



Testimony

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Enhancing U.S. Coast Guard Interdiction

Information-Sharing, Technology, and Interagency and International Cooperation and Collaboration

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*Enhancing U.S. Coast Guard Interdiction
Information-Sharing, Technology, and Interagency and International Cooperation and
Collaboration*

Testimony of Aaron C. Davenport¹
The RAND Corporation²

Before the Committee on Transportation and Infrastructure
Subcommittee on Coast Guard and Maritime Transportation
United States House of Representatives

November 14, 2023

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

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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 support 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

³ Daniel 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/RRA1389-3.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.

⁴ Eric 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>.

⁵ Jeremy 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

⁶ Matthew R. Conners, *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.

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

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

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'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.

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 is 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.

¹³ Adriana Avila-Zúñiga Nordfjeld, *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 Nordfjeld, 2018; Davenport, 2020; Lucas et al., 2020.