

Northern Border Threat Analysis Report

Public Summary July 2017

This document summarizes findings from the Northern Border Threat Analysis Report prepared in response to the reporting requirements of the *Northern Border Security Review Act* (Pub.L. 114-267). The report describes the current threat landscape on the U.S.-Canada border and analyzes national security and other threats across the air, land, and maritime domains. The report also provides a description of Department of Homeland Security (DHS) operational capabilities on the northern border, including a preliminary assessment of capability gaps and challenges in legal authorities; cross-component cooperation; coordination between state, local, and tribal law enforcement organizations; and cooperation and information sharing with Canadian law enforcement and intelligence partners.

The large volume of legitimate travel across the northern border and the long stretches of difficult terrain between ports of entry (POEs) provide potential opportunities for individuals who may pose a national security risk to enter the United States undetected. However, encounters with individuals associated with transnational crime or terrorism remain infrequent, and sensor technology plays an important role in locations where full-time deployment of enforcement personnel is not practical. Known illegal crossings on the northern border conform to established migration patterns between large population centers. Terrain, weather, and distance are factors that constrain illegal migrant travel in remote areas of the border. The number of individuals apprehended while entering the United States from Canada between POEs fluctuates but has remained below 800 per year over the last five years, with the largest share of these apprehended individuals being Canadians. By contrast, apprehensions at the southwest border number in the hundreds of thousands, and about two-thirds of the people that U.S. Border Patrol agents apprehend along the northern border entered the United States through Mexico.

Canada has been an effective partner in working with the United States to keep foreign terrorist suspects from entering North America, especially with initiatives undertaken as part of the 2011 *U.S.-Canada Beyond the Border* Initiative. Potential terror threats are primarily from unidentified homegrown violent extremists in Canada who believe they can enter the United States legally at POEs without suspicion. Watchlisted Canadians and third-country nationals who are encountered at POEs may be determined to be inadmissible and refused entry into the United States. Watchlisted U.S. citizens and Lawful Permanent Residents departing Canada may be subject to additional scrutiny at POEs before their entry into the United States.

The most common threat to U.S. public safety along the northern border continues to be the bi-directional flow of illicit drugs. To avoid detection by U.S. and Canadian law enforcement, transnational criminal organizations (TCOs) continually adapt their drug production, smuggling methods, and routes. The topography along mountainous parts of the northern border is occasionally exploited by smugglers flying private aircraft at low altitude to evade radar detection, but there are no reports to suggest that the tactic is employed on a large scale. The unique nature of the maritime boundaries between the United States and Canada create a conducive environment for TCOs to traffic drugs, people, and other contraband. High-density recreational boating traffic and short transit distances between the two countries, along with a

myriad of jurisdictions along the border, create a complex problem set for law enforcement. TCOs may also attempt to move narcotics internationally using commercial cargo transportation methods. Reporting indicates that cocaine and methamphetamine move north into Canada after transiting the United States from Mexico, while smaller quantities of fentanyl, marijuana and MDMA flow south from Canada into the United States.

Current strategic guidance for DHS northern border operations is derived from several sources, including the *2014-2018 DHS Strategic Plan*, the *2014 Quadrennial Homeland Security Review* (QHSR), and the *2012 Northern Border Strategy*. These documents have continually reaffirmed the importance of deterring and preventing exploitation of the border at and between the POEs by illicit actors; promoting efficiency and security of lawful trade and travel; and building resiliency for communities on either side of the border (see tables below).

DHS components attempt to maximize resources in a constrained fiscal environment by leveraging U.S.-Canadian programs to expedite cross-border trade and travel, such as preclearance, trusted traveler and trusted trade programs, and through intelligence-driven threat monitoring to compensate for constricted domain awareness. For example, the United States has conducted air passenger preclearance operations in Canada since 1952 and currently conducts preclearance operations at eight airport locations in Canada, pursuant to the 2001 U.S.-Canada Air Transport Preclearance Agreement. A new Land, Rail, Marine, and Air preclearance agreement was signed in March 2015, which, when entered into force following passage of Canadian legislation and regulations, will supersede the 2001 Agreement.

Although the northern and southern borders of the United States differ greatly in terms of climate, threat environment, and volume of cross-border flows, some of the same technological resources and border enforcement methods are effectively deployed at both borders. DHS also benefits from collaboration with other federal, state, local, and tribal partners, as well as our Canadian partners, to address border security-related issues. Intelligence coordination and sharing is critical for successful northern border operations.

The United States and Canada also actively collaborate to facilitate cross border travel and trade, and to harden shared vulnerable critical infrastructure. Through international treaties, bilateral memorandums of understanding, and other agreements and arrangements, the United States and Canada have developed an efficient and effective joint border enforcement posture that includes efforts at our shared border, our perimeter, and within our countries. We continue to work together to overcome legal obstacles in order to further enhance U.S. enforcement abilities.

This report offers a preliminary description of the Department's capabilities and gaps for our operations on the northern border. DHS intends to build on the preliminary assessment offered in this report by updating its northern border strategy and writing a corresponding implementation plan. The updated strategy will include strategic measures that will allow DHS to evaluate progress toward addressing capability gaps on the northern border. Upon completion, these documents will enable DHS to begin a formal capability assessment and requirements generation process which will guide the Department's approach to making investments that will make the U.S.-Canada border more secure.

The 2014-2018 *DHS Strategic Plan*, which focuses on how the Department will implement the goals of the QHSR, lays out three goals related to securing and managing of the Nation's borders:

FY 2014-18 DHS Strategic Plan Goals and Objectives

GOALS	OBJECTIVES
1. Secure U.S. Air, Land, and Sea Border and Approaches	a. Prevent illegal import and entry b. Prevent illegal export and exit
2. Safeguard and Expedite Lawful Trade and Travel	a. Safeguard key nodes, conveyances, and pathways b. Manage the risk of people and goods in transit c. Maximize compliance with U.S. trade laws and promote U.S. economic security and competitiveness
3. Disrupt and Dismantle Transnational Criminal Organizations and Other Illicit Actors	a. Identify, investigate, disrupt, and dismantle TCOs b. Disrupt illicit actors, activities, and pathways

The 2012 *Northern Border Strategy* outlines three goals, with associated objectives, to guide DHS efforts on the northern border:

2012 Northern Border Strategy Goals and Objectives

GOALS	OBJECTIVES
1. Deter and Prevent Terrorism, Smuggling, Trafficking, and Illegal Immigration	1.1. – Understand the threats and risks 1.2 – Enhance domain awareness and interoperability to conduct joint operations 1.3 – Identify, interdict, investigate, and disrupt illicit activity 1.4 – Prevent illegal crossing of goods or people
2. Safeguard and Encourage the Efficient Flow of Lawful Trade and Travel	2.1 – Manage the risk posed by people and goods in transit 2.2 – Secure nodes of travel and transportation, including ports of entry 2.3 – Secure means of travel and transportation (conveyances) 2.4 – Promote safe and legal travel, trade, and immigration 2.5 – Strengthen global supply chain security

GOALS	OBJECTIVES
3. Ensure Community Safety and Resiliency Before, During, and After Incidents Including Terrorist Attacks and Natural Disasters	3.1 – Mitigate risks to communities 3.2 – Advance joint community preparedness 3.3 – Protect and make resilient critical infrastructure 3.4 – Jointly conduct effective disaster response operations 3.5 – Enhance mutual recovery capabilities

These strategic goals and objectives are also reflected in the key areas of cooperation outlined in the 2011 Action Plan for the *United States-Canada Beyond the Border: A Shared Vision for Perimeter Security and Economic Competitiveness* initiative. Those four areas were defined as follows:

Key Areas of Cooperation in *United States-Canada Beyond the Border: A Shared Vision for Perimeter Security and Economic Competitiveness*

KEY AREAS OF COOPERATION	GOALS
1. Addressing Threats Early	a. Develop a common approach to assessing threats and identifying those who pose a risk under the principle that a threat to either country represents a threat to both b. Pushing out the border: stopping threats before they arrive in either the United States or Canada c. Establish a common approach to perimeter screening to promote security and border efficiency
2. Trade Facilitation, Economic Growth, and Jobs	a. Enhance the benefits of programs that help trusted businesses and travelers move efficiently across the border b. Develop additional initiatives for expediting legitimate travelers and cargo c. Invest in improving shared border infrastructure and technology
3. Cross-Border Law Enforcement	a. Deepen cooperative investigation and prosecution efforts to identify and stop serious offenders and violent criminals
4. Critical Infrastructure and Cybersecurity	a. Enhance the resiliency of our shared critical infrastructure b. Rapidly respond to recover from disasters and emergencies on either side of the border