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Customs & Border Protection (CBP) Operations

CBP Operations in the Commonwealth of the Northern Marianas Islands (CNMI)

- **Consolidated Natural Resources Act (CNRA)**
 - On May 8, 2008, the CNRA was signed into law, extending most provisions of United States immigration law to the CNMI. The transition period for implementation of United States immigration law in the CNMI began on November 28, 2009, and is scheduled to end on December 31, 2014. The CNRA provides for an asylum exemption and the CNMI-Only Transitional Worker category (CW visa).
 - The Saipan Chamber of Commerce, the largest business organization in the CNMI, as well as the Hotel Association of the Northern Mariana Islands, has expressed concerns about the potential negative economic impact should the tourism-based economy lose foreign workers that make up the majority of the private sector workforce. There are an estimated 10,000 foreign workers currently admitted under the CW visa category.
 - Under the CNMI parole program, Russian and Chinese tourists are allowed to enter the CNMI without a United States visa. In December 2013, Chinese and Russian visitors increased 10% and 59% respectively over the same period in 2012.
- **Tinian, CNMI**
 - The CNRA designates six ports of entry for the CNMI. There is one airport and one seaport on each of the three main islands (Saipan, Tinian, and Rota). Because there is no activity or any usable facility on Tinian, CBP has not staffed that location.

CBP Operations in the U.S. Virgin Islands (USVI)

- The Caribbean maritime border presents unique challenges. CBP has pioneered several processes to meet these challenges, such as establishing cross-agency standard operating procedures; mechanisms to share intelligence; and the establishment of a common operating picture that enables CBP to combat threats of terrorism, illegal immigration, drug and weapon trafficking in the territory.
- DHS has established a comprehensive plan that disrupts the flow of illicit drugs, firearms, and money and targets violent gang members. The Caribbean Border Interagency Group (CBIG), established in 2006 substantially reduced the number of illegal migrants, increased drug and weapons seizures, and has proven that agencies and departments, through a collective effort, can accomplish difficult missions.

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- In 2012, the Governor of Puerto Rico requested assistance from federal law enforcement agencies to curtail the high crime rate on the island. The President initiated a response by creating a Working Group to pinpoint the various reasons for this increased crime rate. In August 2012, then-Secretary Janet Napolitano visited PR, met with the Governor and principal DHS components, and mandated a “Call to Action” be implemented to combat the high crime rate in PR (including USVI).
- To ensure that adequate resources are focused in reducing violent crimes, DHS established an intra-Department working group at the Secretary’s direction. Operation Caribbean Guard (OCG) was established. The OCG participants consist of CBIG members and are comprised of the following agencies: U.S. Customs and Border Protection (CBP) Office of Field Operations (CBP-OFO), CBP Officer of Air and Marine (CBP-OAM), CBP Office of Border Patrol (CBP-OBP), Homeland Security Investigations (HSI), Transportation Security Agency (TSA), and the U.S. Coast Guard (USCG). The Department of Justice (DOJ) and the Department of Defense (DOD) are also part of these efforts.
- DHS’s plan for the Caribbean will be incomplete if it does not include the U.S. Virgin Islands (USVI). Similar to Puerto Rico (PR), the USVI are used as transshipment points for cocaine shipments originating from South America and the Lesser Antilles destined to U.S. mainland and PR. The region is receiving significant amounts of marijuana, firearms and unreported currency via U.S. mail and private carriers from the continental United States. Therefore, in order to have an effective strategy to curtail these threats, the Department’s efforts must include the USVI.
- CBIG has implemented a series of enforcement activities to enhance border security in the territories. For example, CBP officers are not only covering their traditional areas of responsibility, i.e., airports and seaport terminals, but are conducting patrols outside the ports of entry (POEs), intercepting aliens between the POEs, collecting intelligence and supporting other federal and local law enforcement agencies. CBP has also deployed non-intrusive inspectional (NII) equipment and canine teams to augment their capabilities in the USVI. The most recent success has been in the area of inspecting U.S. mail. CBP officers in PR and the USVI, working in collaboration with the U.S. Postal Inspector Office and HSI agents, conducted an outbound mail operation that produced over 600 drug seizures during FY13.
- USVI has experienced a spike in the number of illegal aliens arriving in the territory, and has requested CBP-OBP to be on the island on a permanent basis. While there is no Border Patrol Station in the USVI, there are adequate DHS resources to address the current threat.
- CBP-OFO operates in the USVI under a reimbursable agreement. Current U.S. law does not allow CBP to receive appropriated funds to cover the CBP mission in the territory. This will require Congressional legislation.
- USVI is considered a foreign territory under the U.S. Customs law, and all travelers leaving USVI in route to the United States and PR are required to be inspected by CBP.

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To facilitate and expedite the customs clearance process, the CBP inspection takes place in the USVI rather than at an international Federal Inspection Service area in the continental United States.

- CBP-OFO operations in the USVI are funded from the customs duties collected and deposited in the USVI Deposit Fund (VIDF) and other fees. Changes made by the USVI Government related to the composition of the VIDF eroded it, creating a funding shortfall that affected the CBP budget. The Governor of the USVI Honorable John P. de Jongh, Jr. requested the CBP Commissioner enter into negotiations about proposed changes in funding sources for the VIDF that could significantly impact the amount of funds available to support CBP-OFO mission. CBP management is still negotiating with the USVI government to identify other funding sources to cover this shortage. Although CBP OFO operates with a deficit in their financial plan for the USVI, the Agency has continued to recruit a small number of new hires and permitted some transfers of officers to the USVI.

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