



**TESTIMONY OF
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**ON
“SECURING AMERICA’S MARITIME BORDER – CHALLENGES AND SOLUTIONS”**

**BEFORE THE
HOUSE COMMITTEE ON HOMELAND SECURITY
TRANSPORTATION & MARITIME SECURITY SUBCOMMITTEE**

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Introduction

Good afternoon, Chairman Gimenez and distinguished Members of the Subcommittee. I am honored to be here today to discuss the Coast Guard’s role in securing America’s maritime border.

The United States is a maritime nation with 95,000 miles of shoreline and 361 commercial ports connecting 25,000 miles of navigable channels facilitating the flow of \$5.4 trillion dollars of maritime economic commerce. More than 90 percent of the volume of overseas trade enters or leaves the United States by ship. Your Coast Guard is a unique, complementary organization within the Department of Homeland Security enterprise. We are at all times an Armed Force, a federal law enforcement agency, humanitarian first responders, environmental stewards, a regulatory agency, and a member of the Intelligence Community. Your Coast Guard is a nimble instrument of national power. We protect the Homeland, save lives, and preserve the world’s ocean. I am pleased to share with you how we leverage our unique authorities and capabilities, and relationships with international, federal, state, local, and tribal partners to operationalize a layered approach to maritime border security. I am pleased to share what America’s Coast Guard is doing to protect our communities from transnational threats.

Maritime Drug Interdiction

Transnational Criminal Organizations (TCO) pose a significant threat to our nation’s maritime border security. TCO enterprises are diffuse, agile, and independent organizations that engage in drug trafficking, human smuggling, and other types of illicit activity. TCOs operate throughout our hemisphere, sowing regional instability and corruption, and threatening our shared security and prosperity. No single agency can dismantle this threat alone. The Coast Guard collaborates with partners across all levels of government, as well as international partners, to combat TCO activities.

The Coast Guard is the lead federal agency for maritime law enforcement, including drug interdiction on the high seas. We share the lead for drug interdiction in U.S. territorial seas with U.S. Customs and Border Protection (CBP). The Coast Guard partners with the Department of Defense, through Joint Interagency Task Force – South (JIATF-S), for detection and monitoring of illicit drugs bound for the United States, and the Department of Justice and the Organized Crime Drug Enforcement Task Forces (OCDETF) to target, detect, interdict, and prosecute transnational organized criminals to dismantle their networks.

From Fiscal Years (FY) 2018 through 2022, the Coast Guard removed 888 metric tons of cocaine from the transit zone, worth an estimated wholesale value of \$25.75 billion, and detained 2,776 drug smugglers for U.S. prosecution; in FY 2020, 92 percent of the cocaine destined to the United States departed South America through the maritime domain, using commercial and non-commercial conveyances. Our layered approach to combat TCOs, as far away from U.S. shores as practical, is through security cooperation and integrated out of area deployments, and while we mitigate the threat of all narcotics and recognize the impact of synthetic opioids such as fentanyl on the United States, the most significant drug threat in the maritime domain remains cocaine.

The Coast Guard maintains a physical presence in 30 countries around the world, of which about half of these countries are in the Western Hemisphere. Coast Guard personnel serve in various capacities as security cooperation officers, maritime advisors, attachés, liaisons, support to interdiction and prosecution teams, or technical experts. Through these integrated touchpoints we work with our partners to identify challenges and opportunities to increase their capabilities to combat TCOs inside their borders and maritime jurisdictional zones.

The Coast Guard also maintains more than 40 bilateral agreements. These agreements enable operations on partner-nation flagged vessels suspected of illicit activities on the high seas and in waters subject to their jurisdiction. In FY 2021, partner nations were responsible for more than 60 percent of cocaine removals in the Western Hemisphere transit zone, and in FY 2022, our South and Central American partners contributed to 75 percent of drug disruptions. These types of international activities, in addition to participation in combined exercises and Coast Guard provided training, enable partner nations to increase the professionalization of their workforce, enhance their maritime capabilities, and empower regional countries to lead coordinated efforts to combat TCOs at the source.

Coast Guard forces deploy to the Eastern Pacific and Caribbean to patrol the transit zone to deter, detect, and interdict maritime drug trafficking events. Coast Guard deployments are complementary to U.S. Navy, Canadian, British, and Dutch naval deployments with embarked Coast Guard Law Enforcement Detachments, capitalizing on the Coast Guard's authorities and expertise to interdict narcotics before they approach our borders. These surface assets are supported by Coast Guard, CBP, U.S. Navy, and Dutch fixed-wing aircraft. These aircraft conduct detection and monitoring, with intelligence and investigative support through JIATF-S embedded liaisons.

In FY 2022, following Coast Guard-led maritime interdictions, intelligence, and investigative support to our interagency and partner nation teammates, the Department of Justice successfully extradited and indicted Julio De Los Santos-Bautista, a Consolidated Priority Organizational Target and TCO leader responsible for smuggling cocaine from South America into the United States, via Puerto Rico. In addition to the indictment, an additional 18 members of Mr. De Los Santos-Bautista's TCO were arrested, and 16 properties were seized by Dominican partners. Successes like this investigation are the result of the Coast Guard's integrated efforts with partners to combat TCOs attempting to exploit our maritime borders.

Migrant Interdiction

Another threat to our maritime border security is irregular maritime migration. We approach maritime migration operations as a lifesaving mission. Migrants can take to the sea in a variety of conveyances, which are often overloaded with little to no safety equipment nor experience piloting vessels, especially in adverse weather conditions. Over the last five years, approximately 341 migrants who

embarked on a vessel to enter the United States did not survive the journey and were either recovered by the Coast Guard or were presumed lost at sea. It is not uncommon for migrants to pay a smuggler or organizer upwards of \$10,000 to embark on the unsafe journey to the United States.

Coast Guard policy to interdict migrants at sea is rooted in national-level policy, established following maritime mass migrations in the 1980s and 1990s. The key tenets of those policies are to: interdict individuals at sea, as far away from U.S. shores as possible, and collaborate with the Department of State to enter into international agreements with countries to enable direct maritime repatriations, when appropriate. The Coast Guard maintains international agreements and liaisons with the Bahamas, Cuba, Dominican Republic, and Haiti to support safe, direct repatriations of interdicted migrants, consistent with international rules and norms and with U.S. policy on protection screening relating to fear of persecution or torture upon return. During instances when a migrant warrants protection screening by U.S. Citizenship and Immigration Services, the Coast Guard works through an interagency process, as outlined in the Maritime Operational Threat Response Plan, and may transfer them to a safe location for further screening. For migrants who do not warrant further protection screening, the Coast Guard works closely with the interagency and international partners to ensure a safe repatriation.

Over the last year and a half, the Coast Guard observed an increase in irregular maritime migration, above historical norms, across our southern maritime border. This is a difficult mission for our crews. The desperation of these individuals we encounter is palpable, and the human smugglers associated with these voyages are devoid of compassion. For example, patrolling the waters of the South Florida Straits can be compared to patrolling a land area the size of Maryland with seven police cars limited to traveling at 15 miles per hour. It requires exceptional tactical coordination between aircraft, ships, boats, and supporting partners ashore. It is not uncommon for migrant vessels we encounter to be non-compliant, threatening the lives of other migrants on board through acts of violence, ingesting hazardous chemicals, even holding small children over the side of the vessel to deter a Coast Guard rescue. Once on board our ships, Coast Guard personnel humanely tend to the needs of migrants, providing food, shelter from the elements, and medical care where required. Every person we encounter is treated with dignity and respect, and full acknowledgment that those individuals are seeking a better quality of life.

Coast Guard operators are professionals, but also spouses, parents, siblings, aunts, uncles, and sometimes grandparents. These operations are deeply impactful to our people, who have demonstrated remarkable resilience in the face of an increasingly challenging operational environment.

Southeast United States, including Puerto Rico and U.S. Virgin Islands

The southeast maritime approaches encompass much higher levels of irregular maritime migration as compared to the other U.S. southern maritime vectors. In this region, from FY 2020 to 2022, migrant flow increased by 521 percent, from 5,670 to 29,520. Notably in this vector, Cuban irregular maritime migration flow early into the second quarter of FY 2023 is 10,964, as compared to the total Cuban maritime flow for FY 2022, 9,538. Primary nationalities encountered in this region are Cubans, Haitians, and Dominicans, in addition to much smaller populations of other nationalities. Most Cuban and Haitian migrants use transit routes into Florida, either directly or via the Bahamas. Alternatively, Dominican and some Haitian migrants use shorter transit routes across the Mona Passage to Puerto Rico and the U.S. Virgin Islands. Common conveyances used in this region range from fishing vessels, coastal freighters, sail freighters, go-fast type vessels, and “rusticas.”

These conveyances can transport as few as 10 migrants on a “rustica” to hundreds on a sail freighter, or coastal freighter. Interdicting and rescuing migrants from these types of conveyances is dangerous, not only for the migrant, but also for our crews and partners. On March 6, 2022, a Haitian coastal freighter ran aground near Key Largo, Florida, attempting to offload passengers on U.S. shores. Of the 356 migrants on the vessel, 158 jumped off the vessel and attempted a perilous swim to shore without any safety equipment. Responses to incidents of this magnitude require a robust response both on the water and on shore, what the Coast Guard would refer to as a mass rescue operation. Despite the quick and effective coordination on scene, it is not uncommon for responders to be overwhelmed.

In 2003, DHS established an interagency task force called Homeland Security Task Force – Southeast, to prepare for, prevent, deter, and respond to a potential or actual maritime mass migration.

The task force is made up of DHS components, the Department of Defense, and state and local agencies, optimizing authorities, capabilities, and manpower to prevent a mass maritime migration, which presents a risk to both national security and our maritime border security. The Coast Guard integrates its coastal, offshore, aviation, and intelligence resources to support DHS’s operational plan, Operations Vigilant Sentry. This plan is DHS’ standing interagency response plan to deter irregular maritime migration.

Southwest Maritime Border

The southwest maritime border vector also recorded significant surges in irregular maritime migration, but not to the scale of the southeast maritime approaches. FY 2022 marked a ten-year record high of migrant flow¹ or a 200 percent increase from FY 2019. Human smugglers rely on recreational vessels or “panga” style vessels to transport as many as 30 migrants at a time; other common conveyances include personal watercraft. Although migrants with a variety of nationalities are interdicted in this vector, the vast majority are Mexican nationals. The Coast Guard does not have an agreement with the Government of Mexico to directly repatriate migrants through the sea. In these situations, the Coast Guard transfers the migrants to CBP for an appropriate processing including expedited removal.

The Gulf of Mexico

In the Gulf of Mexico, irregular maritime migration events increased by 530 percent from FY 2018 through FY 2022. In this vector, migrant events are organized and facilitated by human smuggling networks, or TCOs, using “pangas” or recreational vessels. As with the southwest maritime border, the vast majority of migrants interdicted in this vector are Mexican nationals. In FY 2022, there were 20 instances resulting in the interdiction of 14 Cuban migrants. In these cases, the Coast Guard works through regional interagency partners to transfer interdicted migrants ashore to CBP.

Northern Border

The northern border is expansive and diverse with numerous islands, waterways, short distances between United States and Canadian territorial seas creating opportunities for transnational actors to exploit vulnerable maritime areas with relatively reduced law enforcement presence.

¹ The Coast Guard characterizes “flow” as known landings, other known departures, and Coast Guard, U.S. partner agency, and foreign partner interdictions, turn-arounds, and estimates of the number lost at sea.

Maritime security threats along the northern border include both irregular maritime migration and drug trafficking. Known irregular maritime migration flow averages 30 per year, primarily across the Great Lakes and St. Lawrence Seaway. TCOs traffic Canadian marijuana, fentanyl, methamphetamines and other synthetic drugs near the Strait of Juan de Fuca, the Great Lakes, and other less populated areas.

The United States signed the Framework Agreement on Integrated Cross-Border Maritime Law Enforcement Operations (ICMLEO) with Canada in 2009 and began to operationalize ICMLEO in 2012. Since then, the Coast Guard and the Royal Canadian Mounted Police (RCMP) developed a program to train and designate officers to co-crew one another's boats and aircraft to enforce Canadian and United States federal laws on either side of the shared border. Since then, 713 boat crews and 349 aircrews from the Coast Guard and RCMP were trained to conduct ICMLEO operations. From calendar year 2016 through 2019, ICMLEO units made 32 arrests, interdicted 57 migrants, and seized 150 kg of cocaine, 1,600 kgs of liquid methamphetamines, and 10 kgs of barbiturate and ketamine. In April 2021, Coast Guard, RCMP, and CBP partners interdicted more than 342 pounds of methamphetamine worth more than \$1.5 million near Port Angeles, Washington. The ICMLEO program is a fantastic example of how the Coast Guard teams alongside the RCMP, CBP, and other state and local law enforcement to prevent TCOs from exploiting our northern border.

Secure U.S. Ports

Although the Coast Guard works to interdict threats as far from the United States as possible, we also have key maritime security roles in our near-shore and port environments. We leverage our unique authorities as Captain of the Port, Federal Maritime Security Coordinator, and Officer in Charge Marine Inspection to protect America's ports and waterways. Area Maritime Security Committees are established in each port to identify critical port infrastructure, operations, risks, and mitigation strategies; and to develop, train, and exercise the Area Maritime Security Plan. The Coast Guard conducts foreign and domestic vessel inspections and security boardings, container and facility inspections, and marine casualty investigations to prevent marine casualties and property losses, minimize security risks, protect the marine environment, facilitate the legitimate use of waterways, and suppress violations of federal law.

The Coast Guard, CBP, and U.S. Immigration and Customs Enforcement have established Regional Coordinating Mechanisms (ReCoM) to further interagency and port partner collaboration through intelligence integration, operational planning, and interagency operations to target and disrupt TCOs and threats to protect our marine transportation system. Additionally, ReCoM partners conduct surge operations such as Multi-Agency Strike Force Operations which leverage the jurisdictions, authorities, and resources of multiple agencies to ensure the safe and legal movement of containerized cargo and waterside facility security. Another aspect of the Coast Guard's role in securing U.S. ports is through conducting international port security assessments. These assessments adhere to the International Ship and Port Facility Security Code which serves as a framework through which countries cooperate to deter and prevent maritime threats from entering ports.

The Importance of Investment in Capability

To sustain and improve on these operational successes, the Coast Guard needs to continue re-capitalizing its patrol boats and major cutters. The Coast Guard has nearly completed its replacement of legacy 110-ft Patrol Boats with more capable Fast Response Cutters (FRC). These ships play key roles every day in both drug and migrant interdiction missions.

Additionally, National Security Cutters (NSC) demonstrate tremendous capability and make unique contributions, particularly to the drug interdiction mission. One of the Coast Guard's highest priorities is the acquisition of 25 Offshore Patrol Cutters (OPCs). The OPC will be the backbone of Coast Guard offshore presence and will replace the 30- to -50-year-old Medium Endurance Cutters that are operating well beyond their service lives. These assets are essential to interdicting drug smugglers and irregular migrants at sea, as well as rescuing mariners, enforcing fisheries laws, responding to disasters, and protecting our ports. I would like to acknowledge and thank Congress for the support of the Coast Guard's FRC, NSC, and OPC acquisition programs; our crews are fighting for the American people every day, and with the addition of the OPC, we will be able to extend our presence even further to combat shared transnational threats.

Conclusion

The Coast Guard's layered approach to maritime border security relies on our unique authorities, capabilities, and partnerships to address threats as far away from U.S. shores as possible. To do this, we must continue to invest in our workforce, re-capitalize aging assets and infrastructure, and explore and integrate new technologies that enhance our interoperability with partner agencies across all levels of government, including our international partners. The Coast Guard is a team player in protecting our maritime border security. We recognize the importance and value of working by, with, and through our partners, because we cannot do this alone. Our hemispheric security is a shared responsibility, and your Coast Guard is all-in, complementing our capabilities and resources through regular collaboration, sharing information, and innovating in ways to protect the American people.

Thank you for the opportunity to testify today and thank you for your continued support of the U.S. Coast Guard. I would be pleased to answer your questions.