS, DOD, DOJ, DHS, USPIS, DOL)

To increase participation of Canadian stakeholders into United States law enforcement task forces and United States stakeholders into Canadian law enforcement operations will require proactive and deliberate efforts in both countries. Expanded cooperation through information and criminal intelligence exchanges, coordinated investigative efforts, and joint training opportunities will enable both countries to better address drug production, trafficking, and associated activities. To further support these efforts, the federal government will team with the Canadian government to share information and coordinate transnational criminal investigations, through efforts such as the North American Maritime Security Initiative (NAMSI)—an operational relationship between SEMAR, NORTHCOM, the Government of Canada, and the Coast Guard and coordinates standard procedures for communications, training, procedures, and operations. Since the inception of NAMSI in December 2008, there have been 24 joint cases



yielding 62,816 pounds of narcotics seizures.^{viii} Furthermore, the United States should work with Canadian government to improve the extradition process, including expediting the extradition of fugitives between the two countries.

Connect Interdictions to Criminal Enterprise Investigations (DOJ, DHS, Treasury)

To maximize the disruptive impact on TCOs, interdiction events should be linked to criminal enterprise investigations and financial sanctions as quickly as possible. The quick linkage of relevant interdiction events is dependent upon timely and fulsome sharing of seized evidence and information between agencies. Both the United States and Canada have strict legal requirements governing law enforcement access to electronic communications and related records, which, while necessary, can hinder timely information-sharing pursuant to current agreements and practices. These difficulties are compounded by TCOs exploiting secure encrypted communications to shield their communications from law enforcement. To identify the leaders and key enablers of these TCOs and to obtain timely information about the movement of illicit drugs and money, Canada and the United States must work together to obtain Internet and voice communications and expedite the sharing of information from electronic communication service providers in accordance with applicable law. To support this effort, the United States shall work to update existing agreements and will enter into new agreements to institutionalize the sharing of investigative information and interdiction-derived information to enhance operational coordination among Northern Border federal, state, territorial, local, and Tribal law enforcement, as well as their Canadian counterparts. Through the timely sharing of information among investigative and interdiction agencies, the United States can disrupt and dismantle TCOs and criminal biker gangs more rapidly to fully identify the conspirators in these drug trafficking networks.

Targeting Specific Drug Transportation Routes and Modalities

The threats posed by TCOs attempting to cross the border, in either direction, are present both at, and between, POEs. A comprehensive approach to securing the Northern Border relies on effective coordination among federal, state, territorial, local, and Tribal agencies, and their Canadian counterparts. Every day, state troopers interdict drugs as they move via highways; railroad police agents interdict drugs as they move via rail; officers interdict illicit drugs smuggled through our land and sea ports and across our waterways; and local officers, and deputies seize drugs from street gangs and dealers in major cities, small towns, and Tribal lands and Tribal Trust lands across America. The United States must analyze domestic drug seizures to help law enforcement agencies identify gaps in understanding of illicit drugs entering the United States and develop better targeting criteria for frontline officers and agents in both countries. As such, the United States must work closely with Canadian counterparts on a daily basis to exchange information, identify targets, and coordinate and conduct operations.



Conduct Out-Bound Interdiction of Bulk Currency, Weapons, and Illicit Drugs (DHS)

To neutralize TCO resources and expand intelligence-driven operations at the Northern Border, the federal government will improve law enforcement intelligence and information collection and sharing for out-bound illegal weapons trafficking, bulk currency smuggling, and illicit drug trafficking. The federal government will work with Canada to stem the flow of out-bound illicit financial funds and goods obtained through the trafficking of illicit drugs and will share the financial investigative information and law enforcement intelligence needed to identify, investigate, and prosecute money laundering networks.

Disrupt the Transportation of Illicit Drugs via Vehicles and Rail (DHS)

The federal government will work with United States and Canadian railroad and municipal transit companies that operate along the Northern border to reduce the transport of illicit goods to and from the United States, promote a layered security approach, and develop best practices on rail and bus security operations. The federal government will also prevent the trafficking of illicit cargo by air and water across the United States border by implementing a multi-layered solution to identify and track difficult-to-detect aircraft, ultra-light aircraft, unmanned aerial vehicles, small vessels, and personal watercraft.

Goal and Budget Projections

Goals

Because this *Strategy* is nested under the *NDCS* and *NICCP*, and focuses on outlining a high-level approach rather than cataloging all the key tasks and activities that organizations at the federal, state, territorial, local, and Tribal levels must take to reduce the supply of illicit drugs trafficked across our Northern Border, it is important to employ some broad goals to guide the *Strategy's* implementation and ensure its alignment with the *NDCS* and *NICCP*. This will ensure that the broader policies, priorities, and objectives of NDCAs and interagency partners support the *Strategy*, and are adequately aligned with the *NDCS* and *NICCP*, and also serve to identify where a refinement of the *Strategy* may be necessary.

Projections for National Drug Control Program and Budget Priorities

The 2022 *NDCS* set policy goals and objectives for the Nation, along with associated performance measures and targets to achieve those goals and objectives. ONDCP considers the *NDCS's* projections for policy priorities to be the budget priorities because they indicate to the NDCPAs what the Administration's long-term priorities are, and those agencies are expected to dedicate resources to those priorities over the course of the Administration. ONDCP's funding guidance also establishes the budget priorities—for the current and future years—for NDCPAs to meet the performance targets and achieve the policy goals and objectives of both the *NDCS* and *NICCP*.



Budget and Performance Summary

The FY 2022 Budget and Performance Summary was published in July 2021. The Budget Summary contains information on the President’s FY 2022 drug control budget, and the enacted and actual funding levels for FY 2021 and FY 2020, by NDCPA and subordinate elements, as well as historical funding levels by function. The Budget Summary provides a description of each agency’s mission, program descriptions, and significant changes in the FY 2022 request compared to the FY 2021 enacted amount. The FY 2022 Budget Summary also contains details of each agency’s program performance metrics.

Conclusion

A vast border and evolving drug trafficking trends provide numerous challenges for United States and Canadian law enforcement and intelligence entities operating along the Northern Border, with each government’s agencies operating under differing authorities and protocols. By enhancing the strong history of partnerships among United States federal, state, territorial, local, and Tribal agencies and their Canadian counterparts, and by building on current effective programs and operations, the United States and Canada intend to reduce the cross-border flow of illicit drugs. This *Strategy* provides the strategic guidance needed to achieve this goal. Above all, through integrated cross-border law enforcement operations, the United States and Canada will build upon existing relationships, programs, and policies; seek further opportunities to protect national security; and improve bidirectional information-sharing, allowing each country to use its resources more efficiently and effectively to curb the flow of illicit drugs and drug proceeds into our continent and across our shared border while facilitating the flow of legitimate commerce and travel.



Appendix A:

Strengthening Communities in Tribal Lands

Federally recognized Indian tribes are sovereign governments located within the boundaries of the United States. The existence of these sovereigns is recognized by the United States Constitution (see Art. I, Sec. 8), and the Supreme Court of the United States described Tribal government status as “domestic dependent nations” that exercise “inherent sovereign authority” in *Michigan v. Bay Mills Indian Community*, 572 U.S. 782, 788. There are more than 60 miles of the United States Northern Border that are jurisdictionally “Indian Country,” and where, depending on a number of factors, different sovereigns have jurisdiction to arrest and prosecute. In Indian Country, a crime might be prosecutable in federal, state, and/or Tribal court, depending on the particular circumstances of the crime. One attribute of Tribal sovereignty recognized by federal law is the ability for each tribe to establish its own law enforcement entity to enforce Tribal law. Tribal law enforcement officers are often cross-deputized to also enforce federal and/or state laws.

Illegal Trafficking of Drugs to or Through Indian Country

Because of concurrent jurisdiction issues on Tribal lands and Tribal Trust lands, a reservation may be patrolled by some combination of federal, state, territorial, or Tribal law enforcement officers. Despite the number and variety of law enforcement agencies that may have authority to provide services in Indian Country, many Tribal communities find the availability of law enforcement resources inadequate. The United States must work closely with Tribal governments, States, and Northern Border communities to fulfill the public safety needs of Tribal communities.

Technical and Financial Assistance

Federal agencies shall continue to support Tribal law enforcement agencies by identifying and developing resources; providing training opportunities; and obtaining adequate equipment and personnel to allow for their full participation in interdiction and enforcement efforts. Depending on the identified need, resources may be directed to improve Tribal police capability, bolster marine patrols, and enhance criminal intelligence information-sharing opportunities.

Infrastructure Capacity Building

Law enforcement agencies along the Northern border and in Indian Country have discovered that pooling resources serves as a force-multiplier and sets the stage for more effective policing, including enforcement of laws prohibiting the smuggling of illegal drugs to or through Indian Country. To the maximum extent possible, federal agencies shall cross-deputize Tribal and state law enforcement officers serving in Indian Country as federal law enforcement agents and allow federal law enforcement agents to be cross-deputized as Tribal or state law enforcement officers to enforce the laws of overlapping jurisdictions. When able, Tribal law enforcement shall be included in federal multi-jurisdictional task forces operating in or near Indian Country. Because most areas in Indian Country along the Northern border are sparsely populated, agencies shall



work to engage Tribal members more fully in the border security mission. Federal agencies shall invest in messaging and outreach efforts to help Tribal members learn the vital role they play in border security and why border security is critical to helping protect their reservations.

Interoperability Deficiencies

Since Indian Country criminal jurisdiction is fragmented, it is imperative that federal, Tribal, state, territorial, and local efforts be coordinated. Federal law enforcement shall pool resources with Tribal, state, territorial, and local efforts through existing task forces and shall share criminal intelligence with Tribal law enforcement to improve public safety on Tribal lands and Tribal Trust lands and in other communities near Indian Country.



Endnotes

ⁱ Drug Enforcement Administration. *2020 National Drug Threat Assessment*. Washington, DC: U.S. Department of Justice; 2021. Report No. DEA-DCT-DIR-008-21:

ⁱⁱ Drug Seizure Statistics. U.S. Customs and Border Protection. <https://www.cbp.gov/newsroom/stats/drug-seizure-statistics> from March 2020 through December 2020. Accessed June 2021.

ⁱⁱⁱ Beaver, Janice Cheryl. *U.S. International Borders: Brief Facts*. Congressional Research Service. November 9, 2006. RS21729. Available at <https://fas.org/sgp/crs/misc/RS21729.pdf>. Accessed on July 22, 2021

^{iv} National Drug Intelligence Center. *U.S.–Canada Border Drug Threat Assessment*. Johnstown, PA, December 2001: 17-19.

^v Government Accountability Office. Testimony before the Senate Caucus on International Narcotics Control. Moving Illegal Proceeds—Opportunities Exist for Strengthening the Federal Government’s Efforts to Stem Cross-Border Currency Smuggling. March, 2011. GAO-11-407T: 2.

^{vi} Bureau of International Narcotics and Law Enforcement Affairs. *International Narcotics Control Strategy Report Volume II: Money Laundering*. Washington, DC: U.S. Department of State, March 2021: 70.

^{vii} Drug Enforcement Administration. *2020 National Drug Threat Assessment*. Washington, DC: U.S. Department of Justice; 2021. Report No. DEA-DCT-DIR-008-21: 83.

^{viii} Written testimony of U.S. Coast Guard Deputy for Operations Policy and Capabilities Rear Admiral William Lee for a House Committee on Homeland Security Subcommittee on Border and Maritime Security hearing titled “Threats to the Homeland: DHS’ Response to Innovative Tactics and Techniques” June 18, 2012. <https://www.dhs.gov/news/2012/06/18/written-testimony-us-coast-guard-house-homeland-security-subcommittee-border-and>. Accessed July 16, 2021.