



# Illegal Trafficking of Wildlife and Other Natural Resources

October 10, 2017

Fiscal Year 2017 Report to Congress



Homeland  
Security

*Under Secretary for Management*

# Message from the Deputy Under Secretary for Management

October 10, 2017

I am pleased to present the following report, “Illegal Trafficking of Wildlife and Other Natural Resources,” prepared by U.S. Immigration and Customs Enforcement.



This report is submitted pursuant to the language set forth in Senate Report 114-264 accompanying the Fiscal Year 2017 Department of Homeland Security (DHS) Appropriations Act (P.L. 115-31).

The report reinforces the Department’s active engagement with the Presidential Task Force on Wildlife Trafficking, as established by Executive Order No. 13468 on July 1, 2013, and highlights our collaborative efforts in preventing these illegal activities and in apprehending and prosecuting the offenders.

Pursuant to congressional requirements, this report is being provided to the following Members of Congress:

The Honorable John R. Carter  
Chairman, House Appropriations Subcommittee on Homeland Security

The Honorable Lucille Roybal-Allard  
Ranking Member, House Appropriations Subcommittee on Homeland Security

The Honorable John Boozman  
Chairman, Senate Appropriations Subcommittee on Homeland Security

The Honorable Jon Tester  
Ranking Member, Senate Appropriations Subcommittee on Homeland Security

If you have any questions, please do not hesitate to contact me at (202) 447-3400 or the Department’s Acting Chief Financial Officer, Stacy Marcott, at (202) 447-5751.

Sincerely,

A handwritten signature in black ink, appearing to read "Chip Fulghum". The signature is stylized and cursive.

Chip Fulghum  
Deputy Under Secretary for Management

# Executive Summary

This report highlights recent activities and initiatives that DHS has put forth to address wildlife and natural resources trafficking—illegal activities that pose both a conservation and national security threat to the United States.

Through its engagement with the Presidential Task Force on Wildlife Trafficking, DHS has taken steps to further coordination with the U.S. Fish and Wildlife Service’s Office of Law Enforcement and has worked to implement the National Strategy for Combating Wildlife Trafficking. Further, DHS has aligned its resources to meaningful activities designed to address and eliminate the threat from these unlawful activities.

DHS remains strongly committed to combating wildlife trafficking, assisting foreign nations in building capacity to combat wildlife trafficking, and working with its partners to combat transnational organized crime.



# Illegal Trafficking of Wildlife and Other Natural Resources

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# I. Legislative Language

This document was compiled pursuant to the legislative language set forth in Senate Report 114-264 accompanying the Fiscal Year 2017 Department of Homeland Security (DHS) Appropriations Act (P.L. 115-31).

Senate Report 114-264 states:

As previously discussed in Senate Reports 113-198 and 114-68, the Committee is concerned about the sharp increase in illegal international trade in wildlife and wildlife products and expects DHS to work in partnership with the U.S. Fish and Wildlife Service to improve their cooperative efforts to better address wildlife trafficking. The Committee remains frustrated that the Department has failed to produce specific reports on these activities as required in Senate Report 113-198 and in the explanatory statement accompanying Public Law 114-113. These reports should be provided to the Committee expeditiously. A similar report for fiscal year 2017 should be provided not later than 45 days after the close of the fiscal year.

## II. Background

Wildlife trafficking has become an international crisis that threatens security, hinders sustainable economic development, and undermines our laws. The illicit trade in wildlife is destroying many species worldwide and threatens iconic species such as the rhinoceros, elephant, and tiger with extinction. The connections between trafficking in illegal wildlife and natural resources with the financing of groups involved in transnational organized crime pose additional threats to the United States.

In Executive Order No. 13648, Combating Wildlife Trafficking, issued on July 1, 2013, President Barack Obama addressed the significant effects of wildlife trafficking on the national interests of the United States. The order established the Presidential Task Force on Wildlife Trafficking (Task Force), led by the Department of State (DOS), the Department of Justice (DOJ), and the Department of the Interior (DOI) and included DHS and 13 other federal agencies and offices. The Task Force created a National Strategy for Combating Wildlife Trafficking (Strategy) that included consideration of issues related to combating trafficking and curbing consumer demand.

On February 11, 2015, the Task Force issued the Strategy's Implementation Plan, which reaffirmed our Nation's commitment to work in partnership with governments, local communities, nongovernmental organizations (NGO), and the private sector to stem the illegal trade in wildlife. DHS continues to work in concert with other agencies to help implement the key objectives of the Strategy: strengthening enforcement, reducing demand for illegally traded wildlife, and expanding international cooperation.

Effective July 6, 2016, the rule for the African elephant, promulgated under section 4(d) of the Endangered Species Act (ESA) of 1973, was revised to increase protection for African elephants in response to the alarming rise in poaching driven by the mounting illegal trade in ivory. The African elephant (*Loxodonta africana*) was listed as threatened under the ESA effective June 11, 1978, and, at the same time, a rule was promulgated under section 4(d) of the ESA (a "4(d) rule") to regulate import and use of specimens of the species in the United States. This final rule allows U.S. authorities to regulate more strictly trade in African elephant ivory and to help to ensure that the U.S. ivory market is not contributing to the poaching of elephants in Africa, while still allowing activities that do not contribute to poaching and illegal trade, such as well-managed sport hunting.

On February 9, 2017, President Donald J. Trump issued Executive Order No. 13773, Enforcing Federal Law with Respect to Transnational Criminal Organizations and Preventing International Trafficking. The order addressed the substantial threat to the safety of the United States and its citizens posed by transnational criminal organizations. Moreover, the order seeks to strengthen enforcement of federal law in order to combat transnational criminal organizations and subsidiary organizations engaged in illicit activities, such as "the illegal smuggling and trafficking of humans, drugs or other substances, wildlife and weapons," which threaten public safety and national security. In addition to illegal smuggling and trafficking, the order also places emphasis on impeding "the illegal concealment or transfer of proceeds derived from such illicit activities."

### III. U.S. Immigration and Customs Enforcement

#### Engagement

U.S. Immigration and Customs Enforcement (ICE) leads DHS participation on the Presidential Task Force on Wildlife Trafficking. ICE actively was involved in building the Strategy's Implementation Plan and identified existing DHS resources and expertise capable of executing the Plan's enforcement and investigative fundamentals. ICE Homeland Security Investigations (HSI) is working to disrupt and dismantle transnational criminal organizations involved in wildlife trafficking using its domestic and international resources, expertise, and authorities. ICE personnel actively are engaged with other U.S. Government agencies and NGOs to promote ICE's role both domestically and abroad, including capacity building as it relates to illegal wildlife trafficking. These entities include DOI's Fish and Wildlife Service (FWS), DOS's Bureau of International Narcotics and Law Enforcement Affairs (INL), the World Customs Organization, the International Police Organization (INTERPOL), and several NGOs.

ICE, U.S. Customs and Border Protection (CBP), and FWS also have joined forces by way of CBP's Commercial Targeting and Analysis Center (CTAC) and CBP's National Targeting Center (NTC) to enhance mutual U.S. Government efforts to combat illegal imports of endangered wildlife. The CTAC brings together key federal agencies with safety regulation oversight of imports into the United States, as well as agencies like ICE and FWS, with authority to enforce import violations. CBP provides intensive systems and targeting training, along with operational targeting support, through the NTC. ICE and FWS have co-located personnel at both the CTAC and the NTC. Furthermore, since December 2013, ICE has maintained the National Targeting Center - Investigations, which is situated within CBP's NTC, to enhance its shared border security mission. ICE's collaborative presence at the NTC supports the border security continuum, from CBP interdictions and HSI investigations, to the joint exploitation of intelligence.

From January 30 to February 19, 2017, FWS, CBP, ICE, the U.S. Department of Agriculture's (USDA) U.S. Forest Service, and the INTERPOL National Central Bureau Washington, D.C., coordinated their collective participation in INTERPOL's Operation Thunderbird. This global operation targeting illegal trade in wildlife and timber resulted in the worldwide identification of nearly 900 suspects and 1,300 seizures of illicit products worth \$5.1 million. The operation involved police, customs, border agencies, environment, wildlife, and forestry officials from 43 countries and territories.

In addition to the disruption of wildlife trafficking organizations, ICE also delivers outreach and training. From April 10 to April 12, 2017, the DOJ Office of Overseas Prosecutorial Development Assistance and Training (OPDAT) in Kuala Lumpur, Malaysia, hosted a DOS INL-funded Multilateral Workshop to Combat Wildlife Trafficking for police, prosecutors, and other officials from Indonesia, Laos, Malaysia, Thailand, and Vietnam. The wildlife crime-focused workshop offered instruction on cyber techniques for investigating and prosecuting online wildlife crimes. This workshop, held in Kuala Lumpur, Malaysia, was the fifth in a series

of five workshops that OPDAT initiated in May 2014 in Bogor, Indonesia. Subsequent workshops were held in Hanoi, Vietnam, in November 2014, Vientiane, Laos, in May 2015, and Bangkok, Thailand, in January 2016. Although all five workshops featured blocks of instruction from ICE, FWS, DOS, and DOJ, the April 2017 workshop included instruction on digital evidence preservation, cybercrime partnership resources available to foreign partners, significant aspects of the Eliminate, Neutralize, and Defend Wildlife Trafficking Act enacted in October 2016, and crossborder investigative best practices.

From May 24 to May 26, 2017, the DOJ Environment and Natural Resources Division (ENRD), the United Nations Office on Drugs and Crime, CBP, and ICE provided illegal logging enforcement capacity building training to Peruvian law enforcement, customs, and prosecutorial officials at Puerto Maldonado, Peru. This DOJ ENRD-sponsored, DOS INL-funded training focused on various aspects of the illegal harvesting of timber in the region. The training included: law enforcement techniques including controlled deliveries, management of informants, and interviewing tips; overviews of investigations leading to prosecution of tax and import/export offenses related to illegal logging; use of international agreements such as Mutual Legal Assistance Treaties and Customs Mutual Assistance Agreements to share information; and panel discussions on relationships between forestry crimes and illegal drug trafficking, illegal mining, and other forms of organized crime.



## IV. U.S. Customs and Border Protection Engagement

CBP collaborates with both ICE and FWS in addressing threats related to this important issue. CBP partners with FWS to ensure that commodities/goods (in both the passenger and commercial environments) meet requirements for legal entry into the United States. FWS personnel also are stationed at various ports of entry and enforce their regulations alongside CBP officers and CBP agriculture specialists.

CBP also works with ICE and FWS through CBP's CTAC to enhance efforts to combat illegal imports of endangered wildlife. The CTAC mission is to join together federal agencies with authority over safety regulations of products imported into the United States. The CTAC facilitates information sharing and leverages the collective resources of the 11 CTAC Partner Government Agencies<sup>1</sup> to enhance the prevention, preemption, deterrence, analysis, and investigation of violations of importation laws that affect the United States' interest in the import safety environment. FWS joined the CTAC on April 1, 2014. The inclusion of FWS in the CTAC allows for better coordination and enhancement of operations toward thwarting illegal wildlife trade by joining FWS with other CTAC Partner Government Agencies, including CBP and ICE.

FWS has committed multiple resources such as intelligence analysts and law enforcement agents, who are physically co-located at the CTAC. CBP has provisioned these FWS representatives with access to several CBP systems in order to facilitate import targeting. CBP also has provided intensive systems and targeting training through the NTC - Cargo in Herndon, Virginia.

FWS and ICE have broadened the scope of the CTAC by bringing its subject matter expertise and resources to the targeting of illegal wildlife trade at our Nation's borders. The information-sharing and collaboration efforts between FWS and the CTAC Partner Government Agencies play a key role in tackling illegal wildlife trade, which contributes to advance FWS's mission.

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<sup>1</sup> CTAC Partner Government Agencies: USDA Animal and Plant Health Inspection Service, U.S. Consumer Product Safety Commission, CBP, U.S. Environmental Protection Agency, U.S. Department of Health and Human Services Food and Drug Administration, FWS, USDA Food Safety and Inspection Services, ICE, U.S. Department of Transportation (DOT) National Highway Traffic Safety Administration, U.S. Department of Commerce National Marine Fisheries Service, and DOT Pipeline and Hazardous Materials Safety Administration.

## V. Conclusion

DHS remains steadfast in its commitment to combat wildlife trafficking and the illegal trading of other natural resources. Through its collaboration with interagency partners, DHS will continue to work and build upon the Task Force Strategy's three objectives: strengthening enforcement; reducing demand for illegally traded wildlife; and building international cooperation, commitment, and public-private partnerships.

## VI. Appendix: List of Abbreviations

<b>Abbreviation</b>	<b>Definition</b>
<b>CBP</b>	U.S. Customs and Border Protection
<b>CTAC</b>	Commercial Targeting and Analysis Center
<b>DHS</b>	U.S. Department of Homeland Security
<b>DOI</b>	U.S. Department of Interior
<b>DOJ</b>	U.S. Department of Justice
<b>DOS</b>	U.S. Department of State
<b>DOT</b>	U.S. Department of Transportation
<b>ENRD</b>	Environment and National Resources Division
<b>ESA</b>	Endangered Species Act of 1973
<b>FWS</b>	U.S. Fish and Wildlife Service
<b>HSI</b>	Homeland Security Investigations
<b>ICE</b>	U.S. Immigration and Customs Enforcement
<b>INL</b>	Bureau of International Narcotics and Law Enforcement Affairs
<b>INTERPOL</b>	International Police Organization
<b>NGO</b>	Nongovernmental Organization
<b>NTC</b>	National Targeting Center
<b>OPDAT</b>	Office of Overseas Prosecutorial Development Assistance and Training
<b>USDA</b>	U.S. Department of Agriculture