



NATIONAL DRUG CONTROL STRATEGY

*Northern Border
Counternarcotics
Strategy
2020*

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 team with criminal biker gangs to exploit the international boundary's vulnerabilities for illegal activities. They smuggle illegal drugs such as heroin, fentanyl, methamphetamine, marijuana, MDMA (ecstasy), and cocaine as well as weapons and the illicit proceeds from drug sales between the two countries.

The uniqueness of the Northern Border, which comprises 85 land Ports of Entry (POEs), 56 maritime POEs, and 81 airports within 400 miles of the border, offers 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 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 traffic between the United States and Canada.

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. Bulk cash smuggling and money services facilitate money laundering and other financial crimes in both directions across the border.

TCOs and drug trafficking groups have been known to exploit tribal jurisdictions to smuggle illegal drugs into the United States. Federally recognized Indian tribes are sovereign governments located within the boundaries of the United States. Several tribes have reservations or other types of Indian Country jurisdiction 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 United States-Canada 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 with regard to our 5,225-mile shared border—the longest in the world between two countries.

STRATEGIC OBJECTIVE

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

Drastically reducing the number of Americans losing their lives to drug addiction by significantly decreasing the availability of illicit drugs in America's communities trafficked across our Northern Border. This will be done by countering criminal networks, strengthening interdiction and law enforcement capabilities, and targeting drug transportation routes and modalities to aggressively reduce illicit drugs crossing the United States-Canada border.

This *Strategy* consists of three interrelated elements designed to achieve the *NDCS* goal of reducing the availability of illicit drugs in the United States. The single most important criterion for success is saving American lives, and achieving that objective requires the Federal Government to 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 and crossing the United States-Canada international boundary.

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 availability reduction efforts. The *Strategy* makes several key assumptions:

- The United States and Canada will continue to work in partnership 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 availability of illicit drugs in the United States by disrupting the illicit drug supply chain will relieve pressure on our public health efforts, allowing our historic effort to prevent drug use and increase the availability of treatment to take hold, thereby increasing the potential for sustainable success over time.
- Aggressive and versatile drug trafficking organizations 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 profit.
- 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 implementing 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* is not intended to enumerate every activity the Federal Government and key stakeholders must enact in order to achieve the President’s strategic objective. Rather, it 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 availability of drugs transiting across the United States-Canada border. It also provides the strategic direction NDCPAs and other Federal departments and agencies need to develop their own drug control plans and strategies, and ensures programming and resource decisions about Federal drug control funding is allocated in a manner consistent with the *NDCS*, *NICCP*, and Administration priorities.

In constructing counterdrug plans and strategies that address emerging and changing drug threats, NDCPAs’ counterdrug plans should leverage their complete authorities, in order to maximize the performance and effectiveness of existing capabilities, and to develop additional capabilities to drive effective and coordinated interdiction outcomes. Each plan shall give priority to disrupting and dismantling those TCOs identified as presenting the most significant drug trafficking threats to the United States, and their efforts shall support this priority and judicial outcomes. Plans and strategies shall be designed to promote, not hinder, legitimate trade and travel. As part of their plans, NDCPAs and departments shall identify gaps in capabilities and resource requirements needed for them to fully support the *Strategy*’s availability reduction mission. Resource requirements needed to address identified gaps should be submitted for consideration through the President’s budget development process. Gaps that cannot be solved through the budget development process should be communicated in writing to the Director of the Office of National Drug Control Policy (ONDCP).

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, 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

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 fora and seminars to enhance both State, territorial, local, tribal, and Canadian interdiction efforts.

Integrate Our International Partners into Multi-Agency Law Enforcement Task Forces

To integrate fully Canadian stakeholders into United States law enforcement task forces and United States stakeholders into Canadian law enforcement operations, the United States must expand cooperation with its Canadian partners. 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. Further, 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

To maximize the disruptive impact on TCOs, interdiction events must 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 State, territorial, local, tribal, and international partners. Through the timely sharing of information among investigative and interdiction agencies, the United States can more rapidly disrupt and dismantle TCOs and criminal biker gangs to more fully identify the conspirators in these drug trafficking networks.

Strengthening Interdiction and Law Enforcement Capabilities

To protect the Northern Border, the United States must continue to enhance interdiction and law enforcement capabilities at and between the POEs. 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 Northern Border activity 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

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 Federal, State, territorial, local, tribal, and international regulatory agencies and private sector and nonprofit partners to bring additional authorities and resources to the counterdrug effort. 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

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

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.

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 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 across America. The United States must analyze domestic drug seizures to help law enforcement agencies identify gaps in border security and develop better targeting criteria for frontline officers and agents on both sides of the border. 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

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.

Neutralize the Transportation of Illicit Drugs via Vehicles and Rail

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 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 availability 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 not only the broader policies, priorities, and objectives of NDCAs and interagency partners have taken to support the *Strategy*, and are adequately aligned with the *NDCS* and *NICCP*, but will also serve to identify where a refinement of the *Strategy* may be necessary.

The *Strategy* directly supports Goal 7, Goal 8, and Goal 9 of the *NDCS*. Assessing the sustained progress toward achieving those objectives, and realizing the related goals, is enabled by annual targets that will be continually assessed over a five-year period.¹

Projections for National Drug Control Program and Budget Priorities

The 2020 *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 *FY2020 Budget and Performance Summary*, published in May 2019, can be found at:

<https://www.whitehouse.gov/wp-content/uploads/2019/05/FY-2020-Budget-and-Performance.pdf>

ONDCP will release the *National Drug Control Strategy: FY 2021 Budget and Performance Summary (Budget Summary)* after the President's proposed budget is released in early 2020. The *Budget Summary* contains information on the President's FY 2021 drug control budget, as well as the enacted and actual funding levels for FY 2020 and FY 2019, by NDCPA and subordinate elements, as well as historical funding levels by function. Appendices contain information on the resources to support the *NDCS* Border Strategies and the National Treatment Plan. In addition, the *Budget Summary* provides a description of each agency's mission, program descriptions, and significant changes in the FY 2021 request compared to the FY 2020 enacted amount. The *FY 2021 Budget Summary* also contains details of each agency's program performance metrics and a section on the assessment of the contribution of each NDCPA to achieving the goals and objectives of the *NDCS*.

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

¹ The *NDCS's* accompanying *Performance Reporting System* contains each of the annual targets for each goal and a detailed description of how each was determined.

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 will 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 information-sharing, allowing each country to use its resources more efficiently and effectively to curb the flow of illicit drugs and drug proceeds 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, 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 in other communities near Indian Country.