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14. ABSTRACT In order to maximize the effectiveness of a U.S./Canada perimeter approach to border security, the Department of Homeland Security (DHS) and the Canadian government must support the development of a joint concept of operations that affords operational commanders a permanent, integrated cross-border law enforcement capability in the maritime environment. This paper will discuss the importance of securing the gaps existing along the northern border in a post-9/11 environment and the many challenges the U.S and Canada face in securing those gaps, specifically within the maritime environment. It will discuss current limitations of U.S. and Canadian law enforcement agencies operating along the northern maritime border and examine the national security implications associated with those limitations. Further, it will highlight a pilot project and several proofs of concept executed within the past decade which tested a joint concept of operations developed specifically to address challenges of maritime border enforcement in The Great Lakes Region and the Pacific Northwest. Finally, this paper will highlight the need to further develop the joint concept of operations to enable routine exercise of integrated maritime cross-border law enforcement capability and will propose an operational level recommendation for joint planners to consider when building the next generation of integrated operations.					
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**Shiprider: A Joint Capability for Enhancing U.S./Canadian Cross-border Maritime
Security**

by

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**A paper submitted to the Faculty of the Naval War College in partial satisfaction of the
requirements of the Department of Joint Military Operations.**

**The contents of this paper reflect my own personal views and are not necessarily
endorsed by the Naval War College or the Department of the Navy.**

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Abstract

Shiprider: A Joint Capability for Enhancing U.S./Canadian Cross-border Maritime Security

In order to maximize the effectiveness of a U.S./Canada perimeter approach to border security, the Department of Homeland Security (DHS) and the Canadian government must support the development of a joint concept of operations that affords operational commanders a permanent, integrated cross-border law enforcement capability in the maritime environment.

This paper will discuss the importance of securing the gaps existing along the northern border in a post-9/11 environment and the many challenges the U.S and Canada face in securing those gaps, specifically within the maritime environment. It will discuss current limitations of U.S. and Canadian law enforcement agencies operating along the northern maritime border and examine the national security implications associated with those limitations. Further, it will highlight a pilot project and several proofs of concept executed within the past decade which tested a joint concept of operations developed specifically to address challenges of maritime border enforcement in The Great Lakes Region and the Pacific Northwest. Finally, this paper will highlight the need to further develop the earlier concept of operations to enable routine exercise of integrated maritime cross-border law enforcement capability and will propose an operational level recommendation for joint planners to consider when building the next generation of integrated operations.

INTRODUCTION

On February 4, 2011, President Barack Obama and Prime Minister Stephen Harper of Canada signed a joint declaration entitled *Beyond the Border: A Shared Vision for Perimeter Security and Economic Competitiveness*. In that document, both countries formally assert their commitment to a shared responsibility “for the safety, security, and resilience of the United States and Canada in an increasingly integrated and globalized world.”¹ The need to enhance integrated cross-border law enforcement efforts is identified as a critical factor in achieving this shared vision for security.

While the U.S. and Canada historically enjoy a strong alliance with a high degree of cooperation in numerous areas (including the entire spectrum of transnational crime), a recent Government Accounting Office (GAO) report concludes that routine sharing of intelligence and other cooperative efforts between agencies responsible for protecting the border are inadequate, compared to high levels of cooperation exhibited along the southern border.² The same report cites limited law enforcement presence along the vast border between the ports of entry (POE)³ as leaving “serious gaps in the nation’s Northern border defense.”⁴ Despite ubiquitous challenges associated with securing long stretches of land border, the gaps along the maritime border in particular provide an inviting gateway for criminals to conduct illicit cross-border activity.

¹ Obama, B., (2011, February). Joint Declaration by President Barack Obama and Prime Minister Stephen Harper of Canada: *Beyond the Border: A Shared Vision for Perimeter Security and Economic Competitiveness*. Daily Compilation of Presidential Documents, 1-5. Retrieved February 25, 2011 from ProQuest Military Collection. (Document ID: 2273018561).

² “Northern Border Intel-Sharing Deficient, Fed Audit, Officials Say,” Lkd. The Kimery Report at “Homeland Security Today Page,” <<http://www.hstoday.us/blogs/the-kimery-report/blog/northern-border-intel-sharing-deficient-fed-audit-officials-say/42d9c82e1e3675af884c26396777931b.html>> [20 March 2011].

³ Ports of Entry (POE) are the facilities that provide controlled entry into or departure from the United States.

⁴ General Accounting Office, Enhanced DHS Oversight and Assessment of Interagency Coordination Is Needed for the Northern Border, Report to Congressional Requesters (Washington, DC: 2010), 1.

In order to maximize the effectiveness of a U.S./Canada perimeter approach to border security, DHS and the Canadian government must support the development of a joint concept of operations (CONOPS) that affords operational commanders a permanent, integrated cross-border law enforcement capability in the maritime environment.

This paper will discuss the importance of securing the gaps that exist along the northern border in a post-9/11 environment and the many challenges the U.S. and Canada face in securing those gaps specifically within the maritime environment. It will discuss current limitations of U.S. and Canadian law enforcement agencies operating along the northern maritime border and examine the national security implications associated with those limitations. Further, it will highlight a pilot project and several proofs of concept executed within the past decade which tested a joint concept of operations developed specifically to address challenges of maritime border enforcement in The Great Lakes Region and the Pacific Northwest. Finally, this paper will highlight the need to further develop the joint concept of operations to enable routine exercise of integrated maritime cross-border law enforcement capability and will propose several operational level recommendations for joint planners to consider when building the next generation of integrated operations.

BACKGROUND

The international boundary between the U.S. and Canada spans nearly 4,000 miles (excluding Alaska) and is often referred to as ‘the world’s longest undefended border’. Prior to the attacks on 9/11, this fact was merely testament to the challenges facing drug and immigration enforcement agencies. However, when viewed through the lens of a country indelibly marked by terrorism, the porous nature of the northern border raises serious national security concerns at the highest levels of the U.S. Government. In 2002, the U.S. formed DHS with border security as

one of its primary objectives. That same year, U.S. legislation created the 9/11 Commission to thoroughly investigate the circumstances surrounding the terrorist attacks and provide recommendations to prevent future attacks.⁵ The commission's report of 2004 and the signing of the 9/11 Commission Act in 2007 led to a series of mandated federal agency reports, including several by DHS and GAO, focused solely on northern border security.

In a 2008 report to Congress, DHS identified the three primary threats along the northern border to be terrorism, drug trafficking, and illegal immigration.⁶ In exchange for the \$3 billion spent to secure the northern border in FY10, DHS made 6,000 arrests and interdicted 40,000 pounds of illegal drugs at and between the POEs.⁷ While that is notably less than the 20,000 arrests and 7 million pounds of illegal drugs seized along the southwest border with Mexico in FY09 and FY10, the northern border remains a legitimate national security concern.⁸ DHS asserts "the terrorist threat on the northern border is higher [than the southern border] because of the large expanse of area with limited law enforcement coverage."⁹

The Chairman of the House Homeland and Maritime Security Subcommittee recently underscored the continued need for northern border vigilance in a session held February 2011:

We must remember that our security challenges are not limited to the southwest border. Our northern and maritime borders are sometimes forgotten, perhaps because politics often trumps policy in these discussions. These borders may not have the same number of apprehensions or drug interdictions as the southwest border; however, they are vast, often remote, comparatively ungarded areas that provide opportunities for illicit activities and potentially even terrorists to enter our country. We cannot have operational control of our borders without figuring out a way to secure these challenging areas.¹⁰

⁵ Customs and Border Protection, Ongoing DHS Initiatives to Improve Security along the U.S. Northern Border, Report to Congress (Washington, DC: 2007), 4.

⁶ Ibid, 6.

⁷ General Accounting Office, Enhanced DHS Oversight and Assessment of Interagency Coordination Is Needed for the Northern Border, Report to Congressional Requesters (Washington, DC: 2010), 1.

⁸ "Southwest Border Overview," Department of Homeland Security Fact Sheet, <http://www.dhs.gov/files/gc_1287434745257.shtm> [5 April 2011].

⁹ "Northern Border Intel-Sharing Deficient, Fed Audit, Officials Say," Lkd. The Kimery Report at "Homeland Security Today Page," <<http://www.hstoday.us/blogs/the-kimery-report/blog/northern-border-intel-sharing-deficient-fed-audit-officials-say/42d9c82e1e3675af884c26396777931b.html>> [20 March 2011].

¹⁰ Congress, House, Committee on Homeland Security, House Homeland Security On Border and Maritime: Hearing before the Subcommittee on Border Security Issues, 112th Cong, 2d sess., 15 February 2011.

The two primary U.S. agencies tasked with border security under DHS are Customs and Border Protection (CBP) and Immigration and Customs Enforcement (ICE). Within the maritime environment, a third federal agency shares the border security mission -- the United States Coast Guard (USCG). In addition, the Department of Justice, the Federal Bureau of Investigation and, a whole host of state, local, tribal, and international agencies have enforcement responsibilities within their own jurisdictions along the maritime border. The abundance of vested agencies creates a dynamic set of challenges when it comes to securing the border. "Overlap exists in mission and operational boundaries among agencies at the border that require coordination and collaboration for efficient and effective law enforcement."¹¹ Several reports, including the 9/11 Commission Report and recent GAO and DHS reports, cite limited coordination amongst these agencies as a contributing factor to border security vulnerabilities.¹² As a result, and in response to these reports, interagency and international forums, partnerships, memorandums of understanding, and joint exercises emerged over the past decade with the goal of improving coordination and sharing information.¹³ DHS also completed a Quadrennial Homeland Security Review (QHSR) and initiated the drafting of a comprehensive northern border strategy to clearly define the roles and responsibilities of the various federal agencies tasked with the border security mission. While the comprehensive strategy has yet to be promulgated, the 2010 QHSR stresses the critical role coordinated and integrated law enforcement operations play in securing U.S. borders.¹⁴

¹¹ General Accounting Office, Enhanced DHS Oversight and Assessment of Interagency Coordination Is Needed for the Northern Border, Report to Congressional Requesters (Washington, DC: 2010), 11.

¹² Ibid, 12.

¹³ Ibid.

¹⁴ Department of Homeland Security, Quadrennial Homeland Security Review Report, Report to Congress (Washington, DC: 2010), 25.

Integrated Border Enforcement Teams (IBET) provide an excellent example of coordinated and integrated law enforcement along the U.S./Canadian border. Created in 1996 as an “innovative method to address cross-border crime along land and marine borders between British Columbia and Washington State,” IBETs were officially mandated after 9/11 and the signing of the Secure Border Initiative Declaration.¹⁵ These multi-agency law enforcement teams target cross-border criminal activity and operate in 15 regions along the border. IBET core agencies include CBP, USCG, ICE, Canada Border Services Agency and the Royal Canadian Mounted Police (RCMP), though other agencies regularly participate in monthly planning and coordination sessions. IBETs currently serve as the primary “vehicle through which cross border information, investigations, and operations are planned and coordinated” between the U.S. and Canada.¹⁶

DISCUSSION

The success and legitimacy of the IBET forum paved the way for advanced cross-border cooperation between the U.S. and Canada. In 2005, the two countries under the IBET umbrella envisaged a concept of operations to address shared maritime border security challenges. Informally titled ‘Shiprider’, the concept was designed to integrate U.S. and Canadian maritime law enforcement (MLE) capabilities during joint operations, effectively mitigating, and under certain circumstances, eliminating challenges enforcement officials face in the border environment. The integrated MLE capability, for instance, essentially erases the international

¹⁵ The Secure Border Initiative (SBI) program guide (p.3) describes SBI as a broad, multi-year DHS initiative looking at all aspects of border security including deterrence, detection, apprehension, detention, and removal. SBI addresses border security challenges in several ways including enhanced coordination with partners at the federal, state, local, and international levels.

¹⁶ Customs and Border Protection, Ongoing DHS Initiatives to Improve Security along the U.S. Northern Border, Report to Congress (Washington, DC: 2007), 17.

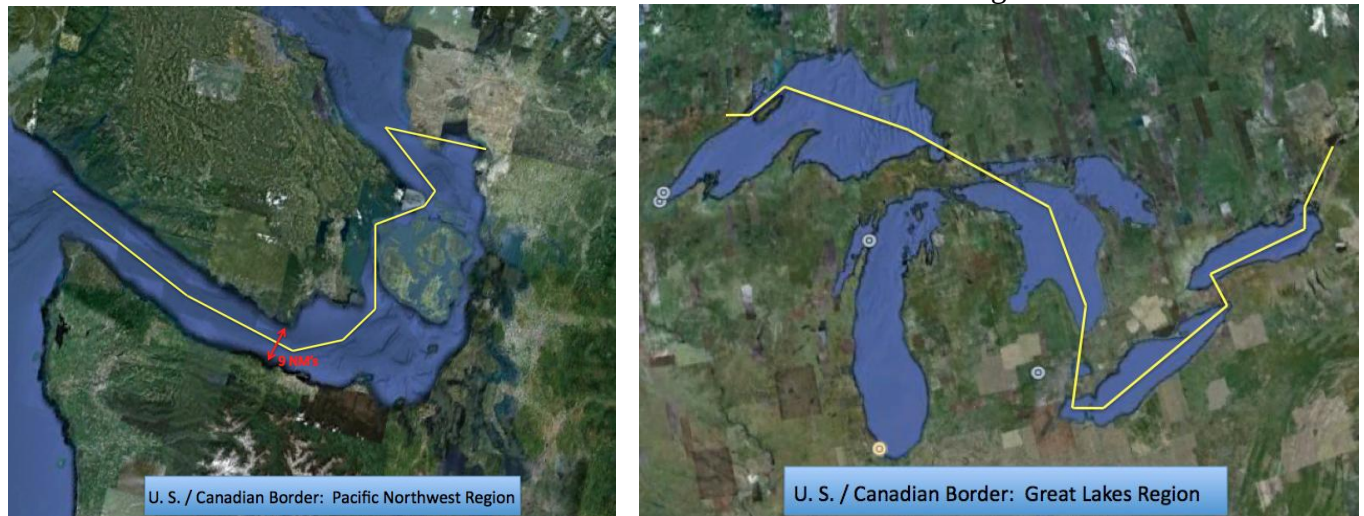
boundary and provides operational commanders uninhibited freedom of movement and maximum maneuverability within a bi-national area of operations (AO).

In order to fully understand the significance of an integrated cross-border MLE capability to U.S. national security, one must first understand the complexity and challenges enforcement agencies face in the AO. The maritime border poses both physical and jurisdictional challenges that hinder achievement of high levels of maritime domain awareness (MDA) and operational effectiveness for agencies charged with securing the border.

The U.S./Canadian maritime border spans a total of 2,380 miles, 2,000 of which stretch from the St. Lawrence Seaway to the Boundary Waters in the Great Lakes region, 150 traversing the Pacific Northwest, and the remaining 230 extending through Vermont and Maine. The figure below depicts two portions of the maritime border where the ‘Shiprider’ CONOPS was previously exercised.

Figure 1¹⁷

U.S./Canadian Maritime Border: Pacific Northwest and Great Lakes Regions



Passing through 11 states, 7 Canadian provinces and several First Nation tribal areas, the northern maritime border environment poses several physical challenges that impede MDA and

¹⁷ Source: “U.S. and Canadian Border.” 48°26’N 123°18’W and 45°20’N 83°38’W. Google Earth. 2010. April 29, 2011.

effective security efforts. First, healthy trade and tourism partnerships between the U.S. and Canada equate to large numbers of both commercial and recreational vessel traffic transiting the border every day. In 2006, Captain Patrick Brennan of the U.S. Coast Guard, testifying on northern border security before the U.S. House of Representatives Armed Services Committee, indicated that in the Great Lakes region alone “200 million tons of maritime cargo move every year, exceeding the combined movement of goods from Boston, Philadelphia, Baltimore and Norfolk by nearly 100 million tons.”¹⁸ Add to the high volume of large commercial transport vessels, the large number of fishing, charter, ferry, and recreational vessels routinely operating within and across the maritime border, and the “wicked problem”¹⁹ of achieving MDA and border security grows. DHS cites “the ability to identify those who intend to do harm hiding within the sizeable majority of people engaged in legitimate activities [in the maritime environment] as a key requirement for enhancing national security efforts.”²⁰ Small vessels (less than 300 gross tons) are subject to less restrictive regulations than large commercial vessels and pose unique security risks in the border environment. The Small Vessel Security Strategy developed by DHS places great priority on “identifying high-risk small vessels in priority and developing a layered system of regimes, awareness, and operational response capabilities to reduce risks.”²¹

Other physical challenges impeding MDA and security efforts include the sheer expanse of the maritime border and the topography of land masses in its vicinity. For example, in the Pacific Northwest, the international boundary traverses and zigzags 150 miles through the San

¹⁸Patrick W. Brennan, “Statement,” U.S. Congress, House, Armed Services Committee, National Security Implications of Border Security Along the Northern Border, Hearings before the Armed Services Committee, 109th Cong, 2d sess., 1 August 2006, 2.

¹⁹ In the July 2009 issue of IEEE Spectrum, Robert Lucky describes a “wicked problem” as a problem that can’t be solved fully because it is difficult to define. These problems go beyond the scope of engineering and include governmental problems that cannot be solved in conventional ways.

²⁰ Department of Homeland Security, Small Vessel Security Strategy, (Washington, DC: 2008), 6.

²¹ Ibid, 7.

Juan Islands (an archipelago of hilly land masses of varying size and geography) and the Strait of Juan de Fuca. Prominent geographic land features often prevent the effective placement and employment of permanent, land-based radar, sensor and communications technologies critical for monitoring and detecting small vessel cross-border activity.²² Further, relatively short distances between remote land masses in the vicinity of the maritime border frustrate timely response to security threats; in many instances in both the Great Lakes and Pacific Northwest regions, “the border is just a few hundred yards across enabling a crossing by boat in just minutes.”²³ Therefore, even if detection occurs, response times to these remote areas and limited maneuverability associated with a physically complex area of straits, inlets, and passes often preclude effective enforcement, yielding the advantage to criminals conducting illicit activities.

Jurisdictional challenges face agencies charged with maritime border security, as well. The U.S. respects Canadian territorial sovereignty “both as a responsibility under international law and as an essential aspect of maintaining the trust and confidence necessary to further joint law enforcement operations.”²⁴ As such, pursuit of a non-compliant vessel terminates at the maritime border.²⁵ Unlike humanitarian assistance missions such as search and rescue, enforcement of laws and treaties does not provide sufficient justification for a law enforcement asset to cross into Canadian territory in order to conduct official business. Even if a law enforcement asset directly witnesses a vessel engaged in unlawful activity, if the vessel crosses the border into Canadian waters prior to being intercepted by U.S. officials, the best one can

²² Joshua L. Sagers, U.S. Coast Guard Thirteenth District Office of Law Enforcement, telephone conversation with author, 6 March 2011.

²³ Patrick W. Brennan, “Statement,” U.S. Congress, House, Armed Services Committee, National Security Implications of Border Security Along the Northern Border, Hearings before the Armed Services Committee, 109th Cong, 2d sess., 1 August 2006, 2.

²⁴ *Ibid*, 3.

²⁵ The Coast Guard’s Maritime Law Enforcement Manual defines a non-compliant vessel as a vessel subject to examination that refuses to heave to after being legally ordered to do so.

hope for is a timely, well-coordinated response by Canadian officials on the other side of the border.

Unfortunately, timely, well-coordinated responses by maritime border security forces in Canadian waters are generally not feasible on a routine basis. RCMP, Canada's national police service, does not maintain units specifically resourced and dedicated to daily maritime border enforcement. Boat crews comprised of regular RCMP officers or 'cops on the beat' are primarily assembled only in response to specific, actionable intelligence and pre-planned surge operations.²⁶

'Shiprider' addresses, mitigates, and in several instances eliminates both physical and jurisdictional security challenges faced by operational commanders on both sides of the border. As previously mentioned, the basic concept of 'Shiprider' or integrated maritime cross-border law enforcement operations is the integration of U.S. and Canadian law enforcement capabilities, such that cross-designated "armed law enforcement officials from each nation conduct joint operations to promote border integrity" and deter criminal activity.²⁷ Jointly crewed patrol assets can move freely across the border vested with bi-national authorities that shift based on location. U.S. officers assist Canadian officers "in the lawful exercise of their authority and jurisdiction in Canadian waters" and vice versa.²⁸ Similar to successful operations in which the U.S. routinely engages with other nations particularly in the Caribbean, 'Shiprider' is a highly cooperative, joint venture between two countries with a shared interest in addressing threats to border security.²⁹ But for the U.S. and Canada, the similarities to other 'Shiprider' operations end there. The

²⁶ Joshua L. Sagers, U.S. Coast Guard Thirteenth District Office of Law Enforcement, telephone conversation with author, 6 March 2011.

²⁷ T. S. Sullivan, "Olympic Shiprider," Speech, North Pacific Coast Guard Forum, Victoria, BC: 5 March 2010.

²⁸ Ibid.

²⁹ Joshua L. Sagers, U.S. Coast Guard Thirteenth District Office of Law Enforcement, telephone conversation with author, 6 March 2011.

‘Shiprider’ CONOPS for the northern border is relatively complex, and is therefore anything but routine.

First conducted in 2005 in the Detroit, Michigan/Windsor, Ontario area and then again for Super Bowl XL in 2006, early pilots of the ‘Shiprider’ program demonstrated the concept’s potential and served as the basis from which both nations could work to further develop policy and a framework agreement.³⁰ In total, six pilot programs were conducted between 2005 and 2010, each building greater confidence between the two nations and showcasing the value of this bi-national unity of effort. Lessons learned from early pilots were used to refine the CONOPS, providing operational commanders a more powerful weapon to counter cross-border threats. For instance, operations in 2005 and 2006 indicated a deficiency in interoperability resulting from doctrinal differences and variances in mission-specific knowledge, skills, and abilities. USCG forces tend to be strongest in boat handling and underway law enforcement vessel boardings while RCMP forces are more skilled in criminal investigation and interrogation techniques. Joint planners, recognizing the value of merging these strengths, worked closely with educational experts from both countries to develop a two-week bi-national training curriculum to cross-train forces and build a strong foundation for interoperability and unity of effort. In 2007, the first joint training course was conducted at the Federal Law Enforcement Training Center in Charleston, South Carolina. Due to its success, the training course is now a prerequisite for any agency participating in the ‘Shiprider’ program.³¹

While largely employed over the past decade as a niche capability to address potential threats at a specific point in time, for a limited duration with a small number of forces, a

³⁰ Eggert, Shawn, “Sharing Jurisdiction: Coast Guard and Royal Canadian Mounted Police Continue Efforts in Strengthening Relations,” Lkd. Coast Guard Magazine at “BNet Publications Page,” <http://findarticles.com/p/articles/mi_m0PBY/is_6_2007/ai_n25488692/> [6 March 2011].

³¹ Pacific Integrated Border Enforcement Team, Operation Shiprider Pacific Northwest Cross-Border Law Enforcement Officer Exchange Pilot Project (Seattle, WA, Surrey, BC: 2007) 2.

‘Shiprider’ pilot conducted in 2007 demonstrated the potential for even greater value of this operational concept. The 60-day pilot, conducted in two unique border locations, not only highlighted the feasibility of continual, day-to-day employment, but underscored the operational versatility of ‘Shiprider’ as well.

During the 60-day pilot, bi-national operations were conducted in the border areas of Washington State/British Columbia and New York State/Ontario. Cultural, political, logistical, and geographical differences, as well as asymmetric threat assessments drove development of distinct operation plans (OPLAN) for each AO. For example, the NY/Ontario AO required operational planners to take into account the sovereignty of tribal nations located along the border and the absence of organic MLE response capability and infrastructure in remote areas of the operation. The WA/British Columbia planners, on the other hand, had to account for the large factions of recreational boaters and the likelihood that joint MLE boardings and marine inspections would be perceived as infringements on the public’s freedom of movement and privacy rights.

Each bi-national planning group worked within the memorandum of agreement signed by both governments to develop a regional commander’s intent and course of action that would best address the diversity of the maritime domain for their AO. Distinct differences in physical geography, political landscape, logistics and command and control infrastructure created unique time, space, force considerations for operational commanders developing CONOPS. For instance, in the Great Lakes Region, where remoteness meant no permanent enforcement presence in critically vulnerable border areas, specialized forces had to be trained, allocated and deployed to a central location for the length of the operation. Along with the formation of a joint base of operations came special logistical considerations, such as the need to feed and berth

forces in locations where infrastructure and previously established lines of communications (LOC) did not exist. In the WA/British Columbia AO, however, existence of permanent bases of operations relatively close to border areas of interest changed the nature of theater geometry and how operational functions were arrayed. Planners for that operation, while able to employ organic forces, existing infrastructure, and established LOCs, faced other challenges. Lack of a joint base of operations and operational coordination center created difficulties in achieving unity of effort, which ultimately complicated and slowed the joint decision making process.³²

Operations in both locations were deemed successful, albeit for different reasons. The NY/Ontario operation produced tangible results in the St. Lawrence Seaway. Over the course of 60 days, bi-national forces recovered an abducted child, made 47 arrests, and confiscated 1.4 million smuggled cigarettes, 215 pounds of marijuana worth \$330,000 and 167 grams of cocaine, along with vessels, vehicles and equipment worth \$75,000.³³ The WA/British Columbia operation reported significantly fewer tangible results, but cited harder to quantify results associated with the 76 boardings, 84 contacts, and 556 underway hours accrued over the 60-day period.³⁴ Fusion of intelligence from various sources, however, indicated a high potential that the presence of bi-national forces operating within that region of the border “delayed, deterred, and disrupted illegal activity” hindering criminal movement and maneuver and thus causing alteration of behavior.³⁵ Both operations provided an opportunity to test and evaluate different command and control (C2) structures and highlighted the need to address bi-national differences

³² Joshua L. Sagers, U.S. Coast Guard Thirteenth District Office of Law Enforcement, telephone conversation with author, 6 March 2011.

³³ Stone, Laura. “Bill Seeks Cross-border Maritime Agreement with U.S.” Lkd. [Canada.com](http://www.canada.com/news/decision-canada/Bill+seeks+cross+border+maritime+agreement+with/4238582/story.html) <<http://www.canada.com/news/decision-canada/Bill+seeks+cross+border+maritime+agreement+with/4238582/story.html>> [10 April 2011].

³⁴ Pacific Integrated Border Enforcement Team, Operation Shiprider Pacific Northwest Cross-Border Law Enforcement Officer Exchange Pilot Project, Report to Commandant, U.S. Coast Guard (Washington, DC: 2007), 4.

³⁵ Pacific Integrated Border Enforcement Team, Operation Shiprider Pacific Northwest Cross-Border Law Enforcement Officer Exchange Pilot Project, Report to Commandant, U.S. Coast Guard (Washington, DC: 2007), 4.

in laws, doctrine, training, weapons, equipment, terminology, culture, and law enforcement practices. Documenting these important challenges and observations was critical to strengthening joint partnerships, interoperability, and the overall concept of ‘Shiprider’.³⁶

The contrast of all proofs of concept conducted to date, and the two unique OPLANs developed for the 60-day pilots in 2007, demonstrate the scalable nature and operational flexibility of ‘Shiprider’ for U.S./Canadian northern border security. Further, this capability can be easily adapted to address the diverse nature of the northern maritime border and the variety of operational needs and environments that result. For instance, in regions like the Pacific Northwest, this capability provides an invaluable tool for day-to-day deterrence, denying criminals freedom of movement in confined, yet remote areas of the border. In other regions less conducive to high volumes of year round small vessel activity due to seasonal icing conditions, like parts of the Great Lakes Region, the option for an operational commander to stand-up a Shiprider capable force in response to a specific threat or national security concern is just as valuable. Whether exercised on a daily or intermittent basis, units operating along the border benefit from maintaining a permanent ‘Shiprider’ capability. The value of cross-border units training together and operating jointly goes well beyond actual on-water operations; significant intangible benefits of ‘Shiprider’ are the bi-national relationships and the coordination and information-sharing that occurs as a result of time-tested trust and confidence.³⁷

In May 2009, the U.S. Secretary of Homeland Security and the Canadian Minister of Public Safety signed a framework agreement to accommodate permanent maritime cross-border

³⁶Joshua L. Sagers, U.S. Coast Guard Thirteenth District Office of Law Enforcement, telephone conversation with author, 6 March 2011.

³⁷ Joshua L. Sagers, U.S. Coast Guard Thirteenth District Office of Law Enforcement, telephone conversation with author, 6 March 2011.

law enforcement operations between the two countries.³⁸ Currently, the Senate bill is under review by Canada's National Security and Defence committee. Canada Public Safety Minister Vic Toews indicated that if the bill passes in Parliament, it will help "bolster American trust in Canadian security and result in greater benefits for both countries."³⁹

Not everyone is as optimistic about the 'Shiprider' concept. Critics of 'Shiprider' vehemently oppose the need for a permanent steady state cross-border MLE capability. They agree that for select, high visibility events occurring in the vicinity of the maritime border, 'Shiprider' clearly exhibits bi-national coordination and cooperation, and that not demonstrating a joint show of force would be irresponsible under those circumstances. They also agree that the negative political implications of a national security incident occurring at a high visibility event are enough to justify the additional expenditure on a case-by-case basis. But critics contend a permanent agreement for routine operations goes too far. Joint steady-state operations between the two countries can produce harmful effects and unintended consequences; joint forces routinely operating across the border threaten each nation's sovereignty and hinder free trade upon which both rely for economic prosperity.

Further, there is no evidence to support that exercising this joint capability on a regular basis produces tangible benefits or a positive return on investment. The ability to field this capability on a routine basis requires permanent assignment of additional human resources along the northern border that could better be employed where the proven, tangible threat exists - along the southern border. In instances where 'Shiprider' is justified, deployable specialized forces

³⁸ T. S. Sullivan, "Olympic Shiprider," Speech, North Pacific Coast Guard Forum, Victoria, BC: 5 March 2010.

³⁹ Stone, Laura, "Bill Seeks Cross-border Maritime Agreement with U.S," Lkd. [Canada.com](http://www.canada.com/news/decision-canada/Bill+seeks+cross+border+maritime+agreement+with/4238582/story.html)
<<http://www.canada.com/news/decision-canada/Bill+seeks+cross+border+maritime+agreement+with/4238582/story.html>> [10 April 2011].

(DSF) like those trained and retained by the USCG can be utilized effectively to bring the capability to the theater.

Despite critics, a strong case can be made for expanding ‘Shiprider’ so it is *always* available as a capability in the operational commander’s ‘tool kit’. The complexity of threats in the northern maritime border environment requires creativity and maximum flexibility; ‘Shiprider’ delivers both. The potentially harmful effects and unintended consequences opponents cite as justification to limit ‘Shiprider’ usage are the very reasons both nations should exercise the capability on a regular basis. Due to political sensitivities and culturally diverse organizations, ‘Shiprider’ requires high-levels of multi-agency cooperation and coordination best fostered through habitual contact. Periodic, non-routine operations frustrate bi-national efforts to maintain interoperability and proficiency requisite for smooth execution. Dusting off regional OPLANs for intermittent operations increases the risk of operational failure.⁴⁰

Sole reliance on DSF to execute ‘Shiprider’ operations also introduces risk. The regional IBET framework underpins the operational concept of integrated cross-border enforcement. As such, the program should be managed regionally to ensure high levels of effectiveness are achieved. IBETs that meet regularly to share information, fuse intelligence, plan operations, and conduct exercises are the logical and appropriate choice for ‘Shiprider’ oversight. Introduction of specialized forces (not part of the ongoing regional enforcement equation) disrupts command relationships, threatens unity of effort, and puts mutual trust and confidence at risk. Use of specialized forces, therefore should be limited to augmentation of established regional forces, as needed. With the program in its infancy, too much is at stake for

⁴⁰ Joshua L. Sagers, U.S. Coast Guard Thirteenth District Office of Law Enforcement, telephone conversation with author, 6 March 2011.

the alliance; critics on both sides of the border are just waiting for the slightest glitch to justify revocation of the bilateral agreement.

CONCLUSION

As demonstrated through the pilot program, a minimal financial investment returns a permanent cross-border law enforcement capability that provides commanders a marked increase in operational coordination, information sharing, communication, and effectiveness along the northern maritime border. Operating within the parameters established in a bi-lateral legal framework agreement, enforcement agencies from both nations can, with very low risk, benefit from the advantages cross-border capability affords. On any given day, enforcement personnel can work together in response to real-time information and intelligence, removing the invisible barrier that currently stands between them. Maintaining a steady state capacity to conduct joint cross-border operations is in complete alignment with national policy objectives and maximizes operational flexibility in a dynamic security environment. While awaiting the resources necessary to improve monitoring and detection capabilities through technology, expansion of alliances and bi-national CONOPS to enhance cooperation and effectiveness against mutual threats to national security is both prudent and logical.

RECOMMENDATION

Much work remains for operational planners, however, if Shiprider is to evolve into a steady state operation between the U.S. and Canada. Like the training challenge addressed earlier in this paper, after action reviews highlight several gaps in the original CONOPS that need to be addressed. Due to constraints on the length of this paper, as a former operational planner for 'Shiprider', I offer one recommendation to future planners for improvement of the existing CONOPS. If routine cross-border operations come to fruition, the current CONOPS

should be expanded to establish a command structure supported by a joint operations center (JOC) permanently staffed with representatives of both nations.

In 2007, and again in 2010, several variations of C2 were tested to determine the most effective structure for the bi-national program. Since the concept of 'Shiprider' shifts OPCON of forces to the nation in which operations are conducted, a lead nation command structure emerged. Two distinct regions testing the concept in 2007 approached C2 in very different way, however; one region established a JOC and the other did not. The region without a JOC, instead, controlled operations from established command centers on separate sides of the border and relied heavily on liaison officers (LNO) to communicate via landline or radio to track OPCON shifts and coordinate joint operations. The risk of an operational commander mistakenly exercising improper authority in the other nation's territorial waters was high and created a need for additional layers of oversight. A complex briefing matrix and lack of consistent cross-border situational awareness (SA) slowed the joint decision-making process and frustrated smooth mission execution. The region with a JOC functioned more effectively and benefitted from collocated LNOs. However, the decision-making process was still slow due to the limited authority delegated to the LNOs. The 30-day operation conducted in 2010 sought to improve the C2 process by expanding the role of collocated LNOs to include the duties of a tactical action officer (TAO). The combination of face-to-face coordination and delegated authority to command representatives inside a JOC significantly increased operational effectiveness and C2. OPCON shifts were seamless, consistent cross-border SA was achieved, and bi-national interoperability reached its highest levels since the program's inception.

Despite this structure's success, many decision-makers within the chain of command believe the structure exceeds what is required to achieve bi-national unity of effort and is not

feasible for steady-state daily operations. From an operational planner's perspective, a 'Shiprider' operation (both joint and bi-national) organized under a lead nation C2 structure without the support of a JOC and properly trained control staff, morphs into a parallel command structure where clarity on which nation is in command at any given time is lost. Despite each nation's very best coordination efforts, 'Shiprider' operations controlled from two physically distinct locations fail to achieve the unity of effort required for successful execution of this important joint mission. If routine cross-border operations are conducted in the future, it is highly recommended that both nations commit to permanently staffing a JOC with trained TAOs who double as LNOs in order to maximize unity of effort and operational effectiveness.

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