

**GUARDIANS OF THE SEA: EXAMINING COAST
GUARD EFFORTS IN DRUG ENFORCEMENT, ILLE-
GAL MIGRATION, AND IUU FISHING**

(118-33)

HEARING
BEFORE THE
SUBCOMMITTEE ON
COAST GUARD AND MARITIME TRANSPORTATION
OF THE
COMMITTEE ON
TRANSPORTATION AND
INFRASTRUCTURE
HOUSE OF REPRESENTATIVES
ONE HUNDRED EIGHTEENTH CONGRESS

FIRST SESSION

NOVEMBER 14, 2023

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Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, DC 20515

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NOVEMBER 9, 2023

SUMMARY OF SUBJECT MATTER

TO: Members, Subcommittee on Coast Guard and Maritime Transportation
FROM: Staff, Subcommittee on Coast Guard and Maritime Transportation
RE: Subcommittee Hearing on “*Guardians of the Sea: Examining Coast Guard Efforts in Drug Enforcement, Illegal Migration, and IUU Fishing*”

I. PURPOSE

The Subcommittee on Coast Guard and Maritime Transportation will meet on November 14, 2023, at 10:00 a.m. ET in 2167 of the Rayburn House Office Building to receive testimony at a hearing entitled “*Guardians of the Sea: Examining Coast Guard Efforts in Drug Enforcement, Illegal Migration, and IUU Fishing.*” Members will examine the United States Coast Guard’s (Coast Guard) law enforcement missions. The hearing will focus on the Coast Guard’s efforts to interdict the illegal entry of drugs and migrants along the maritime border and deter illegal, unreported, and unregulated (IUU) fishing. At the hearing, Members will receive testimony from the Coast Guard, the Government Accountability Office, the RAND Corporation, and the Congressional Research Service.

II. BACKGROUND

The Coast Guard is uniquely positioned as the only military service capable of performing maritime law enforcement operations. Under its authorities, the Coast Guard is actively engaged in missions pertaining to drug interdiction, migrant interdiction, and the protection of natural resources from malign activity, like IUU fishing.¹ It performs these mission sets within the territorial waters and exclusive economic zone of the United States, on the high seas, and in foreign territorial waters when operating under agreements with allies and partner nations.²

From 2018 to 2022, the Coast Guard intercepted and seized 888 metric tons of cocaine, worth approximately \$25.76 billion.³ The Service also detained 2,776 drug smugglers for prosecution.⁴ More recently, the Coast Guard seized 11,600 pounds

¹ See 14 U.S.C. §522.

² See UNITED STATES COAST GUARD, *Force Laydown*, available at <https://www.uscg.mil/About/Force-Laydown/#:-:text=The%20Coast%20Guard%20also%20has,assets%2C%20and%20deployable%20specialized%20forces.>

³ See *Securing America’s Maritime Border—Challenges and Solutions: Hearing before the Transp. and Maritime Security Subcomm. of the H. Comm. on Homeland Security*, 118th Cong. (March 23, 2023) (statement of Rear Admiral Jo-Ann F. Burdian, United States Coast Guard).

⁴ *Id.*

of cocaine valued at \$158 million in July 2023 and 12,100 pounds of cocaine valued at \$160 million in September 2023.⁵

In addition to drug seizures, one of the Coast Guard's most important roles in defending the homeland is countering illegal maritime migrations. A significant problem area for illegal maritime migration is the Caribbean. During fiscal year (FY) 2022, the Coast Guard interdicted 12,000 Haitian and Cuban migrants alone.⁶ This number is expected to grow in FY 2023 as the Coast Guard continues to surge assets to the Caribbean in response.

Finally, the Coast Guard's ability to interdict bad actors and enforce local and international laws has made it an important tool in countering Chinese malign and grey-zone activity in the Indo-Pacific, such as IUU fishing. The Coast Guard is the only agency explicitly referenced by name in the 2022 Indo-Pacific Strategy, cementing the importance of Coast Guard abilities and authorities in supporting United States National security interests.⁷

III. DRUG/MIGRANT INTERDICTION

The Coast Guard is the lead and only Federal maritime law enforcement agency with the authority and capability to enforce National and international law on the high seas, including for both drug and migrant interdiction operations.⁸ The Coast Guard is constrained in conducting these missions by limited assets.⁹ Drug and migrant source countries are often hundreds of miles away from United States coastlines, requiring detection, monitoring, and efforts to occur across vast expanses of time and distance. While the Coast Guard attempts to use historic trends, intelligence, and advanced monitoring technologies to maximize the deployment of its assets, it is constantly forced to prioritize certain vectors and lapse coverage for others.¹⁰

DRUG INTERDICTION

Illicit maritime drug shipments are carried by noncommercial means, such as small "go-fast" vessels with multiple outboard engines, semisubmersible vessels, fishing vessels, and sailing vessels, as well as by commercial vessels, such as container ships.¹¹ The majority of known maritime drug flow is conveyed via non-commercial means through the Western Hemisphere Transit Zone—the waters off the coasts of Central and South America and the Caribbean Sea.¹² The Coast Guard uses cutters, boats, aircraft, and unmanned monitoring systems in a layered approach to combat drug cartels as they transport illicit drugs in the maritime domain.¹³

The objectives of Coast Guard drug interdiction efforts are to: (1) maintain a strong interdiction presence to deny smugglers access to maritime routes and deter trafficking activity; (2) strengthen ties with source and Transit Zone (Eastern Pacific

⁵See USCG DISTRICT 11 PUBLIC AFFAIRS, *Coast Guard crew offloads more than \$158 million worth of narcotics in San Diego* (July 17, 2023), available at <https://www.news.uscg.mil/Press-Releases/Article/3460718/photos-available-coast-guard-crew-offloads-more-than-158-million-worth-of-narco/>; see also COAST GUARD SEVENTH DISTRICT, *Coast Guard offloads more than \$160 million in illegal narcotics* (September 20, 2023), available at <https://www.news.uscg.mil/Press-Releases/Article/3532372/coast-guard-offloads-more-than-160-million-in-illegal-narcotics/>.

⁶See Commander Michael Feltovic and Lieutenant Commander Robert O'Donnell, *Coast Guard Migrant Interdiction Operations Are in a State of Emergency* (February 2023), available at <https://www.usni.org/magazines/proceedings/2023/february/coast-guard-migrant-interdiction-operations-are-state-emergency> [hereinafter Feltovic].

⁷See The White House, *Indo-Pacific Strategy*, (Feb. 2022), available at <https://www.whitehouse.gov/wp-content/uploads/2022/02/U.S.-Indo-Pacific-Strategy.pdf>.

⁸See CONGRESSIONAL RESEARCH SERVICE, *INTERNATIONAL DRUG CONTROL POLICY: BACKGROUND AND U.S. RESPONSE*, 24 (2015), available at <https://crsreports.congress.gov/product/pdf/RL/RL34543/24>.

⁹See U.S. GOV'T ACCOUNTABILITY OFF., *GAO-23-106695, MARITIME SECURITY: COAST GUARD AND CBP EFFORTS TO ADDRESS PRIOR GAO RECOMMENDATIONS ON ASSET AND WORKFORCE NEEDS* (Mar. 23, 2023), available at <https://www.gao.gov/assets/gao-23-106695.pdf> [hereinafter GAO Maritime Security].

¹⁰*Id.*; *Securing the Border: Understanding Threats and Strategies for the Maritime Border: Testimony before the Senate Homeland Security and Governmental Affairs Committee*, 114th Cong. (2015) (statement of Rear Admiral Peter J. Brown, USCG Assistant Commandant for Response Policy), available at <https://www.dhs.gov/news/2015/07/15/written-testimony-uscg-senate-committee-homeland-security-and-governmental-affairs>.

¹¹See UNITED STATES COAST GUARD REPORT TO CONGRESS: *COUNTER-DRUG OPERATIONS*, (2020), https://www.dhs.gov/sites/default/files/publications/uscg_-_counter-drug_operations.pdf [hereinafter Counter-Drug Operations].

¹²*Id.*

¹³*Id.*

and Caribbean) Nations to increase their willingness and ability to reduce the production and trafficking of illicit drugs within their sovereign boundaries, including territorial seas; and (3) support interagency and international efforts to combat drug smuggling through increased cooperation and coordination.¹⁴

The Coast Guard facilitates international maritime counternarcotics operations with partner nations that permit Coast Guard officers to stop, board, and search suspicious vessels.¹⁵ The United States government is party to 41 maritime counterdrug bilateral agreements or operational procedures to coordinate detection, monitoring, interdiction, and apprehension activities.¹⁶ The Coast Guard's law enforcement, legal, and regulatory expertise are in high demand from Central American partners, whose navies more closely resemble the Coast Guard, focusing primarily on maritime law enforcement.¹⁷ Coast Guard personnel act as attachés, liaisons, maritime advisors, and drug interdiction specialists at embassies around the world.¹⁸ International training teams and deployed units provide training, engage in joint operations, and may even embark ship riders to facilitate enforcement.¹⁹

Annually, the Coast Guard removes approximately ten percent of the cocaine flowing through maritime transit routes while indications show the majority of the remaining 90 percent is typically not intercepted before reaching the shore.²⁰ Drug interdictions are prosecuted through multi-agency and multi-national coordination. United States Southern Command, through the Joint Interagency Task Force-South (JIATF-S), is responsible for cueing and detections, while the Coast Guard is the primary force provider of surface assets used as law enforcement platforms and presence.²¹ The Maritime Drug Law Enforcement Act, 46 U.S.C. §§70501–70507, and the Drug Trafficking Vessel Interdiction Act, 18 U.S.C. § 2285, are the primary criminal statutes utilized in the counter-drug mission.²² These laws apply extraterritorially so that persons who are interdicted aboard suspected drug smuggling vessels in international waters may be prosecuted in the United States.²³

By leveraging its unique authorities and collaborating across United States agencies and with international partners, the Coast Guard prevents more cocaine from entering the United States than all other Federal agencies combined.²⁴

ILLEGAL MIGRATION

In 2022, the Coast Guard saw one of the deadliest years for illegal migration in recent history when approximately 65 people perished while trying to reach the United States.²⁵ In 2023, illegal maritime migration, and consequently Coast Guard interdictions, continue to reach increasingly high levels due to major economic and social turmoil unfolding in the Caribbean and South American countries.²⁶ Overall, most maritime migration is illegal and can occur along hundreds of miles of coastline, which is impossible to continuously patrol. While there are several prevailing vectors of unauthorized maritime migration into the United States, maritime routes from Cuba, Haiti, and the Dominican Republic on the east coast and Mexico on the west coast have historically accounted for the highest annual interdiction attempts.²⁷

Illegal maritime migration takes place over long expanses of water and is slow and hazardous.²⁸ Maritime migration efforts are typically unorganized, utilizing homemade “rustic” vessels like makeshift rafts constructed with debris and tarps, locally made sail freighters, or other modified modes of transportation engineered to float.²⁹ These vessels are almost always severely overloaded with people. For ex-

¹⁴ See UNITED STATES COAST GUARD REPORT TO CONGRESS: COAST GUARD INTERDICTION OF ILLICIT DRUGS IN TRANSIT ZONES, (2022), (on file with Comm.) [hereinafter Transit Zones].

¹⁵ *Id.*; UNITED STATES COAST GUARD, *Partnerships and Stakeholders*, available at <https://www.uscg.mil/About/Partnerships/>.

¹⁶ See Counter-Drug Operations, *supra* note 11.

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ See Transit Zones, *supra* note 14.

²¹ *Id.*

²² See Counter-Drug Operations, *supra* note 11.

²³ *Id.*

²⁴ See Transit Zones, *supra* note 14.

²⁵ See Nicole J. Groll, *Operation Vigilant Sentry: Stopping Illegal Migration at Sea*, (Jan. 27, 2023), available at <https://www.news.uscg.mil/Press-Releases/Article/3280774/operation-vigilant-sentry-stopping-illegal-migration-at-sea/> [hereinafter Groll].

²⁶ Feltovic, *supra* note 6.

²⁷ *Id.*

²⁸ *Id.*

²⁹ *Id.*

ample, a 50-foot sail freighter may have more than 200 migrants crammed on-board.³⁰ The makeshift vessels are neither seaworthy nor safe, often incapable of withstanding heavy seas and sinking even in benign weather.³¹ For example, in 2004, a group of Cuban Nationals tried to sail to the United States in a 1959 Buick car fashioned into a boat when they were intercepted at sea by the Coast Guard.³² They have little to no navigation or lifesaving equipment.³³ Accordingly, illegal maritime migration has both law enforcement and humanitarian assistance implications.



Figure 1. Cubans sailing vintage car caught off Florida.

Individuals interdicted at sea are either repatriated to their country of origin or departure or brought to the United States to face prosecution.³⁴ Many Coast Guard cutters operating off the Florida coast and in the Caribbean end up packed with migrants beyond their maximum capacity, because the continual stream of migration offers little opportunity for a Coast Guard cutter to leave the scene.³⁵ Furthermore, Coast Guard cutters are not equipped with spaces to house hundreds of migrants for extended periods of time and have limited personnel available to monitor them while onboard.³⁶

DRUG/MIGRANT INTERDICTION

Undoubtedly, maritime drug trafficking and illegal migration are on the rise.³⁷ The challenges associated with these Coast Guard missions are only increasing, due to limited Coast Guard assets and capacity.³⁸ Despite this, the Coast Guard continues to be the Nation's primary maritime force to combat transnational criminal organizations engaging in illicit drug and migrant operations, secure maritime borders, and safeguard commerce throughout the Western Hemisphere.³⁹

IV. IUU FISHING

Illegal fishing encompasses fishing activities that contradict state, Federal, and international laws and regulations.⁴⁰ Unreported fishing includes fishing activities that are not reported or misrepresented in contravention of relevant laws.⁴¹ Unregulated fishing refers to fishing activity undertaken by flagless vessels, or that occurs

³⁰ *Id.*

³¹ *Id.*

³² *Cubans sailing vintage car caught off Florida*, REUTERS, available at <https://www.nbcnews.com/id/wbna4163593>.

³³ *Id.*

³⁴ Groll, *supra* note 24.

³⁵ Feltovic, *supra* note 6.

³⁶ *Id.*

³⁷ GAO Maritime Security, *supra* note 9.

³⁸ *Id.*

³⁹ Transit Zones, *supra* note 14.

⁴⁰ Nat'l Oceanic Atmospheric Admin., *Understanding Illegal, Unreported, and Unregulated Fishing*, available at <https://www.fisheries.noaa.gov/insight/understanding-illegal-unreported-and-unregulated-fishing>

⁴¹ *Id.*

in areas outside of regulated fish stocks and outside of applicable laws and regulations to conserve living marine resources.⁴²

Twenty percent of fish caught around the world originate from IUU fishing, resulting in tens of billions of dollars in lost revenue to legal fishers, and harming the management of marine fish stocks.⁴³ By virtue of its size, scale, and range, China is the largest IUU offender.⁴⁴ China accounts for more than a third of the world's seafood production, and Chinese vessels make up nearly 40 percent of the world's distant-water fishing fleet.⁴⁵ China's distant-water fishing fleet is subsidized by the Chinese Government, with an estimated \$7.2 billion in subsidies going to the sector in 2018.⁴⁶ Chinese vessels are responsible for numerous IUU fishing violations, including fishing in other Nations' exclusive economic zones and incorrectly reporting fishing activity. Chinese vessels often operate in disputed territorial waters with competition over fishery resources driving some of the disputes.⁴⁷

The Coast Guard monitors and works to mitigate illegal fishing through domestic efforts like the United States Interagency Working Group where the Coast Guard is one of 21 member agencies and international efforts working with partner nations in the Indo-Pacific through coordination groups, multinational enforcement operations, and bilateral agreements.⁴⁸ The United States Interagency Working Group was established in the National Defense Authorization Act for Fiscal Year 2020 (P.L. 116-92), which directed additional efforts to combat IUU fishing, including coordination with international organizations, diplomatic engagement, and support to improve law enforcement capabilities in priority regions.⁴⁹

Earlier this year, the National Academy of Sciences released an assessment on emerging issues that require Coast Guard action. The report notes that as illegal fishing increases, the Coast Guard will need to improve its data collection, work with non-governmental organizations and deploy assets to areas where they will be most effective.⁵⁰

Over the next decade, the Coast Guard intends to focus its IUU efforts in three areas. These include expanding and strengthening bilateral and multilateral partnerships to maximize IUU enforcement efforts, countering predatory and irresponsible state behavior, including that of China, and expanding targeted intelligence to drive enforcement options.⁵¹

V. WITNESSES

- Rear Admiral Jo-Ann Burdian, Assistant Commandant for Response Policy (CG-5R), United States Coast Guard
- Heather MacLeod, Director, Homeland Security and Justice, United States Government Accountability Office
- Aaron Davenport, Associate Director, Infrastructure, Immigration, and Security Operations Program, RAND Corporation
- Caitlin Keating-Bitonti, PhD, Natural Resources Policy Analyst, Congressional Research Service

⁴² *Id.*

⁴³ COAST GUARD, *IUU Fishing*, available at <https://www.uscg.mil/iuufishing/>.

⁴⁴ BRUCE VAUGH & BEN DOLVEN, CONG. RSCH SERV. (R47065) CHINA'S ROLE IN THE EXPLOITATION OF GLOBAL FISHERIES: ISSUES FOR CONGRESS, (Apr. 12, 2022) available at <https://crsreports.congress.gov/product/pdf/R/R47065>.

⁴⁵ *Id.*

⁴⁶ *Id.*

⁴⁷ *Id.*

⁴⁸ See Feltovic, *supra* note 6.

⁴⁹ See National Defense Authorization Act for Fiscal Year 2020, Pub. L. No. 116-92, 133 Stat. 2005.

⁵⁰ See NAT'L ACADEMIES OF SCIENCES, ENGINEERING AND MEDICINE, COAST GUARD'S NEXT DECADE: AN ASSESSMENT OF EMERGING CHALLENGES AND STATUTORY NEEDS 186 (2023), available at <https://nap.nationalacademies.org/catalog/27059/the-coast-guards-next-decade-an-assessment-of-emerging-challenges-and-statutory-needs> [hereinafter NAS Report].

⁵¹ See COAST GUARD, *Illegal, Unreported and Unregulated Fishing Strategic Outlook*, (September 2020), available at https://www.uscg.mil/Portals/0/Images/iuu/IUU_Strategic_Outlook_2020_FINAL.pdf#page=39.

**GUARDIANS OF THE SEA: EXAMINING COAST
GUARD EFFORTS IN DRUG ENFORCEMENT,
ILLEGAL MIGRATION, AND IUU FISHING**

TUESDAY, NOVEMBER 14, 2023

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON COAST GUARD AND
MARITIME TRANSPORTATION,
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC.

The subcommittee met, pursuant to call, at 10:17 a.m. in room 2167 Rayburn House Office Building, Hon. Daniel Webster (Chairman of the subcommittee) presiding.

Mr. WEBSTER OF FLORIDA. The Subcommittee on Coast Guard and Maritime Transportation will come to order.

I ask unanimous consent that the chair be authorized to declare a recess at any time in today's hearing.

Without objection, show that ordered; that could come at any time now.

I also ask unanimous consent that Members not on the subcommittee be permitted to sit with the subcommittee at today's hearing and ask questions.

Without objection, show that ordered.

As a reminder, if you wish to insert a document, please notify the T&I Committee through DocumentsTI@mail.house.gov.

I now recognize myself for the purpose of opening remarks.

**OPENING STATEMENT OF HON. DANIEL WEBSTER OF FLORIDA,
CHAIRMAN, SUBCOMMITTEE ON COAST GUARD AND
MARITIME TRANSPORTATION**

Mr. WEBSTER OF FLORIDA. We meet today to examine the Coast Guard's law enforcement missions, focusing on the Service's counterdrug and migrant efforts and its work to limit illegal, unreported, and unregulated, or IUU, fishing.

I would like to welcome our distinguished witnesses today.

Rear Admiral Jo-Ann Burdian—is that correct?

Admiral BURDIAN. Yes, sir.

Mr. WEBSTER OF FLORIDA. OK. She is the Assistant Commandant for Response Policy at the Coast Guard.

Heather MacLeod, Director of Homeland Security and Justice at the Government Accountability Office.

Aaron Davenport, associate director of the Infrastructure, Immigration, and Security Operations Program at the RAND Corporation.

And Caitlin Keating-Bitonti, natural resources policy analyst at the Congressional Research Service.

The Coast Guard is our Nation's premier maritime law enforcement agency and is actively engaged in countering illicit marine activity. This includes stopping the flow of illegal drugs to our shores, interdicting illegal maritime migration, and protecting the environment through efforts to curb illegal fishing. Illicit maritime activity threatens our Nation's health, security, and industries.

As drug traffickers seek to poison our communities, the Coast Guard's accomplishment in stemming the tide of illegal drugs has been impressive. Over the past 4 fiscal years, the Coast Guard intercepted and seized 888 metric tons of cocaine worth approximately \$25 billion—that's well more than the Service's annual budget.

At the same time, the Coast Guard is addressing increased levels of maritime migration to our shores, often in the form of makeshift vessels that are not seaworthy and threaten the lives of the occupants. The year 2023 was one of the deadliest years for illegal maritime migration.

In 2020, the Coast Guard declared that IUU fishing replaced piracy as the leading global maritime security threat. It harms the management of fish stocks and costs legal fishing operations tens of billions of dollars a year in revenue. This harm is exacerbated by the world's biggest IUU offender: China. The China Communist Party provides billions of dollars in subsidies to their distant-water fishing fleet to plunder the fishing stocks of other nations.

To combat illicit maritime activity, the Coast Guard works with partner nations and expands targeted intelligence to maximize enforcement actions. At the same time, these efforts often pit our Nation's Coast Guard against foreign forces, including China, which has the largest coast guard fleet.

Despite its best efforts at these missions, the Coast Guard can only act on a fraction of the intelligence it receives. The Service's drug and migration interdiction efforts are hindered first and foremost by a lack of resources, both due to a longstanding failure to make long-term sustained financial investments and heightened more recently by manpower shortages broadly affecting the Armed Forces. In the coming year, this problem will only increase as the Service is forced to lay up cutters that would otherwise be engaged in patrols because of a lack of Coast Guard guardians to man them.

An important part of this subcommittee's work is to conduct oversight to better understand the Coast Guard's capabilities and to identify the causes for any mission gaps. As we explore the Service's law enforcement missions today, I look forward to hearing what the Coast Guard will do to strengthen its capabilities.

To Rear Admiral Burdian, I want to emphasize that this hearing is an opportunity for you to tell us what resources the Coast Guard needs to accomplish its critical law enforcement missions. Advocating for its needs has not been one of the Coast Guard's strengths, so, today, I ask you to be candid.

I would like to thank all of our witnesses for joining us here today and look forward to a great discussion.

[Mr. Webster of Florida's prepared statement follows:]

**Prepared Statement of Hon. Daniel Webster of Florida, Chairman,
Subcommittee on Coast Guard and Maritime Transportation**

We meet today to examine the Coast Guard's law enforcement missions, focusing on the Service's counter drug and migrant efforts, and its work to limit illegal, unreported, and unregulated, or IUU, fishing.

I'd like to welcome our distinguished witnesses joining us today—Rear Admiral Jo-Ann Burdian, Assistant Commandant for Response Policy at the U.S. Coast Guard; Heather MacLeod, Director, Homeland Security and Justice at the Government Accountability Office; Aaron Davenport, Associate Director, Infrastructure, Immigration, and Security Operations Program, at the RAND Corporation; and Caitlin Keating-Bitonti, Natural Resources Policy Analyst at the Congressional Research Service.

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As we explore the Service's law enforcement missions today, I look forward to learning what the Coast Guard will do to strengthen its capabilities.

To Rear Admiral Burdian, I want to emphasize that this hearing is an opportunity for you to tell us what resources the Coast Guard needs to accomplish its critical law enforcement missions. Advocating for its needs has not been one of the Coast Guard's strengths, so today, I ask you to be candid.

I'd like to thank all our witnesses for joining us here today and look forward to a great discussion.

Mr. WEBSTER OF FLORIDA. I now recognize the ranking member of the committee. You are recognized.

OPENING STATEMENT OF HON. RICK LARSEN OF WASHINGTON, RANKING MEMBER, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

Mr. LARSEN OF WASHINGTON. Thank you, Mr. Chair.

And I am going to be brief, and I ask my full statement to be admitted into the record. We are going to be called to vote in a little bit.

But I want to make four basic points as we get started. First, the Coast Guard is facing a 3,000-person shortage, which has degraded the mission readiness of the Coast Guard. And, while its mitigation plans will prioritize search-and-rescue operations, national security, and the Marine Transportation System, operational status across the Coast Guard will suffer.

The second point is what that means for the three items we have before us today. On drug interdiction, of the Coast Guard's 11 missions, the Service dedicates the most resources to maritime drug interdiction. Despite this, over the past 3 years, the Coast Guard has failed to reach its 10 percent interdiction goal of known cocaine flow. And so, I think it is important we understand why that is and how we can rectify that.

Migration enforcement, the U.S. is witnessing a significant increase in maritime migration from the Caribbean that is expected to continue and will further strain limited Coast Guard resources and personnel. The Coast Guard's role in immigration enforcement is to ensure safety and engage in search-and-rescue missions. So, understanding what the role of the Coast Guard is and how it might be impacted is important to us as well.

And, finally, on illegal fishing, the consequences of illegal fishing include international disputes over resources, overfishing of fish stocks in international and domestic waters, and humanitarian repercussions such as human trafficking and exploitation of vulnerable communities through forced labor. I know it is an issue that a lot of us are interested in, especially those of us in the Pacific Northwest, where much of our fishing fleet ends up all over the world.

So, with that, I will close my statement and look forward to the testimony and yield back.

[Mr. Larsen of Washington's prepared statement follows:]

Prepared Statement of Hon. Rick Larsen of Washington, Ranking Member, Committee on Transportation and Infrastructure

Thank you, Chair Webster and Ranking Member Carbajal, for holding this important hearing where we'll focus on the Coast Guard's essential law enforcement missions: drug interdiction, IUU fishing, and migration enforcement.

At a time when the Coast Guard is facing a personnel shortage and impacted operations, it is important for the Committee to take a closer look into how we can best help the Coast Guard succeed.

In fiscal year 2022, the Coast Guard interdicted nearly 335,710 pounds of cocaine at sea—preventing it from reaching the U.S. Unfortunately, that number, while significant, only reflects 5.4 percent of the known maritime drug flow.

This 5.4 percent rate is a substantial decrease from the annual target of 10 percent interdiction.

While this shortfall is partially due to better intelligence giving us a more accurate understanding of the maritime drug flow, it is also the result of personnel constraints and decreased asset availability due to diversion to other missions.

Improved intelligence combined with emerging technologies, like artificial intelligence and unmanned systems, are promising tools the Coast Guard can leverage to improve these interdiction rates—but ultimately, the Service needs more resources.

Illegal, unreported, and unregulated fishing, also known as IUU fishing, is a serious threat that has vast security, economic, environmental and humanitarian impacts.

In 2020, the Coast Guard called IUU fishing the “leading global maritime security threat.”

IUU fishing includes foreign vessels fishing in another country’s territorial waters, violation of international conservation laws or tracking requirements and failure to report catches to proper authorities; often taking advantage of developing countries.

Annually, IUU fishing costs the global seafood industry between \$26 billion and \$50 billion.

Not only does it lead to overfishing of vulnerable fish populations and destroy essential habitats but it also threatens global food security.

Further, forced labor and human trafficking often occur on IUU fishing vessels, only raising the importance of enforcement.

China’s distant water fishing fleet is the largest perpetrator of IUU fishing, using predatory fishing practices around the world, violating the United Nations Convention on the Law of the Sea and failing to regulate vessels that repeatedly violate the law. China also uses its influence and subsidies to influence poorer countries to turn a blind eye to IUU practices taking place in their territorial waters.

The Coast Guard plays a vital role in preventing IUU fishing within U.S. waters and the waters of partner nations. International partnerships are key in enabling the Coast Guard to assist other nations that lack enforcement capabilities.

Congress and international bodies like the United Nations and the International Maritime Organization can do more to combat IUU fishing.

Without adequate resources and funding for the Coast Guard, these missions will suffer.

The Coast Guard is facing one of the worst personnel shortages in their history. As the personnel shortage approaches 3,000 enlisted members, every Coast Guard mission will be impacted. The personnel most lacking—servicemembers that work on cutters, boat crew, engineers—are necessary to ensure that Coast Guard law enforcement missions do not falter.

For too long, the Coast Guard has done more with less, but this is not sustainable. This cannot continue. To have the Coast Guard this country needs, we must invest in Coasties by providing the Coast Guard with resources for effective recruiting and to repair crumbling infrastructure affecting recruits, cadets, Coasties and their families.

Today I’d like to hear from the Coast Guard about what Congress can do to help dig the Service out of its personnel deficit. Impacts to search and rescue, drug and migrant interdiction and IUU fishing should come as a wakeup call—more funding is needed.

Thank you to our witnesses for their contribution to today’s hearing and working with us to make the Coast Guard the best it can be.

Mr. WEBSTER OF FLORIDA. I now recognize the ranking member, Mr. Carbajal, for an opening statement for 5 minutes. You are recognized.

OPENING STATEMENT OF HON. SALUD O. CARBAJAL OF CALIFORNIA, RANKING MEMBER, SUBCOMMITTEE ON COAST GUARD AND MARITIME TRANSPORTATION

Mr. CARBAJAL. Thank you, Mr. Chairman.

I want to take this opportunity to discuss what has been and continues to be my top priority for the Coast Guard: its people.

We were recently alerted to major operational changes underway at the Coast Guard due to a personnel shortfall. While the Coast Guard’s mitigation plans will prioritize search-and-rescue operations, national security, and the Marine Transportation System, operational status across the Coast Guard will be adversely af-

affected. Over 50 stations across the country will be affected through station downgrades, asset layoffs, or station closures.

While the underlying recruiting and retention problems have been exacerbated by larger workforce trends and a declining interest in military service, chronic underfunding is a major factor. The Coast Guard Academy and Training Center Cape May, the two main points of entry into the Service, are in desperate need of infrastructure improvements. The first experience with the Coast Guard must reflect an organization that cares about and for its people. Congress must do better to support Coasties, and I hope my colleagues will join me in my demand for significant increases to the Coast Guard's budget.

This August, I traveled with the Coast Guard to Panama, where I had the opportunity to see firsthand how the Service conducts drug and migrant interdiction and its illegal, unreported, and unregulated fishing missions. I left the visit with several takeaways.

First, the Coast Guard alone is uniquely situated to execute these missions. Neither part of the State Department or the Department of Defense, the Coast Guard is able to form relationships and enter into agreements that would otherwise be impossible.

Second, the strong relationship with Panama and the associated benefits to the United States should be replicated in many other places across the world. With the current budget, that is simply not viable.

Lastly, members of the Coast Guard are truly the backbone of the Service. One day a Coastie may be training Panamanians to conduct fishing vessel inspections, while the next day they are interdicting drugs on the high seas. They break ice on the Great Lakes and issue credentials for merchant mariners. They are truly our country's best kept secret and value multiplier.

The Coast Guard's footprint, both domestically and internationally, continues to grow, and the distinct but related missions we are covering today demonstrate the unique and important role of the Service.

Combating international illegal, unreported, and unregulated fishing ensures equitable access to food, safeguards our oceans, and prevents forced labor and human trafficking. Drug interdiction stops the flow of drugs before they reach American shores and combats transnational criminal organizations.

The Coast Guard's role in migrant interdiction ensures that the least fortunate among us who choose to board a vessel to come to the United States do not perish at sea.

I look forward to hearing more about these missions and how Congress can support Coasties to ensure that the Coast Guard remains *semper paratus*.

Mr. Chairman, I yield back.

[Mr. Carbajal's prepared statement follows:]

Prepared Statement of Hon. Salud O. Carbajal of California, Ranking Member, Subcommittee on Coast Guard and Maritime Transportation

Thank you, Chairman Webster.

I want to take this opportunity to discuss what has been and continues to be my top priority for the Coast Guard—its people.

We were recently alerted to major operational changes underway at the Coast Guard due to a personnel shortfall.

While the Coast Guard's mitigation plans will prioritize search and rescue operations, national security, and the marine transportation system, operational status across the Coast Guard will be adversely affected. Over 50 stations across the country will be affected through station downgrades, asset layups, or station closures.

While the underlying recruiting and retention problem has been exacerbated by larger workforce trends and a declining interest in military service, chronic underfunding is a major factor.

The Coast Guard Academy and Training Center Cape May, the two main points of entry into the service, are in desperate need of infrastructure improvements. The first experience with the Coast Guard must reflect an organization that cares about and for its people.

Congress must do better to support Coasties and I hope my colleagues will join in my demand for significant increases to the Coast Guard's budget.

This August, I traveled with the Coast Guard to Panama where I had the opportunity to see firsthand how the Service conducts drug and migrant interdiction and its IUU fishing missions. I left the visit with several takeaways.

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The Coast Guard's role in migrant interdiction ensures that the least fortunate among us, who choose to board a vessel to come to the U.S., do not perish at sea.

I look forward to hearing more about these missions and how Congress can support Coasties to ensure that the Coast Guard remains Semper Paratus.

Mr. WEBSTER OF FLORIDA. Thank you.

I now would like to begin with our witnesses.

First of all, let me make a brief statement about our lighting system. G means go; yellow means slow up; and red means end your remarks.

So, with that said and a few other little things here we will do, I ask unanimous consent that the witnesses' full statements be included in the record.

Without objection, show that done.

I ask for unanimous consent that the record today of this hearing remain open until such time as the witnesses have provided answers to any questions that may be submitted to them in writing.

Without objection, show that done.

I also ask unanimous consent that the record be open for 15 days for any additional comments or information submitted by Members or witnesses to be included in the record today.

Without objection, show that done.

All of your written testimony has been made a part of the record. The committee asks that you limit your oral remarks to 5 minutes.

With that, Rear Admiral Burdian, you are recognized for 5 minutes for your testimony.

TESTIMONY OF REAR ADMIRAL JO-ANN F. BURDIAN, ASSISTANT COMMANDANT FOR RESPONSE POLICY (CG-5R), U.S. COAST GUARD; HEATHER MACLEOD, DIRECTOR, HOMELAND SECURITY AND JUSTICE, U.S. GOVERNMENT ACCOUNTABILITY OFFICE; AARON C. DAVENPORT, ASSOCIATE DIRECTOR, INFRASTRUCTURE, IMMIGRATION, AND SECURITY OPERATIONS PROGRAM, RAND CORPORATION; AND CAITLIN KEATING-BITONTI, PH.D., NATURAL RESOURCES POLICY ANALYST, CONGRESSIONAL RESEARCH SERVICE

TESTIMONY OF REAR ADMIRAL JO-ANN F. BURDIAN, ASSISTANT COMMANDANT FOR RESPONSE POLICY (CG-5R), U.S. COAST GUARD

Admiral BURDIAN. Thank you, Mr. Chairman.

Good morning, Chairman Webster, Ranking Member Carbajal, members of this subcommittee. It really is my honor to be here this morning.

And, while the topic of this hearing really focuses on matters of enforcement, I did just want to take a moment as an operator, as a leader, to acknowledge the mishap involving a Coast Guard helicopter this morning in Congresswoman Peltola's district. All four crewmembers are being airlifted to Harborview in Seattle, and we hope for the very best. And the team here on the Hill will provide updated information as we continue to get it.

So, I am honored to be here to share the important work that your Coast Guard is doing in 3 of our 11 statutory missions this morning: drug interdiction, migrant interdiction, and other law enforcement, which really is counter illegal, unreported, and unregulated fishing around the world.

I want to thank you for your continued strong support. Without the work that we do together and with your support, we simply would not be able to do the work to save lives, defend American prosperity in the homeland, and preserve the sustainability of our world's oceans.

America's Coast Guard is in greater demand today than it ever has been. Our crews and the work we do inspires trust and confidence among the American public and with like-minded partners who join us in our commitment to promote maritime governance.

The Coast Guard is one of six armed services, and at the same time, we are a maritime law enforcement agency. Our unique blend of authorities and capabilities enable action and promote joint operations in the interagency and with international partners.

This is a Coast Guard discussion, so, I hope you will let me tell a sea story or two to really frame the discussion here this morning about how we combat complex global threats and project governance in the maritime domain.

Transnational criminal organizations continue to exploit the maritime domain to traffic narcotics into the United States, and this revenue enables TCOs to expand their networks to other illegal activity. It drives violence, and it drives instability in our neighbors in our backyard.

Last week, Coast Guard cutter *Waesche*, which is a National Security Cutter, interdicted just over 1,500 kilos of cocaine and detained four criminals from a vessel off the west coast of Panama in the Eastern Pacific. And, for context, 1,500 kilos of cocaine is about the weight of a Ford Escape. So, as the chairman mentioned, the Coast Guard, over the last 5 years, has interdicted over 800 metric tons of cocaine. I don't know what weighs 800 metric tons, but it is a lot of cocaine. And, just last year, we interdicted over 130 metric tons of cocaine. On average annually over the last 5 years, we have transferred about 475 criminals to the Department of Justice for prosecution.

Just this weekend, the Coast Guard and partner agency crews in the Straits of Florida rescued 35 people from the sea 10 miles south of Key West. Those individuals had clung to their vessel, which had overturned 2 days prior. And what is truly noteworthy about this case is that they had lifejackets. In my experience—and I have done this work for over a decade in that operational space—the fact that the vessel overturned is not unusual. Coast Guard crews often see overloaded, unseaworthy, manifestly unsafe vessels attempting the treacherous journey via maritime routes to the United States. But what is noteworthy is that they had lifejackets.

I really want to express my gratitude to the Coast Guard crews who conduct the migrant interdiction mission with courage and compassion. This is difficult work in sometimes hazardous and treacherous conditions, and our crews really set the standard for compassion and a humanitarian approach of this lifesaving mission.

Globally, we have seen an increase in illegal, unreported, and unregulated fishing. IUU fishing undermines the global rule space order and threatens food security for the over 3 billion people globally who rely on the sea for their primary source of protein. Today, as we speak, the Coast Guard cutter *Frederick Hatch* is on patrol in Oceania working with Papua New Guinea for just the second time in history exercising a bilateral fisheries agreement to help that partner exert sovereignty and protect resources in their exclusive economic zone.

I also have the pleasure of being one of three tri-chairs of the Maritime SAFE Interagency Working Group that, under the Maritime SAFE Act, synchronizes efforts around the world in the interagency with nongovernmental organizations that work with our international partners.

Thank you for the opportunity to appear here this morning. I look forward to our discussion.

[Admiral Burdian's prepared statement follows:]

**Prepared Statement of Rear Admiral Jo-Ann F. Burdian, Assistant
Commandant for Response Policy (CG-5R), U.S. Coast Guard**

INTRODUCTION

Good afternoon, Chairman Webster, Ranking Member Carbajal, and distinguished Members of the Subcommittee. I am honored to be here today to discuss the United States 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 of maritime economic commerce. The Coast Guard is a unique, complementary organization within the Department of Homeland Security (DHS) 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. The 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, capabilities, and relationships with international, federal, state, local, and Tribal partners to operationalize a layered approach to maritime border security to protect our communities from transnational threats.

MARITIME DRUG INTERDICTION

Transnational Criminal Organizations (TCOs) harm the American way of life. They traffic drugs, weapons, wildlife, and humans, which causes instability and violence in Central America, the Caribbean, and elsewhere, driving irregular migration to the United States. Illicit drugs destined for the United States devastate American families, leading to record-setting drug-related deaths in recent years. Drug trafficking also destabilizes nations in the region undermines the rule of law, threatens citizens, and drives individuals, families, and unaccompanied children to migrate to the United States. To be clear, the flow of illicit drugs toward the United States funds TCOs, which pose a significant and growing threat to our national security, the security of nations in Central and South America, the rule of law throughout the Western Hemisphere, and governance within the maritime commons.

Today, TCOs and the illicit drugs they traffic inflict great harm here, in the United States, as well as in countries where drugs are grown and produced, and those through which the TCOs transport the drugs. The nature of the threat to America has changed over the course of this decades-long fight. Plant-based drugs such as cocaine, primarily trafficked via non-commercial maritime vessels, are still a grave threat, but illicit fentanyl, precursors, analogues, and other synthetic opioids are responsible for 70 percent of overdose deaths in the U.S. and now the greatest concern. However, almost all the illegal drugs coming from Central and South America are produced and shipped by the same TCOs. Notably, cocaine and other plant-based narcotics continue to form the foundation of TCO revenue streams, even with the increase of fentanyl and synthetic opioid trafficking operations.

Combating TCOs—Drug Interdiction in the Maritime Domain

The Coast Guard is the only Federal maritime law enforcement agency with both the authority and capability to conduct drug interdiction operations and enforce national and international law on the high seas. The Coast Guard shares the lead for U.S. territorial seas interdiction and enforcement responsibilities with U.S. Customs and Border Protection (CBP). Employing our fleet of sea-going cutters, maritime patrol aircraft, helicopters, and boats, the Coast Guard takes action against drug smuggling threats far from U.S. shores where the TCOs are most vulnerable by interdicting bulk quantities of drugs at sea.

The importance of Coast Guard interdictions transcends the direct removal of drugs from the high seas. When the Coast Guard apprehends suspects from drug smuggling cases, the suspects disclose information during prosecution and sentencing that is used to help indict, extradite, and convict key criminal leaders and further disrupt and dismantle TCOs. Interdictions also take profits out of the pockets of criminal networks thereby denying them financial resources.

While more than 75 percent of the Coast Guard's interdictions in 2023 were cued by intelligence, the unexpected unavailability of the Coast Guard's aging major cutters and other assets used to detect all the cued drug events limited our ability to interdict more smuggling operations. Critical acquisitions like the Offshore Patrol Cutter (OPC) are vital to the long-term success of the Coast Guard's fight against TCOs. Medium endurance cutters, some that were commissioned in the 1960s, are the critical "patrol cars" in maritime interdiction efforts and are in need of replacement. Additionally, whole-of-government commitment of detection capability, particularly long-range patrol aircraft, remains critical to increasing the number of identified targets that can be interdicted.

Combating TCOs—Interagency and International Cooperation

Continued cocaine interdictions at sea are critical to the fight against illicit fentanyl because the information and evidence collected with these seizures offer law enforcement agencies and task forces the opportunity to illuminate and map the TCO networks. These interdictions represent the point at which TCOs are most vul-

nerable and have supported the development of law enforcement cases against major TCO leaders.

The Coast Guard continues to be a supporting component in the U.S. government's approach to identify and disrupt illicit fentanyl supply chains. In the United States, through Regional Coordinating Mechanisms, the Coast Guard routinely shares intelligence; coordinates assets for operational coverage, patrols, as well as responds; leverages resources to identify the flow of suspected fentanyl and precursors through ports across the United States; and conducts Multi-Agency Strike Force Operations with our port partners that help to further disrupt the flow of drugs.

The Coast Guard has for decades developed and maintained an extensive array of bilateral and multilateral agreements with nearly every coastal state in the Western Hemisphere. These agreements provide the framework through which the Coast Guard effectively and efficiently pursues maritime interdiction efforts in the region through a collaborative approach in the mutually beneficial fight against TCO networks. In addition to directly enhancing Coast Guard effectiveness, this international cooperation also helps build partner nation capacity to interdict drugs far from U.S. shores. In fiscal year 2023, partner nations contributed to more than 75 percent of the drug interdictions recorded by Joint Interagency Task Force South.

MIGRANT INTERDICTION

Coast Guard migrant interdiction operations are, first and foremost, ensuring safety of life at sea and upholding humanitarian principles. Every year, thousands of people attempt to migrate via maritime routes, many utilizing services of organized smuggling operations and often in dangerously overloaded, unseaworthy, or otherwise unsafe vessels. Migrants who take to the sea put their lives at incredible risk. Many of the migrant interdiction cases handled by the Coast Guard begin as search and rescue missions.

Migrant interdiction at sea is also a critical U.S. law enforcement mission. The Coast Guard, pursuant to Executive Order 12807, is charged with interdicting migrants as far from U.S. shores as possible and returning them to their countries of origin. Swift repatriation deters many individuals intending to undertake unsafe maritime migration. Upholding the principal of non-refoulement under international human rights law, during the course of migrant interdictions, when Coast Guard crews encounter migrants who manifest fear of return to their country of origin, these migrants are referred to U.S. Citizenship and Immigration Services in accordance with U.S. policy for a protection screening to ensure they are offered protection, if appropriate. Protection from persecution or torture is an important concern during migrant interdiction operations.

Interagency Effort via Operation Vigilant Sentry (OVS)

OVS is the DHS Homeland Security Task Force-Southeast's (HSTF-SE) comprehensive, integrated, national operational plan for a rapid, effective, and unified response to maritime migration in the Caribbean utilizing combined Federal, state, and local capabilities. The primary objectives of OVS are to protect the safety of life at sea and to deter and dissuade mass migration. OVS, led by the Coast Guard Seventh District Commander, maintains interagency coordination and has remained in an elevated posture since August 2022. Although there was a downturn in irregular maritime migration in February 2023, the Coast Guard continues to make risk-informed decisions to allocate resources to key irregular maritime migration routes.

The OVS Unified Command staff continues to advocate, through strategic messaging, lawful pathways to migrate to the United States. Additionally, the Coast Guard continues to collaborate with CBP to best utilize resources to deter irregular maritime migration, increase maritime domain awareness, and work with partner nations to safely and swiftly repatriate noncitizens to their country of last departure, when appropriate.

The Coast Guard employs cutters, boats, fixed-wing aircraft, and helicopters to identify and interdict migrant vessels as far from U.S. shores as possible. After appropriate protection screening, migrants interdicted at sea are returned to their country of origin or departure via Coast Guard cutters. Key to the ability of the Coast Guard to repatriate migrants interdicted at sea are the Coast Guard's relationships and international agreements with partner nations, especially the Bahamas, Haiti, Cuba, and the Dominican Republic, who agree to accept maritime repatriation of migrants from their countries (or who departed from their countries). Loss of the ability to conduct regular maritime repatriations would be detrimental to Coast Guard interdiction operations and present significant risk to migrants and Coast Guard personnel at sea.

COUNTERING ILLEGAL, UNREPORTED, UNREGULATED (IUU) FISHING

IUU fishing is a pervasive security, economic, and environmental threat with damaging effects for oceans and coastal states around the world. By some estimates, up to a third of annual global seafood catch—approximately 56 billion pounds—is associated with IUU fishing practices. IUU fishing endangers long-term ocean and ecosystem health and is a significant contributor to overfishing. It threatens global food security for over 3 billion people who rely on fish for protein and jeopardizes economic stability for 800 million people around the world who rely on fisheries for their livelihood. From an economic perspective, global IUU fishing catch—valued in the tens of billions of dollars each year, are a lucrative revenue stream for TCOs and other malign actors.

At its core, IUU fishing is a symptom of ineffective maritime governance. It is powered by economic drivers that make it profitable. These drivers are often associated with forced labor, human trafficking, and other human rights abuses. IUU fishing actors hide in areas where maritime domain awareness is lacking and seek out spaces where flag state, coastal state, and regional enforcement is either challenging or altogether non-existent. In these ways, IUU fishing vessels often operate with impunity, with little respect for a state's laws, and without regard for conservation or management measures put in place by the international community. IUU fishing practices also contribute to eroding port and maritime security, as criminal elements may use similar trade routes, landing sites, and vessels for trafficking arms, migrants, drugs, and other contraband.

The Coast Guard has been the lead U.S. agency for at-sea enforcement of fisheries laws for more than 150 years. For decades, the Coast Guard has worked to leverage its authorities and capabilities to improve both domestic and international fisheries enforcement, holding bad actors accountable, and adapting operations as fish stocks migrate and technology improves the ability to find and harvest catch.

As criminal operations become increasingly sophisticated, the Coast Guard is uniquely positioned to combat IUU fishing and uphold the rule of law through specialized capabilities, law enforcement authority, robust bilateral maritime agreements, and its role as a member of the intelligence community. However, the Coast Guard recognizes that IUU fishing is a complex global challenge, and not one that any single nation can solve alone.

Maritime Security and Fisheries Enforcement Act (M-SAFE)

In 2019, the U.S. Congress directed the creation of a working group under the M-SAFE Act specifically to address IUU fishing and related threats to maritime security, such as transnational organized crime, trafficking, and forced labor. The Coast Guard, along with the Department of State and the National Oceanic and Atmospheric Administration (NOAA), is a co-chair of the working group, which is composed of 21 federal agencies.

In October 2022, the M-SAFE Interagency Working Group released its National Five-year Strategy. This National Strategy established three strategic objectives to combat IUU fishing:

1. Promote Sustainable Fisheries Management and Governance
2. Enhance the Monitoring, Control and Surveillance of Marine Fishing Operations
3. Ensure Only Legal, Sustainable, and Responsibly Harvested Seafood Enters Trade

These goals are driven by national policy, laws (such as the Magnuson-Stevens Fishery Conservation and Management Act), and international ocean governance structures (such as U.S. membership within international Regional Fishery Management Organizations (RFMOs)). RFMOs are shining examples of multilateral, consent-based partnerships that develop legally binding conservation and management measures based on scientific evidence. For example, the Western and Central Pacific Fisheries Commission (WCPFC), one of the first RFMOs in the world to employ a fully developed boarding and inspection protocol for high seas enforcement based on the United Nations (UN) Fish Stocks Agreement, has produced a level of governance and cooperation for long-term resource management that was previously unfeasible. The Coast Guard is proud to have been involved in the development and negotiation of the protocol, and to participate in its continuing implementation.

The more we strengthen the sovereignty of other nations, the greater their ability to resist foreign activity that negatively targets their economic resources. Alongside NOAA and the State Department, we will continue to work with priority flag states to identify gaps in fisheries management schemes, monitoring and surveillance platforms, and enforcement capabilities. The Coast Guard continues to strive to add fisheries enforcement language into pre-existing bilateral maritime law enforcement

agreements with shiprider provisions and initiating new shiprider agreements. The United States currently has bilateral agreements with 12 Pacific Island and 6 African nations. These agreements are critical to assisting partner nations to maintain control and maritime domain awareness over activities in their sovereign waters and ensure compliance with national and international laws by local and distant-water fishing fleets. Additionally, these agreements promote effective counter-IUU fishing enforcement cooperation, as well as critical transfer of knowledge and expertise which increase overall capability to confront and combat IUU fishing.

The world's oceans contain shared resources, and therefore require an internationally cooperative approach toward their conservation and management. In the face of increasing challenges to global food security and growing demand for marine resources, the Coast Guard stands ready to confront IUU fishing to ensure the long-term strategic and economic viability of fish stocks. Doing so increases Maritime Domain Awareness on the high seas, enhances the Service's ability to effectively respond to a range of transnational threats, and upholds the international rules-based order in the maritime domain.

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 interoperability with partner agencies across all levels of government, including our international partners. The Coast Guard recognizes the importance and value of working by, with, and through our partners, because we cannot do this alone.

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

Mr. WEBSTER OF FLORIDA. Thank you very much.

Ms. MacLeod, you are recognized for 5 minutes.

TESTIMONY OF HEATHER MACLEOD, DIRECTOR, HOMELAND SECURITY AND JUSTICE, U.S. GOVERNMENT ACCOUNTABILITY OFFICE

Ms. MACLEOD. Chairman Webster, Ranking Member Carbajal, and members of the subcommittee, thank you for the opportunity to be here today to discuss GAO's recent work related to Coast Guard missions and resource challenges.

My testimony focuses on Coast Guard asset, workforce, and technology issues that are affecting the Service's ability to carry out its 11 statutory missions.

As you know, the Coast Guard is the Nation's lead Federal maritime law enforcement agency, and its missions, including drug and migrant interdiction and efforts to prevent illegal, unreported, and unregulated fishing, are supported by its people and assets. Coast Guard's personnel stationed around the Nation operate aircraft, cutters, and boats to protect the country's maritime borders. In recent years, almost one-quarter of Coast Guard's operating expenses have gone to drug and migrant interdiction and illegal fishing missions.

The Coast Guard is constantly trying to balance its multiple efforts and adjust to a wide variety of tasks and circumstances to carry out these and its other missions. Although the Coast Guard has taken some steps to address these challenges, it should take additional steps to maintain future readiness.

Our work has noted that declining asset capabilities and acquisition program delays continue to affect the availability of Coast Guard assets. For example, the Coast Guard's newest cutters, the

Offshore Patrol Cutter and Polar Security Cutter, are intended to support law enforcement missions and deliver greater capability. However, we found that combined, these two programs are billions of dollars over their initial estimates and more than 2 years behind schedule. Declining availability of legacy assets and delays in acquisitions of their replacements can affect the Coast Guard's ability to conduct its drug and migrant interdiction and illegal fishing missions.

We made several recommendations in those reports to address immature technologies and unstable designs, including that the Coast Guard update its acquisition policies.

Another challenge I would like to highlight is the uncertainty around the Coast Guard's workforce needs. In recent years, the Coast Guard has raised concerns that its mission workload has outpaced its workforce levels. Despite these concerns, the Coast Guard has conducted limited assessments of its workforce needs. Specifically, as of March 2023, the Service reported that it has assessed needs for just 15 percent of its workforce, a process it began 20 years ago. The Coast Guard estimates that it is short thousands of servicemembers.

Without workforce assessments, it does not know the true magnitude of the shortfall and which units or missions are most affected. Having this information could also help the Coast Guard target its recruiting efforts.

One of the recommendations from our review is that the Coast Guard update its workforce planning document with timeframes and milestones for completing these assessments.

Another area that we have highlighted is the Coast Guard's long-standing issues with managing its technology resources. For example, in multiple reviews, we have raised concerns about challenges related to MISLE, a critical but antiquated data system that tracks and reports results for nearly every Coast Guard mission.

However, because of system limitations, it is difficult for the Coast Guard to compile and analyze even some of the most basic performance information. For example, the Coast Guard cannot easily track migrant interdiction data, and officials told us that they may spend an hour a day compiling it manually. We have recommended that the Coast Guard identify and analyze alternatives to MISLE. The Coast Guard agreed, and, as of June 2023, MISLE replacement efforts were ongoing.

In closing, Coast Guard maritime law enforcement missions are increasingly vital to U.S. interests. Operations are becoming more complicated as the Coast Guard acquires upgraded data systems, aircraft, and vessels. Workforce growth and enhanced skills will be required to operate and maintain these updated assets.

Addressing our recommendations will help ensure that the Service is effectively and efficiently using its limited resources to carry out these critical missions.

Chairman Webster, Ranking Member Carbajal, and members of the subcommittee, this completes my prepared statement, and I would be happy to answer any questions you may have.

[Ms. MacLeod's prepared statement follows:]

**Prepared Statement of Heather MacLeod, Director, Homeland Security and
Justice, U.S. Government Accountability Office**

COAST GUARD: ASSET, WORKFORCE, AND TECHNOLOGY CHALLENGES CONTINUE TO
AFFECT LAW ENFORCEMENT MISSIONS

HIGHLIGHTS

Why GAO Did This Study

The Coast Guard—a multi-mission, maritime military service within the Department of Homeland Security is the nation’s lead federal maritime law enforcement agency. Composed of more than 55,000 personnel, the Coast Guard is responsible for, among other things, protecting the country’s maritime borders from encroachment, defending against illicit activity, and suppressing violations of federal law on, under, and over the seas.

This statement discusses: (1) Coast Guard law enforcement missions related to homeland security, and (2) challenges we have identified and recommendations we have made to Coast Guard related to managing its assets, workforce, and technology.

This statement is based on prior GAO reports published from April 2010 through July 2023, along with selected updates on Coast Guard efforts to address previous GAO recommendations. For these reports, GAO reviewed Coast Guard documentation, analyzed data, and interviewed agency officials. For selected recommendation updates, GAO reviewed Coast Guard documentation and met with Coast Guard officials.

What GAO Recommends

GAO made 31 recommendations to the Coast Guard in the reports covered by this statement. The Coast Guard generally agreed with the recommendations. As of November 2023, four of the recommendations have been implemented, two have been partially implemented, and 25 remain open. GAO continues to monitor the agency’s progress in implementing them.

What GAO Found

The Coast Guard is responsible for conducting 11 statutory missions, including three maritime law enforcement missions—drug interdiction, migrant interdiction, and other law enforcement (which includes preventing illegal, unreported, and unregulated (IUU) fishing). IUU fishing encompasses many illicit activities, including under-reporting the number of fish caught and using prohibited fishing gear. In September 2021, we reported that almost one quarter of the Coast Guard’s total estimated operating expenses for fiscal years 2011 through 2020 were for these three missions (annually averaging more than \$1.5 billion).

GAO has previously identified challenges with the Coast Guard’s management of its assets, workforce, and technology that have affected the service’s ability to carry out missions. For example,

- In multiple reports, we found challenges with the acquisition of the Coast Guard’s newest cutters—the Offshore Patrol Cutter and Polar Security Cutter—that are intended to support law enforcement missions. For example, in 2023 GAO found that these acquisitions are billions of dollars over initial cost estimates and over 2 years behind schedule, increasing the risk of capability gaps. We made seven recommendations, including that the Coast Guard update its acquisition policy. DHS and the Coast Guard agreed with five of our recommendations and has taken some steps to implement them.
- GAO has found that the Coast Guard has not adequately determined its workforce needs. The Coast Guard has reported to Congress that it faces challenges meeting its daily mission demands because of workforce shortfalls. For example, in February 2020, GAO found that the Coast Guard had assessed a small portion of its workforce needs. GAO recommended that Coast Guard update its workforce plan with timeframes and milestones to meet its workforce assessment goals. As of May 2023, Coast Guard officials said they had not yet taken these steps but indicated it could be feasible to develop a rough estimate of how many positions it plans to assess in the next five years.

Chairman Webster, Ranking Member Carbajal and Members of the Subcommittee:

I am pleased to be here to today to discuss our work on the U.S. Coast Guard’s law enforcement missions and resources. The Coast Guard—a multi-mission, mari-

time military service within the Department of Homeland Security (DHS)—is the nation’s lead federal maritime law enforcement agency. Composed of more than 55,000 personnel, the Coast Guard is responsible for, among other things, protecting the country’s maritime borders from encroachment, defending the nation’s maritime sovereignty against illicit activity, and suppressing violations of federal law on, under, and over the seas. Coast Guard personnel operate aviation and vessel assets that include a fleet of about 200 fixed- and rotary-wing aircraft, more than 1,600 boats, and about 250 cutters, as of September 2020.¹ To carry out its missions, the Coast Guard must maintain these assets while making necessary investments for the future and operating within its existing resources.

My statement today discusses (1) Coast Guard law enforcement missions related to homeland security and (2) challenges we have identified and recommendations we have made to the Coast Guard related to managing its assets, workforce, and technology. This statement is based primarily on 17 GAO reports published from April 2010 to July 2023 related to the Coast Guard as well as selected updates regarding Coast Guard efforts to address our previous recommendations through June 2023.² For these reports, we analyzed Coast Guard documents and data and interviewed agency officials. In addition, for our selected updates through June 2023, we reviewed Coast Guard documentation and met with Coast Guard officials.

We made 31 recommendations to the Coast Guard in the reports covered by this statement. As of November 2023, four recommendations have been implemented, two recommendations have been partially implemented, and 25 remain open. We will continue to monitor the Coast Guard’s progress in implementing them.

More detailed information on the objectives, scope, and methodologies of our prior work can be found in each of the reports listed at the end 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 CONDUCTS SEVERAL KEY LAW ENFORCEMENT MISSIONS

The Coast Guard is responsible for conducting 11 statutory missions, three of which are maritime law enforcement missions codified as homeland security missions—drug interdiction, migrant interdiction, and other law enforcement (which includes preventing illegal, unreported, and unregulated (IUU) fishing).³ These missions involve about a quarter of Coast Guard resources. In some cases, the Coast Guard coordinates its law enforcement missions with interagency partners.

Drug Interdiction

The purpose of this mission is to stem the flow of illicit drugs into the U.S., which the U.S. government has identified as a significant threat to the public, law enforcement, and the national security of the U.S. The Coast Guard deploys its vessels and aircraft to disrupt the flow of illicit drugs smuggled from South America to the U.S. through the Western Hemisphere transit zone—a 6 million square mile area of smuggling routes that includes the eastern Pacific Ocean, the Gulf of Mexico, and the Caribbean Sea. In fiscal year 2022, the Coast Guard interdicted over 335,000 pounds of cocaine, according to the Coast Guard’s fiscal year 2024 budget overview. Figure 1 shows Coast Guard personnel conducting a drug interdiction operation, which resulted in seizing 17,000 pounds of cocaine.

¹As 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. The 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.

²See, for example, GAO, *Coast Guard Acquisitions: Offshore Patrol Cutter Program Needs to Mature Technology and Design*, GAO-23-105805 (Washington, D.C.: June 20, 2023); GAO, *Coast Guard: Increasing Mission Demands Highlight Importance of Assessing Its Workforce Needs*, GAO-22-106135 (Washington, D.C.: July 27, 2022); and See GAO, *Coast Guard: Actions Needed to Ensure Investments in Key Data System Meet Mission and User Needs*, GAO-20-562 (Washington, D.C.: July 16, 2020).

³6 U.S.C. § 468(a). Appendix I provides information on the Coast Guard’s missions programs and statutory missions.

Figure 1: Coast Guard Personnel Conducting Drug Interdiction Operation



Source: U.S. Coast Guard. GAO-24-107144

Given challenges the federal government faces in responding to the drug misuse crisis, in March 2021, we updated our High Risk List to include national efforts to prevent, respond to, and recover from drug misuse. Ongoing efforts seek to address drug misuse, including through law enforcement and drug interdiction. We identified several challenges in the federal government's response to drug misuse, such as the need for more effective implementation of a coordinated, strategic approach.⁴

Migrant Interdiction

The purpose of this mission is to stem the flow of unlawful migration and human smuggling activities via maritime routes. It has three main objectives: deter migrants attempting to enter the U.S. through irregular routes and transnational smugglers from using maritime routes to enter the U.S.; detect and interdict migrants and smugglers far from the U.S. border; and expand Coast Guard participation in multi-agency and bi-national border security initiatives. The Coast Guard interdicted more than 12,000 migrants in both fiscal year 2022 and 2023—more than double the fiscal year 2021 total, according to Coast Guard data.⁵ The U.S. is currently experiencing an increase in migrants entering the country by sea. Global international migration is likely to continue and potentially accelerate over the next decade, according to the National Academy of Sciences.⁶ Figure 2 shows Coast Guard personnel conducting a migrant interdiction operation.

⁴ 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); We issue an update to the High-Risk List every 2 years at the start of each new session of Congress. The most recent update was issued in April 2023. See GAO, *High-Risk Series: Efforts Made to Achieve Progress Need to Be Maintained and Expanded to Fully Address All Areas*, GAO-23-106203 (Washington, D.C.: Apr. 20, 2023).

⁵ According to Coast Guard documentation, the Coast Guard interdicted 5,028 migrants in fiscal year 2021.

⁶ National Academies of Sciences, Engineering, and Medicine. *The Coast Guard's Next Decade: An Assessment of Emerging Challenges and Statutory Needs*. (Washington, D.C., 2023).

Figure 2: Coast Guard Personnel Conducting a Migrant Interdiction Operation



Source: U.S. Coast Guard. GAO-24-107144

Other Law Enforcement

The purpose of this mission is to enforce international treaties, including the prevention of IUU fishing in international waters and the dumping of plastics and other marine debris. IUU fishing encompasses many illicit activities, including under-reporting the number of fish caught and using prohibited fishing gear. In fiscal year 2022, the Coast Guard boarded 81 foreign vessels to suppress IUU fishing, according to the Coast Guard's fiscal year 2024 posture statement. Figure 3 below shows a Coast Guard vessel interdicting a vessel using an illegal high seas driftnet, and Coast Guard officials preparing to conduct a law enforcement boarding. According to the Coast Guard IUU Strategic Outlook, IUU fishing has replaced piracy as the leading global maritime security threat that if unchecked could threaten geopolitical stability around the world.⁷

Figure 3: Coast Guard Vessel Interdicting Illegal Fishing and Officials Preparing to Conduct a Law Enforcement Boarding



Source: State Department and U.S. Coast Guard. GAO-24-107144

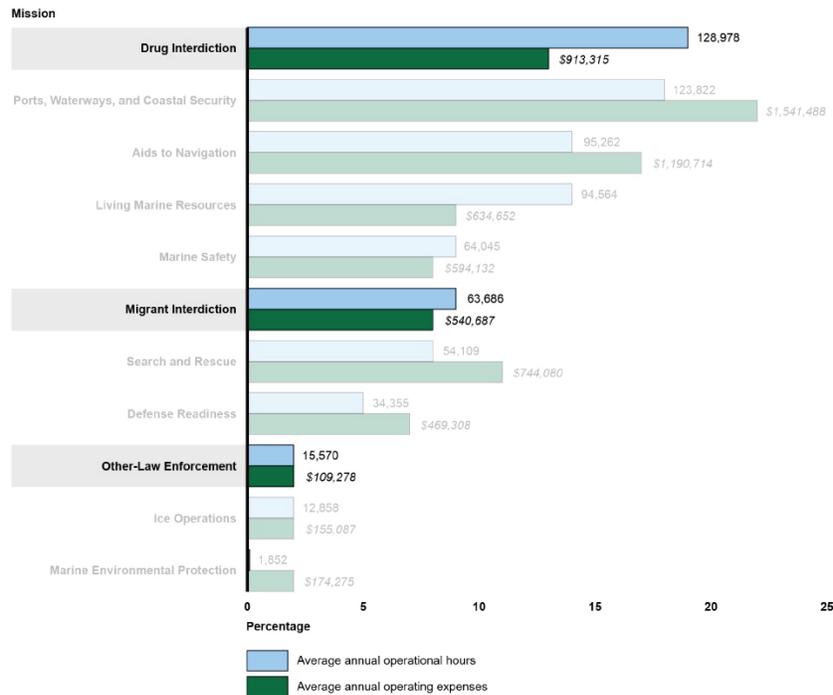
Law Enforcement Missions Resources

In September 2021, we reported that Coast Guard data showed almost a quarter of its total estimated operating expenses were for law enforcement missions related

⁷ Coast Guard, *Illegal, Unreported, and Unregulated Fishing Strategic Outlook* (Washington, D.C.: Sept. 2020).

to homeland security.⁸ From fiscal years 2011 through 2020, drug interdiction accounted for 13 percent of its estimated operating expenses, migrant interdiction 8 percent, and other law enforcement 2 percent, which includes preventing IUU fishing. The operating expenses of these three missions annually averaged more than \$1.5 billion over this time period. Vessel and aircraft deployments for these missions accounted for 30 percent of the average annual operational hours during that period, as shown in figure 4.

Figure 4: 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-24-107144

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 spent on support activities, such as training and technology tests. Operating expenses are estimated by mission by (1) multiplying operations and maintenance costs for supporting a vessel or aircraft by the operational hours and (2) using survey data to estimate additional personnel costs for nonvessel or aircraft-based operations.

Interagency Collaboration

The Coast Guard collaborates with other agencies on certain law enforcement missions.

- The Coast Guard coordinates with other DHS components and the Department of Defense on counterdrug missions through various interagency task forces, including Joint Interagency Task Force-South. In July 2019, we reported on the

⁸ GAO, *Coast Guard: Information on Defense Readiness Mission Deployments, Expenses, and Funding*, GAO-21-104741 (Washington, D.C.: Sept. 15, 2021). The Mission Cost Model is the Coast Guard’s official methodology for estimating annual operating expenses for its 11 statutory missions. The Model estimates the proportion of operating expenses by mission by (1) multiplying operations and maintenance costs for supporting a vessel or aircraft by the operational hours and (2) using survey data to estimate additional personnel costs for nonvessel or aircraft-based operations. It produces estimates of operating expenses by mission rather than actual operating expenditures.

contribution and allocation of assets, such as ships and surveillance aircraft, through these task forces.⁹ For example, the task force is allocated assets, such as ships and surveillance aircraft, from Department of Defense and DHS components, such as Coast Guard, as well as from foreign partners. The task force uses these assets, in conjunction with available intelligence, to detect and monitor the trafficking of illicit drugs, such as cocaine, being smuggled north on noncommercial maritime vessels across its area of responsibility.¹⁰

Coast Guard units also deploy aboard Department of Defense vessels in support of certain law enforcement missions. In November 2019, we reported that the Coast Guard employs specialized units to serve as force multipliers, including for specialized capabilities needed to carry out the drug interdiction mission.¹¹ 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 but deploy aboard Coast Guard cutters or U.S. Navy or Allied vessels.

- The Coast Guard coordinates with other federal agencies to address IUU fishing.¹² For example, in November 2021 we reported that the Coast Guard and the National Oceanic and Atmospheric Administration analyze data to identify vessel movements and actions that may indicate IUU fishing.¹³ We also reported that the Coast Guard had used aircraft to capture images confirming a suspicion that a vessel was engaging in IUU fishing.

Coast Guard officials told us they use data analysis to develop lists of vessels suspected of IUU fishing, which contribute to successful identification of IUU fishing at sea and help guide at-sea patrol operations to target these vessels. For example, the Coast Guard identified and interdicted a vessel in 2018 that, according to officials, was included on a list of suspected vessels after analysis of location data indicated the vessel was moving in ways characteristic of using prohibited high seas driftnets. Coast Guard officials told us they intercepted the vessel, confirmed illegal use of driftnets, and escorted the vessel to authorities of its flag state. According to Coast Guard officials, authorities of the flag state prosecuted the case, imprisoned several people, and destroyed the vessel.

COAST GUARD HAS FACED ASSET, WORKFORCE, AND TECHNOLOGY CHALLENGES

Our previous reports have identified various challenges the Coast Guard has faced in managing its assets, workforce, and technology, as well as some steps it has taken to address them. These challenges have affected the Coast Guard's ability to conduct its law enforcement missions.

Delayed Asset Acquisitions, Declining Legacy Asset Capabilities, and Cost Increases

In multiple reports, we found challenges with the acquisition of the Coast Guard's newest cutters—the Offshore Patrol Cutter and Polar Security Cutter—that are intended to support law enforcement missions and deliver greater capabilities (e.g., the length of time a ship can spend at sea) than the legacy assets they will replace (see fig. 4).¹⁴

⁹ 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).

¹⁰ Joint Interagency Task Force-South's area of responsibility includes the Caribbean Sea, the Gulf of Mexico, and the eastern Pacific Ocean.

¹¹ 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).

¹² The Coast Guard, the National Oceanic and Atmospheric Administration within the Department of Commerce, the Department of Defense, and the State Department coordinate with one another, as well as internationally, to address IUU fishing.

¹³ GAO, *Combating Illegal Fishing: Clear Authority Could Enhance U.S. Efforts to Partner with Other Nations at Sea*, GAO-22-104234 (Washington, D.C.: Nov. 5, 2021).

¹⁴ Coast Guard plans to acquire 25 Offshore Patrol Cutters and three Polar Security Cutters. The Offshore Patrol Cutters will replace the aging fleet of 28 Medium Endurance Cutters, which have exceeded their design service lives. They will enable the Coast Guard to continue conducting patrols for homeland security, law enforcement, and search and rescue operations. Polar Security Cutters will replace the aging *Polar Star* icebreaker and enable the U.S. to maintain defense readiness in the Arctic and Antarctic regions; enforce treaties and other laws needed to safeguard both industry and the environment; and help support other missions.

Figure 5: Rendering of the Coast Guard's Offshore Patrol Cutter (left) and Polar Security Cutter (right)



Source: 2016 Eastern Shipbuilding Group, Panama City, Florida (left image), Bollinger Mississippi Shipbuilding (right image). GAO-24-107144

We found in our summer 2023 reports that, combined, these two programs are billions of dollars over their initial cost estimates and are more than 2 years behind schedule, increasing the risk of potential capability gaps and putting cost pressure on the overall acquisition portfolio.¹⁵ For example, in June 2023, we reported that the Coast Guard projects to have a reduced number of cutters available for operation starting in 2024 and through 2039 due to the Offshore Patrol Cutters' delivery delays.

We have reported for decades that the operational capacity of the legacy vessel fleet has been declining. For example, we reported in July 2012 that Medium Endurance Cutters—a key asset for law enforcement missions that the Offshore Patrol Cutter is to replace—did not meet operational hours targets from fiscal years 2005 through 2011 and that declining operational capacity hindered mission performance.¹⁶ Further, since 2013, the Coast Guard has acknowledged that its two operational icebreakers—the Polar Star and Healy—are insufficient to meet its multifaceted mission needs in the polar regions, which include preventing IUU fishing.

Since 2010, the Coast Guard has invested at least \$850 million to maintain the aging Medium Endurance Cutters and the Polar Star icebreaker. The Coast Guard is investing an additional \$250 million to extend the service life for six cutters and \$75 million to extend the service life of the almost 50-year-old Polar Star until the delayed Offshore Patrol Cutters and Polar Security Cutters, respectively, are operational.

We made seven recommendations in our 2023 reports on the Offshore Patrol and Polar Security Cutters to better align the Coast Guard's acquisition policy and the programs' practices with shipbuilding leading practices. DHS and the Coast Guard agreed with five of our recommendations and have taken some steps to implement them. For example, the Coast Guard stated that it plans to update its acquisition policy to require that all shipbuilding programs complete the functional design of major portions of systems that affect multiple zones of the ship—such as electricity and water—prior to the start of lead ship construction.¹⁷

Uncertain Workforce Needs

Coast Guard challenges with determining its workforce needs generally as well as for specific key mission needs have affected its ability to meet mission demands. In recent years, the Coast Guard has raised concerns that its workload had outpaced its workforce levels. Notably, in April 2018, the Coast Guard reported to Con-

¹⁵ GAO-23-105805; *Coast Guard Acquisitions: Polar Security Cutter Needs to Stabilize Design Before Starting Construction and Improve Schedule Oversight*, GAO-23-105949 (Washington, D.C.: July 27, 2023); *Coast Guard Recapitalization: Actions Needed to Better Manage Acquisition Programs and Address Affordability Concerns*, GAO-23-106948 (Washington, D.C.: July 27, 2023).

¹⁶ GAO, *Coast Guard: Legacy Vessels' Declining Conditions Reinforce Need for More Realistic Operational Targets*, GAO-12-741 (Washington, D.C.: July 31, 2012).

¹⁷ The two recommendations that DHS did not agree with were related to the Offshore Patrol Cutter stage 2 program, which encompasses Offshore Patrol Cutters 5 through 15. These recommendations stated that the Coast Guard should ensure the stage 2 program 1) successfully demonstrates integrated prototypes of all critical technologies in a realistic environment no later than preliminary design review, and 2) achieves a sufficiently stable design—which according to leading practices is completion of basic and functional design, including the routing of major distributive systems—prior to the start of lead ship construction. We stand by our recommendations because they align with leading practices.

gress that it faced challenges meeting its daily mission demands because it was operating below the workforce level necessary to meet all its mission requirements.¹⁸

More recently, in 2022, the Coast Guard reported that operating in increasingly complex and dynamic security and maritime domains will become more complicated with technology-driven changes. The Coast Guard reported that these changes require workforce growth and enhanced skills to operate and maintain updated assets.¹⁹ Further the Coast Guard has a workforce shortfall of approximately 3,500 enlisted members, according to remarks made by the Commandant in October 2023, and the service has missed its recruiting targets in recent years.²⁰

Although the Coast Guard has expressed workforce concerns, it has conducted limited assessments of its workforce needs. In 2022, 2020, and 2010, we reported that the Coast Guard had not adequately determined its workforce needs.²¹ Specifically, the Coast Guard had assessed only a small portion of its workforce needs through the requirements determination process it began using in 2003.²² In February 2020, for example, we found that the Coast Guard had completed workforce requirements analyses from calendar years 2003 through 2019 for 28 percent of its workforce and requirements determinations over the same period for 6 percent of its workforce.²³

We 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 its positions and units. Among other things, we recommended that the Coast Guard update its Manpower Requirements Plan with time frames and milestones for doing so.²⁴ DHS concurred with our recommendations and described actions planned to address them. As of November 2023, the Coast Guard reported that it had completed workforce requirements determinations for 15 percent of its workforce.

As of May 2023, Coast Guard officials said they had not determined time frames and milestones to fully implement its workforce requirements plan but indicated it could be feasible to develop a rough estimate of how many positions it plans to assess in the next five years. By updating its plan to complete requirements determinations and obtaining information on the resources needed to achieve its workforce assessment goal, the Coast Guard will be better positioned to ensure that it has the right number of people with requisite skills in the right units to meet its mission demands.

We have also previously reported on Coast Guard's workforce challenges related to identifying capability gaps in specific mission needs, including specialized forces. In November 2019, we reported that the Coast Guard could benefit from assessing workforce needs for its Deployable Specialized Forces workforce—multiple units with a range of specialized capabilities needed to handle drug and migrant interdiction, IUU fishing, terrorism, and other threats in the U.S. maritime environment.²⁵

Specifically, we found that the Coast Guard had not used data and evidence to fully assess its Deployable Specialized Forces workforce needs.²⁶ We reported that conducting this analysis would better position the Coast Guard to identify capability

¹⁸ Coast Guard, *Manpower Requirements Plan Report to Congress*, (Apr.13, 2018).

¹⁹ Coast Guard, *Ready Workforce 2030*, (Apr. 2022).

²⁰ Admiral Linda L. Fagan, “*The U.S. Coast Guard in an Era of Great Power Competition with ADM Linda L. Fagan*” Transcript of event held at Center for Strategic and International Studies, October 17, 2023. <https://www.csis.org/analysis/us-coast-guard-era-great-power-competition-adm-linda-l-fagan>.

²¹ GAO–22–106135; *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: Deployable Operations Group Achieving Organizational Benefits, but Challenges Remain*, GAO–10–433R (Washington, D.C.: April 7, 2010).

²² U.S. Coast Guard, *Manpower Requirements Plan, Report to Congress* (Apr. 13, 2018). The requirements determination process includes a requirements analysis, which is a comprehensive review of workforce needs, and concludes with a requirements determination, which identifies the number and type of positions a unit type requires to meet mission-based capability requirements.

²³ GAO–20–223. Further, we reported in September 2022 that the service has faced persistent challenges filling certain cyberspace positions it considers as critical or understaffed. See GAO, *Coast Guard: Workforce Planning Actions Needed to Address Growing Cyberspace Mission Demands*, GAO–22–105208 (Washington, D.C.: Sept. 27, 2022).

²⁴ We made a total of six recommendations, four of which addressed limitations with Coast Guard's workforce requirements determination process. As of November 2023, 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.

²⁵ GAO–20–33.

²⁶ As of November 2019, the Coast Guard had 25 specialized forces teams and 2 units.

gaps between mission requirements and mission performance caused by deficiencies in the numbers of personnel available.

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 unit types were being reviewed, with an estimated completion of Spring 2023. However, the Coast Guard informed us that analysis of the three remaining Specialized Force unit types is subject to available funding and is not yet complete. By comprehensively assessing Deployable Specialized Forces' workforce needs the Coast Guard may be able to more efficiently allocate resources for its Deployable Specialized Forces and the missions they conduct.

Technology Challenges

The Coast Guard has had longstanding issues managing its technology resources. The Coast Guard relies extensively on IT systems and services to carry out its missions. It also relies on operational technology, which encompasses a broad range of programmable systems or devices that interact with the physical environment, such as sensors and radar.

In July 2020, we reported on longstanding challenges the Coast Guard has had with its IT systems MISLE, which is a data system that tracks and reports results data for nearly all Coast Guard missions. We found that the system had some capability gaps, and MISLE users we spoke to described numerous challenges with the system. For example, MISLE did not capture migrant interdiction data used to meet departmental reporting requirements. According to Coast Guard maritime law enforcement officials, the Coast Guard is responsible for tracking 20 discrete migrant interdiction data elements for departmental reporting. However, according to these officials, they were only able to easily aggregate two of the 20 required data elements from MISLE—date and location of interdiction event—because MISLE captured the other data elements in user-created narrative entries that were not easily searched. Coast Guard officials at the time of our review estimated that they spent 1 hour per day compiling data manually but could compile the information in seconds if the data were readily available in MISLE.

MISLE system managers stated they were aware of these challenges, had begun to address some of them, and agreed that MISLE requires further investments to meet user needs. However, we found that the Coast Guard did not follow key systems development processes. As a result, we recommended that the Coast Guard follow its key systems development processes to identify and analyze alternatives to select solutions to meet mission needs. The Coast Guard concurred and said it plans to replace MISLE. As of June 2023, replacement efforts were ongoing.

In addition, in July 2022, we reported on various aspects of the Coast Guard's IT program.²⁷ For example, we reported that the Coast Guard implemented two processes intended to ensure that its IT infrastructure resources meet the service's mission needs.²⁸ However, the service did not have a comprehensive process that included common practices for network capacity planning—a key process in IT infrastructure planning that involves assessing and determining the network resource needs required to effectively support an entity's mission. As a result, we recommended that the Coast Guard develop network capacity planning policies and procedures and implement leading practices for network capacity planning, among other things. Coast Guard agreed with each of our eight recommendations and as of January 2023 was taking actions to address them, such as implementing leading practices for network capacity planning.

In conclusion, the Coast Guard's law enforcement missions are vital to U.S. interests. The Coast Guard has acknowledged 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. In addition, workforce growth and enhanced skills will be required to operate and maintain updated assets. Addressing our recommendations on managing its assets, workforce, and technology will help ensure that the service efficiently uses its available resources to carry out its law enforcement and other missions.

Chairman Webster, Ranking Member Carbajal, and Members of the Subcommittee, this completes my prepared statement. I would be pleased to respond to any questions that you may have at this time.

²⁷GAO, *Coast Guard: Actions Needed to Enhance IT Program Implementation*, GAO-22-105092 (Washington, D.C. July 28, 2022).

²⁸GAO-22-105092.

APPENDIX I: INFORMATION ON THE U.S. COAST GUARD'S MISSIONS PROGRAMS AND STATUTORY MISSIONS

As shown in table 1, the Coast Guard is responsible for 11 statutory missions identified in the Homeland Security Act of 2002, as amended.¹ The Coast Guard manages these missions through six mission programs, also listed in table 1.

Table 1: Information on the Coast Guard's Mission Programs and 11 Statutory Missions

Mission program	Statutory Mission	Description
Maritime security operations.	Ports, waterways, and coastal security (response activities).	Ensure the security of the waters subject to the jurisdiction of the U.S. 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.
Maritime law enforcement.	Migrant interdiction	Stem the flow of undocumented alien migration and human smuggling activities via maritime routes.
	Drug interdiction	Stem the flow of illegal drugs into the U.S.
	Living marine resources	Enforce laws governing the conservation, management, and recovery of living marine resources, marine protected species, and national marine sanctuaries and monuments.
	Other law enforcement	Enforce international treaties, including the prevention of illegal fishing in international waters and the dumping of plastics and other marine debris.
Maritime prevention.	Ports, waterways, and coastal security (prevention activities).	Ensure the security of the waters subject to the jurisdiction of the U.S. 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.
	Marine safety	Enforce laws which prevent death, injury, and property loss in the marine environment.
	Marine environmental protection (prevention activities).	Enforce laws which deter the introduction of invasive species into the maritime environment, stop unauthorized ocean dumping, and prevent oil and chemical spills.
Maritime response	Search and rescue	Search for, and provide aid to, people who are in distress or imminent danger.
	Marine environmental protection (response activities).	Respond to oil and chemical spills.
Defense operations	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.
Marine transportation system management.	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.

¹ 6 U.S.C. § 468(a).

Table 1: Information on the Coast Guard’s Mission Programs and 11 Statutory Missions—
Continued

Mission program	Statutory Mission	Description
	Ice operations	Establish and maintain tracks for critical waterways, assist and escort vessels beset or stranded in ice, and remove navigational hazards created by ice in navigable waterways.

Source: 6 U.S.C. § 468(a); GAO summary of Coast Guard information. GAO–24–107144
Note: Shading denotes Coast Guard statutory homeland security missions.

Mr. WEBSTER OF FLORIDA. Thank you very much.

As I promised at the first, we are going to recess here for the time of the committee votes. And about 5 minutes afterwards, we will recall at the call of the chair, which will be probably 5 minutes after we quit the votes.

[Recess.] [11:20 a.m.]

Mr. WEBSTER OF FLORIDA. The committee is called to order.

And, Mr. Davenport, we left off with you. You are recognized.

TESTIMONY OF AARON C. DAVENPORT, ASSOCIATE DIRECTOR, INFRASTRUCTURE, IMMIGRATION, AND SECURITY OPERATIONS PROGRAM, RAND CORPORATION

Mr. DAVENPORT. Thank you.

Chairman Webster, Ranking Member Carbajal, and members of the subcommittee, good morning and thank you for the honor of testifying before you today.

I am a senior policy researcher and associate program director at the RAND Corporation, a nonprofit and nonpartisan research organization. Prior to joining RAND, I served in the U.S. Coast Guard for 30 years in multiple roles, including as commanding officer of two major cutters performing interdiction missions in the Atlantic, Pacific, Caribbean, and Bering Seas.

My testimony today is focused on potential ways Coast Guard interdiction missions could be enhanced. I will specifically discuss opportunities for better information sharing, technology implementation, and interagency and international cooperation and collaboration.

Regarding information sharing, a strong consensus exists across the interagency that intelligence-driven operations are key to improving interdiction outcomes. Information sharing among intelligence and law enforcement agencies and partner nations often yields the best outcomes when investments are focused on increasing intelligence gathering analysis and queuing capability.

Improved data sharing will facilitate more optimal placement of the limited assets dedicated to interdiction and help target where diplomatic and economic incentives would be the most efficient. However, consistency in interdiction data remains an issue. Both flow and seizure data differ depending on the source and, therefore, may lead to conflicting or erroneous conclusions. Having a common understanding of interdiction data is essential because it contributes to informed policy development, resource allocation, and operational decisions pertaining to interdiction programs.

Concerning technology, increasing the use of existing unmanned systems technology continues to be an important investment to improve the effectiveness of interdiction forces. In expansive geographic areas, small unmanned aircraft could be launched from unmanned vessels that can remain at sea for extended periods of time. These unmanned vessels could further be used to monitor illegal activities while remaining undetected, thanks to their small size.

Additionally, other unmanned vessels and the aircrafts that would be easily visible to those engaging in illicit activity could further deter migration, drug trafficking, and illegal fishing activities.

A RAND Homeland Security Operational Analysis Center study for Coast Guard aviation found that incorporating unmanned aircraft is particularly cost effective for detection and monitoring activities and further recommended unmanned aircraft as a major element of the future aircraft fleet.

With respect to cooperation collaboration, the U.S. has achieved the largest increases in interdiction and security when enabling and working with regional partners. Training provided by the Coast Guard has been a key enabler of improving international coordination and maritime interdiction success.

In addition, greater utilization of Coast Guard law enforcement detachments has been demonstrated to be a highly successful force multiplier. Establishing and exercising bilateral agreements also remains crucial. The Coast Guard could further bolster regional partnerships by providing more training from law enforcement experts, combined operations, and logistics support. In doing so, the United States will expand the jurisdictional reach of its maritime interdiction operations.

Finally, the Coast Guard could explore other options for operating to increase its effectiveness in areas discussed today. For example, U.S. interdictions generally focus on international waters and noncommercial conveyances, but there remain challenges associated with coordinating interagency and international forces, partner nation legal hurdles, forward basing, and logistics support. An alternative is greater emphasis on improving intelligence and interdiction measures through international port state control, which would allow for additional scrutiny before a suspect ship leaves the source nation. Efforts to counter commercial maritime trafficking should recognize the utility of port state control as a choke point to monitor and control poorly regulated flag-of-convenience ships suspected of engaging in illegal transport.

In summary, I believe there are multiple options available to enhance the Coast Guard's interdictions and operations, and improve outcomes.

Thank you.

[Mr. Davenport's prepared statement follows:]

Prepared Statement of Aaron C. Davenport,¹ Associate Director, Infrastructure, Immigration, and Security Operations Program, RAND Corporation²

ENHANCING U.S. COAST GUARD INTERDICTION: INFORMATION-SHARING, TECHNOLOGY, AND INTERAGENCY AND INTERNATIONAL COOPERATION AND COLLABORATION

Chairman Webster, Ranking Member Carbajal, and members of the subcommittee, good morning and thank you for the honor of testifying before you today. I am a senior defense and international policy researcher and associate program director within the Homeland Security Research Division of the RAND Corporation, a nonprofit and nonpartisan research organization. Prior to joining RAND, I served in the U.S. Coast Guard (USCG) for 30 years in multiple roles, including as Homeland Security Advisor to the Office of the Vice President of the United States; Executive Officer, Counterdrug Operations, U.S. Southern Command, U.S. Department of Defense (DoD); Chief, Office of Cutter Forces, USCG, U.S. Department of Homeland Security; and as a commanding, executive, and operations officer aboard multiple major cutters performing drug and migrant interdiction missions and international fisheries enforcement in the Atlantic and Pacific Oceans and in the Caribbean and Bering Seas, as well as security cooperation and joint operations with several partner nations. As a senior RAND researcher, I have been a lead or contributing author on more than 20 reports and publications associated with USCG operations, strategy, policy, and acquisition programs and have served as a maritime security policy and strategy subject-matter expert to the Defense Security Cooperation University's Institute for Security Governance and the North Atlantic Treaty Organization's Science for Peace and Security Programme.

My testimony today is focused on potential ways the USCG's drug and migrant interdiction missions and international fisheries law enforcement mission could be enhanced. My comments apply to all three interdiction missions, focusing on opportunities to enhance information-sharing, leverage existing technology, improve interagency and international cooperation and collaboration, and other options for operations.

INFORMATION-SHARING

Opportunities to improve information-sharing is a persistent challenge. A strong consensus exists across the interagency that intelligence-driven operations are key to improving interdiction operations outcomes. To that end, information-sharing among intelligence and law enforcement agencies and partner or cooperating nations often yields the best outcomes while improving resource allocation. Investments that are focused on increasing intelligence gathering, analysis, and cueing capability and capacity may have a greater return on investment than spending limited government resources on interdiction platforms and other equipment.

My experience and analysis while at RAND strongly suggest that the international law enforcement community could also derive further benefits from enhanced information-sharing programs with partner nations and U.S. interagency partners. It is an imperative that the U.S. government expand and facilitate the appropriate and timely sharing of operationally relevant and perishable information between the United States and foreign partners.

The sharing of data that inform smuggling patterns and interdiction successes also needs to improve. There is a constant demand for higher-quality datasets that challenge what is known or perceived regarding drug and migrant smuggling and regarding illegal, unreported, and unregulated (IUU) fishing activities. This demand includes better sharing of unclassified government data that may reveal better ways to successfully interdict vessels conducting illegal activities. Robust data that sup-

¹The opinions and conclusions expressed in this testimony are the author's alone and should not be interpreted as representing those of the RAND Corporation or any of the sponsors of its research.

²The RAND Corporation is a research organization that develops solutions to public policy challenges to help make communities throughout the world safer and more secure, healthier and more prosperous. RAND is nonprofit, nonpartisan, and committed to the public interest. RAND's mission is enabled through its core values of quality and objectivity and its commitment to integrity and ethical behavior. RAND subjects its research publications to a robust and exacting quality-assurance process; avoids financial and other conflicts of interest through staff training, project screening, and a policy of mandatory disclosure; and pursues transparency through the open publication of research findings and recommendations, disclosure of the source of funding of published research, and policies to ensure intellectual independence. This testimony is not a research publication, but witnesses affiliated with RAND routinely draw on relevant research conducted in the organization.

port a wider variety of analyses and allow for thoughtful discourse among subject-matter experts are an imperative to improving processes. Continued and enhanced efforts to leverage quality performance metrics, datasets, and information-sharing programs among international interdiction regional partners remain an important factor in reducing the flow of illegal drugs, migrants, and IUU fishing. Improved data will facilitate more optimal placement of the limited assets dedicated to interdiction and help target where diplomatic and economic incentives would be the most efficient. Consistent and routine capture and analysis of operational performance data could aid in the optimization of asset placement in resource-constrained environments as well. Robust information-sharing, operations research, and analysis of interdiction data can reveal patterns and maximize the effectiveness of available assets.

U.S. support in the form of information-sharing has been critical to interdiction operations. This is particularly true with respect to maritime forces that conduct interdictions within their territory. However, consistency in interdiction data remains problematic. Interdiction data differ depending on the source. There are myriad potential explanations, but the central point is that both flow and seizure data differ depending on the source and, therefore, may lead to conflicting or erroneous conclusions and inferences. Having a common understanding of interdiction data is essential because it contributes to policy development, resource allocation, and operational decisions pertaining to interdiction programs and overall counterdrug program policy.³

LEVERAGING TECHNOLOGY

Increasing the use of existing unmanned systems technology has been and continues to be identified as an important investment for interdiction forces to improve their effectiveness and reduce manned assets. Recent RAND reports and researcher commentary highlight the importance of incorporating unmanned systems technology. Unmanned aerial systems (UASs) provide situational awareness less expensively than manned platforms. In expansive geographic areas, UASs could be launched from and recovered by unmanned surface vehicles (USVs). USVs that linger in the environment could also be used to monitor drug vessels and remain undetected thanks to their small size. With the right sensors, USVs could help detect semisubmersible or submersible threats. Visible UASs and USVs near shorelines could deter illegal migration. These systems could also aid in tracking IUU fishing activities.⁴

A RAND Homeland Security Operational Analysis Center fleet mix study for USCG aviation completed in 2020 found that incorporating UASs is particularly cost-effective for scenarios requiring detection and monitoring activities. Researchers recommended that the USCG consider UASs as a potential major element of the future aircraft fleet. Modeling revealed that fleets with UASs performed well across all mission sets. Using a measured and deliberate approach will ensure that these aircraft can suitably perform the surveillance mission and that appropriate numbers are procured to enable an effective and robust fleet.⁵

³Daniel M. Gerstein, Bryce Pardo, Aaron C. Davenport, and Irina A. Chindea, *An Overview of the Effectiveness of U.S. Counternarcotics Efforts in Colombia, 2000–2020, and Recommendations for the Future*, RAND Corporation, RR–A1389–3, 2022, https://www.rand.org/pubs/research_reports/RR1389-3.html; Aaron C. Davenport, “Lessons from Maritime Narcotics Interdiction: Interdiction in the Maritime Source, Transit, and Arrival Zones of the Western Hemisphere,” in Edward R. Lucas, Samuel Rivera-Paez, Thomas Crosbie, and Felix Falck Jensen, eds., *Maritime Security: Counter-Terrorism Lessons from Maritime Piracy and Narcotics Interdiction*, Vol. 150, IOS Press, 2020.

⁴Eric Cooper and Scott Savitz, “Coast Guard Leans Forward in New UxS Strategy but Faces Significant Challenges,” *The RAND Blog*, May 3, 2023, <https://www.rand.org/pubs/commentary/2023/05/coast-guard-leans-forward-in-new-uxs-strategy-but-faces.html>; Scott Savitz, Aaron C. Davenport, and Michelle D. Ziegler, *The Marine Transportation System, Autonomous Technology, and Implications for the U.S. Coast Guard*, Homeland Security Operational Analysis Center operated by the RAND Corporation, PE–359–DHS, May 2020, <https://www.rand.org/pubs/perspectives/PE359.html>.

⁵Jeremy M. Eckhause, David T. Orletsky, Aaron C. Davenport, Mel Eisman, Raza Khan, Jonathan Theel, Marc Thibault, Dulani Woods, and Michelle D. Ziegler, *Meeting U.S. Coast Guard Airpower Needs: Assessing the Options*, Homeland Security Operational Analysis Center operated by the RAND Corporation, RR–3179–DHS, 2020, https://www.rand.org/pubs/research_reports/RR3179.html.

IMPROVING INTERAGENCY AND INTERNATIONAL COOPERATION AND COLLABORATION

The United States has achieved the largest increases in interdiction and security when enabling and working with regional partners and organizations.⁶ The United Nations Counter-Terrorism Centre and the Global Counterterrorism Forum have cooperated to produce a set of “good practices” for border security and management. These practices include enhancing interagency and international cooperation. A key enabler of improving international coordination and maritime interdiction success is through international training. Major objectives of training are designed to enhance the expertise of law enforcement activities in countries significant to U.S. efforts, improve the technical capability of law enforcement personnel in these countries, and, ultimately, increase the cooperation between U.S. and foreign law enforcement officials.⁷

Bilateral agreements have become even more critical for interdiction operations. The exploitation of Central American nations by transnational criminal organizations has created a strategically difficult and destabilizing situation, as movements of illicit cargo (and people) from source countries often make landfall in countries incapable of stopping them. The USCG’s bilateral agreements with partner nations, including foreign militaries and law enforcement agencies, expand the jurisdictional reach of maritime interdiction operations. Maintaining and advancing bilateral agreements has been a successful strategy. Thanks to the years of persistent engagement with international partners to develop these agreements, the USCG has become dramatically more effective. The USCG could further bolster these partnerships by providing equipment and training funded through U.S. Department of State and DoD security assistance programs. Some partner nations benefit greatly from training provided by USCG law enforcement experts, while other nations lack standardized boats and communications packages and are unable to adequately communicate with each other, and most nations also benefit from combined operations and logistics support.⁸

An example of a successful program was the Caribbean Support Tender. Under the auspices of the U.S. Department of State and U.S. Southern Command, the USCG operated an internationally crewed ship composed of partner nation mariners and USCG trainers and operators. The tender’s mission was focused on law enforcement training and maintaining partner nation interdiction competencies. This effort resulted in directly improving partner nation capability and expertise. Additionally, the progressive training engagements advanced trust and cooperative relationships critical to future mission success and resulted in a stronger coalition of counterdrug forces than what had existed in the Pacific area of operations, which did not have a similar asset.⁹

In a study conducted by the Naval Postgraduate School, researchers concluded that the United States must strengthen its partnerships with transit zone countries, enhance partner nation abilities, and concentrate its efforts in high-payoff areas of interest; that strengthening such partnerships builds trust among the United States and its partners and provides access to geographic areas of interest; and that enhancing the abilities of partner nations serves to fill existing capacity gaps borne of declining resources. The United States cannot effectively provide an interdiction force across a majority of its 42-million-square-mile operating area and must concentrate its forces exclusively in high-payoff trafficking areas—specifically, coastal areas nearest the source zones and at transit zone arrival points. It is understood that this approach will eventually be countered, but the gains achieved by this strategy will likely have lasting impacts on the smuggling enterprise.¹⁰

Greater utilization of USCG Deployable Specialized Forces (DSF), specifically law enforcement detachments, has been demonstrated to be a highly successful force multiplier. Providing USCG DSF personnel while exercising bilateral agreements with partner nations, including foreign militaries and law enforcement agencies, expands the jurisdictional reach of U.S. maritime interdiction operations. Specifically, *ship-boarding* and *ship-rider* authorities and *international maritime interdiction support* could be enhanced.¹¹

⁶ Matthew R. Connors, *Caribbean and Eastern Pacific Maritime Security: Regional Cooperation in Bridge and Insular States*, thesis, Naval Postgraduate School, March 2018.

⁷ Davenport, 2020.

⁸ Davenport, 2020.

⁹ Davenport, 2020.

¹⁰ Davenport, 2020.

¹¹ *Ship-boarding* refers to the standing authority or procedures for the USCG to stop, board, and search suspect foreign vessels located seaward of the territorial sea of any nation. *Ship-rider* refers to the standing authority for partners to embark law enforcement officials on each

OTHER OPTIONS

Despite robust bilateral agreements, U.S. government interdictions generally focus on international waters and noncommercial conveyances; there might not be the same level of effort and success (measured in quantity seized) in the United States targeting flows within other domains and along threat vectors because of significant challenges associated with coordinating interagency and international forces, partner nation legal hurdles, forward basing, and logistics support.¹² Placing a greater emphasis on improving intelligence and interdiction measures through international port state control (PSC) may assist in better outcomes before contraband leaves the source nation. One reason why maritime transport offers the greatest success rate for the trafficking of destabilizing commodities is that it is more difficult for states to monitor and control maritime avenues than any other means of international bulk transport. The United Nations Convention on the Law of the Sea generally provides flag states with exclusive sovereignty and jurisdiction over their vessels in international waters. For example, in most cases, ships suspected of carrying illicit cargo cannot be boarded, and their commodities cannot be seized without the prior agreement of the flag state. Therefore, many ships involved in the transport of illicit cargo sail under so-called flags of convenience and are registered in flag states with limited regulation and control of their merchant fleets. Many of the flags of convenience under which these vessels sail have been consistently targeted for inspection in other countries by PSC regimes based on poor performance in previous inspections, but these inspections are focused more on safety measures than on smuggling or contraband seizure.

In most cases, PSC inspections are the only occasions when state authorities have the right to board a ship without consulting the flag state. PSC inspections allow the inspection of the ship, including the cargo hold and crew's quarters. They also provide a mechanism to control the movement of targeted ships through detention in port and even to ban the suspect ships from all ports operating under the same cooperative PSC regime. Efforts to counter maritime trafficking should recognize the utility of PSC as a "choke point" to monitor and control poorly regulated flag-of-convenience ships suspected of engaging in illegal transport.¹³

Foreign seaports represent one potential trafficking vulnerability because many of the Pacific and Atlantic ports in Central and South America have poor PSC measures. This results in the exploitation of maritime shipping containers and other commercial shipping avenues. This also makes commercial maritime smuggling a more popular smuggling mode, which is ostensibly underestimated in the flow estimates. PSC measures in an area where the source and transit zone partner nations could improve their interdiction efforts. Domestically, the U.S. government has relied on focused intelligence when performing interdictions aboard commercial vessels because of the complexity of both targeting and interdicting containers, as well as the diplomatic and legal hurdles with flag states, owners, and operators within the container-shipping global enterprise, which make widespread inspection difficult.¹⁴

In summation, there are options available to enhance USCG interdiction missions to include continuing to improve information-sharing at all levels, better leverage existing unmanned systems technology, further advance cooperation and collaboration through international training opportunities, improve interdiction data and data sharing, and consider expanding the use of international port state control strategies as an interdiction tool.

I thank the subcommittee for the opportunity to testify and look forward to answering your questions.

Mr. WEBSTER OF FLORIDA. Thank you.
Dr. Keating-Bitonti, you are recognized for 5 minutes.

other's platforms, and the officials may then authorize certain law enforcement actions. *International maritime interdiction support* refers to the standing authority or procedures for U.S. law enforcement assets to moor or stay at national ports and for U.S. law enforcement officials to board suspect vessels not flying a U.S. or host nation flag, to escort persons from suspect vessels through and out of the host nation, and to land and temporarily remain at international airports for logistics (Davenport, 2020).

¹² Gerstein et al., 2022.

¹³ Adriana Avila-Zúñiga Nordfeld, *Building a National Maritime Security Policy*, dissertation, World Maritime University, WMU Research Report Series No. 11, September 2018; Davenport, 2020; Edward R. Lucas, Samuel Rivera-Paez, Thomas Crosbie, and Felix Falck Jensen, eds., *Maritime Security: Counter-Terrorism Lessons from Maritime Piracy and Narcotics*, Vol. 150, IOS Press, 2020.

¹⁴ Nordfeld, 2018; Davenport, 2020; Lucas et al., 2020.

TESTIMONY OF CAITLIN KEATING-BITONTI, Ph.D., NATURAL RESOURCES POLICY ANALYST, CONGRESSIONAL RESEARCH SERVICE

Ms. KEATING-BITONTI. Chairman Webster, Ranking Member Carbajal, and members of the subcommittee, good morning. My name is Caitlin Keating-Bitonti, and I am an analyst in natural resources policy at the Congressional Research Service.

As requested by the subcommittee, my testimony will focus on the United States Coast Guard's role in the at-sea enforcement of living marine resource laws and international agreements as it pertains to illegal, unreported, and unregulated fishing, or IUU fishing. CRS takes no position and makes no recommendations on policy matters.

Today, I am going to discuss IUU fishing and some of the negative consequences associated with it, as well as discuss some efforts by the U.S. Coast Guard to combat IUU fishing. IUU fishing is an ongoing, multifaceted global issue that affects the ocean ecosystem and the sustainable management of living marine resources both within areas of national jurisdiction and on the high seas. IUU fishing can impact the accuracy of the data needed to inform fisheries conservation and management decisions, thereby exacerbating overfishing while threatening the livelihoods of vulnerable fishing communities and food security in certain regions.

Experts estimate that one in five fish caught is derived from IUU fishing, costing the global economy between \$15 billion and \$36 billion annually.

Over the past two decades, successive U.S. administrations and Congress have recognized that IUU fishing poses a threat to national and regional security and have taken a number of actions to combat IUU fishing broadly. In particular, the Maritime Security and Fisheries Enforcement Act, commonly known as the Maritime SAFE Act, was enacted in 2019, establishing a whole-of-Government approach to counter IUU fishing and to prevent IUU fish species from entering the marketplace.

The U.S. Coast Guard is a leading agency for U.S. enforcement of domestic and international living marine resources laws in the U.S. exclusive economic zone, or EEZ, and in key areas of the high seas, such as those managed by regional fisheries management organizations, or RFMOs. RFMOs are treaty-based international bodies composed of nations that share an interest in the management and conservation of fisheries in specific geographic areas of the high seas.

The U.S. Coast Guard works with the National Oceanic and Atmospheric Administration, the Department of Defense, and the Department of State, among other agencies, to provide a whole-of-Government approach to addressing IUU fishing.

In 2021, the U.S. Coast Guard outlined actions it would take to combat illegal exploitation of marine fish stocks. Some of these actions were also identified as priorities for the U.S. Interagency Working Group on IUU Fishing, which was established under the Maritime SAFE Act.

To combat IUU fishing, the U.S. Coast Guard proposes enhancing its at-sea operations, applying innovative technologies to detect vessels engaging in suspicious fishing behavior, and assisting part-

ner nations with fishery law enforcement in their territorial waters, among other actions.

The U.S. Coast Guard identifies instances of IUU fishing through its at-sea operations. On the high seas, under the authority of some RFMOs, U.S. Coast Guard law enforcement officials may conduct boardings and investigations of vessels suspected of IUU fishing.

The U.S. Coast Guard reports instances of identified or suspected IUU fishing activity to other Federal agencies and to the relevant RFMO to inform IUU fishing vessel lists and other actions.

According to the U.S. Government Accountability Office, between 2016 and 2020, U.S. Coast Guard boarded and inspected 227 fishing vessels on the high seas. Because of the size of the ocean environment, the U.S. Coast Guard may analyze vessel tracking data, such as vessel position information broadcasts via automated identification systems, to identify vessel movement patterns indicative of IUU fishing. These analyses help target suspect vessels.

The U.S. Coast Guard also works with partner nations to help build their own counter IUU capacity through training exercises and bilateral shiprider agreements. Shiprider agreements are cooperative enforcement arrangements that allow law enforcement officials from one party to embark on another nation's law enforcement vessel or aircraft. The Maritime SAFE Act directs Federal agencies to enter into new shiprider agreements or add counter IUU fishing provisions to existing shiprider agreements in priority regions.

This concludes my opening remarks. Thank you, and I look forward to responding to any questions.

[Ms. Keating-Bitonti's prepared statement follows:]

Prepared Statement of Caitlin Keating-Bitonti, Ph.D., Natural Resources Policy Analyst, Congressional Research Service

Chairman Webster, Ranking Member Carbajal, and Members of the Subcommittee, on behalf of the Congressional Research Service (CRS), thank you for this opportunity to appear before you. I am Caitlin Keating-Bitonti, an Analyst in Natural Resources Policy. The Subcommittee requested that CRS testify about the United States Coast Guard's role in the at-sea enforcement of living marine resource laws and international agreements as it pertains to illegal, unreported, and unregulated (IUU) fishing. In accordance with our enabling statutes, CRS takes no position and makes no recommendations on legislative or policy matters. My testimony draws on my own area of specialization at CRS—federal ocean science policy and relevant international agreements—and on the input of other CRS colleagues who cover other issues often associated with ocean policy, including IUU fishing.

ILLEGAL, UNREPORTED, AND UNREGULATED (IUU) FISHING

IUU fishing is an ongoing, multi-faceted global issue that affects the ocean ecosystem and the sustainable management of living marine resources, both within areas of national jurisdiction and on the high seas.¹ IUU fishing can impact the accuracy of the data needed to inform fisheries conservation and management decisions, thereby adding to overfishing and threatening food security in certain regions. Furthermore, the difficulty in regulating fishing vessels on the high seas may allow some of the vessels involved in IUU fishing to engage in other transnational crimes, such as labor abuses, drug smuggling, and human trafficking.²

¹ National Oceanic and Atmospheric Administration (NOAA), National Marine Fisheries Service (NMFS), *Report to Congress: Improving International Fisheries Management*, August 2023, p. 10.

² U.S. Coast Guard (USCG), *Illegal, Unreported, and Unregulated Fishing Strategic Outlook*, September 2020, p. 2.

According to the U.S. Coast Guard, IUU fishing has replaced piracy as the leading global maritime security threat.³ IUU fishing generally refers to fishing activities that violate national laws or international fisheries conservation and management measures. The international definition of IUU fishing is provided in the Food and Agriculture Organization (FAO) of the United Nations International Plan of Action for IUU fishing.⁴ The International Plan of Action for IUU fishing was developed as a voluntary instrument within the framework of the FAO Code of Conduct for Responsible Fisheries, which has the general objective of promoting sustainable fisheries.⁵ In general,

- *Illegal fishing* refers to fishing activities conducted in contravention of applicable laws and regulations, including those laws and rules adopted at the regional and international level.
- *Unreported fishing* refers to those fishing activities that are not reported or are misreported to relevant authorities in contravention of national laws and regulations or reporting procedures of a relevant regional fisheries management organization (RFMO). RFMOs are treaty-based international bodies composed of nations that share an interest in the management and conservation of fisheries in specific geographic areas of the high seas.
- *Unregulated fishing* refers to fishing activities occurring in areas, or fishing for fish stocks,⁶ for which there are no applicable conservation and management measures and where such fishing activities are conducted in a manner inconsistent with a nation's or entity's responsibility under international law. *Unregulated fishing* also includes fishing activities conducted by vessels without nationality within the geographic boundaries of an RFMO, or by vessels flying a flag of a nation not a party to the RFMO with authority in that area.⁷

IUU fishing undermines national and regional efforts to conserve and manage fish stocks.⁸ FAO estimates that one in five (or 20%) fish caught around the world comes from IUU fishing and, in some regions, such as in West Africa, it can be as high as 40%.⁹

Illegal fishing can entail fishing for nonpermitted species, fishing above management quotas, and fishing out of season. These illegal fishing behaviors can contribute to stocks being fished at biologically unsustainable levels (i.e., at rates greater than species can replenish themselves). FAO estimates that the percentage of stocks fished at biologically unsustainable levels has been increasing since 1970s, from about 10% in 1974 to about 35% in 2019.¹⁰ In particular, in 2019, approximately 77% of catch off the Pacific coast of South America occurred at biologically unsustainable levels.¹¹

By its very nature, IUU fishing is difficult to quantify, but there is general global consensus that the impacts of IUU fishing have far-reaching negative consequences.¹² First, IUU fishing undermines the sustainable management of fishery

³ Ibid.

⁴ Food and Agriculture Organization of the United Nations (FAO), *International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing*, Rome, Italy, 2001, <http://www.fao.org/docrep/003/y1224e/y1224e00.HTM>. The Agreement on Port State Measures to Prevent, Deter, and Eliminate Illegal, Unreported, and Unregulated Fishing uses the International Plan of Action for Illegal, Unreported, and Unregulated (IUU) Fishing's definition (FAO, *Agreement on Port State Measures to Prevent, Deter, and Eliminate Illegal, Unreported and Unregulated Fishing*, Rome, Italy, June 20, 2012, ftp://ftp.fao.org/FILEDOCUMENT/PSM/circular_lett_2012.pdf).

⁵ FAO, *Code of Conduct for Responsible Fisheries*, Rome, Italy, 1995, <http://www.fao.org/docrep/005/v9878e/v9878e00.HTM>.

⁶ NOAA Fisheries defines a *stock* as "a part of a fish population usually with a particular migration pattern, specific spawning grounds, and subject to a distinct fishery. A fish stock may be treated as a total or a spawning stock. Total stock refers to both juveniles and adults, either in numbers or by weight, while spawning stock refers to the numbers or weight of individuals that are old enough to reproduce." NOAA, *NOAA Fisheries Glossary*, p. 49.

⁷ NOAA, NMFS, *Report to Congress: Improving International Fisheries Management*, August 2023, p. 10.

⁸ FAO, "The Toll of Illegal, Unreported and Unregulated Fishing," at <https://www.un.org/en/observances/end-illegal-fishing-day>.

⁹ FAO, "Four Reasons Illegal, Unreported and Unregulated (IUU) Fishing Affects Us and What We Can Do About It," at <https://www.fao.org/fao-stories/article/en/c/1403336/> and NOAA, NMFS, "Understanding Illegal, Unreported, and Unregulated Fishing," at <https://www.fisheries.noaa.gov/insight/understanding-illegal-unreported-and-unregulated-fishing>.

¹⁰ FAO, 2022 State of World Fisheries and Agriculture, p. 46.

¹¹ FAO, 2022 State of World Fisheries and Agriculture, p. 47.

¹² California Environmental Associates, "Distant Water Fishing: Overview of Research Efforts and Current Knowledge," October 2018, p. 7.

resources—resources that provide both food security and socioeconomic stability in many parts of the world. Developing countries that depend on fisheries for food security and export income are most at risk from IUU fishing.¹³ For example, according to a 2022 report by the FAO, aquatic foods provide at least 20% of the average intake of animal protein for 3.3 billion people.¹⁴ IUU fishing can inhibit lawful access to this protein source.

A second negative consequence of IUU fishing is that it provides an unfair advantage to entities that engage in these activities.¹⁵ For example, vessels conducting IUU fishing avoid operational costs by not complying with regulatory requirements and may earn more revenue by exceeding harvest limits. Conversely, those fishing legally may be harmed by lower catch rates and higher associated fishing costs. IUU fish in the marketplace can put legal fishers at an economic disadvantage and cause them to lose revenue. According to FAO, IUU fishing catches millions of tons of fish every year,¹⁶ and experts have calculated that IUU costs the global economy up to tens of billions of dollars every year.¹⁷

Experts note that international cooperation is necessary to manage many fish stocks because some species move among different national zones of jurisdiction and the high seas. However, actions to combat IUU fishing activities are often hindered by the large areas in which fishing takes place, the lack of resources for adequate enforcement, weak governance institutions, and inadequate international cooperation. On the high seas, vessels are subject to the laws of their flag state—the *flag state* of a vessel is the nation of jurisdiction under whose laws the vessel is registered or licensed and is deemed the nationality of the vessel.¹⁸ Vessels are also subject to the applicable rules established by international agreements and conventions to which their flag state is a party. The expectation is that all fishing nations exercise responsible flag state control over their vessels, including their distant water fleets operating on the high seas.

China's Role in the Exploitation of Global Fisheries

IUU fishing occurs throughout the world, and according to the U.S. International Trade Commission a portion of the seafood entering the United States reportedly is obtained from IUU fishing activities. The U.S. International Trade Commission estimated that in 2019 about \$2.4 billion (or 11%) worth of U.S. seafood imports were products of IUU fishing, of which about \$204.3 million were obtained from Chinese IUU fishing.¹⁹

China is one of the world's largest seafood importers, having imported approximately 4.1 million metric tons of seafood in 2022.²⁰ Unlike other large importers such as the United States and Japan, the majority of seafood that China imports is not consumed in country.²¹ Recent estimates have found that nearly 75% of all fish imported by China never makes it to the Chinese market, but instead is re-exported into the global market.²²

In recent years, the IUU Fishing Index—a collaboration between Global Initiative Against Transnational Organized Crime, a non-governmental organization, and Poseidon Aquatic Resource Management Ltd., a private fisheries and aquaculture

¹³ NOAA, NMFS, "Understanding Illegal, Unreported, and Unregulated Fishing," at <https://www.fisheries.noaa.gov/insight/understanding-illegal-unreported-and-unregulated-fishing>.

¹⁴ FAO, *The State of World Fisheries and Aquaculture 2022: Towards Blue Transformation*, Rome, FAO, 2022, pp. 12–13, at <https://doi.org/10.4060/cc0461en> (hereinafter referred to as FAO, 2022 State of World Fisheries and Agriculture).

¹⁵ NOAA, NMFS, "Understanding Illegal, Unreported, and Unregulated Fishing," at <https://www.fisheries.noaa.gov/insight/understanding-illegal-unreported-and-unregulated-fishing>.

¹⁶ FAO, "The Toll of Illegal, Unreported and Unregulated Fishing," at <https://www.un.org/en/observances/end-illegal-fishing-day>.

¹⁷ Enric Sala et al., "The Economics of Fishing the High Seas," *Science Advances*, vol. 4, no. 6 (2018).

¹⁸ Article 94 of the United Nations Convention on the Law of the Sea (United Nations, *United Nations Convention on the Law of the Sea of 10 December 1982, Overview and Full Text*, at https://www.un.org/depts/los/convention_agreements/convention_overview_convention.htm [hereinafter referred to as UNCLOS]). Although the United States is not a party to UNCLOS, some members of the executive branch have stated that some (but not all) portions of UNCLOS reflect *customary international law*.

¹⁹ U.S. International Trade Commission, "Illegal, Unreported, and Unregulated Fishing Accounts for More Than \$2 Billion of U.S. Seafood Imports, Reports USITC," press release, March 18, 2021, at https://www.usitc.gov/press_room/news_release/2021/er031811740.htm.

²⁰ U.S. Department of Agriculture, Foreign Agriculture Service, "2022 China Fishery Products Annual," February 22, 2023.

²¹ Beatrice Crona et al., "China At a Crossroads: An Analysis of China's Changing Seafood Production and Consumption," *One Earth*, vol. 3, no. 1 (2020), pp. 32–44.

²² Fangzhou Hu et al., "Development of Fisheries in China," *Reproduction and Breeding*, vol. 1, no. 1 (2021), pp. 64–79.

consultancy—has consistently identified China as the worst-performing nation overall in combating IUU fishing.²³ (The IUU Fishing Index analyzes the performances of 152 nations.)²⁴

China has the world's largest fishing fleet, with an estimated 564,000 vessels, and in 2020 was the top combined producer of marine and inland water catches, making up nearly 15% of global catches.²⁵ China also has the largest distant water fishing fleet in the world,²⁶ with an estimated 2,900 to 3,400 vessels according to the U.S. International Trade Commission.²⁷ Distant-water fishing is the practice of operating fishing fleets outside of your own nation's Exclusive Economic Zone (EEZ), the zone that extends 200 nautical miles seaward of a coastal nation's shoreline.²⁸ Distant water fishing fleets operate either on the high seas or foreign EEZs. Overfishing and depleted coastal fish stocks in its national waters have led China's fishing industry to develop a distant-water fishing fleet.²⁹

China's distant water fishing fleets are alleged to be increasingly engaging in IUU fishing. A 2022 report by the Environmental Justice Foundation estimates that 95% of Chinese distant water fishing crews have witnessed some form of illegal fishing, including the removal of shark fins and the targeting of endangered and protected marine life.³⁰ In 2021, the National Oceanic and Atmospheric Administration's (NOAA's) National Marine Fisheries Service (NMFS) issued China a negative certification for IUU fishing, under the authorities of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. §1826j(d)).³¹ China denied all allegations made by NMFS.³²

Like many governments with industrial-scale fishing operations, the Chinese government provides financial and policy support to its fishing industry, including its distant water fishing fleet.³³ This support takes a variety of forms, including fuel subsidies, vessel upgrading/replacement subsidies, and tax incentives. Some analysts argue that some types of distant water fishing would be unprofitable for Chinese vessel operators without government subsidies.³⁴

China has adopted some policies to address IUU fishing. However, a 2021 report estimated that at least 183 Chinese distant water fishing vessels, some of which are government-owned or -operated, are involved in IUU fishing, suggesting that the China is not holding its vessels accountable for engaging in IUU activities.³⁵ Under the U.N. Convention on the Law of the Sea, which China ratified in 1996, the flag state has exclusive jurisdiction over vessels flying its flag on the high seas.³⁶

U.S. GOVERNMENT INITIATIVES AIMED AT COMBATING IUU FISHING

Over the past two decades, successive U.S. administrations and Congresses have recognized that IUU fishing poses a threat to national and regional security and have taken a number of actions to combat IUU fishing broadly. These actions attempt to influence the behavior of foreign fishing fleets through international agree-

²³In 2021, China received a 3.86 score out of 5.00 on the IUU Fishing Index (high scores indicate worse performance). The IUU Index also generally finds that countries with DWF fleets, such as China, have poor scores. IUU Fishing Index, "2021 Country Profile: China," at <https://iuufishingindex.net/reports/iuu-fishing-index-country-profile-2021-china.pdf>

²⁴Ibid.

²⁵FAO, 2022 State of World Fisheries and Agriculture, p. 59.

²⁶Raul (Pete) Pedrozo, "China's IUU Fishing Fleet: Pariah of the World's Oceans," *International Law Studies*, vol. 99 (2022), p. 329 (hereinafter referred to as Pedrozo, 2022).

²⁷United States International Trade Commission, *Seafood Obtained via Illegal, Unreported, and Unregulated Fishing: U.S. Imports and Economic Impact on U.S. Commercial Fisheries*, February 2021, p. 142. Another report estimates that China's DWF fleet is made up of nearly 17,000 vessels, of which about 12,500 were identified as operating outside internationally recognized China waters between 2017–2018. However, the report cautioned that all of these vessels are not operating currently, simultaneously, or consistently in other countries' or international waters (Overseas Development Institute, "China's Distant-Water Fishing Fleet: Scale, Impact and Governance," June 2020).

²⁸Article 56 of UNCLOS gives coastal nations sovereign rights for the purpose of conserving and managing natural resources, including fisheries, among other purposes, in the Exclusive Economic Zone (EEZ).

²⁹Pedrozo, 2022, p. 330.

³⁰Environmental Justice Foundation, "Global Impact of Illegal Fishing and Human Rights Abuse in China's Vast Distant Water Fleet Revealed," April 5, 2022.

³¹NOAA, NMFS, *Improving International Fisheries Management*, Report to Congress, August 2023, pp. 18–19.

³²Ibid.

³³Pedrozo, 2022, p. 328.

³⁴Ian Urbina, "How China's Expanding Fishing Fleet is Depleting the World's Oceans," August 17, 2020.

³⁵IUU Fishing Index, 2021 Report, p. 60.

³⁶UNCLOS Article 92.

ments, organizations, and trade, because most IUU activities occur outside of U.S. jurisdiction.³⁷

The United States works with other fishing nations through RFMOs and other multilateral international agreements to sustainably manage high seas fisheries and address IUU fishing globally. Several federal agencies, including the U.S. Coast Guard, NOAA, the Department of Defense, and the Department of State, engage in various efforts to combat IUU fishing on the high seas and in the EEZs of partner nations. The efforts of these federal agencies include establishing strategic partnerships; improving enforcement tools, such as high seas boarding and inspection; identifying and sharing information about countries that have fishing vessels engaged in IUU fishing activities; and assisting partner nations develop and maintain their own counter IUU fishing capacity, among other lines of effort.³⁸

In 2019, the Maritime Security and Fisheries Enforcement Act (Division C, Title XXXV, Subtitle C of P.L. 116–92, 16 U.S.C. §§8001 et seq.), commonly known as the Maritime SAFE Act, passed in the National Defense Authorization Act for Fiscal Year 2020. The Maritime SAFE Act seeks to support a whole-of-government approach to counter IUU fishing, improve data sharing, support efforts to counter IUU fishing in priority regions around the world, increase global transparency and traceability across the seafood chain, improve global enforcement operations against IUU fishing, and prevent the use of IUU fishing as a financing source for transnational crime.³⁹ The Maritime SAFE Act also established the Interagency Working Group on IUU Fishing to support and coordinate a government-wide effort to address IUU fishing globally. The IWG on IUU Fishing is made up of representatives from 21 federal agencies and is currently chaired by a representative from the Department of State, with representatives from the National Oceanic and Atmospheric Administration and U.S. Coast Guard serving as Deputy Chairs.⁴⁰

U.S. COAST GUARD'S ROLE IN ADDRESSING IUU FISHING

The U.S. Coast Guard is a multi-mission maritime service with the authority to conduct maritime law enforcement operations, including operations aimed at combating IUU fishing activity.⁴¹ The U.S. Coast Guard enforces U.S. and international living marine resources laws in the U.S. EEZ and in key areas of the high seas, and works with NOAA, Department of Defense, and Department of State to provide whole-of-government approach to addressing IUU fishing.⁴²

The U.S. Coast Guard is the lead U.S. agency for at-sea enforcement of fishery conservation on the high seas.⁴³ On the high seas, RFMOs manage and conserve fish stocks of a particular species or group of species within a particular geographic area. The 1995 U.N. Fish Stocks Agreement provides an enhanced framework for RFMOs' conservation and management of transboundary fish stocks.⁴⁴ Under the 1995 U.N. Fish Stocks Agreement, party nations are obligated to regulate "the activities of vessels flying their flag which fish for such stocks on the high seas."⁴⁵ In addition, the agreement gives party nations the right to monitor and inspect vessels of other nation parties to ensure compliance with internationally agreed fishing regulations, including regulations established by RFMOs. Violations of RFMO conservation measures are generally considered IUU fishing.

Both the Interagency Working Group on IUU Fishing's *National 5-Year Strategy for Combating Illegal, Unreported, and Unregulated Fishing* and the U.S. Coast

³⁷Actions to combat IUU fishing have included enforcement agreements with partner countries, trade monitoring, implementation and enforcement of international treaties, and broad efforts to promote resource sustainability.

³⁸NOAA, NMFS, *Improving International Fisheries Management*, Report to Congress, August 2023, p. 3.

³⁹16 U.S.C. §8002.

⁴⁰16 U.S.C. §8031(b). The chair of the Interagency Working Group on IUU Fishing rotates every three years among the Secretary of the Department in which the U.S. Coast Guard is operating (i.e., the Department of Homeland Security), Secretary of State, and NOAA Administrator.

⁴¹14 U.S.C. §102.

⁴²USCG, *Illegal, Unreported, and Unregulated Fishing Strategic Outlook*, September 2020, p. 4.

⁴³USCG, *Illegal, Unreported, and Unregulated Fishing Strategic Outlook*, September 2020, p. 19.

⁴⁴United Nations, *Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks*, at https://www.un.org/depts/los/convention_agreements/texts/fish_stocks_agreement/CONF164_37.htm (hereinafter referred to as the 1995 U.N. Fish Stock Agreement).

⁴⁵Article 7 of the 1995 U.N. Fish Stock Agreement.

Guard's *IUU Fishing Strategic Outlook Implementation Plan* identify strategies used by the U.S. Coast Guard to counter IUU fishing on the high seas, such as at-sea operations, use of vessel tracking data to identify vessels suspected of IUU fishing, and cooperation in partner nation capacity-building exercises.⁴⁶

U.S. Coast Guard At-Sea Operations

The U.S. Coast Guard identifies instances of IUU fishing through its at-sea operations. On the high seas, under the authority of some RFMOs, U.S. Coast Guard law enforcement officials may conduct law enforcement boardings and investigations of fishing vessels suspected of IUU fishing.⁴⁷ U.S. Coast Guard law enforcement officials may also randomly board other vessels as a means to deter IUU fishing activity. If a U.S. Coast Guard patrol not directly related to IUU fishing suspects a vessel of IUU fishing, the U.S. Coast Guard may provide relevant information to other U.S. federal agencies (e.g., NMFS) for further investigation. The U.S. Coast Guard patrol may also report the suspect vessel to the relevant RFMO to share information about the vessel with other member states of the RFMO to aid in the tracking of the vessel.

The U.S. Coast Guard reports IUU fishing violations identified through at-sea patrol to RFMOs, which alert the vessels flag state. On the high seas, vessels are subject to the laws of their flag state. The U.S. Coast Guard shares information about the vessels it identifies as having participated in IUU fishing to relevant U.S. federal agencies to inform IUU fishing vessel lists,⁴⁸ which may trigger port control measures, among other actions.⁴⁹

Experts consider high seas boarding and inspection of vessels to be effective approaches for fisheries law enforcement and for identifying vessels engaged in IUU fishing.⁵⁰ According to the U.S. Government Accountability Office (GAO), from 2016 through 2020, the U.S. Coast Guard boarded and inspected 227 fishing vessels on the high seas within the boundaries of RFMOs to which the United States is a party.⁵¹ During these inspections, the U.S. Coast Guard found 90 potential violations of RFMO fishery conservation and management measures.⁵² The information obtained by the U.S. Coast Guard through vessel boardings and inspections can inform U.S. diplomatic engagements with foreign nations. However, only a subset of RFMOs have high seas boarding and inspection measures. The Interagency Working Group on IUU Fishing identified the need for more RFMOs to adopt high seas boarding and inspection measures.⁵³ According to GAO, the U.S. Coast Guard, Department of State, and NOAA are working to promote the adoption of high seas boarding and inspection measures in all RFMOs to which the U.S. is a member.⁵⁴

U.S. Coast Guard Use of Vessel Tracking Data

The scale of the ocean environment enables some fishing fleets to conduct IUU fishing activity unnoticed and presents law enforcement challenges. The International Maritime Organization and other management bodies require large ships, including many commercial fishing vessels, to broadcast their position with an auto-

⁴⁶ U.S. Interagency Working Group on IUU Fishing, *National 5-Year Strategy for Combating Illegal, Unreported, and Unregulated Fishing: 2022–2026*, Report to Congress, October 2022, pp. 1–A3–1, and USCG, *Illegal, Unreported, and Unregulated Fishing Strategic Outlook Implementation Plan*, July 2021, pp. 1–29.

⁴⁷ According to NOAA, the United States is a member of nine multilateral RFMOs. NOAA, NMFS, “International and Regional Fisheries Management Organizations,” at <https://www.fisheries.noaa.gov/international-affairs/international-and-regional-fisheries-management-organizations>.

⁴⁸ Pursuant to its statutory requirements under the High Seas Driftnet Fishing Moratorium Protection Act, NMFS prepares a biennial report to Congress that includes a list of nations whose flagged vessels were identified for IUU fishing (16 U.S.C. §1826h).

⁴⁹ NOAA, “Frequent Questions: Implementing the Port State Measures Agreement,” at <https://www.fisheries.noaa.gov/enforcement/frequent-questions-implementing-port-state-measures-agreement>.

⁵⁰ For example, FAO, *High Seas Boarding and Inspection of Fishing Vessels: Discussion of Goals, Comparison of Existing Schemes and Draft Language*, September 2003, pp. 1–41.

⁵¹ U.S. Government Accountability Office (GAO), *Combating Illegal Fishing: Clear Authority Could Enhance U.S. Efforts to Partner with Other Nations at Sea*, GAO–22–104234, November 2021, p. 19.

⁵² *Ibid.*

⁵³ U.S. Interagency Working Group on IUU Fishing, *National 5-Year Strategy for Combating Illegal, Unreported, and Unregulated Fishing: 2022–2026*, Report to Congress, October 2022, p. 12.

⁵⁴ GAO, *Combating Illegal Fishing: Clear Authority Could Enhance U.S. Efforts to Partner with Other Nations at Sea*, GAO–22–104234, November 2021, p. 19.

matic identification system (AIS).⁵⁵ In addition to broadcasting the location of the vessel, AIS devices also broadcast information about the identity, course and speed of the vessel. Radio stations and satellites pick up this information, making vessels trackable even in the most remote areas of the ocean.

The U.S. Coast Guard analyzes vessel tracking data to identify movement patterns that may be indicative of IUU fishing activity.⁵⁶ Fishing vessels that “go dark” by ceasing to broadcast position information may suggest that these vessels are engaging in IUU fishing activities. Research conducted by NOAA, the University of Santa Cruz, and Global Fishing Watch found that vessels most often go dark while fishing next to EEZs with contested boundaries, fishing in EEZ with limited management oversight, and during the transfer of fish between fishing vessels and refrigerated cargo vessels.⁵⁷ The U.S. Coast Guard analyzes vessel tracking data to help guide at-sea patrol operations to target suspect vessels.

In its *IUU Fishing Strategic Outlook Implementation Plan*, the U.S. Coast Guard acknowledged that it will continue to advance and implement innovative technology to counter IUU fishing and to expand multilateral fisheries enforcement cooperation with partner nations.⁵⁸

U.S. Coast Guard Efforts to Build Capacity for Partner Nations

The U.S. Coast Guard works with partner nations to develop and maintain their own counter IUU fishing capacity, including the enforcement of their own fisheries conservation measures and the investigation and prosecution of their own fishing fleets suspected of IUU fishing. According to its *IUU Fishing Strategic Outlook Implementation Plan*, the U.S. Coast Guard aims to create regionally based international fisheries law enforcement symposiums for foreign partners, support expanded unclassified information sharing about illicit operations, and add counter-IUU fishing measures to existing bilateral agreements, among other initiatives to combat IUU fishing.⁵⁹

One strategy used by the U.S. Coast Guard to help foreign partners build capacity for counting IUU fishing is through shiprider agreements.⁶⁰ Shiprider agreements authorize a law enforcement official of one party to embark on a law enforcement vessel, or aircraft, of the other party and exercise certain authorities. U.S. shiprider agreements are designed to allow U.S. law enforcement officials, typically U.S. Coast Guard law enforcement officials, to assist partner nations in combating various illicit maritime activity, such as IUU fishing. In general, U.S. bilateral shiprider agreements allow maritime law enforcement officers of a partner nation to embark on vessels (and/or aircraft) of the U.S. government. The presence of a shiprider on board a U.S. government vessel allows the vessel to enforce the laws and regulations of the partner nation, including the boarding and inspection of suspect vessels, within the partner nation’s designated territorial sea or exclusive economic zone. Certain shiprider agreements also allow U.S. government vessels with embarked shipriders to pursue flag ships of the party on the high seas.

Not all U.S. bilateral shiprider agreements include counter-IUU fishing provisions. According to GAO, the United States has entered into 15 shiprider agreements that address IUU fishing.⁶¹ One priority of the Interagency Working Group on IUU Fishing is for the U.S. government to establish new bilateral shiprider agreements that have counter-IUU fishing provisions with countries located within priority regions and to add counter-IUU fishing provisions to existing shiprider agreements.⁶²

The U.S. Coast Guard also coordinates with the Department of Defense in their at-sea exercises. Some of these exercises may be designed to help partner nations

⁵⁵ Global Fishing Watch, “What Is AIS?,” at <https://globalfishingwatch.org/faqs/what-is-ais/>.

⁵⁶ GAO, *Combating Illegal Fishing: Clear Authority Could Enhance U.S. Efforts to Partner with Other Nations at Sea*, GAO-22-104234, November 2021, p. 17.

⁵⁷ NOAA, NMFS, “Learning More about “Dark” Fishing Vessels’ Activities at Sea,” November, 2, 2022, at <https://www.fisheries.noaa.gov/feature-story/learning-more-about-dark-fishing-vessels-activities-sea>.

⁵⁸ USCG, *Illegal, Unreported, and Unregulated Fishing Strategic Outlook Implementation Plan*, July 2021, pp. 26–27.

⁵⁹ USCG, *Illegal, Unreported, and Unregulated Fishing Strategic Outlook Implementation Plan*, July 2021, pp. 26–27.

⁶⁰ U.S. Interagency Working Group on IUU Fishing, *National 5-Year Strategy for Combating Illegal, Unreported, and Unregulated Fishing: 2022–2026*, Report to Congress, October 2022, p. 15.

⁶¹ GAO, *Combating Illegal Fishing: Clear Authority Could Enhance U.S. Efforts to Partner with Other Nations at Sea*, GAO-22-104234, November 2021, p. 13.

⁶² The Maritime Security and Fisheries Enforcement Act (P.L. 116–92) directs select federal officials to “exercise existing shiprider agreements and to enter into and implement new shiprider agreements” (16 U.S.C. §8013(b)(2)).

build maritime security capacity, including their capacity to address IUU fishing in their territorial waters and IUU fishing committed by their flagged vessels. For example, the U.S. Coast Guard and U.S. Africa Command collaborated to enhance partner nation maritime enforcement capabilities to counter IUU fishing and other issues.⁶³

In its FY2024 budget overview, the U.S. Coast Guard also identified it has operational priorities, including capacity-building partnerships, aimed at combating IUU fishing off the east and west coasts of South America, off the west coast of Africa, and in the Pacific.⁶⁴

CONCLUSION

This concludes my prepared remarks. Thank you for the opportunity to testify, and I welcome your questions. If additional research and analysis related to this issue would be helpful, my CRS colleagues and I stand ready to assist the committee.

Mr. WEBSTER OF FLORIDA. Thank you very much.

So, I now recognize myself, but I would like to say we just appreciate all of you coming back. I appreciate it. So, I will turn to questions of the panel, and I am going to be first. I will recognize myself for 5 minutes of questions.

So, Rear Admiral Burdian, in the last 2 fiscal years, the Coast Guard interdicted more than 12,000 migrants attempting to cross our maritime border, more than double the figure that crossed in 2021.

Can you explain the impact the increase in migrants has on overall law enforcement missions? For example, have other missions like drug interdiction had to scale back because of the increase in migrant interdictions?

Admiral BURDIAN. Thank you, Mr. Chairman.

As you mentioned, since February of 2021, the Coast Guard has seen historic levels of irregular maritime migration in the maritime approaches to the southeastern United States, as well as in the Mona Passage, which really connects the maritime routes to the Dominican Republic and Puerto Rico.

There has been an impact to other missions, from maritime patrol, aircraft coverage to the International Ice Patrol, to our ability to provide surface and air assets in support of the counterdrug mission in the Joint Interagency Task Force South area of responsibility. We remain at Operation Vigilant Sentry, phase 1 Bravo, which is the phase at which we operate to prevent a mass maritime migration, and that demands greater coordination among DHS partners. The Homeland Security Task Force Southeast is a DHS construct under Joint Task Force East and is how we share intelligence, coordinate operations, and create a force laydown to deter and prevent that mass migration, sir.

Mr. WEBSTER OF FLORIDA. So, in your estimation, are there particular policies that are driving the increase in migration?

Admiral BURDIAN. So, I think having been on the water and seeing face-to-face some of these individuals who have made what I imagine is a near impossible choice to take to the sea with one's

⁶³ For example, the U.S. Coast Guard and the Department of Defense collaborated with partner African nations to help them build maritime security capacity through the U.S. Africa Commands Africa Maritime Law Enforcement Partnership program. See, GAO, *Combating Illegal Fishing: Clear Authority Could Enhance U.S. Efforts to Partner with Other Nations at Sea*, GAO-22-104234, November 2021, p. 14.

⁶⁴ USCG, *Posture Statement: 2024 Budget Overview*, pp. 10-11.

family, I think the drivers of that kind of decisionmaking are complicated, sir.

What I can tell you is coastguardsmen every single day approach these missions as lifesaving operations, and they do so with humility and compassion. And there certainly are complex policy decisions to be made, but those remain outside of the Coast Guard, sir.

Mr. WEBSTER OF FLORIDA. Ms. MacLeod, to what extent does the Coast Guard's lack of sufficient assets hinder the ability to carry out the law enforcement missions?

Ms. MACLEOD. So, collectively, our work has shown that the Coast Guard has struggled with foresight in this area, managing towards a future that might look different than the past. They often have assets and people working on missions simultaneously, but the Coast Guard has not accurately distinguished the priority of its missions or resources or successfully identified how to assess tradeoffs among its many priorities. We think that data improvements could assist the Coast Guard in this area.

Mr. WEBSTER OF FLORIDA. So, is that why you can—I mean, the mitigations, those challenges have been so difficult is because it is so spread out, or what would you say?

Ms. MACLEOD. I think, without having the most foundational basic data information systems that support analysis of looking towards the various missions and resources that are being expended towards those missions, enabling the Coast Guard to prioritize among them is a major challenge, yes.

Mr. WEBSTER OF FLORIDA. Rear Admiral, would you like to respond to that question?

Admiral BURDIAN. Yes. Thank you.

I think the Coast Guard did establish an Office of Data and Analytics in 2022 so that we can get into the big data business, so that we can use past performance to be an indicator of future priority.

Likewise, I will say, you, sir, in your opening, mentioned resources. And I think to be the Coast Guard of the future by 2033, we would offer that we need to be a \$20 billion Coast Guard, to have 3 to 5 percent of sustained growth in our operating budget so that we can't just maintain the Coast Guard we have. Right? You all have been very generous, and we have been grateful for your support. But, as we look to the future, we really do need that 3 to 5 percent of sustained growth in our operating budget to build a Coast Guard of the future.

Mr. WEBSTER OF FLORIDA. Thank you.

Mr. Davenport, in your testimony, you noted the importance of leveraging technology. Can you discuss some of the ways that the Coast Guard can leverage their unmanned systems and other similar technologies to improve its execution of law enforcement missions?

Mr. DAVENPORT. Yes, sir. Thank you for the question.

I strongly believe that the Coast Guard could better leverage what unmanned systems could provide. The Coast Guard's manned assets spend arguably a large portion of their time searching and locating. With UAS, unmanned system technology, this could be relieved, and it would be more efficient. You may locate them quicker, but also, it would save all the time and effort in the search.

Mr. WEBSTER OF FLORIDA. OK. Thank you very much. I am out of time.

Mr. Carbajal, you are recognized for 5 minutes.

Mr. CARBAJAL. Thank you, Mr. Chair. You are the chairman. You are never out of time.

Thank you.

First, let me say to Admiral Burdian how I think the chairman and myself and everybody, we share our concern for the families and the Coast Guard personnel that were involved in the accident, the MH-60 accident that transpired when they were doing search and rescue in Alaska. And we wish them a speedy recovery, and our thoughts are with their families.

Secondly, I had the privilege of being with you at the JIATF South in the Florida Keys, along with the previous Commandant, and it is great to see you have risen even further in your career, and it is great for the Coast Guard, great for our country, that you are where you're at. So, I just wanted to recognize you for your leadership.

Ms. MacLeod, issuing over 17 reports between 2010 and now, GAO has been raising red flags about Coast Guard planning and resources for a while. Now that we are amid a serious workforce shortage, what should the Coast Guard be doing?

Ms. MACLEOD. Correct, we have issued numerous recommendations in these areas of strategic planning for the Coast Guard. And specifically in its workforce planning, I think that one area the Coast Guard could do better is a risk-based approach. For example, in our work on the marine inspection workforce and gas carrier examinations, we found that a risk-based approach to these examinations could better utilize the marine inspection workforce and provide some benefit in terms of resources for personnel going forward. So, that is just one suggestion we have.

And I will just say, in response to the numerous recommendations we have outstanding to the Coast Guard in these areas, we are consistently following up with the Coast Guard and working on these. Many of these recommendations we have made to them in the last 3 years, and we are seeing some progress, but as the Coast Guard faces workforce shortages like the other military services, addressing our recommendations will become even more important.

Mr. CARBAJAL. Thank you.

Admiral Burdian, the Coast Guard is nothing without its people. When stations and cutters are short-staffed, what does that mean for the Coasties? If the Coast Guard could appropriate \$500 million for infrastructure needs at the Coast Guard Academy and Cape May as well as for recruiting, how would that affect the shortfall?

Admiral BURDIAN. Thank you, Mr. Carbajal.

I will say to your first question, when units are short, what we do is drive risk down to the operational commander. What we say to our crews is, "Go ahead and do more with less, but be careful." The efforts we are undertaking now to temporarily realign our workforce really are in response to that known risk so that we can take an enterprisewide view with regard to how these existing personnel shortfalls impact our ability to execute the mission. And you have read and have been briefed by the teams that we really are

prioritizing lifesaving, Homeland Security, and preservation of the MTS.

With the addition of funds, as you know, in the 2024 President's budget and the unfunded priorities list, there are projects for both the Coast Guard Academy and Training Center Cape May, at Cape May to create the new training complex for recruits and at the Coast Guard Academy to make improvements to Chase Hall.

I think it is important just to acknowledge that all—like, 100 percent of our Active and Reserve Component, officer and enlisted, flow through those two accession points. And so, if we say we are going to invest in our people and we were provided those additional resources, that is where they would go.

I would also say, we would take the opportunity to expand our recruiting workforce. Coast Guard recruiters are excellent at what they do. And you know us well as our committee of primary jurisdiction, the Coast Guard sort of sells itself once we are in the room.

On average, Coast Guard recruiters recruit 12 people per year, and that is compared to our DoD counterparts that recruit about 9 folks per year. So, when we are in the space, when we have the recruiting team in place, I think we can be successful.

Mr. CARBAJAL. Thank you.

And, going to the right places to recruit is also very important if I should say.

Dr. Keating-Bitonti, I recently had the opportunity to see the Coast Guard's presence and partnership in Panama firsthand. There the Coast Guard is capacity building and conducting law enforcement.

What should Congress and the administration be doing to better leverage the Coast Guard's international status?

Ms. KEATING-BITONTI. I think to address IUU fishing broadly and especially building partner nations' capacity, it involves a whole-of-Government approach. There are resources that the Coast Guard could be using to encourage other countries to review the assets and technologies that they have available to address IUU fishing within their waters.

Mr. CARBAJAL. Thank you.

And, lastly, just to conclude real quick, Mr. Davenport, your testimony focuses on ways to enhance the Coast Guard's IUU and drug and migrant interdiction missions.

What can you say about the Coast Guard's resources, given the current workforce shortages combined with the increased migrant flow? What will happen to the percent of drugs interdicted if Congress does not increase appropriations?

Mr. DAVENPORT. I can only assume, if they do not have enough assets, that that would increase the flow. However, I think there are ways that they could increase interdiction by driving it down and working more with the partner nations and enabling them through the use of a very successful tool, which is law enforcement detachments combined with bilateral agreements.

And the other big one that I have seen over the years is the effect that international training has on the capability and capacity of partner nations and cooperative operations.

And the last point I would make is that what was most successful is approaching these problems from a regional standpoint and

not just one nation to one nation. The most successful ones have been when you do a regional effort.

Thank you.

Mr. CARBAJAL. Thank you.

I am out of time, Mr. Chair. I yield back.

Mr. WEBSTER OF FLORIDA. Mr. Babin, you are recognized for 5 minutes.

Dr. BABIN. Yes, sir. Thank you, Mr. Chairman.

Thank you all for being here, you witnesses.

As one of the cochairs of the House Border Security Caucus, I believe this hearing is vital. Thank you for being here.

Enforcing our maritime border security, disrupting international drug and human smuggling activities, and protecting American waters from illegal foreign fishing is all vital for our Nation, and I appreciate all of the work that the Coast Guard is doing in this space.

Admiral Burdian, the first question I would like to ask is, I represent part of the gulf coast in southeast Texas. Many folks in the shrimping industry have been feeling a lot of pain lately. In fact, they are having a problem keeping the lights on on their boats. Foreign shrimpers, however, are apparently having a heyday. They have been dumping shrimp into the American economy, driving prices down, and harming the livelihood of individuals in my district and several other districts that are surrounding me.

I understand that you are not responsible for trade policies, but I would like to know if you've seen an uptick in illegally harvested shrimp and if you are aware of the impact that it is having on American shrimpers.

Admiral BURDIAN. Thanks for the question, Mr. Babin.

We routinely patrol the maritime boundary line in the Gulf of Mexico to counter illegal fishing in the U.S. EEZ. I will say the majority of our work thus far has been with regard to snapper, primarily Mexican launches crossing the maritime boundary line. Though in advance of the hearing, I was made aware of this particular issue and will coordinate with our partners in NOAA who primarily oversee the imports to discuss with them, and we can get back to you on that, sir.

Dr. BABIN. Sure. That would be fine.

Admiral BURDIAN. Yes, sir.

Dr. BABIN. I have several other questions I would like to ask you. But that is an acute problem for our American shrimpers, and I would hope that the Coast Guard would at least be aware of that.

The entire country and, likely, the entire world, is paying attention to what is happening in our southwest border, and our open border policies have been received as an open invitation for millions, almost 10 million illegal immigrants, to simply show up, sign a few documents, download an app, and then be released into the interior of our country.

It is my belief that the White House and the administration is directly responsible for this situation at our southern border. The Secretary of Homeland Security has been complacent at best throughout the last few years, in my opinion, and completely failed in his duty to protect the Nation's interior, even saying our borders

are secure, he has operational control, when nothing could be further from the truth.

I am just curious whether the White House or anyone else in this administration, Homeland Security, DOT, Department of Defense, anyone else has ever pressured the Coast Guard on its migrant interdiction mission. What sort of conversations have you had with the administration officials on your migrant interdiction mission? And has the mission or the associated policies changed since January of 2021? Just quickly.

Admiral BURDIAN. Sir, we routinely have discussions with partners in interagency and policy discussions up the chain through DHS and with the White House with regard to maritime migration. Those discussions surround how best to support the Coast Guard in these lifesaving missions and what resources we need to continue to coordinate with our partners in the Department of Homeland Security and with international and interagency partners sort of in a vertically integrated Government.

Dr. BABIN. OK. All right. How much of an increase in trafficked fentanyl and fentanyl precursors have you seen? There are three precursors to fentanyl. I serve on the House Task Force to Combat Mexican Drug Cartels where we have been studying the cartel business plan and how they operate in the United States, how they make money, et cetera. The cartels' fentanyl is made up of a number of precursors that largely come from China.

Does your drug interdiction mission consider precursors as a priority either directly from Chinese sources or possibly smuggled through other foreign-flag vessels?

Admiral BURDIAN. Sir, those precursors are primarily moving, as I understand it, in containerized cargo into ports in other countries such as Mexico. We have worked with our partners in SEMAR and SEDATU to really build some capacity to understand governance in ports and get after that issue. We are not seeing finished fentanyl move in the maritime, with very, very minor exceptions, sir, but I will say that the cartels, whether it's Mexican cartels or cartels in Colombia, are operating agnostic to product.

And so, every kilo of cocaine the Coast Guard interdicts serves to undermine the profit motivation and undermine the financial resource of these transnational criminal actors and the violence and instability they sow in the region.

Dr. BABIN. And that is exactly what needs to happen. We have to bust up their profit motive and their business model.

Thank you very much.

And I yield back, Mr. Chairman.

Mr. WEBSTER OF FLORIDA. Mr. Garamendi, you are recognized for 5 minutes.

Mr. GARAMENDI. Thank you, Mr. Chairman.

A couple of quick questions, mundane perhaps, but all politics are local.

So, when the Coast Guard decides to move the Military Ocean Terminal Concord, MOTCO, the escort and patrol for the ships that are coming and going, carrying the munitions, why did you move from Vallejo, in my district, directly across the river of MOTCO, to San Francisco? And the impact that that has on the salary structures: interesting. I will let it just hang out there. I would like to

hear from you about the salary structures as a result of that move from my district to San Francisco, and she is no longer Speaker.

And you also discussed the issue of tracking, monitoring, finding out what is going on out there. And, Mr. Davenport, you raised the issue of unmanned vessels observation. Have you gone beyond just those that are at sea to those that are in the air and those that might be available through various commercial satellite operations and organizations?

Mr. DAVENPORT. Thank you.

Actually, there has not been much exploration in space, but I will say that I lead a project for the Coast Guard. It is called Evergreen. It is looking into the future. And space is one of the focal areas that we will be focusing on in the next 3 years.

Mr. GARAMENDI. I would highly suggest you do. There are commercial operations that are ever increasing with various satellite technologies that can provide almost daily a view of the entire world and might be available to deal with this issue of identifying where the problem might be, illegal fishing, contraband of all kinds.

So, I would like to hear from you about that. And, Admiral, if you will pay attention to that also. You are welcome to comment, Admiral, if you would like to about—you might want to pick up the issue of the University of California San Diego and the laboratory that exists out there with Scripps working with the Coast Guard on these unmanned vessels.

Admiral BURDIAN. Yes, sir. We are in the midst of a contract using unmanned surface vessels right now and trying to understand how they can help us with domain awareness in multiple mission sets, but primarily in maritime migrant interdiction. And I will say that the Deputy Commandant for Operations just last year released a strategy on unmanned systems, and my partners in the Acquisition and Capabilities Directorate at headquarters are actively working to accelerate how we get into that space in earnest.

Mr. GARAMENDI. Thank you.

It may very well be that we will have to move very rapidly on these unmanned systems because our new manned systems seem to be way behind schedule. I suppose if we would beat this drum enough, we might actually be able to bend some steel and get some ships out to sea. So, that is an ongoing issue I am sure this committee will be dealing with and having to do with the Offshore Patrol Cutters and, of course, some day, maybe—oh, no. We are never going to have an Arctic icebreaker. Hopeful.

Finally, about your budget, about recruiting and all that goes with it, it comes back to the Congress, and that is, do you have an adequate budget to hire the people that you need for the ships? Apparently the indication from Ms. MacLeod is that you don't. Would you care to opine on this for 1 minute or less, Admiral?

Admiral BURDIAN. Sir, I know that Congress is in the position of making tough choices about where to apply appropriated dollars. And we, likewise, as the executive, are in the tough—in the business of making tough choices about sometimes having to find economy. So, certainly with additional resources, we absolutely would invest in the accession points where all of our recruits and officer

candidates enroll into the Coast Guard, embrace our core values, and create the values and activities as leaders that are the key component of our efforts to retain the best workforce.

Mr. GARAMENDI. If I might interrupt in my last 20 seconds, we are going to spend a lot of time here, this week and perhaps later, dealing with the Secretary of Homeland Security. I would suggest our time might be better spent providing an adequate appropriation for that Department as well as for the Coast Guard.

And, with that, I yield back.

Mr. WEBSTER OF FLORIDA. Mr. Graves is recognized for 5 minutes.

Mr. GRAVES OF LOUISIANA. Thank you, Mr. Chairman.

First, I want to thank you very much. I think you were awakened months ago at 1 or 2 o'clock in the morning to help out with a search-and-rescue mission for one of our constituents, and I just want to thank you very much for going above and beyond in all of your help in helping out with one our constituent families. I know you know the awful outcome of that situation. But your assistance—we are very grateful for that, as is the family of Cameron Robbins. So, I just want to say thank you.

Secondly, I want to congratulate you, a little bit late, but on the promotion. Certainly, I have watched your career blossom over the years, and congratulations.

Admiral, one of the largest obstacles we have in IUU is being able to identify the illegal fisheries that ends up being commingled in with other perhaps legal fish and then put onto global markets and ultimately to consumers' plates. What has the Coast Guard learned from its participation in the Maritime SAFE Interagency Working Group to help inform us what else we could be doing, what other tools or authorizations we could be giving the Coast Guard to help to decipher or to weed out some of the illegally caught fisheries that we know China and other countries are currently fishing?

I believe one in every five fish right now is IUU fisheries. I need to give a shout out to my friend Jared Huffman, which I rarely do, but I want to take this opportunity because he and I did work—[to Rep. Huffman] well, it's only when you do good things, which has been fewer and further between lately.

But, seriously, I want to thank my friend, Jared Huffman, for the work that we did on a bipartisan basis in the NDAA to help improve IUU enforcement actions. But if you could respond to the question on additional tools and authorizations.

Admiral BURDIAN. Thank you, Mr. Graves. It is good to be here in this capacity. I feel proud to sit before the committee given my history in the room here. I think the M-SAFE's Interagency Working Group, the power is in our ability to layer authorities and really drive outcomes and to build capacity in particular in the five priority flag states. There was an interagency team in Senegal just last week, working with that country to really understand what they need to create a legal framework to elevate their ability to conduct enforcement in the Gulf of Guinea and really drive towards solutions for those artisanal fishers who rely so much on successful fisheries for their livelihood. So, not at a national level but really at a local level there.

And what we have been able to do in the work group, as I mention, is layer our authorities. So, in the case of vessels that refused Coast Guard boarding in the Eastern Pacific in August of 2022, working with partners in Treasury, in State, and throughout the interagency, those were Chinese—the beneficial ownership was to accompany PRC; they were Panamanian flagged. And, after those incidents occurred, Panama actually deflagged 31 vessels belonging to that same company. Those are real, tangible, articulable outcomes that are only achieved when we do work together in an interagency and take the issue from detection to outcome.

We are not going to interdict or inspect our way out of the IUU fishing challenge globally. So, it really does take a focused effort synchronized in the interagency, alongside international partners with the support of nongovernmental organizations, which is what M-SAFE is doing.

And, to your question, sir, we are in year 3 of 5 of M-SAFE. So, as you consider whether to reauthorize that particular work group and whether to fund it so that this isn't a collateral duty; we work hard to push other issues aside and focus in this space so that we can assign individuals to focus primarily on this challenge globally.

Mr. GRAVES OF LOUISIANA. Thank you. In regard to the specific provision we worked on with Congressman Huffman, it was about capacity building within DoD. Is that a tool that the Coast Guard needs as well? Or I know you mentioned doing some work with Senegal, for example. Is that an authorization or capacity that the Coast Guard needs?

Admiral BURDIAN. Sir, I think we feel like we have the authority, in particular, using State's authority to build capacity, where we get those requests. Coast Guard crews have been in [inaudible], Senegal, Vietnam, Panama, Ecuador, Costa Rica. We really have deployed globally to understand the needs of our partners and apply resources to help elevate the capacity so that we are operating with our international partners on that level playing field.

Mr. GRAVES OF LOUISIANA. Thank you. I yield back.

Dr. BABIN [presiding]. The gentleman yields back.

I would like to recognize the gentleman from Massachusetts, Mr. Auchincloss.

Mr. AUCHINCLOSS. Thank you, Chairman.

Good afternoon, Admiral Burdian, thank for being here. The Coast Guard is facing a 3,000-person workforce shortage, which will impact stations in Massachusetts, including Scituate, Boston, and Cape Cod. How will the shortage impact the Coast Guard's ability to conduct its missions? In Massachusetts, in particular, I know you spoke previously broadly about how you devolve operational risk to the commanders. Can you speak to the Northeast, and Massachusetts, in particular?

Admiral BURDIAN. Yes, sir. Good afternoon. Those targeted temporary reductions were made given the geographical layout of those particular boat stations and our standards for search and rescue, which is our priority during this time.

I will say I sort of owned the performance side of that as my primary duty and have directed the offices of search and rescue to continue to monitor the performance of search and rescue in locations where there has been an impact due to the personnel short-

age to make sure that we are achieving the level of service the American public expects.

Mr. AUCHINCLOSS. We don't have enough personnel. There are effects happening to the stations. There is going to be a diminution in service. So, what are the tradeoffs that you are making? What are the tradeoffs that are you issuing to the commanders at those stations that they are not going to do?

Admiral BURDIAN. Well, I think you've been briefed on what the reductions are. Whether it is a forward operating location or there will be a unit with scheduled missions only or seasonal stations, we're ceasing to operate on the western rivers—

Mr. AUCHINCLOSS [interrupting]. Yes, I mean, they are activities, but I am talking about outcomes. What is the diminution in outcomes and performance that the American public can expect because of this personnel shortfall?

Admiral BURDIAN. So, the reductions were targeted given our existing policy toward performance, toward outcomes. And I can provide you more details on that—

Mr. AUCHINCLOSS [interrupting]. I—

Admiral BURDIAN [interposing]. OK.

Mr. AUCHINCLOSS. That is not what I am asking. You clearly have a personnel target because you need that number of personnel to execute your 11-part mission. If you don't have enough personnel, unless you are overstaffed—I don't think anyone here is claiming that you are—then there is going to be a reduction in that inability to execute that mission. So, just clearly state what are the tradeoffs that you are making across that 11-part mission as it affects Massachusetts.

Admiral BURDIAN. Sure. Absolutely. Right, like we will conduct fewer law enforcement boardings per se if there is—right, like, we have limits on the amount of time an individual boat driver can spend operating. Once those limits are reached, because that individual crew is conducting a search and rescue case, it will be unavailable for other missions.

Mr. AUCHINCLOSS. So, you are prioritizing search and rescue, search and recovery, but there is going to be a degradation in law enforcement in the three maritime law enforcement missions.

Admiral BURDIAN. There could be. Sir, it is difficult without knowing what that search and rescue load will be. This is a demand-driven operation.

Mr. AUCHINCLOSS. I understand, you can't predict it. But, overall, you know the trend lines for search and rescue demand in the greater Boston area. So, of those three maritime missions, fisheries, migrant interdiction, and drug interdiction, which of those three are likely to be the biggest challenge for the Northeast because of the reduction in law enforcement?

Admiral BURDIAN. Well, certainly, in the law enforcement space, it will be fisheries that are important. We don't do an awful lot of the drug or migrant interdiction in the Northeast, as you know, sir.

But I can tell you that our operational commanders are empowered to make those tradeoffs at given—

Mr. AUCHINCLOSS [interrupting]. I know you are going to do your best with the resources that you have. It is not a question of your response. It's just the reality is that you don't have enough people.

And so, it is important just to articulate the tradeoffs so that we here on the panel, but also my constituents, can understand the imperative of the Coast Guard mission and why it is important that we support you as you recruit.

Admiral BURDIAN. Yes, sir.

Mr. AUCHINCLOSS. Ms. MacLeod, how would you evaluate the Coast Guard's recruitment? What might they do to improve it?

Ms. MACLEOD. We have seen in our various studies of the Coast Guard workforce that the Coast Guard has a culture of making do. They also have a process to assess their workforce and manpower determinations. And this is an area where we do have outstanding recommendations to the Coast Guard that they do these assessments.

Mr. AUCHINCLOSS. You have 40 seconds. What is the one big thing they can do better on recruitment?

Ms. MACLEOD. Know the positions that they are trying to fill.

Mr. AUCHINCLOSS. I don't understand. I am a former marine. When we got recruited, we didn't know our MOS. What do you mean by that? Say more.

Ms. MACLEOD. Without having a strategy or a plan of how many people and what missions they should be doing, I don't know how you can make a recruitment pitch.

Mr. AUCHINCLOSS. OK. So, better planning around MOS shortfalls and how to back plan.

Ms. MACLEOD. Indeed.

Mr. AUCHINCLOSS. All right. I yield back, Mr. Chairman.

Dr. BABIN. Thank you. The gentleman yields back.

I would like to recognize the gentlelady from Michigan, Ms. Scholten.

Ms. SCHOLTEN. Thank you, Mr. Chair, and thank you so much to our witnesses for taking the time to be here today and your informative testimony.

As the vice ranking member on the Coast Guard and Maritime Transportation Subcommittee, I was fortunate enough in August to join a congressional delegation to Panama with the Coast Guard to learn more about the Coast Guard's key law enforcement missions. As you know, the Coast Guard is uniquely positioned to perform drug, migrant, and IUU interdictions. Intercepting illicit drug shipments is an essential part of combating addiction and maintaining public health and national security. As your testimony here today has shown, we know you share my concern over a potential Government shutdown in just 3 days and what that would mean to our enforcement efforts.

Rear Admiral Burdian, we have previously heard how a shutdown will harm our servicemembers, the heart of the Coast Guard. But how would a Government shutdown impact the Coast Guard's key operations, particularly drug, migrant, and IUU interdictions?

Admiral BURDIAN. Congresswoman, first, thank you for taking time to visit with the Coast Guard and understand our mission space. We would continue to conduct lifesaving missions. We would continue to keep assets on patrol. There would be certain operations that we would not conduct during a shutdown.

But I will say the most profound impact is to our people, to the individuals conducting that critical work. I was chief of response in

Seattle during the last Government shutdown, and my spouse at the time was in command of a ship that was deployed to the South Pacific. And so, kind of keeping your head in the game is a real challenge when you have young people who don't know how they are going to put food on their table and make ends meet. So, if we look at the range of missions the Coast Guard conducts and the relative risk in those mission spaces, we often operate very close to the edge of the operating envelope of the assets that we crew.

What I want as a leader and an operator is for our crews to be able to focus on risk and the mission at hand.

Ms. SCHOLTEN. Thank you. And you may well be aware, in April, Representative González-Colón and I reintroduced H.R. 2693, the bipartisan Pay Our Coast Guard Parity Act of 2023. This bill would ensure that, if servicemembers in other branches of the military are paid, even in a Government shutdown, so will our Coast Guard members. They deserve nothing less. This bill is essential to ensure that Coasties may continue to perform these critical law enforcement missions without fear of losing their homes, feeding their families, or risking their livelihoods.

Can you talk a little bit more indepth just specifically about the impact of a shutdown, fearing where the income may be coming from, has on retention and recruitment and the overall morale of our Coasties.

Admiral BURDIAN. Yes, ma'am. I think what we don't want is to be at our crewmembers' dinner tables, when crewmembers are arguing at dinner tables about finances because they are not receiving their paycheck as coastguardsmen and then are going out to conduct dangerous missions. We say that service is a sacrifice. And it's true, but it's not just a servicemember who sacrifices. I can tell you that you my children have missed, with either parent, multiple holidays, birthdays, significant events. It really—it's a worthwhile tradeoff. But the more junior the person, the more challenging it is, given the fact that—most Coast Guard personnel are not—they don't live in a place that is co-located with a large military base. So, we are on the economy for housing. And it is having to have discussions with landlords and creditors. It is demoralizing. It is difficult, again, to keep your head in the game.

Ms. SCHOLTEN. Thank you for that. Thank you for your service, and thank you for your sacrifice.

With that, I yield back.

Dr. BABIN. The gentlelady yields back.

I would like to recognize the gentleman from California, Mr. Huffman.

Mr. HUFFMAN. Thank you, Mr. Chairman.

And I want to thank my colleague from Louisiana who earlier brought up our collaborative efforts on this subject, very troubling subject of IUU fishing.

Thanks to those on the panel who testified about this, and we could spend an entire hearing, of course, on this subject. I hope we actually will. I hope a few other committees will do the same because we now know a lot more about this because of the recent bombshell report the Outlaw Ocean Project detailed in The New Yorker, and it reveals a profoundly troubling reality. We have seafood processed by Uyghur forced labor in China, a lot of it, that has

infiltrated U.S. supply chains. It is a distressing revelation. We know that IUU fishing is a sobering environmental problem. It is a fishing industry problem. My colleague from Texas talked about how unfair it is to the gulf shrimp fleet in his district. And it is the same effect on U.S. fishers all over the country who hold themselves to a high standard and have to compete with this terrible illegal, unreported, and unregulated black market.

But it is also a huge human rights crisis that is seeping through our borders. And this Outlaw Ocean Project links 47,000 metric tons of imported seafood, including cod, pollock, shrimp, and more, to Uyghur forced labor facilities, and that's coming into our market. Major U.S. retailers and food service companies are implicated, and that includes Costco, Kroger, Sysco, and others. The scale of this issue just paints a dire picture of how complicit we are in these systemic failures to ensure an ethical supply chain.

Our Government unknowingly spent over \$200 million over the last 5 years on seafood that has been tied to Uyghur forced labor for public food programs here in this country. This is staggering. It should be a wakeup call. This problem is huge. We are deeply complicit as consumers and, frankly, as the United States Federal Government. And we are allowing this to happen because of the failures of oversight, the lack of enforcement, and the unwitting participation even of our own Government programs. So, all of this, I think, demands our immediate attention and a much stronger collective commitment to seriously confronting this scourge. Given what we have known for years, we should have been doing this all along. But certainly what we know now should be an outrage to everyone.

Now, some of us have been sounding the alarm for several years. And, just in the last few weeks since the new report dropped, Ranking Member Grijalva and I have sent two letters, one to Customs and Border Protection and the other to the Department of Commerce and NOAA. We are calling on the administration to address this with a whole-of-Government approach.

And, Rear Admiral Burdian, thank you for referencing your belief that we need a whole-of-Government approach. Certainly, any step back by any part of our Government on this issue right now would be deeply troubling, such as what NOAA unfortunately is doing today. They are announcing that they are delaying a rule-making that would strengthen the SIMP program and implement IUU provisions that Congressman Graves and I helped to get into the NDAA. This is a huge mistake. We are going in the wrong direction at the worst possible time. This is not just a fishing industry problem. Forced labor and illegal fishing are inseparable. They go together. And it is not just about land versus water, ship decks versus processing plants. Every part of our supply chain is touched by this problem.

So, Rear Admiral Burdian, I just want to ask you about some of the limitations of authority that you are probably grappling with. Is it correct that the Coast Guard's authority to enforce illegalities tied to IUU fishing only extends to activities that happen at sea?

Admiral BURDIAN. Yes, sir, it is.

Mr. HUFFMAN. And is it also true that the Coast Guard is limited in its ability to enforce forced labor policies like those identified in

the Uyghur Forced Labor Prevention Act and the Countering America's Adversaries Through Sanctions Act?

Admiral BURDIAN. Sir, our crews are trained to identify signs of human trafficking and forced labor. But, as you stated, that is not within our enforcement authority.

Mr. HUFFMAN. Yes, and thank you also for—I just want to agree with you when you say that you feel like we need more interagency coordination to tackle this.

In the few seconds I have left, I will just ask our witness from the GAO. This seems like a problem that we need some GAO guidance on. Would you agree that a study that looks at agencies pointing at each other, jurisdictional confusion, and limitations would be of great value if the GAO would be willing to undertake it?

Ms. MACLEOD. I would agree with that. And I would point you also to our May 2023 report, if you are not familiar with it, where we emphasize that better information sharing between CBP and the National Marine Fisheries Service could lead to better targeting and investigation.

Mr. HUFFMAN. Thank you very much. Thank you, Mr. Chair, I yield back.

Dr. BABIN. Yes, sir, thank you, and I appreciate the line of questioning about the fishing. I think this concludes all the questions that we have. Is there anyone else that—I don't think there has been anyone coming into the room that hasn't had an opportunity to ask questions.

Seeing none, this concludes our hearing for today. I would like to thank each and every one of you witnesses for being here today.

And, with that, this subcommittee stands adjourned.

[Whereupon, at 12:16 p.m., the subcommittee was adjourned.]

APPENDIX

QUESTIONS TO REAR ADMIRAL JO-ANN F. BURDIAN, ASSISTANT COMMANDANT FOR RESPONSE POLICY (CG-5R), U.S. COAST GUARD, FROM HON. MIKE EZELL

Question 1. The Coast Guard published an Unmanned Systems Strategic Plan in March, including a strategic goal of identifying capability gaps that could be closed using unmanned systems.

What progress is the Coast Guard making toward this goal? Can you discuss specific examples?

ANSWER. The Coast Guard continuously evaluates its mission needs and the capabilities needed to fulfill them. This strategic goal has triggered the assessment of unmanned systems across multiple domains (e.g., aviation, surface, subsurface) to evaluate their ability to fill capability gaps.

Several ongoing mission and capability development efforts are currently including the use of Unmanned Systems to fill gaps. First, as existing platforms reach the end of their service life, the Coast Guard is evaluating options to employ unmanned systems to maintain those operational capabilities. Options include extending and expanding the use of cutter-based unmanned aircraft systems and employing long-range unmanned aircraft systems in place of manned fixed wing assets in the future.

The Joint Persistent Wide Area Maritime Surveillance Capability Analysis Report developed in collaboration between the Coast Guard, Customs and Border Protection, and Immigration and Customs Enforcement identified new gaps in surveillance and detection within the US EEZ. All three components are collaborating to develop concepts of operation and asset operational requirements to close those gaps using a mix of manned and unmanned systems for coastal surveillance and detection.

Question 2. Another goal is to spur innovation through testing small, learning, and scaling smart. When it comes to integrating new technologies, the challenge is not just in identifying and testing them. There is also a need to either incorporate those capabilities directly into the budget process or ensure that enough funding is available with enough flexibility to quickly deploy them at scale.

Question 2.a. From a funding standpoint, how will the Coast Guard be able to quickly scale the deployment of proven unmanned systems?

ANSWER. The Coast Guard has already awarded small-scale, limited duration contracts to deploy unmanned systems and enabling technologies in support of ongoing operations. These deployments often leverage innovative contractor-owned/contractor-operated (COCO) unmanned systems which can provide operational data-as-a-service quickly without the time and investments needed for more traditional material acquisitions.

These small-scale COCO contracts have been and can continue to be funded with existing operations and support funding to quickly fill operational gaps within the current budget process. Further, these COCO deployments avoid the timely and costly acquisition and ownership costs of hardware systems, lifecycle maintenance, and logistics. These deployments have already yielded lessons learned through real-world use for current missions.

One example is Coast Guard contracts to deploy unmanned surface vehicles (USVs) to directly support operations. Saildrone was awarded a contract to provide surveillance and detection data directly to Coast Guard operators while maintaining ownership and operating the USVs throughout a four-month deployment in the Caribbean Sea. This contract allowed rapid capability deployment, evaluation of these USVs for Coast Guard missions, and development of potential operational concepts for their deployment in conjunction with manned boats, ships, and aircraft on a broader scale in the future.

Meanwhile the Coast Guard has leveraged Small Business Innovation Research (SBIR) contracts and is developing guidance on how best to employ the other transactional authorities (OTAs) granted in the National Defense Authorization Act (NDAA) for FY 2023. Employment of these vehicles allow more rapid procurement and acquisition of innovative technologies including unmanned systems and other technologies that support the use of unmanned systems (e.g., sensors, communications networks, and data systems).

The Coast Guard will continue to pursue COCO contracts and innovative contracting vehicles in the near term to enable experimentation and learning about these systems and technologies and determine which may be appropriate for future acquisition and ownership. When those capabilities that are most effective and affordable are determined, future funding sources will be evaluated during the annual budget process.

Question 2.b. Additionally, another important strategic goal is to “build and sustain partnerships across DHS, DoD, and other stakeholders to leverage parallel efforts.” How is the Coast Guard pursuing that goal? Are there specific examples you can reference?

ANSWER. The Coast Guard is working closely with U.S. Department of Homeland Security (DHS), U.S. Department of Defense (DoD), and Other Government Agencies (OGA) to deploy, test, evaluate, and share lessons learned on new unmanned capabilities and supporting systems.

The Coast Guard leverages DHS initiatives for purchase and coordination of unmanned systems advancements. First, the Coast Guard leverages the DHS-wide Blanket Purchase Agreement for procurement of small unmanned aircraft systems (sUAS) that are NDAA approved (BLUE UAS). Second, the Coast Guard’s current program for sUAS collaborates with U.S. Customs and Border Protection (CBP) and shares information on training best practices, cooperative curriculum development, training facility site visits, and information sharing regarding security control mechanisms. Similar cyber discussions are held with other DHS components as part of a bimonthly department-wide sUAS Cyber roundtable. Finally, the Coast Guard is also part of a Joint Program Office (JPO) with CBP Air and Marine Operations (CBP AMO). The JPO has responsibility for the development of joint capabilities and coordination of policies and operations to maximize the utility of individual agency assets across present and future DHS UASs. The JPO is responsible for management and employment of common UAS for CBP AMO and the Coast Guard and provides synergies between the two organizations.

The Coast Guard has engaged heavily with DoD units including the U.S. Navy (NAVAIR), U.S. Air Force (AFSOC), and the Defense Innovation Unit (DIU) on sUAS to include obtaining cybersecurity “Authorization to Operate” (ATO) and collaborating on creation of a new policy manual for BLUE UAS specific-cybersecurity protocols. The Coast Guard also collaborates with DoD in receiving airspace authorization from the Federal Aviation Administration (FAA) and use of UAS in the National Airspace System for Coast Guard missions involving the use of long range UAS like the MQ-9. Specifically, the Coast Guard has successfully worked with NORTHCOM and the North Dakota and Michigan Air National Guards to support search and rescue operations with DoD UAS and continues to expand joint operations with more DoD units and in additional geographical locations, including the Indo-Pacific. Further, the Coast Guard coordinated with US Navy Task Force 59 (TF-59) in Bahrain to learn from their deployment of unmanned systems and testing of UAS operations from Coast Guard cutters supporting US Navy Fifth Fleet. Similar collaboration and interservice UAS operations are ongoing with the US Navy’s Fourth Fleet in the SOUTHCOM area of responsibility.

Finally, the Coast Guard is engaged with other government agencies. For example, the Service is collaborating with NOAA to support mission-based testing of UAS platforms for oil spill response, train NOAA members for interagency knowledge sharing/awareness, and use NOAA facilities for Coast Guard UAS qualification courses. Additionally, the Coast Guard has implemented protocols created by the National Institute of Standards and Technology, collaborated with the Environmental Protection Agency regarding UAS program management best practices, and worked extensively with the FAA to implement training on emergency Special Government Interest approvals for safely and legally operating UAS within controlled airspace for emergency response.

Question 3. While most of the focus on the Coast Guard’s IUU enforcement has been on high-seas—there is a very serious problem of IUU fishing in the Gulf of Mexico. There have been countless illegal incursions into our EEZ by small Mexican fishing boats targeting shrimp and red snapper.

These illegally caught fish are then finding their way into the U.S. market where they are competing unfairly and illegally with product from our domestic fisherman. On top of this, they are severely undermining the fishery management regime for which US shrimp and red snapper fisheries will be held accountable.

Given the Coast Guard's presence in the Gulf of Mexico, why has there not been a significant decline in these incursions?

ANSWER. While the Coast Guard routinely interdicts Mexican vessels illegally fishing in the U.S. EEZ, the fishermen are repatriated to Mexico. Akin to U.S. law, Mexican law only allows the issuance of civil penalties for these offenses, which have not significantly deterred the illegal activity.

Question 4. Recent reports have shown some Mexican Nationals have been interdicted up to 40 times in our EEZ. Currently there are no laws in place to deter this behavior.

What are the consequences once a Mexican fishing vessel is caught illegally fishing in our EEZ?

ANSWER. The U.S. government seizes the catch, gear, and vessel, and CBP repatriates the violator to Mexico. After developing case packages documenting the incursion, those case packages are transmitted through the State Department to the Mexican government to afford Mexico the opportunity to hold their citizens accountable under their own laws. According to Article 73 of the United Nations Convention on the Law of the Sea, which the U.S. has not ratified but accepts as international law, a foreign national's punishment for illegal fishing cannot include imprisonment, despite significant recidivist behavior. U.S. law and Mexican law only allow for civil penalties. The United States is actively working with Mexico to see if there are other operational or legal mechanisms that could be used to prevent multiple instances of recidivism or incursions.

QUESTIONS TO REAR ADMIRAL JO-ANN F. BURDIAN, ASSISTANT COMMANDANT FOR RESPONSE POLICY (CG-5R), U.S. COAST GUARD, FROM HON. JARED HUFFMAN

Coast Guard inspections and forced labor

Rear Admiral Burdian, thank you for co-chairing the US Interagency Working Group on IUU Fishing. Illegal, unreported, and unregulated (IUU) fishing is depleting our oceans of fish, damaging marine ecosystems, and enabling widespread human rights abuses and forced labor on fishing vessels around the world. As stated in the Coast Guard's IUU strategy, your agency is "Leveraging existing resources, enforcement tools, and legal authorities to coordinate efforts alongside partner nations to combat IUU fishing and associated illegal trade, including weapons, drugs, and human trafficking ...". I have several questions regarding human trafficking and forced labor:

Question 1. When Coast Guard officers board vessels to inspect them, and fishers on the vessels give notes to the officers requesting assistance, what are Coast Guard officers instructed to do in response to these requests for assistance?

ANSWER. Coast Guard boarding officers are instructed to pass the information via their chain of command and facilitate a conversation through the Global Maritime Operational Threat Response Coordination Center to inform the interagency and coordinate further action among interagency partners.

Question 2. When the Coast Guard conducts inspections for safety and seaworthiness, is the Coast Guard also assessing the vessel conditions for red flags for forced labor?

ANSWER. If Coast Guard boarding officers observe indications of forced labor, they are instructed to pass the information via their chain of command and facilitate a conversation through the Global Maritime Operational Threat Response Coordination Center to inform the interagency and coordinate further action.

Question 3. Has the Coast Guard ever found forced labor on a vessel under inspection? What was the result? Has the Coast Guard ever reported a forced labor case to another agency for prosecution/investigation?

ANSWER. The Coast Guard has not encountered a case of forced labor while conducting high seas boardings and inspections. Structurally, there is not a protocol in place to report cases of forced labor, but the Coast Guard is currently working with the Department of Labor's Bureau of International Labor Affairs to include such a mechanism in the Global Maritime Operational Threat Response system.

Question 4. Are Coast Guard officers trained on identifying forced labor aboard vessels that they inspect? Is this part of the curriculum at the Coast Guard Academy?

ANSWER. Prior to a counter IUU fishing patrol, Coast Guard units will conduct specific training, which includes training on indicators of forced labor. Forced labor identification is not a standard part of the curriculum taught to Officers at the Coast Guard Academy. However, we are collaborating with the Department of Labor's Bureau of International Labor Affairs on a forced labor training, and have received the International Labor Organization Handbook on Identifying Forced Labor in Fishing. The Maritime Safe Act calls for strong interagency collaboration drawing on respective agencies' expertise including that of the U.S. Department of Labor.

Question 5. Advocates have suggested that one method to keep fishers safe on vessels would be to mandate access to WiFi, allowing the fishers to communicate with shore. What is your view of this proposal to prevent forced labor? And, as a policy matter, how could this be added to the requirements for vessels entering U.S. waters?

ANSWER. The Coast Guard has not taken a position regarding mandated access to WiFi onboard fishing vessels. Such a requirement would require further study and necessitate new regulations.

Importance of Automatic Information Systems (AIS) for transparency at sea

Question 1. Rear Admiral Burdian, as you know, Automatic Information System (AIS) is a vessel tracking system that transmits a vessel's location, behavior, and identity. This technology was developed to reduce vessel collisions, increase maritime safety, and provide greater awareness of vessel locations at sea, improving domain awareness. AIS transponders are relatively inexpensive for vessel owners to purchase. Vessel operators can turn off their AIS transponders, but that in itself is a suspicious act that can draw attention to the vessel's activities.

Would greater use of AIS by fishing vessels around the world assist the Coast Guard with effective law enforcement regarding IUU fishing in your partnerships in the Pacific and around the world?

ANSWER. Automatic Information System (AIS) is a valuable Maritime Domain Awareness (MDA) tool in combating IUU fishing; data from the system is monitored and analyzed by Coast Guard intelligence units to inform operational planning. Increased AIS usage and the legal requirement of compliance with the International Convention for the Safety of Life at Sea, Chapter V, Regulation 19.2 across the international community would provide intelligence units with more information to better identify potential IUU fishing. However, as a tool designed primarily to aid in safe navigation, the susceptibility of AIS information to spoofing or other forms of manipulation limit its reliability as a stand-alone MDA tool for enforcement operations.

IUU in the Gulf of Guinea

Question 1. The Maritime SAFE Act required a National 5-Year Strategy to Combat IUU fishing. The new strategy identifies three strategic objectives: 1) Promote sustainable fisheries governance; 2) Enhance monitoring, control, and surveillance of marine fishing operations; and 3) Ensure only legal, sustainable, and responsibly harvested seafood enters trade. It also identifies "Priority Regions" for counter-IUU fishing programming, including the Gulf of Guinea.

The Gulf of Guinea was identified because it has a high risk for IUU fishing activity; there is entry of illegally caught seafood into its markets; and the countries lack the capacity to fully address the illegal activity. There has also been a significant increase of PRC fishing, and PRC investment in fish meal plants and fish bases in the Gulf of Guinea. All of these operations are depleting fish stocks, undermining the local fishing economies and harming sustainable fisheries management, leading to incidents of civil unrest due to food, environmental and economic insecurity. Further there is an uptick of young men and families getting on small boats to migrate to Europe.

Question 1.a. Is the Coast Guard undertaking activities to expand and support capacity building activities with Gulf of Guinea partner nations?

ANSWER. The Coast Guard employs the full scope of available security cooperation activities within its own resource limitations and authorities so that nations within this critical region may exercise their sovereignty over their own exclusive economic zones (EEZ), with a particular emphasis on support for countering IUU fishing. Current capacity building efforts include: formal resident and mobile training; capability and capacity assessments; joint exercises; subject matter expert exchanges; and senior level key leader engagements. In collaboration with the U. S. Navy, the Coast Guard established the African Maritime Law Enforcement Partnership pro-

gram in 2008, to build the maritime response capacity of African partner nations through training, exercises, and combined maritime law enforcement operations. The Gulf of Guinea will see the second greatest number of Coast Guard Mobile Training Team visits in Fiscal Year (FY) 2024, after only the Indo-Pacific region. One specific engagement example is a joint Coast Guard/National Oceanic and Atmospheric Administration (NOAA) led five-day seminar on combatting IUU fishing, the next of which will occur in Sierra Leone in July of 2024. The Coast Guard also actively partners with interested Gulf of Guinea countries in providing Excess Defense Article (EDA) vessels via the interagency allocation process. Recent examples of Coast Guard EDA vessel transfers included two 87-foot Marine Protector Class Coastal Patrol Boats to the Ghanaian Navy in 2023, which enabled them to patrol to the limit of their EEZ.

Question 1.b. What are you doing to counter IUU fishing by the PRC?

ANSWER. The Coast Guard seeks law enforcement action against the beneficial owners and actors in IUU fishing, rather than targeting one vessel, one fleet, or one flag state. The Coast Guard works with our partners to increase collective international ocean governance through the Regional Fisheries Management Organizations (RFMOs) for the adoption of High Seas Boarding and Inspection Schemes. These schemes allow party nations to ensure adherence to established Conservation Management Measures of the RFMOs. Additionally, the Coast Guard works with partner nations during law enforcement operations to encourage adherence to international norms and rules-based order. This occurs through deployments of Coast Guard cutters and law enforcement teams around the world. Last fiscal year, the Coast Guard allocated approximately 146 days of Deployable Specialized Force Units to AFRICOM to serve as force multiplier in the region.

Question 1.c. Are you engaging in shiprider agreements, port security and fisheries management trainings?

ANSWER. The Coast Guard leverages four bilateral maritime law enforcement agreements with shiprider provisions in the West Africa/Gulf of Guinea region: Sierra Leone, The Gambia, Senegal, and Cabo Verde. Additionally, a bilateral maritime law enforcement agreement is in effect with the Seychelles. It is anticipated the United States and Cote d'Ivoire will enter into a bilateral maritime law enforcement agreement in 2024.

In FY 2024, the Coast Guard International Port Security Program (IPSP) is scheduled to provide port security capacity building in Cabo Verde (two sessions), Cameroon (three sessions), Cote D'Ivoire (three sessions), Guinea (three sessions), and Gabon. This training will focus on improving our partners' implementation of the International Ship and Port Facility Security Code at the national and facility level.

Through its IPSP, the Coast Guard conducts a variety of port security engagements with Gulf of Guinea partner nations. In collaboration with the U.S. Department of State and local government authorities, IPSP conducts annual informal port security evaluations and triennial formal assessments in Guinea, Sierra Leone, Liberia, Cote d'Ivoire, Ghana, Togo, Benin, Nigeria, Cameroon, Equatorial Guinea, Sao Tome and Principe, Gabon, Republic of the Congo, the Democratic Republic of the Congo, and Angola. IPSP also conducts port security-related capacity building in Guinea, Cote d'Ivoire, Cameroon, and Gabon, and enhanced assistance programs in Benin, Nigeria, and the Democratic Republic of the Congo. Capacity building and enhanced assistance programs allow IPSP to provide targeted seminars and technical assistance to host nation government officials and port facility security officers to elevate port security standards and build more effective port security governance and implementation systems.