



TESTIMONY OF

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For a Hearing

BEFORE

U.S. House of Representatives
Committee on Homeland Security
Subcommittee on Transportation and Maritime Security

ON

“Securing America’s Maritime Border: Challenges and Solutions for U.S. National Security”

March 23, 2023
Washington, DC

Introduction

Chairman Gimenez, Ranking Member Thanedar, and distinguished Members of the Subcommittee, it is an honor to appear before you today to discuss Air and Marine Operations' (AMO) strategic mission to safeguard our Nation's maritime borders. As an operational component of U.S. Customs and Border Protection (CBP), AMO protects United States' interests by anticipating and confronting security threats through our aviation and maritime law enforcement expertise, innovative capabilities, and partnerships at the border and beyond.

AMO is a critical component of CBP's border security mission and the Department of Homeland Security's (DHS) risk-based and multi-layered approach to homeland security. We apply advanced aeronautical and maritime capabilities and employ our unique skill sets to safeguard our Nation's borders and preserve America's security interests.

With approximately 1,800 federal agents and mission support personnel, 250 aircraft, and 290 marine vessels¹ operating throughout the United States, Puerto Rico, and the U.S. Virgin Islands, AMO thrives on being extremely efficient and adaptive. Our greatest resources are the sound judgment and experience of our agents, who average 17 years of law enforcement experience with AMO. More than 60 percent of these sworn agents are veterans of the Armed Services, and many have prior law enforcement experience.

AMO is uniquely positioned – organizationally, with unique authorities and jurisdiction, and unequalled specialized training, equipment, and domain awareness capability – to protect America's security and prosperity interests beyond the nation's border in source and transit zones, between ports of entry, in our coastal waters, and within the nation's interior.

AMO History and Authorities

Following the September 11, 2001, terrorist attacks against the United States, the newly formed DHS distributed legacy air and marine programs from the U.S. Customs Service and U.S. Border Patrol into two newly created agencies, U.S. Immigration and Customs Enforcement (ICE) and CBP, respectively. In 2005, DHS transferred all of ICE's legacy Customs air and marine programs to CBP. In 2006, CBP established AMO, a specialized law enforcement component merging all legacy air and marine programs into one organization.

Today, AMO operates out of approximately 74 locations through the United States, and is divided into three regions: Southwest, Northern, and Southeast Region. Each region is split into Air and Marine Branches, and then further divided into Air and/or Marine Units.

AMO also has six National Air Security Operations Centers that plan and conduct missions with P-3 Maritime Patrol Aircraft (MPA) and unmanned aircraft systems (UAS) programs, and the Air and Marine Operations Center (AMOC), which is responsible for managing the air and maritime domain awareness of the Department, as directed by the Secretary. The AMOC detects,

¹ AMO owns and maintains CBP's 290 vessels, including riverine vessels that are operated by the U.S. Border Patrol.

identifies, and coordinates responses to national security threats in the air domain, in coordination with other appropriate agencies.

Together, AMO's professional and highly skilled workforce and operational assets create a sophisticated domain awareness network across the United States providing critical aerial and

maritime surveillance, interdiction, and operational capabilities in support of AMO's maritime border security mission.

AMO Law Enforcement Authorities

An integral part of CBP's border security mission, AMO agents are credentialed law enforcement officers² with a broad range of authorities that enable them to transcend land, air, and sea domains and jurisdictions, providing a critical layer of continuity in enforcement efforts.

Within the "customs waters"³ of the United States, or at any place within the United States, AMO agents may board a vessel for the purpose of enforcing customs law and to use all necessary force to compel compliance.⁴ Additionally, in certain circumstances, AMO is authorized to operate on the high seas, for instance when enforcing laws on U.S. registered vessels,⁵ hovering vessels,⁶ and vessels subject to hot pursuit.⁷⁸ Additionally, beyond the customs waters, AMO may enforce the Maritime Drug Law Enforcement Act⁸ where appropriate, which concerns the trafficking of controlled substances aboard vessels in extraterritorial waters. These authorities enable AMO to extend our zone of security surrounding our maritime border and littorals of the United States.

In their capacity as CBP law enforcement agents, AMO agents also enforce immigration laws in the territorial sea, on land, and in the air. AMO has the same broad immigration authority⁹ as the U.S. Border Patrol; however, it is also in the unique position to enforce this authority in the maritime environment. Similar to other investigative agencies, AMO agents recruit confidential sources, develop criminal cases, support prosecutors, and testify in court in addition to their enforcement actions in the air, land, and maritime domains. This combination of authorities enables AMO to conduct successful investigations in the maritime domain.

Current State of the Maritime Border

AMO's maritime border security mission is complex and challenging. The maritime domain is generally less restricted than the air and land environments, and it is an expansive pathway, without barriers, that connects to more than 95,000 miles of U.S. shoreline.

² 19 U.S.C. § 1589a

³ 19 U.S.C. §§ 1401(j), 1709(e)

⁴ 19 U.S.C. § 1581(a)

⁵ 19 CFR § 162.3

⁶ 19 U.S.C. § 1401(k)

⁷ 19 U.S.C. § 1581

⁸ U.S.C. § 70501-70502

⁹ 8 U.S.C. §§ 1-1778

Thousands of vessels enter or operate in U.S. territorial waters every day. While the vast majority operate for recreation or legitimate commerce, a small percentage engage in smuggling and other illegal activity. Detecting an illegal activity and apprehending any associated smuggling can be daunting, as many mimic legitimate traffic, while others elude detection altogether.

While the Maritime Transportation Security Act of 2002¹⁰ and the International Convention for the Safety of Life at Sea (SOLAS) require many commercial, passenger, and fishing vessels to

broadcast their position via transponder and 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. Furthermore, unlike air traffic, small vessels¹¹ inbound to the United States are generally not required to announce their arrivals in advance, nor are they required to make their initial landing at a designated port of entry. Therefore, detecting and assessing the risk of small vessels is particularly challenging.

Interdicting Irregular Maritime Migration

Like the situation at our Southwest land border, the United States is experiencing periodic surges of irregular migration in the maritime environment. In Fiscal Year (FY) 2022, AMO enforcement efforts led to the interdictions of 9,392 migrants in the maritime environment, an increase of 242 percent from FY 2021 and 334 percent from FY 2020. In FY 2023 to date,¹² AMO enforcement actions have led to 6,130 migrant interdictions in the maritime environment, with 94 percent of those interdictions occurring in South Florida and the Caribbean Sea as AMO continues to support the DHS-wide effort to address irregular maritime migration from Haiti and Cuba.

Migrants attempting to make the journey to the United States by way of maritime pathways take an enormous risk, putting their lives in the hands of transnational criminal organizations (TCO) and human smuggling networks and often in improvised, rustic vessels. The weather at sea is unpredictable, and in these handmade crafts, the possibility of capsizing and even drowning is often imminent. The vessels that make it far enough for AMO to encounter are often dangerously overloaded with people – people who most often are not equipped with life preservers. The journey is perilous and AMO encounters with these vessels very often become rescue missions.

Rescue operations at sea are extremely dangerous for migrants as well as our marine agents. In July 2022, AMO Miami Air and Marine Branch Marine Interdiction Agents partnered with the United States Coast Guard (USCG) to rescue 23 people from the sea near Marathon, Florida, after their rustic vessel had begun to take on water and sink. The Marine Interdiction Agents

¹⁰ 46 U.S.C. § 2101

¹¹ “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 2011. <https://www.dhs.gov/small-vessel-security-strategy-implementation-plan>.

¹² As of February 28, 2023.

responded quickly, providing life jackets to the migrants who were making frantic attempts to swim or cling to any debris within reach. Just a few days after this event, CBP, USCG, and other law enforcement partners¹³ rescued 68 Haitian migrants after smugglers recklessly dropped them off in the water near the shores of Mona Island, Puerto Rico. Tragically, five Haitian migrants did not survive this smuggling event.

Interdicting Maritime Drug Smuggling

In addition to responding to increasing numbers of maritime migrant encounters AMO continues to effectively intercept tons of dangerous illicit drugs, keeping them from reaching our shores and communities. In FY 2022, AMO enforcement efforts led to the seizure of 382,916 pounds of drugs, including 250,616 pounds of cocaine, 104,262 pounds of marijuana, 25,625 pounds of

methamphetamine, and 1,475 pounds of fentanyl.¹⁴ Approximately 82 percent of these seizures occurred in the maritime environment, with AMO enforcement actions leading to the seizure of 234,349 pounds of cocaine, 75,918 pounds of marijuana, 1,432 pounds of methamphetamine, and 146 pounds of fentanyl.

AMO encounters a wide range of vessels and tactics used to smuggle illicit drugs in the maritime approaches to the United States. Across the coastal regions around Florida and the Caribbean, as well as within the Gulf Coast and Southern California Coast, AMO encounters both small and large vessels attempting to conceal their activities by hiding in plain sight among other recreational traffic and legitimate maritime commerce.

A considerable drug smuggling threat is smugglers' continued use of modified fishing boats, sometimes called "pangas." Generally made of wood or fiberglass, these homemade vessels have relatively high-speed capabilities and a small radar signature. Use of these vessels at night amplifies their ability to evade detection by surface patrol vessels and patrol aircraft. Smaller craft are used for quick cross-border trips, while larger vessels can transit in deeper waters, further offshore. While pangas have traditionally been used primarily to transport illicit drugs, smugglers are increasing the use of these dangerous vessels to transport undocumented migrants.

Overloaded migrant vessels, perilous rescues, and increased engagements with drug smuggling vessels have coincided with increased violence in the maritime environment. During an incident this past November near Cabo Rojo, Puerto Rico, an AMO marine interdiction agent was shot and killed and two others gravely injured during an interdiction of a suspicious vessel.¹⁵ This is just one example of a pattern of growing violence in the region.

With a wide maritime area of responsibility, AMO adapts to changing conditions and emerging trends and remains vigilant of security threats through our maritime law enforcement expertise, advanced assets, innovative capabilities, and partnerships.

¹³ <https://www.cbp.gov/newsroom/local-media-release/cbp-and-coast-guard-respond-haitian-smuggling-venture-resulted>

¹⁴ <https://www.cbp.gov/border-security/air-sea>

¹⁵ <https://www.cbp.gov/newsroom/speeches-and-statements/cbp-marine-interdiction-agent-dies-line-duty-near-puerto-rico>

Strengthening Maritime Border Enforcement

AMO is committed to its maritime security mission and continues to make investments in vessels, aircraft, and other technological capabilities to advance the effectiveness of its operations. These investments support AMO's ongoing ability to effectively respond to migrant encounters and drug seizures in the maritime environment, as mentioned above, but also contribute to other AMO enforcement actions, including those that led to 166 arrests and the seizure of 41 weapons and \$4.9 million in U.S. currency in FY 2022.

Often, there is little time to interdict inbound suspect vessels, and AMO has honed its maritime border security response capability around rapid and effective interception, pursuit, and interdiction of these crafts.

Maritime Interdiction Capabilities

AMO maritime law enforcement agents use high speed Coastal Interceptor Vessels (CIV) that are specifically designed and engineered with the speed, maneuverability, integrity, and endurance to intercept and engage a variety of suspect non-compliant vessels. Our vessels are operated by highly trained and experienced AMO crews authorized to deploy any required use of force, including warning shots and disabling fire to stop fleeing vessels.

Over the last two decades, AMO has evolved to counter the egregious threat of non-compliant vessels. AMO has developed capabilities to disable non-compliant vessels and to bring dangerous pursuits to a conclusion and prevent these vessels from reaching our shores. Since 2003, AMO has engaged in 248 cases involving marine warning and/or disabling rounds, and four cases involving air to vessel warning and disabling rounds.

With its maritime vessel expertise and investigative authority AMO often works in partnership with ICE, Homeland Security Investigations (HSI), Drug Enforcement Administration (DEA), and the Federal Bureau of Investigation (FBI) conducting covert and plainclothes operations in the maritime border environment; utilizing unmarked and undercover vessels when situations dictate that the surveillance of drug loads or TCO activity can yield larger seizures as a part of ongoing investigations.

Maritime Aircraft Assets

Although AMO routinely makes seizures through maritime border patrols, most arrests and seizures are the result of actionable information or detection by aircraft. For example, just a couple of weeks ago, an AMO Jacksonville, Florida-based P-3 aircraft detected a suspect vessel moving toward the southern coast of Puerto Rico and guided AMO marine interdiction agents to intercept. AMO agents seized 2,351 pounds of cocaine and apprehended three smugglers.¹⁶

¹⁶ <https://www.cbp.gov/newsroom/local-media-release/amo-seizes-2351-pounds-cocaine-southern-puerto-rico>

AMO's P-3 Long Range Tracker and Airborne Early Warning aircraft are multi-role, highendurance aircraft capable of performing border security mission sets in the air and maritime environments. Equipped with a multitude of highly sophisticated communications equipment, radar, and imagery sensors, operated by highly trained professional sworn law enforcement agents and officers, the P-3 is accredited with the interdiction of 137,148 pounds of cocaine and 6,146 flight hours within the Western Hemisphere Transit Zones in FY 2022, which equated to over 22 pounds of narcotics interdicted per flight hour.

The integration of UAS provides critical enhancements to AMO's air, land, and maritime border domain awareness and capabilities. UAS provide high-endurance, long-range capabilities for intelligence, surveillance, and reconnaissance collections of land borders, inland waters, littoral waters, and high seas with multiple advanced sensor arrays. The use of UAS in the maritime environment has increased AMO's ability to effectively detect, monitor, and track both personnel and conveyances involved in illegal activity.

CBP's aerial surveillance capabilities in the maritime environment have also been enhanced through continued investment and deployment in DHC-8 MPA and Super King Air 350 Multi-Role Enforcement Aircraft (MEA). The DHC-8 is a medium-range airplane that bridges the gap

between the strategic P-3 and UAS, and smaller aircraft operating in the littoral waters. With state-of-the art sensors and systems, the DHC-8 has provided game-changing detection capability in the Caribbean, Eastern Pacific, and Gulf of Mexico. The MEA enhances AMO's ability to maintain domain awareness of the U.S. littorals and coastline, while also providing AMO agents the ability to continue investigations seamlessly into the interior of the United States, landing at small remote airports to interdict suspected air smugglers.

AMO's Tethered Aerostat Radar System (TARS)¹⁷ is an effective surveillance asset providing radar detection and monitoring of low-altitude aircraft and surface vessels along the U.S.-Mexico border, the Florida Straits, and a portion of the Caribbean. Between 2020 and 2021, CBP successfully reconfigured the TARS in southwest Puerto Rico into a maritime surveillance system with promising results. CBP has also invested in its Tactical Maritime Surveillance System (TMSS) that consists of flying tactical aerostats equipped with wide-area sea surveillance radar and sensors near the coast. The TARS and tactical aerostat elevated sensors mitigate the effect of the curvature of the earth and terrain-masking limitations, greatly increasing long-range radar detection capabilities to combat increasing levels of smuggling and illegal immigration via the coastal approaches to southern California, Texas, and the Florida Straits.

Mission Integration Technology

Some of the most significant advancements in AMO technological capabilities concern data integration and exploitation enhancements. Downlink technology, paired with the BigPipe system, allows AMO to provide video feed and situational awareness in real-time. In addition,

¹⁷ CBP assumed responsibility of TARS from the U.S. Air Force in 2013, but the aerostat surveillance system had been used by DoD since 1978.

the Minotaur mission integration system allows multiple aircraft and vessels to share networked information, providing AMO a substantial level of air, land, and sea domain awareness.

A vital component of DHS's domain awareness capabilities, the AMOC integrates multiple sensor technologies and sources of information to provide comprehensive domain awareness in support of CBP's border security mission. Utilizing extensive law enforcement and intelligence databases and communication networks, AMOC's operational system, the Air and Marine Operations Surveillance System (AMOSS), provides a single display that is capable of processing up to 750 individual sensor feeds and tracking over 50,000 individual air tracks and 150,000 maritime tracks simultaneously.

AMOC coordinates with the Department of Defense (DoD), Federal Aviation Administration (FAA), the North American Aerospace Defense Command (NORAD), and international law enforcement partners in the governments of Mexico, Canada, and the Bahamas, to detect, identify, track, and support interdiction of suspect aviation and maritime activity in the approaches to U.S. borders and interior as well as at the borders.

Strengthening our partnerships with our international allies is also vital to successfully execute our counternarcotic mission, combating drug trafficking organizations, and preventing narcotics from reaching the United States. AMO recently partnered with the Department of State Bureau of International Narcotics and Law Enforcement to transfer four 39-foot Midnight Express Interceptor vessels to Guatemala's Comando De Fuerza Especial Naval. The vessels, which

were being phased out of AMO's maritime fleet, will help Guatemala's forces increase their response capabilities and enhance their ability to interdict drug smuggling vessels.

Joint Technology Development

Domain Awareness is a core competency and an essential element of a secure border. AMO is engaged with several technological partners to expand our domain awareness capabilities and share critical information in real time.

With multiple entities operating in the maritime domain, AMO works closely with the DHS Science & Technology Directorate (S&T), USCG, and DoD to identify and leverage technology to expand overall maritime domain awareness, integrate data from airborne and maritime assets, and improve our maritime surveillance and detection capabilities. For example, AMO is scheduled to bring two MQ-9 BigWing modified UAS online in FY 2023. With modifications funded by S&T, the BigWing UAS is expected to increase mission time, resulting in greater range, endurance, and domain awareness.

The volume of data analyzed by our enforcement personnel at the AMOC far exceed human capacity to evaluate. Our partnership with S&T is focused on the use of Artificial Intelligence and Machine Learning (AI/ML) technologies to alert our AMOC personnel when suspect activities are identified. Continued research and development of these capabilities by S&T will increase our capacity to address these growing volumes of data across both our air and maritime domains. AMO will continue to modernize its fleet and sensor systems to enhance our data

analysis capabilities and operational performance in diverse marine environments and increase our ability to adapt to the challenges of securing the maritime border and approaches to the United States.

Operational Coordination

AMO leverages its capabilities by empowering its operational units to forge crucial partnerships. These relationships, coupled with our broad authorities, allow AMO to follow cases wherever they lead across air, land, and sea environments.

In the maritime environment, we operate effectively with a variety of federal, state, and local partners, including frequent joint operations with HSI, USCG, and the United States Navy. We also frequently cooperate directly with foreign governments. In this way, AMO lends critical capabilities and cohesion to an array of border security and maritime law enforcement efforts.

AMO is the largest aviation contributor to the Joint Interagency Task Force South (JIATF-S) and is an integral part to their aviation capability and success to counter illicit trafficking of narcotics within the maritime environment. P-3s patrol in a 42 million square mile area that includes more than 41 nations, the Pacific and Atlantic Oceans, Gulf of Mexico, Caribbean Sea, and maritime approaches to the United States.

AMO is also a key component of the DHS Joint Task Force East (JTF-E), where AMO holds the Deputy Director position. JTF-E integrates resources, intelligence, planning, and operations across DHS's component units. DHS uses JTF-E to combat TCOs, enforce immigration laws, and coordinate its border security efforts. AMO agents also participate in HSI-led Border Enforcement Security Task Forces (BEST) across the nation. AMO agents provide maritime law enforcement expertise and ready access to AMO assets and capabilities. In turn, information shared through the BEST refines AMO operations and enables more targeted enforcement.

Focusing specifically on the maritime domain, AMO is working with its USCG and HSI partners to update the Maritime Operations Coordination Plan (MOC-P). The plan 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. In accordance with the MOC-P, AMO has been a key stakeholder in the implementation of the Regional Coordinating Mechanism. Through this mechanism, AMO coordinates maritime operational activities through integrated planning, information sharing and intelligence integration.

Looking Forward

AMO's efforts continue to be a key element of CBP's border security mission and have intercepted dangerous contraband and disrupted illicit activity before it reaches our shores.

Across all air, land, and maritime domains, in the past three years,¹⁸ AMO conducted approximately 293,000 flight hours and 221,000 float hours, resulting in the arrest of 3,152 suspects, the apprehension of more than 304,000 migrants, the seizure of nearly 3,200 weapons

¹⁸ FY 2020 to FY 2022

and \$146.6 million in currency, and the interdiction of nearly two million pounds of illegal drugs, including 769,000 pounds of cocaine.

AMO's expertise and asset capabilities have matured since legacy programs were consolidated in 2006, and today we are a coordinated and premier law enforcement entity providing advanced aeronautical and maritime operations. As a critical component of CBP's border security mission, AMO's highly trained agents, together with our unique authorities, specialized assets, and tactical expertise, comprise a well-rounded, professional, and established law enforcement organization that is fully engaged in safeguarding the United States' maritime borders and protecting its interests from threats at the border and beyond.

Chairman Gimenez, Ranking Member Thanedar, and Members of the Subcommittee, thank you for this opportunity to testify today.

I look forward to answering any questions you may have.



GAO-23-106695 United States Government Accountability
Office

Testimony

Before the Subcommittee on
Transportation and Maritime Security,
Committee on Homeland Security,
House of Representatives

For Release on Delivery
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Thursday, March 23, 2023

MARITIME SECURITY

Coast Guard and CBP Efforts to Address Prior GAO Recommendations on Asset and Workforce Needs

Statement of Heather MacLeod, Director, Homeland
Security and Justice

GAO Highlights

Highlights of [GAO-23-106695](#), a testimony before the Subcommittee on Transportation and Maritime Security, Committee on Homeland Security, House of Representatives

Why GAO Did This Study

Securing the nation's borders against unlawful movement of people, illegal drugs and other contraband, and terrorist activities is a key part of the DHS's mission. With increased attention to overland routes in recent years, such as along the southwest border, criminal organizations use maritime routes to smuggle people, drugs, and weapons into the U.S. Within DHS, the Coast Guard and CBP share responsibility for securing the nation's maritime borders.

This statement discusses: (1) Coast Guard and CBP resources for maritime security and related federal coordination, (2) challenges these agencies have faced managing assets, and (3) related workforce challenges.

This statement is based on GAO's prior work on a variety of asset and workforce issues. For that work, GAO analyzed Coast Guard and CBP documentation and data and interviewed officials. For this statement, GAO also obtained updates on actions DHS has taken to address GAO's recommendations as of March 2023. For a full list of the reports, see [Related GAO Products](#) at the conclusion of this statement.

What GAO Recommends

GAO made 35 recommendations in the reports covered by this statement, including to improve comparability of asset operating costs and workforce assessment processes. As of March 2023, nine of 35 have been implemented, and 26 remain open. GAO continues to monitor the agencies' progress in implementing them.

View [GAO-23-106695](#). For more information, contact Heather MacLeod at (202) 512-8777 or macleodh@gao.gov.

MARITIME SECURITY

Coast Guard and CBP Efforts to Address Prior GAO Recommendations on Asset and Workforce Needs

What GAO Found

The Coast Guard and U.S. Customs and Border Protection (CBP) employ assets—including aircraft and vessels—and personnel, to ensure maritime security and safety. Coast Guard and CBP also coordinate with the Department of Defense on the allocation of assets and specialized personnel in their efforts to counter the flow of illicit drugs.

GAO previously identified challenges Coast Guard and CBP face in managing maritime security assets. This includes determining the appropriate allocation of assets across geographic locations and in response to catastrophic events or emergencies, such as hurricanes, oil spills, and humanitarian events. For example, in September 2020, GAO found that the Department of Homeland Security’s (DHS) ability to assess the costs and benefits of consolidating Coast Guard and CBP operating locations was limited, in part due to the lack of a standard cost measure between the components. GAO recommended DHS develop and implement a way to compare costs. In September 2021, DHS implemented a standardized methodology for costs.

Coast Guard Personnel Conducting a Drug Interdiction Operation



Source: U.S. Coast Guard photo. | GAO-23-106695

The Coast Guard and CBP have taken steps to assess workforce needs. In February 2020, GAO found that the Coast Guard had assessed a small portion of its workforce needs and recommended that Coast Guard update its workforce plan with timeframes and milestones to meet its workforce assessment goals. As of March 2023, the Coast Guard reported that it had revised this plan and submitted it to Congress, as required. GAO is continuing to evaluate the plan. In June 2018, GAO found that CBP faced challenges meeting target hiring and retention levels,

such as for law enforcement personnel. CBP implemented an agency-wide exit survey and uses data to inform retention efforts.

United States Government Accountability Office

Letter

Chairman Gimenez, Ranking Member Thanedar, and Members of the Subcommittee:

I am pleased to be here today to discuss our work on maritime security assets and workforce. Securing the nation's borders against unlawful movement of people, illegal drugs and other contraband, and terrorist activities is a key part of the Department of Homeland Security's

(DHS) mission. Within DHS, the Coast Guard and U.S. Customs and Border Protection (CBP) use aircraft and vessels to secure U.S. borders, support criminal investigations, and ensure maritime security and safety. The Coast Guard is the principal federal agency charged with ensuring the security and safety of vessels on the high seas and waters subject to U.S. jurisdiction by enforcing laws to prevent death, injury, and property loss. CBP is responsible for securing U.S. borders at and between ports of entry in the air, land, and maritime environments.¹ Coast Guard and CBP share responsibility for patrolling, and enforcing U.S. law along the U.S. maritime borders and territorial sea—maritime approaches 12 nautical miles seaward of the U.S. coast.

The U.S. government has identified illicit drugs, as well as the transnational and domestic criminal organizations that traffic and smuggle them, as significant threats to the public, law enforcement, and the national security of the U.S. With increased attention to overland routes in recent years, such as along the southwest border, criminal organizations smuggling people, drugs, and weapons into the U.S. have adapted their methods to include maritime routes. Further, given challenges the federal government faces in responding to the drug misuse crisis, in March 2021, we added national efforts to prevent, respond to, and recover from drug misuse to our High Risk List. We identified several challenges in the federal government's response to drug misuse, such as the need for

more effective implementation and monitoring, and related ongoing efforts to address the issue, including law enforcement and drug interdiction.²

In 2022, the Coast Guard reported that operating in the dynamic security and maritime domains will become more complicated as it acquires upgraded information systems as well as technologically advanced aircraft and vessels. The Coast Guard reported that these changes

¹ Ports of entry are facilities that provide for the controlled entry into or departure from the United States. Specifically, a port of entry is any officially designated location (seaport, airport, or land border location) where CBP officers clear passengers, merchandise and other items; collect duties; enforce customs and other U.S. laws; and inspect persons seeking to enter or applying for admission into, or departing the United States pursuant to U.S. immigration and travel controls.

² See GAO, *High-Risk Series: Dedicated Leadership Needed to Address Limited Progress in Most High-Risk Areas*, [GAO-21-119SP](#) (Washington, D.C.: Mar. 2, 2021). GAO's HighRisk Series identifies government operations with vulnerabilities to fraud, waste, abuse, and mismanagement, or in need of transformation to address economy, efficiency, or effectiveness challenges.

require workforce growth and enhanced skills to operate and maintain updated assets.

My statement today discusses (1) Coast Guard and CBP resources for maritime security and related federal coordination, (2) challenges we have identified and recommendations we have made to Coast Guard and CBP related to managing assets, and (3) challenges we have identified and recommendations we have made related to their workforce needs. This statement is based primarily on reports published from June 2018 to March 2023 related to Coast Guard and CBP allocations and acquisitions of aircraft and vessels, and the agencies' efforts to determine their workforce needs. For these products, we analyzed DHS documents and data related to the Coast Guard and CBP and interviewed agency officials. We made 35 recommendations in the reports covered by this statement, including to improve comparability of asset operating costs and workforce assessment processes. As of March 2023, nine of these 35 recommendations have been implemented, and 26 remain open. GAO continues to monitor the agencies' progress in implementing them.

More detailed information on the objectives, scope, and methodology for that work can be found in the issued reports listed in Related GAO Products at the conclusion of this statement. We conducted the work on which this statement is based in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Coast Guard and CBP Employ Various Resources to Address Maritime Security in Coordination with DOD

Within DHS, the Coast Guard and CBP employ assets—including aircraft and vessels—and personnel across the U.S. and abroad to secure U.S. borders, support criminal investigations, and ensure maritime security and safety. Their air and marine missions vary depending on operating location. Coast Guard and CBP also coordinate on the deployment and allocation of assets and specialized personnel with the Department of Defense (DOD) to reduce the availability of illicit drugs by countering the flow of such drugs into the U.S.³

Coast Guard resources. One of the six armed forces, the Coast Guard is a multimission maritime military service within DHS. It is responsible for implementing 11 statutory missions, such as drug interdiction, as well as other concurrent missions (see appendix I). As of September 2020, the Coast Guard operates a fleet of about 200 fixed- and rotary-wing aircraft, with more than 1,600 boats and about 250 cutters.⁴ It employs

approximately 55,200 personnel—including active duty, reserve, and civilian.⁵ In addition, the Coast Guard owns or leases 20,000 facilities,

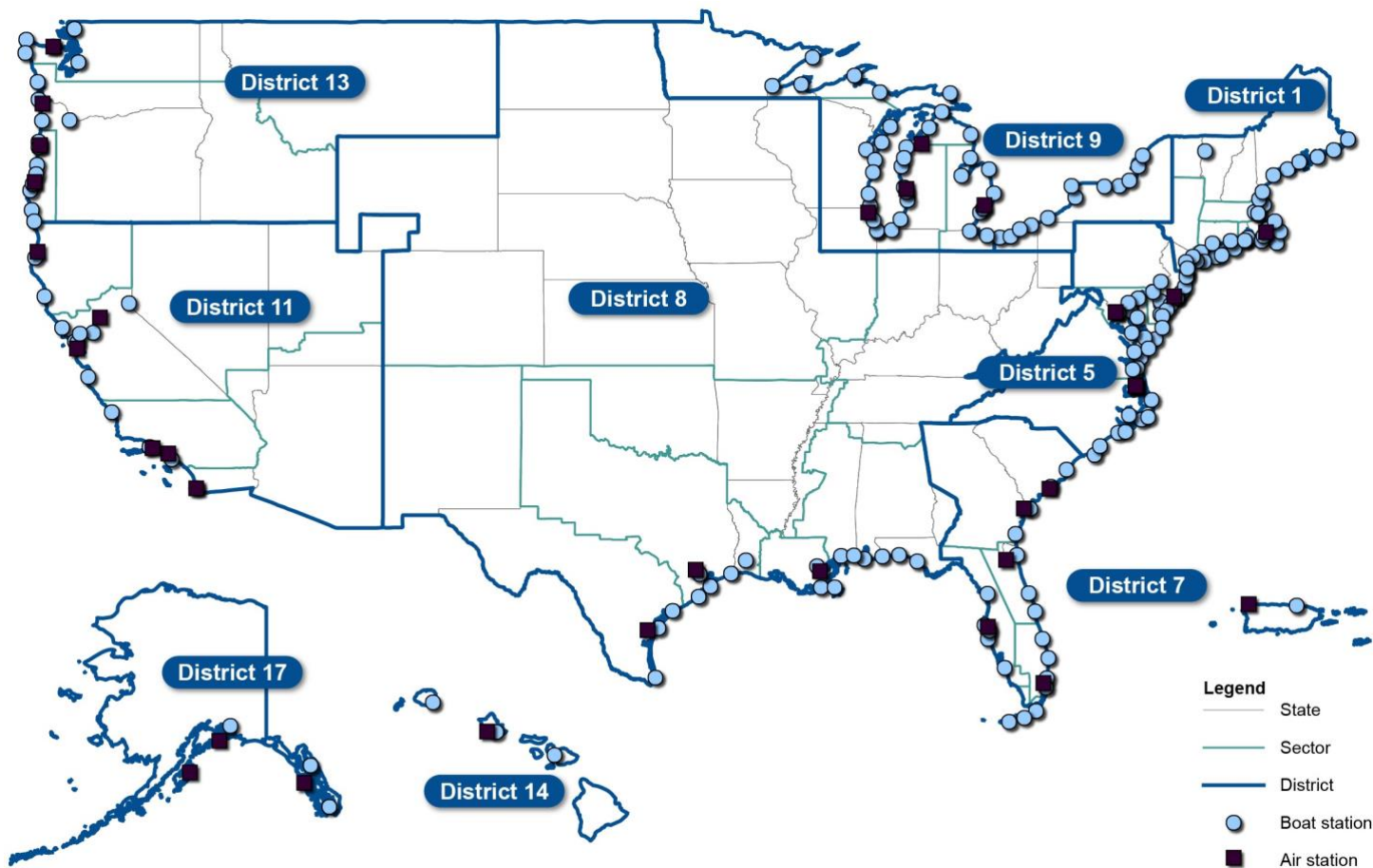
which consist of various types of buildings and structures. For example, within its shore operations asset line, the Coast Guard maintains over 200 stations along U.S. coasts and inland waterways to carry out its search and rescue operations, as well as other missions, such as maritime security (see fig. 1).

³DOD is the lead federal agency for the detection and monitoring of the aerial and maritime transit of illegal drugs into the U.S., and it operates systems, such as radar, that can be used in support of DHS and other federal, state, and local law enforcement activities.

⁴The Coast Guard classifies vessels under 65 feet in length as boats, which usually operate near shore, on inland waterways, or attached to cutters. Coast Guard also operates cutters, defined as a vessel 65 feet in length or greater with accommodations for a crew to live aboard.

⁵As of April 2022, Coast Guard officials stated that the agency had a total workforce of 55,236—including 46,235 military and 9,001 civilian personnel.

Figure 1: U.S. Coast Guard Air and Marine Operating Locations by District, as of September 2020



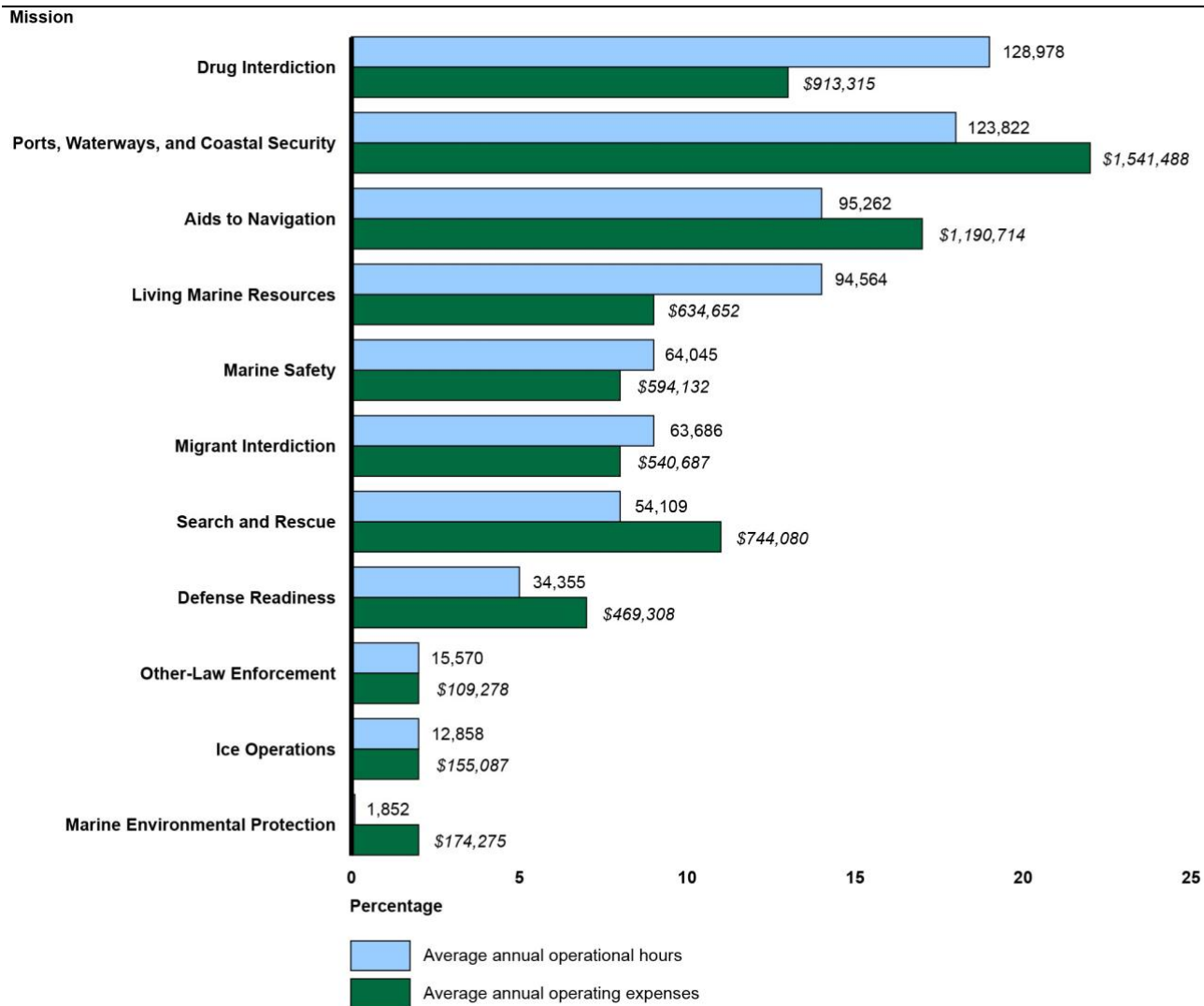
Source: GAO analysis of Department of Homeland Security information; U.S. Census Bureau (state boundaries). | GAO-23-106695

Notes: Boat stations shown above also include small boat stations. Air stations shown above also include air facilities. The district numbers are not consecutive because some districts were consolidated to reflect the U.S. Coast Guard's operational reorganizations since its creation in 1915.

In September 2021, we reported that Coast Guard data show that more than 20 percent of its total estimated operating expenses were for drug interdiction (13 percent) and migrant interdiction (8 percent) for fiscal years 2011 through 2020.³ Vessel and aircraft deployments for these missions accounted for nearly 30 percent of the average annual operational hours during that period, as shown in figure 2.

³ GAO, *Coast Guard: Information on Defense Readiness Mission Deployments, Expenses, and Funding*, GAO-21-104741 (Washington, D.C.: Sept. 15, 2021).

Figure 2: Coast Guard Average Annual Vessel and Aircraft Operational Hours and Estimated Operating Expenses, by Statutory Mission, Fiscal Years 2011 through 2020



Source: GAO analysis of U.S. Coast Guard data. | GAO-23-106695

Note: Operational hours include the use of aircraft, cutters, and boats for the Coast Guard's 11 statutory missions. They do not include the time personnel may spend on missions without using vessels or aircraft. We do not include hours expended for support activities, such as training and technology tests.

CBP resources. Within CBP, the Air and Marine Operations and U.S. Border Patrol are the uniformed law enforcement arms responsible for

securing U.S. borders between ports of entry in the air, land, and maritime environments.⁴

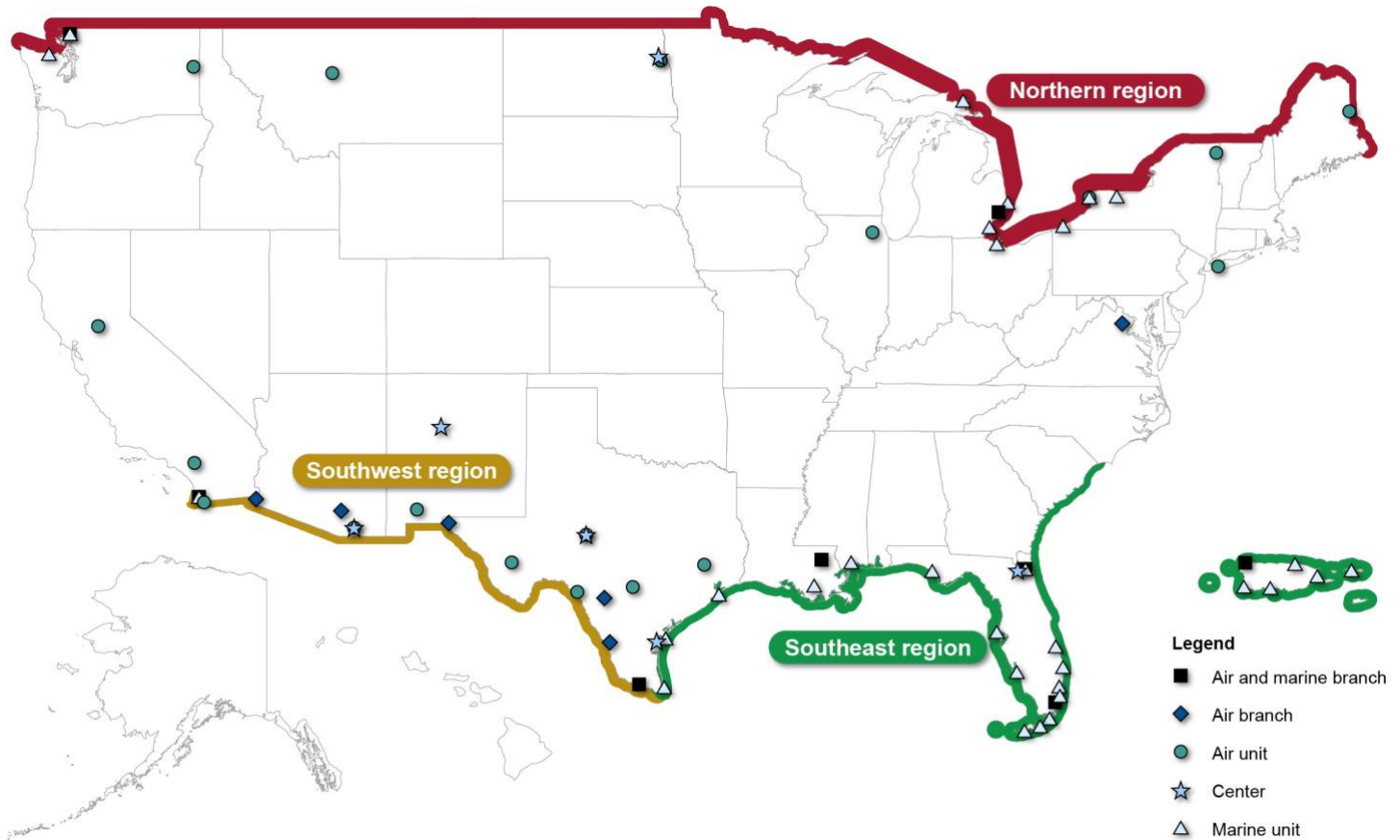
In September 2020, we reported that CBP's Air and Marine Operations operates a fleet of over 200 fixed- and rotary-wing aircraft and over 100 vessels to secure U.S. borders in the air, maritime, and land domains. The majority of CBP's Air and Marine Operations' activities support its law enforcement mission, including providing surveillance capabilities to detect and support the interdiction of illicit cross-border activity.⁵ CBP's Air and Marine Operations develops annual authorized staffing level targets for law enforcement positions based on operational needs and available funding. We previously reported that CBP's Border Patrol staffing goals were based, in part, on its then statutory minimum staffing level for Border Patrol agency positions.⁶ CBP's Air and Marine Operations field structure is divided into three regions—northern, southeast, and southwest—and National Air Security Operations throughout the continental United States, Puerto Rico, and the U.S. Virgin Islands (see fig. 3).

⁴ CBP's Office of Field Operations also has border security responsibilities, such as inspecting pedestrians, passengers, and cargo—including international mail and express cargo—at the more than 320 air, land, and sea ports of entry.

⁵ GAO, *Department of Homeland Security: Assessment of Air and Marine Operating Locations Should Include Comparable Costs across All DHS Marine Operations*, [GAO-20-663](#) (Washington, D.C.: Sept. 24, 2020).

⁶ GAO, *U.S. Customs and Border Protection: Progress and Challenges in Recruiting, Hiring, and Retaining Law Enforcement Personnel*, [GAO-18-487](#) (Washington, D.C.: June 27, 2018).

Figure 3: Air and Marine Operations Air and Marine Operating Locations by Region, as of September 2020



Source: GAO analysis of Department of Homeland Security information; U.S. Census Bureau (state boundaries). | GAO-23-106695

DHS and DOD Interagency coordination. DHS components, including the Coast Guard and CBP, coordinate with DOD on counterdrug missions through the Joint Interagency Task Force (JIATF)-South. In July 2019, we reported on the contribution and allocation of assets, such as ships and surveillance aircraft, through the JIATF-South.⁷ Coast Guard, the lead federal agency for maritime drug interdiction, contributes aircraft and vessels to disrupt the flow of illicit drugs smuggled into the U.S. JIATFSouth provides maritime and air assets to detect and monitor the

⁷ GAO, *Drug Control: Certain DOD and DHS Joint Task Forces Should Enhance Their Performance Measures to Better Assess Counterdrug Activities*, [GAO-19-441](#) (Washington, D.C.: July 9, 2019).

trafficking of illicit drugs, such as cocaine, being smuggled north on noncommercial maritime vessels across its area of responsibility.

In November 2019, we reported that the Coast Guard employs specialized units to serve as force multipliers, including for specialized capabilities needed to handle drug interdiction, terrorism, and other threats in the U.S. maritime environment.⁸ Among these units, the Coast Guard has two Tactical Law Enforcement Teams which provide specialized capabilities for offshore drug interdiction and vessel interception operations, primarily in the Caribbean Sea and Eastern Pacific Ocean. These specialized teams do not maintain their own vessels, relying on and deploying via Coast Guard cutters or U.S. Navy or Allied vessels. Figure 4 shows Coast Guard personnel conducting a drug interdiction operation that included a Coast Guard Tactical Law Enforcement member boarding a foreign, semi-submersible vessel, which resulted in seizing 17,000 pounds of cocaine.

⁸ GAO, *Coast Guard: Assessing Deployable Specialized Forces' Workforce Needs Could Improve Efficiency and Reduce Potential Overlap or Gaps in Capabilities*, [GAO-20-33](#) (Washington, D.C.: Nov. 21, 2019).

Figure 4: Coast Guard Personnel Conducting Drug Interdiction Operation



Source: U.S. Coast Guard photo. | GAO-23-106695

Coast Guard and Our previous reports have identified various challenges the Coast Guard and CBP have faced in managing assets, as well as some steps they

CBP have Faced have taken to address them. These include assessing the geographic

Challenges Managing allocation of assets, providing assets to meet critical mission needs, maintaining shore infrastructure, and addressing ongoing acquisition

Maritime Security challenges. **Assets Geographic allocation of assets.** DHS has taken some steps to better

identify opportunities to consolidate assets. In September 2020, we reported on DHS assessment activities to support integration and consolidation of cross-component efforts, including opportunities for

colocation of Coast Guard and CBP operating locations for air and marine mission activities.⁹ We found that DHS's ability to assess the costs and

benefits of consolidating operating locations was limited. Specifically, the agency could not compare costs between Coast Guard and CBP because it did not have comparable marine operating cost information and had not developed and implemented a standard cost per float hour methodology.

We recommended DHS develop these tools to help ensure that it has key information to support initiatives to examine integrating and consolidating nearby marine operating locations. DHS concurred with this recommendation. In September 2021, DHS took steps to fully implement our recommendation. Specifically, DHS developed a colocation assessment methodology to assess operating locations based on the types of assets, performance, and cost; and implemented a standard cost per float hour methodology for Coast Guard and CBP vessels.

Assets to meet critical needs. The Coast Guard provides assets to meet critical emergent needs, but may not be fully addressing recommended actions based on lessons learned from these activities. In September 2021, we found that from 2017 through 2020 the Coast Guard conducted 23 major surge operations—high-intensity, short-notice efforts to respond to catastrophic events or emergencies, such as hurricanes, oil spills, and humanitarian events.¹⁰ To support these surge operations, the Coast Guard deploys varying levels of aircraft and vessels, as well as personnel, which may require a reallocation of resources to the affected areas while continuing to support and carry out its regular missions. For example, we found that the Coast Guard deployed nearly 1,000 personnel and contributed 495 aircraft and 325 vessel hours to support CBP in response to the February 2019 national emergency declaration at the southwest border from April through November 2019. Following Hurricanes Harvey, Irma, and Maria in 2017, the Coast Guard deployed over 4,700 personnel and logged about 4,000 aircraft and more than 2,000 vessel hours.

The Coast Guard conducts after-action reviews following these operations, which identify lessons learned and best practices to improve future surge operations. For example, we reported that the Coast Guard's review of its 2014 response to the influx of unaccompanied children/minors at the southwest border found that certain considerations should be taken into account when deploying aircraft long term, such as

⁹ [GAO-20-663](#).

¹⁰ GAO, *Coast Guard: A More Systematic Process to Resolve Recommended Actions Could Enhance Future Surge Operations*, [GAO-21-584](#) (Washington, D.C.: Sept. 21, 2021).

the availability of ground support and flight crew personnel as well as the security of the aircraft. However, the Coast Guard did not systematically

track whether recommended actions were taken. Coast Guard officials stated that the lessons learned and related recommended actions help improve future surge operations. We recommended the Coast Guard establish a process for tracking and resolving recommended actions in line with its resolution rate and timeliness goals. DHS and the Coast Guard identified five actions that the Coast Guard would take to do so, including developing a process to identify lead and supporting offices to track and address recommended actions. As of February 2023, the Coast Guard is still in the process of completing these actions.

Coast Guard shore infrastructure. The Coast Guard has taken steps to address challenges with its aging and deteriorating shore infrastructure. In February 2019, we reported that the Coast Guard has taken steps to improve how it manages its shore infrastructure, including identifying risks posed by the lack of timely investment and identifying mission-critical facilities.¹¹ For example, we found that the Coast Guard had documented its process to classify its real property under a tier system—ranging from mission-critical to mission-supportive assets. Using this tier system, the Coast Guard established minimum investment targets to prioritize expenditures on shore infrastructure supporting front-line operations, such as piers or runways.

Challenges with acquisition of assets. In March 2023, we reported on our eighth and most recent annual assessment of cost and schedule goals for DHS’s major acquisition programs.¹² We found that the majority of DHS’s major acquisition programs are meeting cost and schedule goals, although the Coast Guard and CBP experienced challenges with acquisition programs that support their law enforcement missions. For example, we found that the Coast Guard continues to face challenges with its Offshore Patrol Cutter and Polar Security Cutter programs, which include providing law enforcement and maritime security capabilities across a range of sea conditions and locations. Despite a program restructure and other efforts, the Offshore Patrol Cutter program still faces

¹¹ GAO, *Coast Guard Shore Infrastructure: Applying Leading Practices Could Help Better Manage Project Backlogs of at Least \$2.6 Billion*, [GAO-19-82](#) (Washington, D.C.: Feb. 21, 2019).

¹² GAO, *DHS Annual Assessment: Major Acquisition Programs Are Generally Meeting Goals, but Cybersecurity Policy Needs Clarification*, [GAO-23-105641SU](#) (Washington, D.C.: Mar. 16, 2023). This report provided assessments of Coast Guard and CBP major acquisition programs, but it did not include recommendations specific to these programs. We have ongoing work related to Coast Guard’s acquisition of its Offshore Patrol and Polar Security Cutters.

significant cost and schedule concerns. For example, the program has determined it will not meet its lead ship delivery date of June 2023.

Further, we found that the Polar Security Cutter program does not have enough information from the shipbuilder to determine a new delivery date for its lead ship.

Coast Guard and CBP have Experienced Challenges Determining Workforce Needs for Maritime Security

Coast Guard Has Conducted Limited Assessments of Workforce Needs

Limited steps taken to assess workforce needs. We have previously reported that the Coast Guard had taken some steps to assess its workforce needs, including developing a Manpower Requirements Plan in 2018.¹³ However, since 2003, it has assessed only a small portion of its workforce needs through the requirements determination process, which was a key component of its 2018 plan.¹⁴ Specifically, in February 2020, we found that the Coast Guard had completed workforce requirements determinations from calendar years 2003 through 2019 for 6 percent of its workforce.

We also found several limitations affecting the Coast Guard's ability to effectively implement its workforce requirements determination process. Specifically, it lacks time frames for how it will achieve its workforce assessment goals—notably, to assess the workforce requirements for all

¹³ GAO, *Coast Guard: Increasing Mission Demands Highlight Importance of Assessing Its Workforce Needs*, [GAO-22-106135](#) (Washington, D.C.: July 27, 2022); *Coast Guard: Actions Needed to Evaluate the Effectiveness of Organizational Changes and Determine Workforce Needs*, [GAO-20-223](#) (Washington, D.C.: Feb. 26, 2020).

¹⁴ In April 2018, the Coast Guard reported to Congress that it faced challenges meeting its daily mission demands because it was operating below the workforce level necessary to meet all of its mission requirements. In this report, the Coast Guard set a goal to complete workforce requirements determinations—its preferred tool for assessing needed workforce levels—for all of its units. U.S. Coast Guard, *Manpower Requirements Plan Report to Congress* (Apr. 13, 2018).

of its positions and units.¹⁵ Among other things, we recommended that the Coast Guard update its Manpower Requirements Plan with timeframes

and milestones for doing so.¹⁶ DHS concurred with our recommendations and described actions planned to address them. Among them, the Coast Guard was required to submit this plan to Congress in fiscal year 2022, but did not do so until March 2023. We are in the process of evaluating the plan to determine the extent to which these actions fully address the intent of our recommendation.

Assessing workforce needs for specialized capabilities. We have previously reported on Coast Guard's workforce challenges related to identifying capability gaps in specific mission needs, including specialized forces and cybersecurity. In November 2019, we reported that the Coast Guard could benefit from assessing workforce needs for its Deployable Specialized Forces workforce—units of personnel who have a range of specialized capabilities needed to handle drug interdiction, terrorism, and other threats in the U.S. maritime environment.¹⁷ Specifically, we found that the Coast Guard had not used data and evidence to fully assess its Deployable Specialized Forces workforce needs.¹⁸ We reported that conducting this analysis would better position the Coast Guard to identify capability gaps between mission requirements and mission performance caused by deficiencies in the numbers of personnel available.

CBP has Addressed Some Workforce Recruitment and Retention Challenges

As a result, we recommended that the Coast Guard conduct a comprehensive analysis of its Deployable Specialized Forces' workforce needs. DHS concurred with this recommendation and, in February 2023, the Coast Guard reported that drafts of the mission analysis reports on two Specialized Forces were being reviewed, with an estimated

¹⁵ The Coast Guard's workforce requirements determination process uses a structured analysis to determine the number and types of personnel needed to effectively perform each mission to a specified standard. The process takes into account the effect of existing, new, or modified requirements on Coast Guard's workforce and is to conclude with a documented determination of the results.

¹⁶ We made a total of six recommendations, four of which addressed limitations with Coast Guard's workforce requirements determination process. The Coast Guard implemented three of these recommendations by updating its guidance, determining necessary personnel to conduct the workforce determination process, and tracking the extent to which it completed this process for its units.

¹⁷ [GAO-20-33](#). We have also previously reported on Coast Guard's challenges related to other specific mission needs, including marine inspection and health care. See GAO, *Coast Guard: Enhancements Needed to Strengthen Marine Inspection Workforce Planning Efforts*, [GAO-22-104465](#), (Washington, D.C.: Jan. 12, 2022); GAO, *Coast Guard Health Care: Improvements Needed for Determining Staffing Needs and Monitoring Access to Care*, [GAO-22-105152](#), (Washington, D.C.: Feb. 4, 2022); and [GAO-22-106135](#).

¹⁸ As of November 2019, the Coast Guard had 25 specialized forces teams and 2 units.

completion of Spring 2023. However, the Coast Guard

informed us that completion of the three remaining Specialized Force unit types is subject to available funding and is not estimated to be completed until September 2023.

In September 2022, we reported on challenges the Coast Guard faces ensuring it has the necessary workforce, given its growing cyber-related mission needs.¹⁹ For example, we found that the Coast Guard had not developed a strategic workforce plan for its cyberspace workforce. We made six recommendations,

including that the Coast Guard assess and determine the

cyberspace staffing levels needed to meet its cyberspace mission demands and fully implement five recruitment and retention leading

practices, such as establishing a strategic workforce plan for its cyberspace workforce. DHS concurred with these recommendations, but the Coast Guard has not yet taken actions to implement them.

We previously reported on challenges CBP has faced in efforts to recruit, hire, and retain law enforcement personnel across its operational components at and between U.S. ports of entry, in the U.S. air and maritime environment, and at certain overseas locations.²⁰ We reported that in recent years CBP had not attained its then-statutory minimum staffing level for its Border Patrol agent positions or its staffing goals for other law enforcement officer positions. CBP identified high attrition rates in some locations, a protracted hiring process, and competition from other federal, state, and local law enforcement agencies as barriers to meeting its staffing goals.

In June 2018, we found that CBP increased its emphasis on recruitment by, among other things, establishing a central recruitment office in 2016;

increasing its participation in recruitment events; and hiring a contractor in November 2017 to more effectively target potential applicants and better

utilize data. We also found that CBP improved its hiring process as demonstrated by two key metrics—reducing its time-to-hire and increasing the percentage of applicants that are hired. Lastly, we found that CBP enhanced its efforts to address retention challenges but that staffing levels for law enforcement positions consistently remained below target levels.

We recommended that CBP systematically collect and analyze data on departing law enforcement officers and use this information to inform retention efforts. DHS concurred with our recommendation and, as of October 2019, has completed actions to fully implement it. Specifically, CBP implemented an agency-wide exit survey to collect and analyze data on departing law enforcement officers and is using these data to inform its retention efforts.

Chairman Gimenez, Ranking Member Thanedar, and Members of the

¹⁹ GAO, *Coast Guard: Workforce Planning Actions Needed to Address Growing Cyberspace Mission Demands*,

[GAO-22-105208](#), (Washington, D.C.: Sept. 27, 2022)

²⁰ GAO, *U.S. Customs and Border Protection: Progress and Challenges in Recruiting, Hiring, and Retaining Law Enforcement Personnel*, [GAO-19-419T](#) (Washington, D.C.: Mar. 7, 2019); and [GAO-18-487](#).

Subcommittee, this completes my prepared statement. I would be pleased to respond to any questions that you may have at this time.

GAO Contacts and Staff Acknowledgments

If you or your staff have any questions about this testimony, please contact Heather MacLeod, Director, Homeland Security and Justice at (202)-512-8777 or macleodh@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this statement. GAO staff who made key contributions to this statement are Hugh Paquette (Assistant Director), Caryn Kuebler (Analyst-inCharge), Jay Berman, Andrew Curry, Michele Fejfar, Holland Freeman, Eric Hauswirth, Paul Hobart, Dawn Hoff, Sasan J. "Jon" Najmi, Adam Vogt, and Christopher Zubowicz.

Appendix I: Information on the Coast Guard's 11 Missions Appendix I: Information

on the Coast Guard's
11 Missions

Guard's 11 Missions

This appendix details the Coast Guard's 11 missions (see Table 1).

Table 1: Information on the Coast Guard's 11 Missions

Mission	Description
Aids to Navigation	Mitigate the risk to safe navigation by providing and maintaining more than 51,000 buoys, beacons, lights, and other aids to mark channels and denote hazards.
Defense Readiness	Maintain the training and capability necessary to immediately integrate with Department of Defense forces in both peacetime operations and during times of war.
Drug Interdiction	Stem the flow of illegal drugs into the United States.
Ice Operations	Establish and maintain tracks for critical waterways, assisting and escorting vessels beset or stranded in ice, and remove navigational hazards created by ice in navigable waterways.
Living Marine Resources	Enforce laws governing the conservation, management, and recovery of living marine resources, marine protected species, and national marine sanctuaries and monuments.
Marine Environmental Protection	Enforce laws which deter the introduction of invasive species into the maritime environment, stop unauthorized ocean dumping, and prevent and respond to oil and chemical spills.
Marine Safety	Enforce laws which prevent death, injury, and property loss in the marine environment.
Migrant Interdiction	Stem the flow via maritime routes of unlawful migration and human smuggling activities.
Other Law Enforcement	Enforce international treaties, including the prevention of illegal fishing in international waters and the dumping of plastics and other marine debris.
Ports, Waterways, and Coastal Security	Ensure the security of the waters subject to the jurisdiction of the United States and the waterways, ports, and intermodal landside connections that comprise the marine transportation system—and protect those who live or work on the water or who use the maritime environment for recreation.
Search and Rescue	Search for, and provide aid to, people who are in distress or imminent danger.

Source: 6 U.S.C. § 468(a); GAO summary of Coast Guard information. | GAO-23-106695

Related GAO Products Related GAO Products

Coast Guard: Workforce Planning Actions Needed to Address Growing Cyberspace Mission Demands, [GAO-22-105208](#) (Washington, D.C.: Sept. 27, 2022).

Coast Guard: Increasing Mission Demands Highlight Importance of Assessing Its Workforce Needs, [GAO-22-106135](#) (Washington, D.C.: July 27, 2022).

Coast Guard Health Care: Improvements Needed for Determining Staffing Needs and Monitoring Access to Care, [GAO-22-105152](#) (Washington, D.C.: Feb. 4, 2022).

Coast Guard: Enhancements Needed to Strengthen Marine Inspection Workforce Planning Efforts, [GAO-22-104465](#) (Washington, D.C.: Jan. 12, 2022).

Coast Guard: Actions Needed to Better Manage Shore Infrastructure, [GAO-22-105513](#) (Washington, D.C.: Nov. 16, 2021).

Coast Guard: A More Systematic Process to Resolve Recommended Actions Could Enhance Future Surge Operations, [GAO-21-584](#) (Washington, D.C.: Sept. 21, 2021).

Coast Guard: Information on Defense Readiness Mission Deployments, Expenses, and Funding, [GAO-21-104741](#) (Washington, D.C.: Sept. 15, 2021).

Department of Homeland Security: Assessment of Air and Marine Operating Locations Should Include Comparable Costs across All DHS Marine Operations, [GAO-20-663](#) (Washington, D.C.: Sept. 24, 2020).

Coast Guard: Actions Needed to Evaluate the Effectiveness of Organizational Changes and Determine Workforce Needs, [GAO-20-223](#) (Washington, D.C.: Feb. 26, 2020).

Coast Guard: Assessing Deployable Specialized Forces' Workforce Needs Could Improve Efficiency and Reduce Potential Overlap or Gaps in Capabilities, [GAO-20-33](#) (Washington, D.C.: Nov. 21, 2019).

Drug Control: Certain DOD and DHS Joint Task Forces Should Enhance Their Performance Measures to Better Assess Counterdrug Activities, [GAO-19-441](#) (Washington, D.C.: July 9, 2019).

Related GAO Products

U.S. Customs and Border Protection: Progress and Challenges in Recruiting, Hiring, and Retaining Law Enforcement Personnel, [GAO-19-419T](#) (Washington, D.C.: Mar. 7, 2019).

Coast Guard Shore Infrastructure: Applying Leading Practices Could Help Better Manage Project Backlogs of at Least \$2.6 Billion, [GAO-19-82](#) (Washington, D.C.: Feb. 21, 2019).

U.S. Customs and Border Protection: Progress and Challenges in Recruiting, Hiring, and Retaining Law Enforcement Personnel, [GAO-18-487](#) (Washington, D.C.: June 27, 2018).

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TESTIMONY OF
REAR ADMIRAL JO-ANN F. BURDIAN
ASSISTANT COMMANDANT FOR RESPONSE POLICY

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

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

MARCH 23, 2023

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

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.

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.

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 recapitalizing 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.

Boyette-Florida National Guard Written Testimony

Chairman Gimenez and committee members, thank you for the opportunity to share the Florida National Guard story and our contributions to ongoing efforts to reduce illegal migration and illicit drug flow into our great state and nation and to protect Floridians from the dangerous impacts of the Border Crisis. In addition to witnessing a drop in the number of people entering the state through the Florida Keys as a result of coordinated state efforts to deter and prevent illegal migration, almost 11,000 migrants have been returned to their country of origin after attempting to enter Florida illegally since August 2022, as Governor Ron DeSantis announced earlier this month.

In recent months, the number of unauthorized alien interdictions in and around Florida has risen to alarming levels not seen for decades, which has put an undue burden on local resources and threatened public safety. On January 6th of 2023, after a peak of over 800 migrant apprehensions during the first week of January, and inadequate federal action, Governor DeSantis took action to provide the resources necessary to respond to the mass migration event and protect Florida's communities; signing an executive order declaring a state of emergency and directing the Adjutant General of Florida to activate the Florida National Guard, as needed, to support the State's efforts to interdict illegal migrants attempting to gain entry to the United States through Florida. Governor DeSantis's executive order was timely and based on steady increases in illegal migrations through the Florida Straits, a mass migration landing in

the Dry Tortugas, and an increase to Phase 1b of Operation Vigilant Sentry, which is the federal government's plan to interdict illegal migration throughout the southeast United States and Caribbean nations, primarily Haiti and Cuba.

The Florida National Guard was activated in a supporting role to the Florida Fish and Wildlife Conservation Commission, under the overall command and control of the Florida Division of Emergency Management within the Executive Office of the Governor, and in coordination with the United States Coast Guard, other federal agencies and local law enforcement. Our role is to provide aerial observation to cue potential migrant activity to maritime assets to conduct the actual interdiction. With federal support, we have been able to conduct our flight operations safely and in coordination with all state agencies. Initially we activated two LUH-72 Lakota rotary wing aircraft within 24 hours of the executive order. In the following weeks, we grew our forces operating out of Marathon Key, FL to a total of twelve aircraft, an aviation battalion tactical operations center with all primary staff, and associated maintenance and logistics personnel for support.

Since January 10th, 2023 the Florida National Guard has averaged 10-12 sorties per day along four air corridors in South Florida to provide ariel observation in support of maritime assets. We have assisted in interdictions of 349 migrants and identification of over 100 abandoned vessels, but perhaps more importantly, our presence in the air seems to have resulted in a notable deterrence. According to data compiled by the Florida Division of Emergency Management, from October 2022 through January 2023, there was an average of 1,210 illegal migrants apprehended, per month. This number

decreased to 276 for the month of February due to the buildup of State law enforcement agencies, Florida National Guard air assets acting as a deterrent and federal partner during the month of January.

The total cost of the state activation across all responding agencies is currently in excess of \$50 million, and that number will continue to rise. To date, the State of Florida has paid over \$7 million for the use of our aviation rotary wing aircraft. To help mitigate the cost, but sustain our presence and reconnaissance capability, Florida recently requested to use our unmanned aircraft system, the RQ-7B Shadow tactical unmanned aircraft system. Currently we are working with the FAA for approval to fly this system in civilian airspace, as well as working in coordination with Navy Region Southeast to launch and recover from Key West Naval Air Station.

Since the beginning of the Florida National Guard's involvement, the Florida National Guard has posted a liaison officer in the United States Coast Guard District 7 operations center in Brickell, FL. Additionally, the FLNG has a full-time liaison officer in the State of Florida Emergency Operation Center, and there are daily touchpoints to ensure continuity of communication. At the tactical level the FLNG's communications directorate installed upgrades to our rotary wing assets to ensure the FLNG can communicate with the maritime assets across all state and federal agencies.

Lastly, the FLNG is conducting these operations predominantly with the highly dedicated part-time force of traditional National Guard Soldiers and Airmen, all of whom have been volunteers who are proud to support both our state agencies and the federal

partners charged with the protection of our borders. The Florida National Guard is proud to be part of this operation to protect Florida's citizens and looks forward to the continued support and partnership.