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U.S. COAST GUARD CAPABILITIES FOR SAFEGUARDING NATIONAL INTERESTS
AND PROMOTING ECONOMIC SECURITY IN THE ARCTIC

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION
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Chairman Sullivan, Ranking Member Markey, and Members of the Subcommittee, thank you for the opportunity to testify. My name is Stephanie Madsen, and for the last 12 years I have served as Executive Director of the At-sea Processors Association—a trade association representing six member companies that operate catcher-processor vessels in North Pacific and U.S. West Coast fisheries. The most important fishery in which we participate is the Bering Sea / Aleutian Islands Wild Alaska Pollock fishery—the largest seafood fishery in the world. My members are proud to have been at the forefront of management innovations that have made our regions' fisheries a global model for sustainability. We are also a very proud contributor to Alaska's seafood economy, which supports 101,000 U.S. jobs and earns an estimated \$5.6 billion in annual labor income.

I have spent my entire career working in and around the Bering Sea / Aleutian Islands region. This part of the Arctic is truly remarkable, with its rich Native culture, stunningly productive marine ecosystem, and vital geopolitical positioning. Pollock fishing transcends the maritime boundary with Russia; our vessels operating in the U.S. Exclusive Economic Zone are sometimes within literal shouting distance of Russian vessels fishing for pollock in their waters. Yet in spite of this close proximity to a geopolitical adversary, our industry has for decades been

able to operate safely and with legal certainty, relying on the USA/USSR Maritime Boundary Agreement concluded between James Baker and Eduard Shevardnadze on June 1, 1990.

That feeling of certainty and safety has been shattered by recent confrontations initiated by Russian military warships and warplanes with U.S.-flagged fishing vessels operating lawfully within the U.S. EEZ. These incidents were alarming in and of themselves; they gave rise to genuine fear for the physical safety of fishing captains and their crews, and they disrupted the business operations of fishing companies at a critical point in a very important fishing season. They also give rise to an urgent question: do we risk these kinds of confrontations becoming something of a “new normal” in the changing Arctic? And if so, what are U.S. policymakers and military planners doing to safeguard U.S. economic and security interests in this vital region?

Military Confrontations

The last week of August started as a typical one in the summer fishing season. U.S.-flagged fishing vessels were operating throughout the Eastern Bering Sea. As always, different segments of the fleet were targeting a variety of species using traditional fishing methods. APA catcher-processor vessels work in parallel with smaller catcher vessels that deliver pollock and other groundfish to motherships for processing. Another fleet of catcher-processor vessels targets non-pollock groundfish such as Atka mackerel and flatfish, while freezer-longline vessels target Pacific cod. These Bering Sea fishing grounds are among the most productive anywhere in the world—although this year fishing conditions have been particularly challenging due to shifts in the stock dynamics and distribution.

Tuesday, August 25 provided the first indication that it would not be a typical week for our fleets. The Island Enterprise, a catcher-processor vessel operated by Trident Seafoods, was fishing in the vicinity of Pervenets Canyon when suddenly, without warning, a large submarine—what we learned later to be an Oscar-class Russian nuclear submarine—surfaced in the vicinity. Shortly thereafter a warship appeared, traveling at 17.5 knots on direct course towards the submarine. The warship made no contact with the Island Enterprise, but came within 2.5 nautical miles. Other vessels also observed the submarine and warship that day. These were our first clues that a major Russian military operation was underway smack-dab in the middle of our fishing grounds.

The close and unexplained proximity of a foreign warship and submarine were, as you can imagine, immediately troubling. However, it is the events that unfolded the following day, August 26, that have given rise to deep concern throughout our industry. On that day the Russian military initiated a series of confrontations with U.S.-flagged fishing vessels that were, from our perspective, dangerous and completely unacceptable. These confrontations gave rise to genuine fears for the safety of captains and their crews, and in some cases led to operational decisions that collectively cost companies millions of dollars in lost fishing opportunities.

- In the first such incident, the Northern Jaeger—a catcher-processor vessel operated by American Seafoods—was harassed by members of the Russian military over the course of approximately five hours. Northern Jaeger Captain Tim Thomas was positioned 21 nautical miles inside the U.S. EEZ when what he recognized to be a Russian military warplane started flying over his vessel. The warplane initiated radio contact, and through

broken English started to deliver an alarming drumbeat of messages warning of “danger” and insisting that he “leave” as it continued to fly over the vessel at an increasingly low altitude. Despite his best efforts—which included enlisting the assistance of a Russian-speaking member of his crew—he was unable to ascertain from the warplane a clear sense of what was happening or to learn of any specific course of action that was being requested of him. During this period Captain Thomas repeatedly stated that he was operating lawfully within the U.S. EEZ and couldn’t be ordered to “leave”. He also initiated multiple conversations with United States Coast Guard personnel, none of whom appeared to be aware that a major Russian military exercise was underway in the U.S. EEZ. After approximately two hours the warplane departed, and radio contact was initiated by a Russian warship that was positioned approximately 40 nautical miles away. Communications from the warship became increasingly urgent, warning of imminent danger and demanding that the Northern Jaeger leave, without providing specific coordinates. Captain Thomas sought to chart a new course on several occasions, but each time communications came back from the Russian warship making clear that they were not satisfied. Eventually, the Russian warship ordered that Captain Thomas sail due South “for five hours” and not return to the area until September 4. Ultimately, with the level of intensity of the Russian military communications continuing to increase—and no satisfactory explanation or support provided by the U.S. Coast Guard—Captain Thomas complied. He estimates that approximately five days of productive fishing time were lost by the encounter and his resulting relocation, an economic harm estimated to total approximately \$1.5M.

- Positioned some distance to the north of Northern Jaeger were the Blue North and the Bristol Leader. These two freezer longliners were harassed by a Russian military warplane, which warned that they were in a live missile fire zone and in imminent danger. Bristol Leader Captain Brad Hall and Blue North Captain David Anderson recount similar experiences, with repeated fly-overs at low altitude—in some instances as low as an estimated 200 feet. After initiating radio contact, the warplane issued orders that they leave the area on a specific course at maximum speed. Both captains sought advice from the U.S. Coast Guard but were unable to learn any additional details about what was occurring. Coast Guard personnel told Captain Anderson to comply with the orders he was being given by the Russian military. Ultimately, both captains felt that they had no choice but to abandon their fishing activities and exit the area. The Blue North cut its fishing gear and left it behind in order to be able evacuate the area quickly. It was only when the vessels fully complied with the Russian warplane's orders that the harassment ceased. The economic losses relating to disabling fishing gear and relocating from productive fishing grounds were significant.
- In another area, more than 50 nautical miles inside the U.S. EEZ, six U.S. catcher boats and two motherships were operating along the shelf break. Three Russian warships and two support vessels appeared, and initiated radio communication with two of the catcher boats—the Vesteraalen and the Mark 1. As the warships rapidly approached the catcher boats, they issued orders that they change course immediately, warning of imminent danger. The Vesteraalen responded that it had fishing gear in the water so had limited ability to change course. In response a Russian warship came directly towards the

Vesteraalen, maneuvering as if to signal hostile intent. The warship came within half a nautical mile of the Vesteraalen before finally changing course.

As a representative of the U.S. fishing industry—and indeed as a proud American citizen—I find it completely unacceptable that U.S.-flagged vessels operating lawfully within the U.S. EEZ could ever be subjected to this kind of treatment. The fact that U.S. fishing companies, captains and crew had not been directly advised that a major Russian military exercise was planned in their sphere of regular operation is deeply concerning. The idea that U.S. vessels could be subjected to this kind of harassment by a foreign military power is alarming. And the notion that U.S. captains should be complying with orders issued by members of the Russian military is offensive. We need to ensure that the events of August 26 never happen again.

Specific Observations

In the immediate term, we believe there are steps the U.S. government must take to ensure that any future Russian military exercise potentially impacting U.S.-flagged vessels is handled differently and that U.S. fishermen maintain their sovereign right to legally operate in the U.S. EEZ.

First, it is imperative that our industry be notified immediately and directly by our own government of any such planned exercise. Our understanding is that Russia provided notice of their intent to conduct these exercises, including specific coordinates, via HYDROPAC. This is a communication system that is not regularly monitored by our industry, and I want to be clear that it does not constitute sufficient notice to mariners. Furthermore, as noted above, some U.S.

vessels were harassed outside the coordinates provided via HYDROPAC. We understand that the HYDROPAC notice was received by at least one agency of the U.S. government. If any part of the U.S. government is notified of such a foreign military exercise in the future, there must be a clear and widely-understood mechanism by which that news is communicated to potentially impacted fishing fleets so we are aware of the exercises and can respond accordingly should there be a threat to the safety of our vessels and crew. This mechanism needs to account for the diversity of fishing vessels active near the U.S.-Russian maritime boundary, from large catcher-processors to small skiffs operated out of Northern Bering Sea communities. Communications issued on the exercises fell short of alternatives that were available to U.S. authorities, such as issuance of a Marine Information Bulletin.

Second, other parts of the U.S. government—most importantly the United States Coast Guard—must be alerted and have an opportunity to plan for the safety of U.S. mariners, including U.S.-flagged fishing vessels while they lawfully operate within the U.S. EEZ. It is unacceptable that Coast Guard officers on the front lines were unable to provide our captains with even the most basic information or, in most cases, guidance when contacted.

Third, in the event of future foreign military operations in or near the U.S. EEZ in the Bering Sea, plans should be in place for the U.S. Coast Guard to have an at-sea presence in the area to deter engagements by the foreign military with U.S.-flagged vessels lawfully operating in the U.S. EEZ and to better intervene in the event there is engagement or other immediate danger to our vessels. Communication to our vessels of potential threats to our safety should be coming from the U.S. Coast Guard, not the Russian military. Recognizing the need for a presence after

the August 26 events, the Coast Guard ultimately deployed the CGC ALEX HALEY to the area for the remainder of the planned exercises. This was appreciated, but future plans should include the deployment of at least one cutter to an area for the entirety of an operation to help prevent a recurrence of what occurred to our fleets.

A New Normal?

Beyond requesting the Subcommittee's help in securing these Federal process improvements, I welcome your focus on the broader geopolitical challenges in the Arctic region of which these confrontations appear to be merely one symptom. If indeed these exercises are part of Russia's effort to establish a more assertive presence in the Arctic—especially in a world where receding sea ice extent provides a set of new economic and military opportunities for regional powers—that is a cause of genuine alarm for our industry.

Our sovereign right to legally fish within the U.S. EEZ must be protected. Our concerns are heightened by recent proclamations by members of the Russian Duma calling into question the legitimacy of the U.S./Russia boundary line—a cornerstone of the framework for our federal fisheries. Russian naval exercises cannot be allowed to serve as a deterrent to the fully legitimate operations of a U.S. fishing fleet that competes directly with the Russian seafood industry in global markets for pollock, Pacific cod, and other groundfish.

Anxiety throughout the industry was also further heightened when a Russian warplane harassed our vessels in a separate incident the following month. On September 14, approximately 70 miles west of St. George, a Russian warplane made two direct passes over a U.S.-flagged catcher-

processor vessel, the Starbound—the first starboard to port, the second stern to bow—and then performed a fly-over of a second one of our vessels, the Alaska Ocean. The captains estimate that the aircraft was at approximately 500 feet. No radio contact was made. This incident does not appear in any way related to an officially-noticed military exercise. Although it didn't come with the level of economic cost or genuine fears regarding crew safety that accompanied the August 26 incidents, it is extremely worrying if it is indicative of a broader trend.

From our vantage point—on the front lines of a changing Arctic—a robust U.S. military presence to protect U.S. interests in the region is simply non-negotiable. I will defer to my fellow witnesses, with such impressive military credentials and expertise, to opine on precisely what form that should take; but I thank Members of the Subcommittee for their focus on this region, and for considering the enormous economic and national security stakes that are at play.