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In the initial report, OPR investigators determined that the alleged violations of CBP Directive 3310-006A were not sustained. Their conclusion appears to be based on the interpretation that CBPOs are permitted to allow the importation of a personal use amount (50 dosage units) without a U.S. prescription. However, this interpretation overlooks that the Directive explicitly states that such importation is contingent upon meeting the five required elements outlined in the Directive:

1. The substance must be declared to a CBP officer upon arrival.
2. It must be for the individual's personal use.
3. It must be in its original container.
4. It must be permitted under other federal laws.
5. It must be permitted under applicable state law.

The final element is the one in question. Progreso management instructs CBPOs to disregard this requirement on the basis that "CBP does not enforce state laws." Progreso management also maintains that CBP does not have the authority to stop the importation of controlled substances listed under Schedules II–V if state authorities are not present.

However, the CBP Directive clearly states that state law may form the basis for a seizure of controlled substances under federal law. This means that regardless of whether state authorities intend to pursue criminal charges, the mere fact that a substance violates state law is sufficient to justify a federal seizure. Under Texas law, controlled substances listed under Schedules II–V require a valid U.S. prescription for lawful possession.

In the initial report, Progreso management officials advised OPR investigators that CBP does not enforce state laws. However, in the supplemental report, OPR investigators interviewed management officials at the Laredo Field Office (LFO), which provides guidance and oversight to the Progreso Port of Entry. LFO officials stated that CBP does, in fact, enforce state law by detaining individuals and contacting local authorities when violations occur. They further stated that even when the personal-use exemption applies (50 dosage units or less), the importation of the substance must still comply with both federal and state law.

This directly contradicts the position taken by Progreso management that personal-use quantities of controlled substances listed under Schedules II–V are permitted to enter the United States because CBP does not enforce state law.

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LFO management also stated that, with regard to controlled substances listed under Schedules II–V, residents entering the United States without a valid prescription would normally be returned to Mexico or the controlled substance would be seized by CBP, and that most such substances were not being allowed into the United States. However, CBPOs at the Progreso Port of Entry know this is not the case in practice.

A significant number of travelers crossing through the Progreso Port of Entry possess controlled substances listed under Schedules II–V in violation of state law, resulting in millions of highly addictive opioid pills unlawfully entering the United States from Mexico each year. CBPOs routinely do not refer these travelers for further inspection in the system, resulting in little to no documentation of the importation and effectively opening the floodgates for continued violations.

This practice occurs because management has instructed officers that travelers are permitted to import a personal-use quantity of controlled substances listed under Schedules II–V regardless of state law, based on the assertion that “CBP does not enforce state law.” This guidance directly contradicts the CBP Directive, which explicitly requires compliance with applicable state law as a condition for lawful importation.

OPR stated that the public harm allegation was unfounded as statistics showed Progreso port of entry was leading the LFO in controlled substance seizures. While this statement may be factually accurate, it fails to provide critical context. There was a significant increase in seizures of controlled substances listed under Schedules II–V after the whistleblower report was filed in January 2025. Additionally, a large portion of those seizures were conducted by the whistleblower, creating the appearance that the increase in enforcement activity occurred only after the report was submitted and during the OPR investigation phase.

A local news outlet also reported a 27 percent increase in opioid smuggling cases in 2025 compared to 2024, which occurred after the whistleblower report was filed.

<https://www.valleycentral.com/news/local-news/dps-cbp-launch-campaign-to-tackle-illicit-medication-smuggling-from-mexico/>

As of today, Progreso management continues to instruct CBPOs to allow the importation of controlled substances listed under Schedules II–V in personal-use quantities, even when the importation does not comply with applicable law. As a result, the continued

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misapplication of this policy leaves the floodgates open for the unlawful entry of opioid pills from Mexico into the United States.

The controlled substance trade in Nuevo Progreso, Tamaulipas, Mexico is widely understood to be controlled by the Mexican Gulf Cartel (CDG). Drug trafficking organizations (DTOs) operating in the United States are able to exploit Progreso management's interpretation of the CBP Directive by directing multiple individuals to cross the port of entry, each carrying a small quantity of controlled substances. This tactic allows DTOs to avoid detection while facilitating the steady flow of controlled substances into the United States.

Respectfully,



U.S. Customs and Border Protection Officer