

TESTIMONY OF

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ON

“What Does a Secure Maritime Border Look Like?”

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Introduction

Chairwoman Miller, Ranking Member Jackson-Lee, and distinguished Members of the Subcommittee, it is a pleasure to appear before you today to discuss U.S. Customs and Border Protection (CBP) efforts to secure our Nation's maritime borders.

We are here today to discuss what a secure maritime border looks like. A secure maritime border necessitates significant domain awareness and involves partnerships, intelligence, and a coordinated approach to the use of detection resources for effective understanding of the threats associated with the maritime domain that could impact the security, safety, economy, or environment of the United States. Maritime security cannot be measured by a single metric. Rather, a secure maritime border is one where ample opportunities and capabilities are present to mitigate threats and keep our communities safe.

As America's frontline border agency, CBP is responsible for securing America's borders against threats while facilitating the lawful flow of people and goods entering the United States. To accomplish our mission, CBP has deployed a multi-layered, risk-based approach to enhance the security of our borders. This layered approach to security reduces our reliance on any single point or program that could be compromised. The "defense-in-depth" strategy extends our zone of security outward, ensuring that our physical border is not the first or last line of defense, but one of many.

Overview of CBP Maritime Security Operations

CBP's Office of Air and Marine (OAM) is the world's largest aviation and maritime law enforcement organization, and is a critical component of CBP's layered enforcement strategy for border security. OAM protects the American people and the Nation's critical infrastructure through the coordinated use of integrated air and marine assets to detect, interdict and prevent acts of terrorism and the unlawful movement of people, illegal drugs and other contraband toward or across the borders of the United States.

Over the past 11 years, CBP has dedicated historic levels of personnel, technology, and resources in support of our maritime security efforts. The number of OAM agents dedicated to performing CBP's mission has grown from 943 in Fiscal Year (FY) 2002 to a present force of 1,728 enforcement and support personnel throughout the United States and territories.¹

OAM operations in the field are divided into three regions: the Southwest Border Region, the Northern Border Region, and the Southeast Border Region. Each region is split into Air and Marine Branches, and then further divided into Air and/or Marine Units.

OAM also operates two unique operational entities: National Air Security Operations (NASO) and the Air and Marine Operations Center (AMOC). NASO, operating out of six centers

¹ As of pay period 20, FY 2013.

nationwide, coordinates operational activities, long-range planning and project oversight for the P-3 aircraft and unmanned aircraft system (UAS) programs. AMOC is a state-of-the-art law enforcement operations and domain awareness center that conducts air and marine surveillance operations. These air and marine surveillance operations provide direct coordination and support to OAM; CBP law enforcement agents performing interdiction missions; and other federal, state, and local law enforcement agencies conducting criminal investigations. The AMOC is located in Riverside, California, with satellite operations centers in Puerto Rico and the National Capital Region.

The OAM fleet consists of 289 coastal and riverine vessels and 242 aircraft including 105 fixed wing, and 137 rotary wing. These assets provide critical aerial and maritime surveillance, interdiction, and operational assistance to ground personnel to support CBP's maritime security mission. CBP continues to modernize its fleet to enhance our operational performance in diverse marine environments and increase our ability to adapt to the challenges of securing the maritime approaches to the United States.

Additionally, in support of OAM operations, CBP has assumed responsibility for the Tethered Aerostat Radar System (TARS) Program from the Department of Defense (DOD) in FY 2014. TARS has assisted CBP and its legacy agencies with providing air domain awareness for more than 20 years — it is a multi-mission capability that supports CBP's border security mission.

OAM provides surveillance of known air, land, and maritime smuggling routes in an area that is twice the size of the United States. With our partners, OAM agents detect, monitor and disrupt illicit activities before they reach the shore.

Maritime Threats and Efforts

CBP's maritime border security mission is complex and challenging. The maritime domain, generally less restricted than the air and land domains, is an expansive pathway to the world without fences. That pathway connects to more than 95,000 miles of U.S. shoreline.²

While the Maritime Transportation Security Act of 2002 (MTSA) and the International Convention for the Safety of Life at Sea (SOLAS) require many commercial, passenger, and fishing vessels to operate with an Automatic Identification System (AIS), a tracking system to, among other things, increase maritime awareness, the requirement does not cover many small vessels.³ The United States Coast Guard (USCG) estimates that, combined with unregistered

² DHS, *Small Vessel Security Strategy*, April 2008, page 4. <http://www.dhs.gov/xlibrary/assets/small-vessel-security-strategy.pdf>.

³ "Small vessels" are characterized as any watercraft, regardless of method of propulsion, less than 300 gross tons. Small vessels can include commercial fishing vessels, recreational boats and yachts, towing vessels, uninspected passenger vessels, or any other commercial vessels involved in foreign or U.S. voyages. DHS, *Small Vessel Security Implementation Plan Report to the Public*, January, 2001, page 1. <http://www.dhs.gov/xlibrary/assets/dhs-uscg-small-vessel-security-strategy-report-to-public-012011.pdf>.

watercraft, there are approximately 17 million small vessels⁴ operating in U.S. waterways; a majority of these vessels are not required to utilize AIS. Therefore, detecting and assessing the risk of small vessels is particularly challenging.

Additionally, the maritime environment contains both legitimate and illegitimate traffic sharing the same transit routes. Smugglers use a wide range of evolving methods, including the use of small vessels, to move contraband and people across our borders. OAM adapts its strategy and response to address emerging threats, tactics, and intelligence.

As part of CBP's comprehensive effort to improve the security of our Nation's borders while enhancing legitimate travel specifically for small boaters, CBP's Office of Field Operations (OFO) utilizes several alternate inspection programs such as the Canadian Border Boater permit (I-68), Nexus Marine program, and the Small Vessel Reporting System (SVRS). SVRS, a voluntary, online program to report the foreign travel of small vessel operators and passengers, was developed to better track small vessels and make it easier to identify suspicious or unknown vessels. Enrollment in SVRS includes completing an online application, attending a face-to-face interview with a CBP officer, and, if needed, providing biometrics for verification. Once enrolled, participants are able to submit a "float plan" consisting of biographical information of all persons intending on traveling, vessel registration information, and itinerary information. By enrolling and submitting a float plan, participants may not have to appear in person for inspection by a CBP officer each time they enter the United States. Participants are still required to report via telephone their arrival in the United States. Initiatives such as SVRS provide CBP with advanced vessel information and increased awareness of small vessels approaching or traveling U.S. waterways. Segregating low risk vessels facilitates legitimate recreational boater traffic and increases CBP's ability to identify higher risk vessels and dedicate resources to address illicit maritime activities.

A considerable threat along our entire maritime border involves the use of "pangas." Smugglers use these wood or fiberglass homemade fishing vessels' relatively high-speed capabilities, small radar signature, and the cover of darkness to attempt to evade detection by surface patrol vessels and patrol aircraft. Small panga vessels are used to quickly move contraband short distances; however, larger and higher-powered pangas can range in size up to 50 feet in length and are capable of carrying multi-ton loads of contraband greater distances.

A recent trend identified off the California coast is a shift from using smaller panga vessels that make quick cross-border trips to beach areas near San Diego to using larger pangas. Larger pangas are typically used in the Western Caribbean transit zones from South America, but are now transiting from Mexico farther offshore and farther Northward along the California coast.

⁴ USCG 2006 boater statistics compiled from state boater registration reports indicate there are 13 million registered boats in the United States. When combined with unregistered boats, the figure is estimated at 17 million total U.S. watercraft. DHS, *Small Vessel Security Strategy*, April 2008, footnote 2, page i. <http://www.dhs.gov/xlibrary/assets/small-vessel-security-strategy.pdf>.

In FY 2013, the San Diego Maritime Domain along the California Coast, had 243 maritime smuggling events and 123 seizures, of which 81 were pangas, accounting for 93,240 pounds of marijuana.

OAM is taking the Southern California panga threat seriously and is evaluating a number of options to aggressively address the significant increase in smuggling events and the trends moving these panga trips northward. Our response includes increasing the number of Multi-Role Enforcement Aircraft (MEAs) and maritime UAS patrols; the realignment of vessels and personnel in Southern California through surge operations; and the expansion of our partnerships.

Collaborative Efforts

Through collaboration and coordination with our many partners, we have made great strides with regard to the integrity and security of our maritime borders.

In 2011, the CBP Commissioner, USCG Commandant and U.S. Immigration and Customs Enforcement (ICE) Director signed the cross-component Maritime Operations Coordination (MOC) plan. The plan addresses the unique nature of the maritime environment and sets forth a layered, DHS-wide approach to homeland security issues within the maritime domain, ensuring integrated planning, information sharing, and increased response capability in each area of responsibility.

OAM has been an integral part of successful interagency counter-narcotics missions. For example, operating in coordination with the Joint Interagency Task Force – South (JIATF-S), OAM assets, including P-3 aircraft, patrol a six million square mile area of the Western Caribbean and Eastern Pacific, known as the transit zone, in search of drugs and illicit migrants that are in transit toward United States' shores. OAM's distinctive detection capabilities allow highly-trained crews to identify emerging threats well beyond the land borders of the United States.

In partnership with USCG, OAM developed a maritime variant of its Predator B unmanned aircraft system (UAS), called the Guardian, to increase reconnaissance, surveillance, targeting, and acquisition capabilities in maritime operating environments. OAM pilots, augmented by USCG personnel, use the Guardian to conduct long-range surveillance in support of joint counter-narcotics operations in the southeast coastal and Gulf of Mexico border regions and drug source and transit zones, where maritime radar is necessary to detect a variety of threats. The Guardian is a strategic asset for homeland security operated at and beyond the Nation's borders to overcome threats moving towards the United States.

CBP, with assistance from several NASO Centers, USCG, DOD, along with state, local, and tribal partners participate in Operation Blue Tempest. OAM supports this operation using P-3, DHC-8, MQ-9 (Guardian UAS) aircraft and marine interceptors. Operation Blue Tempest is

intended to disrupt and seize drugs moving from the source zone through the transit zones on their way towards the United States. Ongoing missions provide aerial and maritime surveillance in transit/arrival zones allowing OAM to gather intelligence, develop a maritime database and exploit targets of opportunity that are conducting drug and alien smuggling in the California Coastal Region. The intelligence gained from these missions is shared among all operational participants. This intelligence may also be shared with the Government of Mexico (GoM) using vetted GoM Liaisons on staff at the AMOC. This sharing of information, which is done in coordination with the Drug Enforcement Administration (DEA) as the single point of contact on behalf of the United States with regards to drug-related matters in the foreign environment, is critical in identifying potential departure locations to better posture limited GoM and U.S. resources in response.

OAM continues to engage with the USCG and DOD to identify and deploy enabling technologies that permit the expansion of overall maritime domain awareness and the integration of information and maritime sensor data throughout DOD and DHS. Through this partnership, OAM is negotiating with DOD to receive radar data from patrolling DOD air and surface assets along the California Coastline. AMOC already receives feeds from airborne DOD aircraft and is looking to the Navy Southern California Offshore Range as an additional source for enhanced maritime domain awareness. With the support of the DHS Science and Technology Directorate and the USCG Research and Development Center, prototype technologies have been deployed to the AMOC and USCG Los Angeles/Long Beach Sector, and are currently under evaluation. The Coastal Surveillance System (CSS) pilot has already shown promise in its ability to manage and coherently integrate various maritime sensor systems into a single picture, which can be then shared between stakeholders.

DHS and CBP have cooperated in various law enforcement and border security efforts including conducting joint air interdiction operations with Mexican forces to increase apprehensions of suspect air traffic. CBP continues to enhance our partnerships with our international counterparts, as well as Federal, state, local, and tribal law enforcement agencies and the public and private sectors to monitor, collect, analyze and produce intelligence reporting on smuggling tactics, techniques, and procedures. Intelligence provides frontline personnel with a better understanding of the illicit transportation methods and concealment techniques they are likely to encounter. Coordination and cooperation among all entities that have a stake in our mission have been, and continue to be, paramount to an effective maritime security strategy. OAM continues to unify our enforcement efforts and expand collaboration with other agencies.

Indicators of Success

OAM will continue to work with our partners to increase maritime domain awareness through shared intelligence, advancements in technology, and continued cooperative efforts in detection and interdiction.

OAM efforts, in coordination with our partners, have resulted in the seizure of immense quantities of contraband, and disrupted considerable illicit activity before it reaches our shores. In FY 2013, OAM conducted more than 73,500 Flight hours and 44,500 underway hours, resulting in the arrest of 2,997 individuals, the apprehension of more than 48,000 illegal migrants, over 3100 weapons, \$24,696,873.00 in currency, and the seizure of more than 820,000 pounds of illegal drugs which includes cocaine seizures valued at nearly \$10 billion and marijuana seizures valued at \$1.8 billion.

Over the last decade, OAM has evolved to counter the egregious threat of non-compliant vessels. OAM has developed capabilities to disable non-compliant vessels and prevent the more serious violators from reaching our communities. Since 2003, OAM has engaged in 108 incidents involving marine warning and/or disabling rounds, and one incident involving air to vessel warning and disabling rounds. In each case, the criminals were safely brought to justice without incident or injury.

We acknowledge that there is still work to do. The path forward is to improve our maritime domain awareness by continually enhancing our detection capabilities, maximizing maritime intelligence integration, increasing our resources, enhancing and expanding our technologies, and strategically aligning our resources to allow flexibility in responding to potential threats. OAM will continue to use a risk-based approach to adapt and align our personnel and assets as needed to address emerging and dynamic threats and to keep our maritime borders secure.

Conclusion

Chairwoman Miller, Ranking Member Jackson-Lee, and members of the Subcommittee, thank you for this opportunity to testify about the work of CBP and OAM. With your support, we will continue to refine and further enhance the effectiveness of our detection and interdiction capabilities. I look forward to answering any questions you may have at this time.