

TESTIMONY OF

MICHAEL FISHER  
Chief  
U.S. Border Patrol

And

JOHN WAGNER  
Deputy Assistant Commissioner  
Office of Field Operations

U.S. Customs and Border Protection  
Department of Homeland Security

BEFORE

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ON

“Securing the Border: Understanding Threats and Strategies for the Northern Border”

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Chairman Johnson, Ranking Member Carper, and distinguished Members of the Committee, it is a privilege and an honor to appear before you today to discuss the work of U.S. Customs and Border Protection (CBP), particularly the tremendous dedication of our men and women in the field, both at and between our ports of entry (POE) along the Northern border of the United States. Integral to these efforts is cooperation with our Canadian partners, state, local and tribal agencies, and other components of the U.S. Department of Homeland Security (DHS).

We would like to begin by expressing our gratitude to Congress for its continued support of the mission and employees of CBP. We greatly appreciate your efforts and assistance, and we look forward to continuing to work with you on these issues in the future.

As America's frontline border agency, CBP is responsible for securing America's borders against threats, while facilitating legitimate travel and trade. To do this, CBP has deployed a multi-layered, risk-based approach to enhance the security of our borders while facilitating the lawful flow of people and goods entering the United States. This layered approach to security reduces our reliance on any single point or program that could be compromised and includes close coordination with DHS partner agencies, with other U.S. interagency partners, and with our Canadian counterparts. Close coordination with our partners ensures our zone of security extends outward and that our physical border is not the first or last line of defense, but one of many.

DHS efforts to enhance Northern border security are guided by the goals, means, and methods outlined in the Department's June 2012 Northern Border Strategy (NBS).<sup>1</sup> The NBS is the first Department-wide strategy to guide DHS policy and operations at the U.S. Northern border. It is consistent with the Quadrennial Homeland Security Review (QHSR), the National Northern Border Counternarcotic Strategy as updated in 2014, the U.S. National Strategy for Global Supply Chain Security, and the goals of the U.S.-Canada Beyond the Border (BTB) declaration.

The NBS enables a more efficient and effective DHS presence at the Northern border by ensuring the Department's resources are fully leveraged and efforts are not duplicated. The NBS emphasizes the use of information-sharing, personnel, technology, infrastructure, and partnerships, if appropriate, as key strategic elements necessary to achieve the three Northern border goals:

- Deter and prevent terrorism and other illegal activity;
- Safeguard and facilitate the secure flow of lawful trade and travel; and
- Ensure community safety and resilience before, during, and after terrorist attacks and natural disasters.

#### Northern Border Environment and Challenges

The United States and Canada are connected by more than 120 land POEs, 750 daily flights by commercial aircraft, and numerous commercial and recreational vessels that cross the maritime border. Every day, approximately 300,000 people cross the U.S.-Canadian border for business, tourism, school, and visiting family and friends. Since the implementation of the Western

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<sup>1</sup> See Department of Homeland Security, Northern Border Strategy, 2012, <http://www.dhs.gov/dhs-northern-border-strategy>.

Hemisphere Travel Initiative (WHTI) in June 2009, WHTI compliance along the Northern border exceeds 98 percent, allowing CBP to facilitate travel and focus on individuals who may pose a threat to national security. CBP makes approximately 6,000 arrests and interdicts approximately 40,000 pounds of illegal drugs at and between the POEs along the Northern border each year.

There are a number of ways in which the Northern border is operationally distinct from other environments. The international boundary with Canada extends over 5,500 miles across both land and water (including the border of Alaska), and it is often described as the longest common non-militarized border between any two countries. It delineates two friendly nations with a long history of social, cultural, and economic ties that have contributed to a high volume of cross-border trade and travel, amounting to more than two billion dollars a day. The border is a diverse region consisting of major metropolitan centers, integrated bi-national communities, numerous transit hubs, and vast regions with little or no population.

The extensive commercial and transportation infrastructure along the border also provides avenues vulnerable to exploitation by traffickers and smugglers, including vehicular transportation, commercial trucking, and commercial and non-commercial air, rail, and maritime modes of transportation. Communication and sensor signals remain difficult to transmit in many of these very remote areas that hinder the Border Patrol's ability to safely patrol and respond to traffic. Harsh winter conditions severely impact patrol capabilities for the majority of the winter and spring seasons.

In the winter, sub-zero temperatures and significant snowfall provide a natural barrier along some portions of the Northern border. While pedestrian and vehicle traffic are reduced during the winter, unlawful entries between the POEs utilizing snowmobiles are not unusual. When frozen, some rivers, lakes, and streams become easier for smugglers and others to utilize for crossing the border on foot, or by snowmobiles or other modes of transport, while other areas become treacherous with ice floes and are less traversable. The spring thaw can cause impassibly deep mud on some logging roads, thereby closing them to commercial truck traffic, and there tends to be an increase in unlawful cross-border activities via all-terrain vehicles.

To address and mitigate the risks presented by weather and terrain, CBP works in close collaboration with our Canadian, federal, state, local, tribal and private industry partners to ensure tailored and effective surveillance technology, law enforcement personnel, and resources are in place and have the capability to adapt and respond to the Northern border operational environment at and between POEs.

#### CBP Resources on the Northern border

Since the terrorist attacks of September 11, 2001, DHS has dedicated historic levels of personnel, infrastructure, and technology to the Northern border. Border Patrol agent staffing on the Northern border has increased by over 650 percent – from approximately 340 agents in 2001, to approximately 2,200 agents today. At the POEs along the Northern border, CBP's Office of Field Operations (OFO) has deployed more than 3,600 CBP officers and 190 agriculture specialists. CBP's Office of Air and Marine (OAM) has 116 Air and 79 Marine Interdiction agents deployed along the Northern border. In addition to the 120 Northern border land ports of

entry, CBP operates 17 ferry land crossings, eight Border Patrol Sectors, three Air and Marine Branches, seven Air Units, nine Coastal Marine Units and 23 Riverine Marine Units to protect against the illegal flow of people and goods at and between the POEs.

As part of a multi-layered approach to secure America's borders, CBP has also greatly improved our technological capabilities on the Northern border. Between the ports of entry, DHS has deployed fixed and rotary-wing aircraft equipped with sensor arrays; thermal camera systems; mobile surveillance systems (MSS); remote video surveillance systems (RVSS); unmanned aircraft systems (UAS); and an accompanying Operational Integration Center (OIC).

The OIC, located at Selfridge Air National Guard Base in Harrison Township, Michigan, is a demonstration project, involving the application of personnel and technology to enhance border security and situational awareness for CBP and its mission partners in the Detroit region. The OIC allows for a collaborative work area and communications capabilities for CBP, U.S. Coast Guard (USCG), other DHS components, law enforcement agencies (from federal, state and local jurisdictions), the Royal Canadian Mounted Police (RCMP) and Canadian Border Services Agency (CBSA). The OIC brings together information feeds, including radar and camera feeds, blue force tracking, database query from databases not previously available to CBP, remote sensor inputs, RVSS and MSS feeds, and video from various POEs and tunnels. Additional information feeds such as local traffic cameras will be added in the near future. This level of personnel and technology integration demonstrates collaboration and technology deployments along the Northern border.

CBP has stationed 41 fixed-wing and rotary aircraft on the Northern border, including two Unmanned Aircraft Systems (UAS) operating out of the Grand Forks Air Force Base in North Dakota. With the cooperation of the Federal Aviation Administration (FAA), CBP expanded its operational airspace along the Northern border in January of 2013, allowing CBP UAS operations from Lake Huron, Michigan to west of Spokane, Washington, a distance of approximately 1515 nautical miles. UAS flight operations significantly improve situational awareness and border security in areas that are difficult to reach by other operational elements, a critical capability in difficult terrain along the Northern border.

The DHS Science and Technology (S&T) Directorate is developing new and improving existing surveillance technologies that will overcome Northern border terrain and environmental challenges in order to improve target detection and classification. S&T is also collaborating with the RCMP on the Canada/U.S. Sensor Sharing Pilot (CUSSP), which is intended to demonstrate capability and operational utility of a common surveillance picture between CBP and RCMP Agents, using a combination of U.S. and Canadian sensor information.

At many Northern border ports of entry, DHS continues to deploy Radio Frequency Identification technology, next-generation license plate readers, large-scale and small-scale imaging technologies as well as a variety of portable and hand-held technologies to include radiation portal monitors to ports of entry based on existing infrastructure and need. CBP deploys approximately 4,565 pieces of non-intrusive inspection and radiation detection equipment to assist officers and agents with identifying threats. Additionally, DHS and Canadian agencies are collaborating to develop, advance, operationally test, and use technologies

to enhance cross border operations. We have also seen significant investments in infrastructure. Since February 2009, the U.S. Government has invested over \$400 million to rebuild and improve more than 30 ports of entry on the Northern border.

### Northern Border Partnerships

At CBP, we recognize the importance of partnerships, intelligence, and information sharing to the success of our mission, and as such, we are engaged in several national initiatives to increase security and enhance economic prosperity on the Northern border.

### *Increasing Security*

On a monthly basis, CBP, through the Office of Intelligence (OI) produces the State of the Northern Border briefing and hosts a multi-agency, international discussion. The State of the Northern Border provides a cross-component, multi-agency venue for identifying, monitoring and addressing emerging trends and threats along the Northern border. The briefing is produced in direct collaboration with our Canadian and UK partners at the CBSA, the RCMP, and the UK Border Agency (UKBA) as well as other Federal, State, and local partners. The State of the Northern Border has provided a broader avenue for information sharing and greater intelligence insight to activity with a nexus to the Northern border.

CBP's officers and agents also provide support to the Integrated Border Enforcement Teams (IBET), comprised of U.S. and Canadian federal, state/provincial and local law enforcement personnel, and encompassing 15 regions along the Northern border. The IBET concept involves five core agencies: CBP, USCG, U.S. Immigration and Customs Enforcement (ICE), Royal Canadian Mounted Police (RCMP), and the CBSA. IBETs operate as intelligence-driven enforcement teams designed to increase information and intelligence-sharing capabilities among the appropriate U.S. and Canadian authorities. By incorporating integrated mobile response capability (*e.g.*, air, land, and marine), the IBETs provide participating law enforcement agencies with a force multiplier that maximizes border enforcement efforts.

To increase security through public private partnerships, CBP has partnered with Buffalo and Fort Erie Public Bridge Authority (PBA) in Buffalo, New York. CBP, PBA, and the DHS Domestic Nuclear Detection Office have entered into an agreement to replace 18 Radiation Portal Monitors at CBP primary inspection lanes in Northern New York. The agreement was reached in November 2014 and we anticipate completion by September 2015. The enhancements will increase efficiency by supporting new calibration procedures that will reduce radiation nuisance alarm rates by over 50 percent, thus increasing the flow of legitimate trade and travel.

Northern border security efforts are enhanced through special joint operations and task forces. These operations are conducted under the auspices of multi-agency enforcement teams, composed of representatives from Canadian and U.S. federal law enforcement agencies who work together with state, local, and provincial enforcement agencies to target transnational criminal activity, including investigations involving national security and organized crime.

Since 2013, CBP has participated in the Department of Defense's Nuclear Weapons Accident Incident Exercise (NUWAIX) where local Integrated Response Teams exercise a coordinated

response to a Nuclear Weapons Accident/Incident. NUWAIX is an annual, geographically executed event, designed to bring government partners, such as the Department of Defense, Department of Justice, Federal Bureau of Investigation, DHS, and state and local law enforcement, together under an emergency coordinated response to a developing situation DHS, and state and local law enforcement, together under an emergency coordinated response to a developing situation. The exercise allows partner agencies to conduct joint operations in a simulated environment where each partner can learn about the capability and resources available in a whole of government approach to emergency response planning. These exercises create unity of effort and help partners grow relationships that further develop integration and coordination between agencies working to protect America.

On Federal lands, CBP continues to engage in collaborative efforts with the Department of the Interior (DOI) and U.S. Department of Agriculture (USDA) to fulfill its enforcement responsibilities. In March 2006, the Secretaries of DHS, DOI, and USDA signed a Memorandum of Understanding (MOU), which describes cooperative national security and counterterrorism efforts on federal lands along U.S. borders. This MOU provides specific guidance on cooperation related to border security as well as compliance with related environmental laws, regulations, and policies. In addition to the MOU, we have created several innovative solutions to strengthen interagency communication on federal lands. In 2005, the Border Patrol established the Public Lands Liaison Agent (PLLA) Program. Under this program, each sector designates an agent dedicated to interacting with organizations and agencies involved in land management issues. The PLLA's job is to build and maintain solid working relationships with our land management agency counterparts so that we can capitalize on opportunities to collaborate and work through any issues that may arise. Borderland Management Task Forces increase communication and provide a unique opportunity to leverage resources and quickly identify and resolve any potential problems.

In 2010, CBP, in conjunction with CBSA and RCMP, completed a Joint Border Threat and Risk Assessment, which provides U.S. and Canadian policymakers, resource planners, and other law-enforcement officials with a strategic overview of significant threats along the border between the United States and Canada. The threat assessment encompasses a range of national security issues, including cross-border criminal organizations, drug trafficking and illegal immigration, the illicit movement of prohibited or controlled goods, agricultural hazards, and the spread of infectious diseases. The assessment also further highlights the commitment of the two countries to identify and mitigate potential threats along our shared border, where there is a potential for terrorism and transnational organized crime.

CBP also plays a lead role in the implementation of the 2014 *National Northern Border Counternarcotics Strategy*, which builds upon the understanding of shared responsibility articulated in *Beyond the Border* and emphasizes the importance of federal partnerships with state, local, and tribal agencies to address the threat of drug trafficking across the Northern border. In particular, the *Strategy* includes the adoption of a whole-of-community approach as a core principle supported by two specific action items: 1) adopt a whole-of-community approach to community resilience, including demand reduction efforts; and 2) further integrate community members in border management in and around remote ports of entry. CBP supports these

efforts, in part, through the work of its Border Community Liaison program, which forges lasting and positive relationships with the residents of the communities where CBP serves.

### *Enhancing Economic Prosperity*

The U.S. Bureau of Economic Analysis (BEA) in 2014 reported goods and services imports from Canada as \$383 billion. The U.S. BEA further reported the combined two-way goods and services trade between the United States and Canada as \$759 billion, or more than two billion dollars a day. The United States and Canada are each other's largest export market, with roughly 16 percent of all U.S. goods exports destined to Canada. CBP is committed to a coordinated approach to facilitate the secure flow of trade and travel, reduce transaction costs, and promote economic growth on the Northern border.

Through a collaborative process, CBP and CBSA are working to implement initiatives focused on increasing information sharing, harmonizing policies and programs, and ensuring the coordination and cooperation of infrastructure planning and improvements. As part of this effort, on January 19, 2011, we established the Small Ports Working Group to develop a long-term strategy to more effectively and efficiently manage small POEs along the Northern border. Based on mutual assessments of each POE, applying agreed-upon criteria, CBP and CBSA will coordinate port operations and identify joint solutions, where possible.

In addition, on February 4, 2011, President Obama and Prime Minister Harper issued "Beyond the Border (BTB): A Shared Vision for Perimeter Security and Economic Competiveness." CBP is the primary lead on 15 of the BTB initiatives and has significant interests and participation in seven other initiatives. Notable achievements to date include:

- Harmonization of low value shipment thresholds to ease the burden on commercial trade
- Launching of a radio interoperability pilot
- Launched cargo pre-inspection Phase I in Blaine, WA and Surrey, BC and Phase II at the Peace Bridge between Buffalo, NY and Fort Erie, Ontario to test the feasibility of conducting primary cargo processing in Canada to reduce wait times and border congestion. The pilots have concluded operations and are currently under evaluation.
- Completion of Phase I and II of the Entry/Exit pilot
- Development and publication of an annual Border Infrastructure Investment Plan
- Expansion of the NEXUS trusted traveler program to over 1.1 million travelers, an increase of approximately 80% since 2011.
- Concluded negotiations of a new Land/Rail/Marine Air Preclearance Agreement, which was signed March 16, 2015.

Each year, approximately 72 million travelers entered the United States through the border with Canada. To facilitate and secure this cross border travel activity, as part of the BTB Action Plan, Canada and the United States agreed to exchange land entry records at ports of entry along the US-Canadian border in such a manner that land entries into one country will serve as exit records from the other. Canada and the United States first launched the Entry/Exit pilot program that exchanged data on third-country nationals at several land ports during a four-month period that ended in January 2013. During the pilot, the United States was able to match 97.4 percent of records received from Canada to existing entry records.

The second phase of the project was deployed on June 30, 2013. During this phase, Canada and the United States exchanged the entry data for third-country nationals, permanent residents of Canada, and U.S. lawful permanent residents in the United States, who enter through all automated common land ports. Over one million records have been received from the Canada Border Services Agency since Phase II was initiated and the match rate of exit records received from Canada against existing U.S. entry records are over 98 percent.

We continue to develop and implement several additional initiatives consistent with the Beyond the Border declaration. This includes the Secure Transit Corridor (STC) technology demonstration being conducted at the Ambassador Bridge by DHS S&T in collaboration with CBP, CBSA, and industry partners. The objective of the project is to increase security while facilitating the flow of commerce between our countries. Industry partners attach devices at the shipment origin that monitor and report the security status of the shipment through its arrival at the destination. CBP uses the data to inform their characterization of the shipment as “high” or “low” risk so resources are focused on high risk shipments while low risk shipments can be expedited; thus facilitating the efficient flow of commerce from trusted agents.

CBP will continue to keep Congress closely apprised as we continue to explore creative approaches to expedite legitimate trade and travel with our U.S. interagency partners and our counterparts in Canada.

#### Conclusion

Chairman Johnson, Ranking Member Carper, and distinguished Members of the Committee, thank you for this opportunity to testify about the work of U.S. Customs and Border Protection and our efforts in securing the Northern border against threats, while facilitating legitimate travel and trade. We look forward to answering your questions.