

**PROTECTING THE MARITIME BORDERS:
LEVERAGING LAW ENFORCEMENT COOPERA-
TION TO ENHANCE SECURITY ALONG AMER-
ICA'S COASTS**

HEARING

BEFORE THE

**SUBCOMMITTEE ON BORDER AND
MARITIME SECURITY**

OF THE

**COMMITTEE ON HOMELAND SECURITY
HOUSE OF REPRESENTATIVES**

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**PROTECTING THE MARITIME BORDERS:
LEVERAGING LAW ENFORCEMENT CO-
OPERATION TO ENHANCE SECURITY ALONG
AMERICA'S COASTS**

Tuesday, July 12, 2011

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
SUBCOMMITTEE ON BORDER AND MARITIME SECURITY,
Washington, DC.

The subcommittee met, pursuant to call, at 10:04 a.m., in Room 311, Cannon House Office Building, Hon. Candice S. Miller [Chairwoman of the subcommittee] presiding.

Present: Representatives Miller, Rogers, McCaul, Quayle, Rigell, Duncan, Cuellar, Jackson Lee, Clarke, and Thompson.

Also present: Representative Pierluisi.

Mrs. MILLER. Good morning. The Committee on Homeland Security, our Subcommittee on Border and Maritime Security will come to order.

This subcommittee is meeting today to hear testimony from General Michael Kostelnik, assistant commissioner of CBP's Office of Air and Marine; Rear Admiral Zukunft, assistant commandant for marine safety, security, and stewardship; Sheriff Tim Donnellon from St. Clair County, Michigan; and Sheriff Adrian Garcia from Harris County, Texas, on the Department of Homeland Security's cooperation in the maritime environment.

The goal of this subcommittee has been to make sure that the Department of Homeland Security is adequately securing America's many, many miles of border. However, when we talk about border security, sometimes we don't think about our liquid borders that our Nation has. Our coasts obviously need to be secured just like the borders and the deserts of Arizona or across the Northern tier of our Nation as well. Of course, in Michigan we talk about the long, liquid border with Canada, who is our largest trading partner, but, as Mr. Cuellar points out often here, we also have a liquid border in Texas, in the Rio Grande. All of that needs to be secured.

As this subcommittee moves forward, I think we need to try to zero in on the importance of maritime security for our Nation's economic well-being and the threats that are posed to the global supply chain that transits the goods and services that we depend on across our world's oceans and into our waterways. Commerce, obviously, is the lifeblood of our Nation's economy. It moves in and out of our ports, up and down our rivers. It is certainly both a benefit

as well as, unfortunately, a vulnerability to those who might seek to do harm to us.

Today I want to focus, really, and concentrate on the cooperation that takes place in the maritime environment between the multiple agencies that have jurisdiction on our Nation's waterways. We have to be mindful of the hard lessons learned on September 11. Cooperation, training, and collaboration must take place and must be practiced well before an incident happens. It goes without saying that meeting key stakeholders on the day of an incident is not the way forward.

Two principal Federal agencies are charged with the protection of our ports and maritime security: Customs and Border Protection, of course; and the United States Coast Guard. Both are represented here today, and we will be looking forward to their testimony. The Coast Guard is the lead agency for maritime security in America. Customs and Border Protection ensures the integrity of the supply chains and enforces custom laws.

The very purpose of this hearing is to make sure that we are using our resources in a very prudent, effective, and efficient manner to the best of our ability; as well, that we are leveraging our local partners and that we are not duplicating efforts, which is where our two county sheriffs will come in to the equation here this morning.

It is certainly clear that CBP Air and Marine and the Coast Guard can not secure our coastal borders without State and local law enforcement assistance. As with other aspects of border security, a team approach is required in the maritime domain. Local law enforcement agencies are necessary to keep our waterways secure. In a time of constrained budgets and limited resources, we just can't afford to have wasteful and duplicative efforts by different levels of government. The American people demand that we try to stretch their hard-earned taxpayer dollars, get the most bang for the buck, as the phrase often is said. The Coast Guard and the CBP Air and Marine both deploy small boats into no fewer than 23 harbors across our Nation. We will want to be exploring: Are we fully leveraging the potential cost savings of having two agencies located in the same port? Or, how they are working together?

For many years, I have been a strong advocate for consolidating Department of Homeland Security facilities to save dollars and encourage cooperation, unity of effort, information sharing amongst all the different agencies. I think it is of note that the Coast Guard and the CBP Air and Marine are, in most cases, patrolling the same waters but often they are not sharing the same pier space or facilities. A question that we will be exploring: Could they? Are there ways that we could save dollars and make them more efficient, or at least keep efficiencies and save dollars?

In addition, the Coast Guard has more than 1,000 small boats, and the CBP Air and Marine has almost 300 small boats. Yet they only use one common platform; that is a 33-foot SAFE Boat. Obviously, there are different missions and you need different types of equipment for that. But, again, we will want to explore if we can benefit from closer cooperation when it comes to small-boat acquisitions.

I am very, very encouraged, however, by the close relationship that CBP and the Coast Guard have developed with regard to the use of the unmanned aerial vehicles. The Guardian maritime variant being used at both Cape Canaveral and Corpus Christi brings a very powerful surveillance tool to bear in the maritime environment. Technology, properly deployed, can be a huge force multiplier in our Nation's security, and I support the continued use of UAVs and other proven, cost-effective DOD technology in the homeland environment.

Interagency forums, the Coast Guard's interagency operational centers, and the Border Patrol's operational integration centers are critical to developing relationships and fostering cooperation. Obviously, brick-and-mortar centers can't be the solution everywhere. Again, we need to explore what kinds of things we need to do.

The Coast Guard has been at the forefront of development of the WatchKeeper software, for example, which can provide an internet-based solution for critical information sharing, such as vessel arrival time, security screening information, a harbor's common operating picture, even the scheduling of various maritime assets. While WatchKeeper still needs some improvements in order to make it fully operational, this is, I think, very exciting technology. It certainly points to how we can become more cost-effective and efficient and, again, foster communication and collaboration.

Shiprider and the cross-designation of officers from the United States and Canada and other partner nations has become a very valuable tool in our Nation's waterways. I understand that several Border Patrol agents also graduated from the Shiprider course, and I will be interested to hear how they will be deployed and how we can fully leverage those capabilities as well.

My hope is that the Department's recent announcement of the Maritime Operation Coordination Plan, which establishes a framework for maritime operational coordination, information and intelligence sharing, and joint responses for events on the water, is a recognition of the important work yet to be done in this area. The establishment of this plan is an important step forward. Again, we will be very interested to hear from our witnesses today on how this plan can be implemented, how we can benchmark it, what we can do to improve performance within the framework of the plan, as well.

I think that this collaborative approach to border security on the water is certainly the way that we need to move forward. I would like to say a little parochial here, as a way that we have been doing business in our region of the world for quite some time. We have a great working relationship between the Coast Guard Sector Detroit and the Detroit Sector Border Patrol and the State and local officials. Again, I may be a little parochial, but I think that is certainly something we want to showcase this morning. We think we are an operational model for other parts of the Nation, and I am sure Sheriff Harris will be telling us about his part of the Nation, as well, and how they work so closely together.

So, we certainly need to make sure that, going forward, our plan includes procedures for the best practices in various regions across the Nation. Again, I am hopeful that the newly established regional

coordination mechanism will provide a forum for best ideas and practices across our Nation.

[The statement of Mrs. Miller follows:]

PREPARED STATEMENT OF CHAIRWOMAN CANDICE S. MILLER

The goal of this subcommittee has been to make sure the Department of Homeland Security is adequately securing America's many miles of border. However, when we talk about border security, our liquid borders don't immediately come to mind.

Our coasts must be secured just like the border in the deserts of Arizona. Being from Michigan, I often talk about the long liquid border with Canada, our largest trading partner, but as Mr. Cuellar points out, we also have a liquid border in Texas, the Rio Grande, and that too must be secure.

As this committee moves forward, I plan to zero in on the importance of maritime security for our Nation's economic well-being, and the threats posed to the global supply chain that transits the goods and services we depend on across the world's oceans and into our waterways. Commerce is the lifeblood of our Nation's economy; it moves in and out of our ports, up and down our rivers—but it is both a benefit and a vulnerability that those who seek to do us harm could exploit. Today, I want to concentrate on the cooperation that takes place in the maritime environment between the multiple agencies that have jurisdiction on our Nation's waterways.

We have to be mindful of the hard lessons learned on September 11—cooperation, training, and collaboration must take place and must be practiced well before an incident happens. It goes without saying that meeting key stakeholders the day of an incident is a recipe for disaster.

Two principal Federal agencies are charged with the protection of our ports and maritime security—Customs and Border Protection and the U.S Coast Guard, who are both represented here today. The Coast Guard is the lead agency for maritime security in America, and Customs and Border Protection ensures the integrity of the supply chain and enforces customs laws. Within 24 nautical miles of the coastline, both agencies have some overlapping authorities, and the very purpose of this hearing is to make sure that we are using our resources in a prudent, effective, and efficient manner, that we are leveraging our local partners, and that we are not duplicating efforts.

It is abundantly clear that CBP Air and Marine and the Coast Guard cannot secure coastal borders without State and local law-enforcement. As with other aspects of border security, a whole-of-Government approach is required in the maritime domain. Local law enforcement agencies are necessary to keep our waterways secure. I'm pleased to have two local sheriffs with us today to speak to the challenges faced by State and locals, and what their experiences have been in fostering Federal and local cooperation on a daily basis.

In a time of constrained budgets and limited resources we cannot afford to have wasteful and duplicative efforts by different levels of government. The American people rightly demand that we stretch hard-earn taxpayer dollars to get the most bang for the buck.

The Coast Guard and CBP Air and Marine both deploy small boats in no fewer than 23 harbors across the Nation. Are we fully leveraging the potential cost savings of having two agencies located in the same port?

For many years I have been a strong advocate for consolidating DHS facilities to save tax-payer dollars and encourage cooperation, unity of effort, and information sharing among different agencies. It concerns me is that the Coast Guard and CBP Air and Marine are patrolling the same waters, yet they are not sharing pier space or facilities.

In addition, the Coast Guard has more than 1,000 small boats, and CBP Air and Marine has more than 297 small boats. Yet they only use one common platform—the 33 ft Safeboat. While I understand that there are different missions, I do think that we can benefit from closer cooperation when it comes to small boat acquisitions.

I am encouraged however, by the close relationship that CBP and the Coast Guard have developed with regard to the use of Unmanned Aerial Vehicles. The Guardian Maritime variant being used at Cape Canaveral and Corpus Christi brings a powerful surveillance tool to bear in the maritime environment. Technology, properly deployed, can be a powerful force multiplier for our Nation's security, and I support the continued use of UAVs and other proven, cost-effective DoD technology for use in the homeland environment.

Interagency forums, the Coast Guard's Interagency Operational Centers and the Border Patrol's Operational Integration Centers are critical to developing relation-

ships and fostering cooperation. However, brick-and-mortar centers may not be the solution everywhere.

The Coast Guard has been in the forefront of the development of the Watch keeper software, which can provide an internet-based solution for critical information sharing such as vessel arrival times, security screening information, a harbor's common operating picture, and even the scheduling of various maritime assets. While Watch keeper still needs improvements in order to make it fully operational, I support this cost-effective and efficient effort to foster collaboration and communication.

Shiprider, and the cross-designation of officers from United States and Canada, and other partner nations, has become an indispensable tool in our Nation's waterways. I understand that several Border Patrol Agents have also graduated from the Shiprider course—I will be interested to hear how they will be deployed and how their new capabilities will be fully leveraged along our Northern border.

My hope is that the Department's recent announcement of the Maritime Operations Coordination Plan—which establishes a framework for maritime operational coordination, information and intelligence sharing, and joint responses for events on the water is a recognition of the important work yet to be done on this area.

The establishment of this plan an important first step, and I will be very interested in hearing from our witnesses today as to how this plan will be implemented and what concrete steps will be taken to achieve closer cooperation and coordination.

This so called “new” collaborative approach to border security on the water is the way we have been doing business for years in our region. The great working relationship between the Coast Guard—Sector Detroit and the Detroit Sector Border Patrol and State and locals—it is an operational model for others Nation-wide to follow.

What puzzles me is why it took CBP and the Coast Guard so long to put out this document. We need to make sure this plan includes procedures for the best practices of regions like the Great Lakes and Houston to be shared across the Nation. I hope that the newly-established Regional Coordination Mechanism will provide a forum for the best ideas and practices across the Nation to filter up to decision-makers within the Coast Guard and CBP.

Mrs. MILLER. At this time, I would like to recognize the Ranking Minority Member of the subcommittee, the gentleman from Texas, Mr. Cuellar, for his statement.

Mr. CUELLAR. Thank you very much, Madam Chairwoman.

Before I give my statement, I will ask unanimous consent that the gentleman from Puerto Rico, Mr. Pierluisi, be authorized to sit for the purpose of questioning witnesses during the hearing today.

Mrs. MILLER. Without objection.

Mr. CUELLAR. Thank you very much.

Madam Chairwoman, I am pleased that the Subcommittee on Border and Maritime Security is meeting today to discuss “Protecting the Maritime Borders: Leveraging Law Enforcement Cooperation to Enhance Security Along America's Coasts,” and following what our Chairman last year had done, Bennie Thompson.

As a Member of Congress representing a district along the Southern border, I have long advocated for strengthening our land borders while facilitating legitimate trade and commerce with our neighbors. That being said, in Texas, as you know, we do have the Gulf of Mexico where the Air/Marine is at, the Coast Guard is at, but we also have our local folks also, the sheriff also, Sheriff Garcia from Harris County. Not only the Gulf of Mexico, but in Texas we also have another body of water, an international body of water, called the Rio Grande that serves as a border between the United States and Mexico.

The Rio Grande and the lakes along the Texas border are some of our great natural resources, but it also presents security challenges for Federal, State, and local law enforcement. As you know, one of the recent lakes that was brought to National attention was

Lake Falcon. As you know, there have been incidents on the Mexican side with violent incidents involving drug smugglers on the Mexican side of Falcon Lake. Again, the U.S. portion of that lake is in my particular district.

I am a strong supporter of the efforts that the U.S. Customs and Border Protection does and appreciate the work that General Kostelnik has been doing to make sure that we have more of the UAV presence and of course other assets also, and, of course, the work that the Coast Guard is doing to better secure these waterways.

Other than the post operations by the Coast Guard, CBP in particular, Border Patrol, it is really the only Federal agency that currently patrols the area. As you know, we have been pushing to have more presence of what General Kostelnik and the Air/Marine folks have been doing down there, but would like to have more of the Coast Guard down there. It is in international waters. I believe there should be a report that should be coming out soon that was mandated. It should have been ready in January, but I think it will be done soon. Clearly, I think that is something that we all need to take a look and see what they say at that particular time.

We also, as you recall, Madam Chairwoman—and thank you for that hearing that we had with the Coast Guard Commandant Papp—held a recent hearing and were talking about how we can better secure the border. I am also—not only the Federal level but I know at the State level, the Texas Parks and Wildlife works a lot with the Coast Guard. We appreciate the work that they do; in particular, also, you know, the work of our local law enforcement.

Today I know we have a sheriff from the northern part of the United States. It is a pleasure having your sheriff here. Then, of course, Sheriff Garcia from Harris County was able to join us here today.

As a sheriff in a major metropolitan area that includes the Houston Ship Channel, a major center for the petrochemical industry, he has a very unique perspective on port and maritime security matters. He also understands the challenges posed by budget cuts and reductions in some of the Federal grant programs that local communities like his rely on to assist the Federal partners in their homeland security efforts.

Given these limited resources, agencies across the levels of government must do everything possible to make sure that they coordinate operations and avoid duplications of efforts and make sure that they share the information, the intelligence that is so important to make sure that they go after the bad guys.

As I stated at our last hearing, ultimately whether we are talking about narcotics or undocumented aliens or those who might wish to do us harm, we know that people will take the route that they perceive to offer the best opportunity to enter the country. If we secure the land borders, people would then try to come across our maritime borders and vice versa. I think we saw that in the 1980s and 1990s when the effort was in the Miami area; then some of us would say that they are going to be coming down through Mexico. Sure enough, 10 years later, this is what we are facing at this particular time. So, therefore, we must take a comprehensive approach to our Nation's border.

I thank the witnesses for joining us here today. Again, Madam Chairwoman, as I have always said, your northern perspective and my southern perspective, I think, gives us a good idea, but at the same time keeping in mind the maritime area also, to cover the United States.

So I, again, thank you, Madam Chairwoman. I yield back the balance of my time.

Mrs. MILLER. I thank the gentleman for his comments, his opening statement.

The Chairwoman would recognize the Ranking Member of the full committee, the gentleman from Mississippi, Mr. Thompson, for his statement.

Mr. THOMPSON. Thank you very much, Madam Chairwoman.

I welcome our group of witnesses to this very necessary hearing.

Often when Congress examines the issue of border security, the focus is limited to the land border, and the Southwest border in particular. Meaningful discussion about border security must also include America's maritime borders.

Our Nation has thousands of miles of coastline, lakes, and rivers, and hundreds of ports that provide opportunities for legitimate travel, trade, and recreation. At the same time, these waterways often provide opportunities for terrorists and their instrument, drug smugglers, and undocumented persons to enter our country. I am pleased that today's subcommittee, however, is examining maritime security and how law enforcement agencies can work cooperatively to combat these threats.

The Department of Homeland Security, including the Coast Guard and Customs and Border Protection, is at the forefront of this effort. I look forward to hearing from our DHS witnesses about how CBP and the Coast Guard coordinate their maritime security operations to help secure our Nation while avoiding duplication of efforts in an arena with multiple law enforcement agencies.

Given the magnitude of the task and our relatively limited Federal resources, DHS's cooperation and coordination with State, local, and international partners is essential. Resource limitations often pose a challenge for State and local participation in maritime security efforts, however. State and local governments frequently lack adequate funding to deploy the personnel and vessels necessary to operate in a maritime environment.

Unfortunately, the House-passed fiscal year 2012 Homeland Security appropriations bill makes significant cuts in grant programs that assist State and local law enforcement. Specifically, the bill will cut grants for State and local programs by \$1.23 billion, 55 percent less for fiscal year 2012 when compared to fiscal year 2011 enacted, or \$2.1 billion below the President's request.

These cuts, if enacted, would undermine local law enforcement maritime security efforts. For example, in places like Harris County, Texas, represented by Sheriff Garcia on our witness panel, these cuts would seriously provide consequences for their ability to help ensure the security of the Houston Ship Channel, which is home to numerous petrochemical facilities. Similarly, Sheriff Donnellon points out in his testimony Operation Stonegarden has been essential in his ability to deploy officers in his community.

Cutting these grant funds would undermine the good work being done in communities along both borders.

While many of the Members on the other side of the aisle talk tough on security issues, they fail to put their money where their mouths are when it comes to grant funding. In fact, they voted overwhelmingly in favor of these cuts, including our Chairperson of this subcommittee. These cuts put us at risk. All the information we have says that, unless we provide resources to our locals, our State, as well as our Federal officials to do their job, it makes it almost impossible for us to keep America safe. State and local governments are becoming adept at doing much with less, but you can only cut so much before homeland security begins to suffer.

I look forward to hearing from our local law enforcement witnesses about their work in the maritime security mission, as well as what effect these proposed grant-funding cuts may have on their efforts to continue to secure their communities.

I thank the witnesses for their service to the communities and our country and for joining us at this hearing today.

I yield back the balance of my time.

Mrs. MILLER. Other Members of the committee are reminded that opening statements may be submitted for the record.

What I will do is introduce our first three witnesses, and then I am going to ask Mr. Cuellar to introduce his sheriff.

Then we will start testimony with General Kostelnik, who is the assistant commissioner of the U.S. Customs and Border Protection Office of Air and Marine. The Office of Air and Marine is the world's largest aviation and maritime law enforcement organization.

Prior to his current position, the general served as the deputy associate administrator for the space station and space shuttle at NASA. While he was there, he was responsible for the Nation's Human Space Flight program, operating the fleet of U.S. space shuttles and leading a 19-nation-member team continuing development of the International Space Station.

Last week was a bittersweet moment for the shuttle. Not having a follow-on mission is very distressing.

Prior to joining NASA, he spent more than 32 years on active military duty with the U.S. Air Force serving as a fighter pilot, flying F-4s and F-15 aircraft as well as experimental aircraft.

Rear Admiral Zukunft assumed his current position as assistant commandant for marine safety, security, and stewardship in May of 2010. He is responsible for developing and promulgating National marine safety, security, and environmental protection doctrine, policy, regulations, as well as ensuring policy alignment throughout the Federal Government with its international maritime partners.

Sheriff Tim Donnellon's law enforcement career has been with the St. Clair County Sheriff's office for 24 years. He had served at all command levels until he was elected sheriff in 2009. He is a graduate of the U.S. Department of Justice Federal Bureau of Investigation's National Academy program and holds a master's degree in public safety. He has extensive background in narcotics interdiction, criminal investigations and death investigations, and special weapons and tactics. His department covers 770 square

miles of land and has a marine and dive division, as well, that covers 110 miles of shoreline.

I would ask Ranking Member Cuellar to introduce Sheriff Garcia.

Mr. CUELLAR. Thank you again, Madam Chairwoman.

Again, I believe Congresswoman Sheila Jackson Lee knows him very well, and, of course, Mike McCaul also knows the sheriff very well. But I appreciate this opportunity to introduce Harris County Texas Sheriff Adrian Garcia, to welcome him to Washington, DC, and to this particular subcommittee.

Sheriff Garcia heads the largest sheriff's office in Texas and the third-largest in the United States. Sheriff Garcia is a native of Houston who chose public service as a profession. He became an officer with the Houston Police Department in 1980. At the HPD, he patrolled neighborhoods, investigated violent crimes, developed community policing initiatives, and worked to strengthen the relationship between residents and law enforcement.

Sheriff Garcia was elected to the Houston City Council in 2003. In 2007 the mayor, Bill White, appointed him as mayor pro tem.

Mr. Garcia returned to his law enforcement roots in 2009 as the newly elected sheriff, providing the leadership needed to bring the Harris County Sheriff's Office into the 21st Century. Certainly, my brother, who is also a sheriff at the border, talks very highly of Sheriff Garcia.

Again, the sheriff of Harris County, Adrian Garcia, oversees an operating budget of approximately \$420 million and has a workforce of about 4,000 law enforcement and civilian employees.

His Houston office is also the law enforcement agency for the Houston Ship Channel Security District, a corridor that is home to 40 percent of the Nation's chemical manufacturing capacity and 14 percent of its oil refinery capacity. Sheriff Garcia's experience in that capacity is invaluable to our discussions here today.

I thank you for joining us.

Ms. JACKSON LEE. Would the gentleman yield for just a moment?

Mr. CUELLAR. Yes, I do.

Ms. JACKSON LEE. He is a constituent, Madam Chairperson.

Mrs. MILLER. Certainly.

Ms. JACKSON LEE. I thank the committee for its indulgence.

First of all, to all of the witness, but, Sheriff Garcia, I would like to welcome you.

Madam Chairwoman, I just want you to know that Sheriff Garcia is a law enforcement's law officer. He has broad experience, starting at the Houston Police Department, with his knowledge on gang activity, drug interdiction, and now he brings a wealth of knowledge as a former member of the Houston City Council but who focused on homeland security issues, chairing the Homeland Security committee.

I would expect that his testimony will be provocative and instructive of how important it is to provide COPS grants, as well as homeland security grants, which I believe will be zeroed out. But I know that he will be instructive, and I am delighted for his presence here and thank him for his service.

Thank you for yielding. I yield back.

Mr. CUELLAR. Thank you very much.

At this time, I yield back.

Mrs. MILLER. Thank you very much.

We certainly welcome all of the witness here today. We have a very distinguished panel. Looking forward to all of the testimony. We appreciate all of you gentlemen for being in attendance today.

We will start with turning the floor to General Kostelnik for his comments.

**STATEMENT OF MAJOR GENERAL MICHAEL C. KOSTELNIK
(RET.), ASSISTANT COMMISSIONER, OFFICE OF CBP AIR AND
MARINE, U.S. CUSTOMS AND BORDER PROTECTION, DE-
PARTMENT OF HOMELAND SECURITY**

General KOSTELNIK. Madam Chairwoman, Ranking Member Cuellar and Thompson, it is good to be back with you and the committee. It is always a pleasure to come and give you updates on our security programs and the kind of things that we have done over the past year to make things better.

I understand this hearing is focused on maritime security, but there is both the air/aviation piece as well as the physical-boats-on-the-water piece of homeland security. Ultimately, we require and project maritime domain awareness with a combination of aviation assets, boats and ships on the water, information, technical approaches such as the AMOC, and other mission sets that we have across the country.

So I am pleased to give you a brief overview of the kinds of things that have been going on in Air and Marine to provide improvements, both in our air capabilities, our on-the-water capabilities, and, ultimately, not only our physical capabilities at facilities such as AMOC in Riverside, California, but with partnerships with the other operator of aircraft and boats, the U.S. Coast Guard. I think you will find there is a rich relationship there.

On the air picture, we continue to re-wing our P-3. That is our largest and most important maritime patrol aircraft. That aircraft currently provides almost 60 percent of the total air picture in the transit zone, doing great diligence in terms of going after some of these go-fast boats and the submarines we continue to see in that AOR.

We are on track with our re-winging program. We have two or three of those aircraft we will wing. That program will continue, and over the next 2 or 3 years we will buy out that program and complete the re-winging effort for all 14 of those aircraft. Those aircraft will have an additional 15- to 20-year service life and provide the capability to protect the homeland and maritime environment, you know, across the spectrum, not only in this transit zone where they exist today, but on the coasts and environments on the littoral on either side of the country and across the Northern border, as well.

Also remarkable this year, we just rolled out the first of what will be a series of multi-role enforcement aircraft. This is a true and, indeed, a multi-role aircraft. It is a King Air extended-range aircraft that carries a multi-mode radar optimized for the air-to-water involvement. We rolled out this aircraft a couple months ago here in downtown District of Columbia.

The first of those aircraft, the prototype, is actually undergoing operational tests in the Southwest AOR. We expect to deliver the first two missionized aircraft before the end of this year. There are three additional aircraft that are funded and in the process of being equipped that will enter service in the next 2 years. Those give us and augment the manned aircraft that we have in both the air-to-ground and the air-to-water role.

Obviously, there is a lot of interest now in the unmanned assets. You mentioned the Guardian. We took the Guardian to the Paris Air Show this year at the request of the U.S. Ambassador and the EUCOM, and it was on display in the DOD pavilion. That was the first time ever a Reaper-class/Predator B aircraft was ever on display at the Paris Air Show, and it created a good deal of interest with our partnership nations. The countries of France, Italy, and others were very interested in those types of vehicles being used for security applications in the homeland. So, in that arena, we are on the leading edge of that policy.

In the area of boats in the water, we continue to assess boats from the Coast Guard, modernize those and apply those both on the Northern and Southern borders. We continue to procure new of the larger-class SAFE Boats, the 33 for the Coast Guard and 38 boats for us. We expect to be on contract for the first of the replacement boats, 17 of which are funded to replace the most important, Midnight Express.

In the area of the Guardian, thanks to this committee and other Members in Congress, the aircraft that were funded in the last bill, the first two of those aircraft will enter service this year, in October. The first one we expect to add and augment the Guardian is at Corpus Christi. The second one will go to Sierra Vista. With the opportunities that we have, all six of those aircraft can fly anywhere between California and Louisiana. We have a lot of activity both today in Texas and across the Texas border from those aircraft. There will be more of those across time. The third Guardian aircraft will be delivered sometime after January. All three of these are new assets that add to fleet. By the end of January this year, that will give us 10 operational unmanned assets that are flying nightly from four operational sites in the country.

The AMOC continues to grow and add expansion. We have added processing, exploitation, and dissemination cells that give us the back-end work for the Predators to do intel collection. That gives us capabilities we did not have. They feed new infrastructures we have, like the OIC at Selfridge, and others that we are coordinating to build these relationships with us and the U.S. Coast Guard to add an unprecedented level of domain maritime awareness in the homeland.

As we look out upon some of the pirating activities, clearly this is an emerging threat which needs attention in the homeland. I think you will find through testimony and the questions that you ask today, that you will find that we and the U.S. Coast Guard and the Department of Homeland Security are well on track with this regard.

I look forward to your questions. Thank you.
[The statement of General Kostelnik follows:]

PREPARED STATEMENT OF MAJOR GENERAL MICHAEL KOSTELNIK (RET.)

JULY 12, 2011

Chairman Miller, Ranking Member Cuellar, and distinguished Members of the subcommittee, it is a privilege and an honor to appear before you today to discuss U.S. Customs and Border Protection's (CBP) coordination with our law enforcement partners in the maritime environment.

As America's front-line border agency, CBP is responsible for securing America's borders against threats, while facilitating legal 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 flow of lawful 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 international counterparts. It also extends our zone of security outward, ensuring that our physical border is not the first or last line of defense, but one of many.

Over the past 2 years, the Department of Homeland Security (DHS) has dedicated historic levels of personnel, technology, and resources to border security. We have more than doubled the size of the Border Patrol since 2004; quintupled the number of Border Liaison Officers working with their Mexican counterparts; doubled personnel assigned to U.S. Immigration and Customs Enforcement (ICE)-led Border Enforcement Security Task Forces; and begun screening southbound rail and vehicle traffic for the illegal weapons and cash that are helping fuel the cartel violence in Mexico. CBP also received approval from the U.S. Department of Transportation's Federal Aviation Administration to increase the miles of airspace available for Unmanned Aircraft System (UAS) operations, enabling CBP to deploy UASs along the Southwest border from the eastern tip of California extending east across the border into Texas. In addition, approximately 950 miles along the Northern border from Washington to Minnesota are currently covered by unmanned aircraft, in addition to approximately 200 miles along the Northern border in New York and Lake Ontario. These UASs significantly enhance CBP's situational awareness in areas that are difficult to reach by other operational elements—a critical capability in the rugged terrain along the Northern border.

While there is still work to be done, every key measure shows we are making significant progress along the Southwest border. Border Patrol apprehensions have decreased 36 percent in the past 2 years, and are less than a third of what they were at their peak. In fiscal year 2010, CBP seized \$147 million in currency (inbound and outbound) at and between the ports of entry (POEs), a 34 percent increase from the previous fiscal year. CBP also seized 4.1 million pounds of narcotics, including 870,000 pounds seized at the POEs, 2.4 million pounds seized between the POEs, and 831,000 pounds assisted by Air and Marine interdiction agents. These numbers demonstrate the effectiveness of our layered approach to security.

Today I would like to discuss some of the important work carried out by the CBP Office of Air and Marine (OAM), which provides aviation and marine support to Border Patrol and other Federal, State, local, and Tribal partners. OAM currently has over 800 pilots, 350 Marine Interdiction Agents, and 40 Aviation Enforcement Officers, as well as 285 aircraft and 297 marine vessels deployed across 75 locations throughout the United States and Puerto Rico. In addition to providing interdiction, surveillance, and patrol support, OAM units serve as a deterrent of illegal activity on the border.

In recent years, CBP has significantly expanded OAM operations along the Northern border. Since 2004, CBP has opened five strategically located Air Branches along the Northern border in Washington, Michigan, Montana, New York, and North Dakota. CBP has stationed 52 fixed-wing and rotary aircraft on the Northern border, including two UASs which began operating out of the Grand Forks Air Force Base in Grand Forks, North Dakota in January 2009. In addition, since 2009, OAM has opened six new marine units on the Northern border in New York, Ohio, Michigan, Pennsylvania, and Washington. Currently, CBP operates 29 coastal and 52 riverine vessels and has added 100 new marine interdiction officers on the Northern border.

CBP has operated the Predator B UAS for over 6 years and has pioneered the employment of this long duration, remotely-piloted aircraft in the National Airspace System (NAS) for border security and disaster assistance. Predator Bs, which can operate for more than 20 hours during a single border search mission, currently patrol along both the Southern and Northern U.S. land borders and have logged more than 10,000 flight hours in support of CBP's border security mission. The newest addition to CBP's UAS family, a maritime search variant of the Predator B called

the Guardian, carries a broad-area sea-search radar with long range detection and tracking capabilities. Together, the Guardian and Predator B have assisted in CBP's support and response to large-scale natural disasters such as hurricanes, flooding in North Dakota, the recent wildfires in Arizona, and the oil spill in the Gulf of Mexico; and have positioned CBP to confront evolving threats to the homeland.

In June 2009, CBP conducted Operation Empire Shield—a UAS and P-3 aircraft surge operation in the Great Lakes region. The operation combined the efforts of CBP, ICE, Drug Enforcement Administration (DEA), the U.S. Coast Guard (USCG), Royal Canadian Mounted Police (RCMP), Canadian Border Services Agency (CBSA), and the New York State Police to demonstrate integrated air and marine operations. Employing a combined operations center out of Wheeler-Sack Army Air Base, Fort Drum, NY, the 3-week operation pursued 244 marine tracks that resulted in 85 vessel boardings. This Operation resulted in the seizure of \$300,000 in cash, cocaine, several vehicles, and the arrest of five individuals and paved the way for long-term CBP UAS support agreements with Wheeler-Sack.

CBP is working closely with our partners at the DHS Science and Technology Directorate (S&T) to develop and find new capabilities to counter the threat posed by low-flying aircraft along the Northern border. We recently completed a joint testing program with S&T and the USAF Test Pilot School at Edwards Air Force Base, CA to assess our current air interdiction capability and find ways to improve our effectiveness in detecting and tracking these small aircraft.

CBP has established the Operational Integration Center (OIC) at Selfridge Air National Guard Base in Harrison Township, Michigan. The OIC is a demonstration project to enhance border security and situational awareness for CBP and its mission partners along a critical area of the Northern border by integrating personnel and technology. The OIC allows for a collaborative work area and communications capabilities for all components of CBP, the U.S. Coast Guard, other DHS entities, Federal law enforcement agencies, State and local law enforcement, and appropriate Canadian agencies. 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, Remote Video Surveillance Systems, and Mobile Surveillance Systems feeds, and video from various POE, tunnel and local traffic cameras. This level of personnel and technology integration and cooperation serves as a model for technology deployments on the Northern border.

In addition, DHS components have formed an integrated operations group along the Northern border to enhance coordination of air and maritime operations in the Great Lakes Region. In the future, DHS plans to expand this operations group to include State, local, and Tribal law enforcement, and State homeland security counterparts to enhance integrated operations, communications, and intelligence-sharing across the eight States that comprise the Great Lakes region.

Within CBP, we established the State, local, and Tribal liaison office to enhance collaboration with our State, local, and Tribal partners. This office works to inform State, local, and Tribal stakeholders of current and proposed CBP programs, assists these stakeholders in addressing questions or concerns about CBP programs, and assists in building and maintaining partnerships with CBP.

CBP officers and agents provide support to Integrated Border Enforcement Teams (IBET)—comprised of CBP, ICE, USCG, Canadian law enforcement and other Federal partners—which work to identify, investigate, and interdict individuals and organizations that may pose a threat to National security or are engaged in organized criminal activity along the Northern border. Similarly, CBP is one of the largest contributors of personnel to ICE-led Border Enforcement Security Task Force (BEST) units, which bring together Federal, State, local, territorial, Tribal, and foreign law enforcement to collaborate to identify, disrupt, and dismantle criminal organizations which pose significant threats to border security. There are currently 21 BESTs throughout the United States. By incorporating integrated mobile response capability (air, land, marine), IBET and BEST groups provide participating law enforcement agencies with a force multiplier that maximizes border enforcement efforts.

Throughout CBP's history, as well as that of our legacy agencies, our officers and agents have been called upon to assist in law enforcement missions beyond the border security realm. Our agents and officers have been cross-deputized as U.S. Marshals or deputized by local law enforcement to assist in National emergency situations. Most recently, CBP officers and agents were deputized in North Dakota as Cass County deputies by Sheriff Laney to assist in providing relief efforts to the community following the flooding that began there this past April. OAM provided fixed wing, helicopter, and Unmanned Aircraft System surveillance support for the Federal Emergency Management Agency and State and local agencies.

Our employees are on the front lines and work hand-in-hand with local and Tribal law enforcement officers. Given that the Border Patrol and Air and Marine agents operate in rural and/or remote locations, we are often the first on the scene of an accident or we are called upon to assist during routine police work. For example, in the Blaine Sector in Northern Whatcom County, Washington, CBP communications specialists are responsible for 9–1–1 calls, dispatching for the Blaine, Sumas, and Lynden Police departments. In September 2010, Air Interdiction Agents supported the Whatcom County Sheriff's office in searching for and locating a suspect who was firing shots near a residence. A CBP helicopter provided aerial support while the arrest was made and the trailer in which the suspect was hiding was cleared.

In the coming year, CBP will continue to expand joint operations by exploring a joint command with the USCG at the Air and Marine Operations Center (AMOC) in the Great Lakes Region. The AMOC, which includes representatives from the USCG, as well as other agencies, provides a comprehensive picture of the air environment in the United States. The AMOC monitors violations of U.S. airspace, tracks potentially dangerous aircraft, and coordinates and expedites the appropriate operational response.

In an effort to increase intelligence and information-sharing among our partners, Processing, Exploitation, and Dissemination (PED) cells have been established at the AMOC in Riverside, California, and at the National Air Security Operations Center in Grand Forks, North Dakota, to provide essential information to law enforcement across the Nation—increasing understanding of evolving threats and providing the foundation for law enforcement entities to exercise targeted enforcement in the areas of greatest risk. This intelligence-driven approach prioritizes emerging threats, vulnerabilities, and risks, which greatly enhances our border security efforts.

In 2005, CBP created a robust information-sharing environment known as “BigPipe,” which links equipped CBP aviation assets and information-sharing protocols to Federal, State, local, and Tribal law enforcement agencies to provide near-real time video and sensor data—enhancing situational awareness for officers across the law enforcement community. BigPipe is also used by numerous Federal, State, local, and Tribal agencies during warrant presentations, controlled deliveries, search and rescue, and surveillance operations.

Shared situational awareness is instrumental to the effective interdiction and apprehension of persons engaged in illegal activity. CBP has formal information-sharing agreements with Coast Guard District Nine in the Great Lakes region and District Seven in South Florida to enhance shared situational awareness, operational coordination, and safety. When combined with other collaborative mechanisms such as IBETs and BESTs, these partnerships greatly enhance our operational capabilities. The goal is for all USCG and CBP platforms, personnel, and assets to have the capability and competency to communicate with each other in real-time during enforcement actions.

A further example of National cooperation can be found within the Joint Harbor Operations Center (JHOC) in the port of San Diego, California. JHOC is a joint maritime command and control center with USCG, Border Patrol, OAM, U.S. Navy, San Diego Harbor Police, and California National Guard personnel co-located in one facility. Information is integrated into a common operational picture which is shared by the Coast Guard, the Port of San Diego, U.S. Navy Third Fleet, Navy Region Southwest, Navy Fleet Area Control and Surveillance Facility San Diego, and the AMOC.

Chairman Miller, Ranking Member Cuellar, and Members of the subcommittee, thank you for this opportunity to testify about the work of U.S. Customs and Border Protection. CBP is committed to providing our front-line agents and officers with the tools they need to enhance the security of America's borders. We look forward to continuing to work closely with our Federal, State, local, Tribal, and international partners in these efforts. I would be pleased to answer any questions you may have at this time.

Mrs. MILLER. Thank you very much, General. We appreciate that.

The Chairwoman now recognizes Rear Admiral Zukunft—am I pronouncing you name correctly, sir?

Admiral ZUKUNFT. “Zukunft.”

Mrs. MILLER. “Zukunft,” okay—for your testimony. Thank you.

**STATEMENT OF REAR ADMIRAL PAUL F. ZUKUNFT, ASSISTANT
COMMANDANT FOR MARINE SAFETY, SECURITY, AND STEW-
ARDSHIP, UNITED STATES COAST GUARD, DEPARTMENT OF
HOMELAND SECURITY**

Admiral ZUKUNFT. Good morning, Madam Chairwoman, Ranking Member Cuellar, and distinguished Members of the subcommittee. Thank you for the opportunity to appear before you and talk about Coast Guard cooperation with our law enforcement partners at the Federal, State, local, Tribal, and international levels.

In my current assignment, as the former commander of the 11th Coast Guard District in California, and also as a former director of a joint interagency task force overseeing all drug activity on the continent of Asia and 41 other countries, I fully appreciate the value of partnerships and that the Coast Guard shares with our law enforcement partners in working toward a goal of protecting our maritime borders. I am pleased to report, those partnerships have thrived in a unified Department of Homeland Security.

Just last Thursday, an unprecedented cross-component Maritime Operations Coordination Plan was jointly signed by Coast Guard Commandant Admiral Papp, CBP Commissioner Bersin, and ICE Director Morton. The Coast Guard executives that spearheaded this under a senior guidance team meet on a quarterly basis. This culminated in a process to enhance operational cooperation, planning, and information and intelligence sharing across all of DHS and to facilitate a robust and layered approach to maritime security.

This united effort and layered approach to security commences with the alignment at the regional level and continues with the sharing of information, both horizontally and vertically, within the Department as well as with other U.S. Governmental agencies and departments and with international partners where authorized and appropriate.

The unique nature of the maritime domain necessitates this layered approach to security. We start this layered approach in the global domain. Through the International Ship and Ports Facility Security Code, or ISPS Code, there is a world assessment regime that ensures international ports and the ships departing those ports implement security measures before they ever approach our borders.

In the past 2 years, the Coast Guard's International Port Security Program has conducted over 900 port facility assessments in more than 150 countries. Ships that depart from ports not meeting the requirements of ISPS Code are required to take additional security procedures, will be boarded by the Coast Guard and our interagency partners prior to entering the United States, and, in some cases, may be denied entry into our country.

Furthermore, we also screen ships, cargos, crews, and passengers bound for the United States by requiring vessels to submit an advanced notice of arrival 96 hours prior to their approval in port. The Coast Guard, through our two maritime intelligence fusion centers and our Intelligence Coordination Center's COASTWATCH unit, works with CBP's National Targeting Center to analyze these arriving vessels and to ascertain any potential risk these vessels may pose to our security.

Our March 15 COASTWATCH physically integrated with other interagency partners at the National Targeting Center and stood up a 24x7 maritime screening operations at that facility. This integration has led to increased information sharing and streamlined operations. Our partnership with CBP resulted in over 250,000 ships and 71 million people being screened in 2010 alone.

In the counternarcotics mission, we are currently entered into 37 bilateral agreements and operational procedures that facilitate communications with partner nations and enable these nations to increase their law enforcement capabilities, further deterring drug smugglers who attempt to cross our borders. One such example is the collaborative efforts with Mexico and Canada through the North American Security Initiative.

Also, through Joint Interagency Task Force South, we utilize Coast Guard cutters as well as U.S. Navy and allied partners in our detection/monitoring capabilities across the expensive maritime drug-smuggling routes. These surface assets are further supported by air assets from the Coast Guard, Navy, and CBP. When a target is detected, our law enforcement detachments deployed on these ships provide the competencies and authorities to enforce the interdiction and support prosecution efforts in this mission. Efforts and teamwork such as these resulted in the interdiction of over 200,000 pounds of cocaine and 36,000 pounds of marijuana in 2010.

Closer to home, we continued to build our partnership with the Royal Canadian Mounted Police. I have also established an Operational Integration Center in Selfridge to build that collaboration. Our Shiprider project will be completed upon ratification by the parliament in Canada.

Finally, I would like to conclude that we are proud to enjoy the partnerships with Federal, State, local, who are represented to testify today. These partnerships and joint strategies have been and continue to be essential to the deterrence and interdiction of all threats headed toward our maritime borders.

Thank you for the opportunity to testify today, and I am pleased to entertain your questions.

[The statement of Admiral Zukunft follows:]

PREPARED STATEMENT OF REAR ADMIRAL PAUL F. ZUKUNFT

JULY 12, 2011

Good morning Chairman Miller, Ranking Member Cuellar, and distinguished Members of the subcommittee. I am honored to appear before you today to speak about Coast Guard cooperation with our law enforcement partners at the Federal, State, local, territorial, and Tribal levels. I will discuss our current cooperation in the areas of maritime drug and alien migrant interdiction as well as joint capabilities under development.

A LAYERED ENFORCEMENT STRATEGY

The Coast Guard has the statutory authority and responsibility under 14 U.S.C. § 2 and § 89 to enforce all applicable Federal laws on, under, and over the high seas, in addition to waters subject to the jurisdiction of the United States. With this authority, the Coast Guard takes a layered approach to interdict threats well before they reach our maritime borders by disrupting the maritime movement of illegal drugs with a continuous law enforcement presence. This layered approach is risk-based and facilitated by our participation within the National intelligence community so we can position our limited resources against the Nation's most emergent threats. The Coast Guard also plans and coordinates risk-based border security, counter-drug, and migrant enforcement missions with other Department of Home-

land Security (DHS) components, particularly Customs and Border Protection (CBP) which plays a prominent role in our shared maritime environment and border protection strategy. We also benefit from our military, Federal, State, local, territorial, and Tribal partnerships in advancing domain awareness and conducting joint law enforcement and maritime security operations. Our Interagency Operations Center program provides the connective command and control to harmonize operations at the local level. At the global level, we leverage our 41 counter-drug bilateral agreements to level the playing field against maritime drug smugglers who operate across borders.

INTERNATIONAL/HIGH SEAS

To help deter criminal activity prior to reaching our borders, the Coast Guard establishes and fosters strategic relationships with other nations. The International Ship and Port Facility Security (ISPS) Code provides an international regime to ensure ship and port facilities take appropriate preventive security measures similar to our domestic regime in the Maritime Transportation Security Act. As part of the International Port Security (IPS) Program, Coast Guard men and women are placed in foreign ports to assess the effectiveness of antiterrorism measures, which ultimately reduces risk to U.S. ports. Over the past 2 years, the Coast Guard has conducted assessments at 500 ports in more than 150 countries. Vessels arriving to the United States from non-ISPS compliant countries are required to take additional security precautions, submit to boarding by the Coast Guard before being granted permission to enter, and may be refused entry in specific cases.

The Coast Guard uses a multifaceted approach to support maritime smuggling interdiction that includes deployment of long-range assets and Law Enforcement Detachments (LEDET) aboard U.S. Navy and Allied assets to support detection, monitoring, interdiction, and apprehension operations for Joint Interagency Task Force South (JIATF–South). CBP, Coast Guard, and U.S. Navy aviation assets provide long-range surveillance, while Coast Guard National Security Cutters and other major Cutters—augmented by U.S. Navy ships with LEDETs—provide surface interdiction capability. Supported by intelligence and targeting information, these assets patrol the 6 million square mile transit zone looking for signs of illicit activity. DHS is the largest asset provider for these activities in the transit zone, accounting for more than 80 percent of all interdictions in the JIATF–S area of operations. Along the Mexican coast off the Baja Peninsula and in the Gulf of Mexico, the Coast Guard conducts joint and combined operations like Operations BAJA OLEADA in southern California and GULF WATCH in the Gulf of Mexico with the Department of Defense and Joint Task Force—North. Our assets, in cooperation with the Mexican Navy, continue to search for weapons and money on southbound vessels, and drugs and migrants on northbound vessels.

NORTHERN BORDER

The Coast Guard and our fellow DHS components have built strong relationships with Canadian law enforcement agencies to target illicit activity across our Northern border, including the maritime border, through efforts such as the creation of Integrated Border Enforcement Teams (IBET) comprised of Coast Guard, CBP, Immigration and Customs Enforcement (ICE), Royal Canadian Mounted Police (RCMP), and Canada Border Services Agency. Guided by intelligence from the IBETs, the Integrated Cross-border Maritime Law Enforcement Operations, or ShipRider program, provide effective tools to respond to cross-border illicit activities. While ShipRider-like operations for specific special events have demonstrated success, implementation of the full program is pending ratification from the Canadian Parliament. Recently, a separate ad-hoc joint operation between the Coast Guard, CBP and the RCMP seized \$2.6 million in Canadian currency that was tossed from a small, unlit vessel. Interagency cooperation is also achieved through Border Enforcement and Security Task Forces (BESTs), which are led by ICE primarily in land border areas around the ports of entry. The Coast Guard Investigative Service supports the efforts of BESTs by coordinating operations directed at narcotic and human smuggling conducted in major seaports and cross-border crime initiatives with the Organized Crime Drug Enforcement Task Force.

In line with these efforts, President Obama and Prime Minister Harper recently signed a declaration entitled *Beyond the Border: A Shared Vision for Perimeter Security and Economic Competitiveness* to pursue a joint perimeter approach to security, work together at and away from the borders to enhance security, and accelerate the legitimate flow of people, goods, and services between the two countries. The Coast Guard Maritime Intelligence Fusion Center Atlantic has been partnering with our Canadian allies in Halifax, Nova Scotia to tactically enhance maritime sit-

uational awareness in the North Atlantic. This productive cooperation has centered on sharing information regarding mutual security concerns along the shared maritime border of the St. Laurence Seaway, Great Lakes, and other nautical approaches to North America.

BILATERAL AGREEMENTS AND PARTNERSHIPS

To increase the operational reach of U.S. assets, and to enable partner nation assets to patrol and respond to threats in their own sovereign waters, the U.S. Government has entered into 41 bilateral maritime counter-drug law enforcement agreements. Additionally, the Coast Guard has developed non-binding operational procedures with Mexico, Ecuador, and Peru to facilitate communications between operation centers for the confirmation of registry requests and for permission to stop, board, and search vessels. Coast Guard law enforcement and border security capabilities are evident at both the National and the port level. When the Coast Guard is alerted to a threat to the United States, requiring a coordinated U.S. Government response, the Maritime Operational Threat Response (MOTR) plan is activated. The MOTR plan uses established protocols and an integrated network of National-level maritime command and operations centers for initiating real-time Federal interagency communication, coordination, and decision-making to ensure timely and decisive response to counter maritime threats.

SENIOR GUIDANCE TEAM

The Coast Guard, CBP, and ICE Senior Guidance Team (SGT) is chartered at the component level to improve near- and long-term efficiency and effectiveness across DHS. The SGT is an executive coordination body that has led a number of interagency initiatives. Recently, the SGT has led the drafting of the DHS Maritime Operations Coordination Plan to ensure operational coordination, planning, information sharing, intelligence integration, and response activities and facilitated the promulgation of the DHS Small Vessel Security Implementation Plan.

MARITIME INTELLIGENCE AND TARGETING

As the lead agency for maritime homeland security, the Coast Guard screens ships, crews, and passengers of all vessels required to submit a 96-hour Notice of Arrival to a U.S. port. In general, these requirements apply to U.S. and foreign commercial and recreational vessels over 300 gross tons. In 2010, the Coast Guard screened more than 257,000 ships and 71.2 million people. Screening of the crew and passengers is performed by the Intelligence Coordination Center's Coastwatch Division, which is co-located with CBP efforts at the National Targeting Center, while the two Maritime Intelligence Fusion Centers focus on screening the vessel itself. These Centers associate relevant intelligence and law enforcement analysis to specific vessels, assess vessel activity. Coast Guard's screening results are passed to the appropriate Coast Guard Sector Command Center, local intelligence staffs, CBP, and other partners to share information regarding the potential risk posed by a vessel. The relationship between the Coast Guard Maritime Intelligence Fusion Center Atlantic and the CBP Office of Air and Marine assets has improved communication between Coast Guard and CBP assets and enabled the passing of targeted information, which has been pivotal in our successful collaboration efforts.

AT THE PORT

Coast Guard Captains of the Port are designated as the Federal Maritime Security Coordinator for their port, leading the Area Maritime Security (AMS) Committees and overseeing the development and regular review of the AMS Plans. AMS Committees have developed strong working relationships with other Federal, State, and local law enforcement agencies in an environment that fosters maritime stakeholder participation. The Joint Harbor Operations Center (JHOC) in San Diego, California represents another example of the evolution of joint operations in a port. Located at Coast Guard Sector San Diego, the JHOC is manned with CBP, Coast Guard, and local Marine Police watchstanders. The JHOC coordinated operations contributed directly to the interdiction of 792 undocumented immigrants and 27,000 lbs of marijuana and cocaine in fiscal year 2010. On a National scale, the establishment of Interagency Operations Centers (IOC) for port security is also well underway and IOCs have recently opened in San Francisco and New Orleans to further facilitate coordination and information sharing at the port. The Coast Guard, CBP, and other agencies are sharing workspace and coordinating operational efforts for improved efficiencies and effectiveness of maritime assets in ports around the country such as in Charleston, Puget Sound, San Diego, Boston, and Jacksonville.

CONCLUSION

These successful partnerships and strategies have been and continue to be essential to the interdiction of narcotics, suspected drug smugglers, illicit vessels, and undocumented migrants attempting to enter the United States by our maritime borders. Thank you for the opportunity to testify before you today. I will be happy to answer any questions you may have.

Mrs. MILLER. Thank you very much, Admiral. Appreciate that.
Sheriff Donnellon.

**STATEMENT OF SHERIFF TIM DONNELLON, ST. CLAIR COUNTY
SHERIFF'S OFFICE, MICHIGAN**

Sheriff DONNELLON. Good morning, Chairwoman Miller and distinguished Members of the committee. It is my great pleasure to be here this morning to discuss the great strides we have taken to secure our part of the U.S. and Canadian border.

As you see on our map, St. Clair County sits on the southern end of Lake Huron, approximately 45 minutes northeast of the city of Detroit. The entire eastern region of our county, 110 miles, is international border. That makes us the largest bordering county out of the 83 counties in the State of Michigan. Additionally, we have two main border crossings, being the Twin Blue Water Bridge from Port Huron to Sarnia as well as Rail Tunnel, and ferrite traffic.

On my appendix, it showed a number of divisions through the sheriff's office where we partner with our Federal partners here in law enforcement. Most specific are Marine Division, which is tasked with providing public safety in a maritime environment. We do this through a number of joint operations, such as Operation Channel Watch as well as the use of the Homeland Security Intel Network. Additionally, we have Customs and Border Patrol agents assigned on our vessels on a regular basis.

Additionally, we have numerous events in St. Clair County that attract thousands upon thousands of boaters. We work in conjunction with our Federal counterparts to police these activities.

Another component of cooperation is our Sheriff's Dive Team. It is the only full-service dive team in the St. Clair County community. We are tasked with handling dive operations on both the U.S. border as well as the Canadian border. St. Clair County is also a home to a multitude of critical infrastructures, and a great many of these components are underwater.

Additionally, a partnership has been formed with our drug task force in St. Clair County, and that is our full-time narcotic section. In October 2010, a partnership was bonded where CBP now assigns an agent full-time to our narcotic sector, which has improved communications and cooperation tremendously with the two agents.

In 2009, our unit was formed to start a highway interdiction team, and this is uniformed division officers with drug K-9. We work the ports of entry, the Blue Water Bridge, the Rail Tunnel, as well as our interstates. They work daily with CBP and ICE agents to work on sharing intel and information.

Additionally, we have been fortunate to be funded with Operation Stonegarden in years 2008, 2009, 2010, and also in 2011. I will touch that this grant has covered overtime wages, fuel maintenance, and equipment, and that this has allowed to us put more

boots on the street and certainly increase our maritime presence on the waters of St. Clair County.

My counterpart also touched in general on the Operational Integration Center. This sits just into the edge of Northern Macomb County, bordering St. Clair County. With 11 towers and 35 miles of river being covered on camera, this will be ideal for the residents of St. Clair County to assist us, not only in the Federal law enforcement mission with the smuggling with human as well as narcotic, it will also help us with local criminal activity.

I have touched on our partnerships with our Federal counterparts on our drug task force, our marine division, our dive team, our highway interdiction unit, but we also have an internal partnership with the Federal Government, and that is on our corrections end. Our facility houses an average of 155 Federal inmates on a daily basis. A great many of those are ICE detainees. We are only one of four jails in the State of Michigan that is qualified to house ICE detainees. Within the last 6 months, we have increased and perfected that relationship, that now we have a full-time ICE agent assigned to our facility as a contact officer between the sheriff's office and the Federal Government.

In conclusion, I would like to thank you, Congresswoman Miller and committee Members, for your service. I appreciate the opportunity to represent local law enforcement and the citizens of St. Clair County. I would be happy to answer any of your questions. Thank you.

[The statement of Sheriff Donnellon follows:]

PREPARED STATEMENT OF SHERIFF TIM DONNELLON

JULY 12, 2011

INTRODUCTION

Good morning Chairwoman Miller and distinguished Members of the committee. My name is Tim Donnellon and I currently serve as Sheriff of St. Clair County, MI. It is my great pleasure to be before you today to discuss the great strides we have taken to secure our part of the U.S./Canadian border. In St. Clair County we recognize the assistance we have received from the Federal Government, which has provided the necessary support to increase the security of our border, and look forward to continued collaboration in order to continue these efforts.

INTERNATIONAL GEOGRAPHIC LOCATION

St. Clair County sits at the southern end of Lake Huron, approximately 45 miles north of the city of Detroit. We are a county of nearly 837 square miles. Our eastern border is 110 miles long and is made up of Lake Huron, the St. Clair River and Lake Saint Clair, all of which is a continuous border with Canada thus making St. Clair County the largest international bordering county of any of the 83 counties in the State of Michigan.

St. Clair County has two main border crossings and two secondary crossings. The main crossings are the Blue Water Twin Bridges and the Rail Tunnel from Port Huron, Michigan to Sarnia, Ontario. The Blue Water Bridges are the second-busiest commercial border crossings on the Northern border and the Rail Tunnel is the busiest railroad crossing between the United States and Canada. Secondary crossings are the ferry crossings located in Marine City and Algonac.

As you can see, from the map of St. Clair County listed under attachment "A", what makes St. Clair County beautiful also makes it extremely challenging for law enforcement. In addition to the 110 miles of international waterways St. Clair County also has two interstate freeways running through the county to the border, which places a greater emphasis on the need for heightened border security. The appendix shows we have multiple divisions within the sheriff's office that partner with our Federal agencies to promote homeland security.

MARINE DIVISION

Our Marine Division is tasked with providing public safety to the waterways within our jurisdictional boundaries. In addition to above listed major bodies of water there are many connecting tributaries which increase the Marine Division's responsibilities. The St. Clair River handles a very high volume of commercial shipping traffic. This region of Michigan is the busiest main thoroughfare for pleasure craft in the United States. Any pleasure craft or commercial freighter traversing between the lower and upper Great Lakes must pass through St. Clair County.

The Marine Division is a part of "Operation Channel Watch", which is a collaboration of Federal, State, and local law enforcement agencies composed of marine, air, uniform, and covert intelligence units. Surveillance is conducted on the St. Clair River, Lake St. Clair, and Lake Huron. The goal of this operation is intelligence gathering, reporting procedures, communications, and overall strategy for intercepting vessels crossing the international border.

There are numerous events that take place along our international waters that draw thousands of participants. These events create the potential for border incidents or terrorist activities. The Marine Division works in conjunction with Federal and State agencies as well as the Royal Canadian Mounted Police, Ontario Provincial Police, First Nation Walpole Island Police and Ministry of Natural Resource to increase the safety on our international waterways.

In another effort to make the most of our local resources, our Marine Division along with U.S. Customs and Border Protection (CBP) through the HSI (Homeland Security Intel Network) also share a working calendar. This calendar ensures no duplication of patrol sectors. Additionally, we partner with CBP assigning their agents to our vessels as a force multiplier.

DIVE TEAM

Another large component of border security is the Sheriff's Dive Team. As the only team in the area, they have been requested to respond to incidents not only on our own shoreline but the Canadian shoreline as well. These responses have included assisting the following Canadian agencies: Sarnia Police, Sarnia Fire, Point Edward Fire, Point Edward Police, St. Clair Township Fire (Ontario), Royal Canadian Mounted Police, and the Ontario Provincial Police. They have assisted with Water Rescues, Suicides, Body Recovery, Homicide Investigations, Automobile Recovery, and Evidence Recovery.

St. Clair County is home to a multitude of critical infrastructure components, most notably the potable water intakes in the area. The Detroit Water Intake is one of the largest in the country. It serves millions of people and is located in Lake Huron 10 miles north of the Blue Water Bridges in approximately 200' of water. There are ten more potable water intakes in St. Clair County. A chemical weapon attack on any of these intakes could sicken or kill thousands of people.

There are four power plants in St. Clair County all of which depend on cooling water to operate. Two railroad tunnels and numerous oil and high pressure gas lines cross under the St. Clair River. An underwater terrorist attack on any of these locations could cause the disruption of the vital services and potentially the deaths of citizens in both the United States and Canada.

A threat to power plants, water plants, and intakes are obvious above water. To lessen the risk we have installed security cameras, fences, set crash barriers, police patrols, and continued pre-plan for possible terrorist attacks. But underwater it is out of sight and out of mind. Perhaps our greatest risk is in an underwater attack. There are no fences, guards, or gates. Yet a diver could enter the heart of a power plant or water plant through an intake without ever encountering a guard and destroy its ability to operate. In addition to basic water rescue, if any threat is received to any water plant, power plant, tunnel, or pipeline, the Dive Team is prepared to intervene.

DRUG TASK FORCE

Another component is our Drug Task Force Unit. It has been in operation for over 20 years. Information has been received every year pertaining to cross-border drug and smuggling operations. We came to the conclusion that information sharing with Federal law enforcement agencies was not occurring as efficiently as possible. In October of 2010 a partnership was formed with the CBP where an agent was assigned to the Drug Task Force. This agent focuses on drug cases with emphasis on border nexus and those cases involving potential illegal aliens. This in turn has improved information sharing between the local and Federal law enforcement agencies providing a timely and fluid intelligence flow between them. This agent's vast knowl-

edge of border crimes and illegal aliens has heightened local law enforcements awareness of border crimes. This partnership has enhanced the ability to share not only information but equipment and assets.

INTERDICTION UNIT

In 2009, The sheriff's office realized the need for a unit dedicated to drug interdiction. As a result of multiple narcotic seizures, information was passed onto CBP and ICE agents regarding suspected international narcotic smuggling, illegal hiring practices, illegal immigrant smuggling, and international transportation of stolen vehicles. Our interdiction unit works constantly with CBP in operational activities and information sharing. We assist at the international bridge and tunnel crossings with K-9, rail yard and inbound/outbound vehicle searches. Both agencies have benefited from this collaboration resulting in improved border security. In 2010, CBP made more than 7,400 arrests along the Northern border. Nearly 1,700 arrests took place along the 863 miles that make up the Detroit Sector, which is the largest of the Northern border's eight sectors.

OPERATION STONEGARDEN

Since its inception, the intent of Operation StoneGarden (OPSG) has been to enhance law enforcement preparedness and operational readiness along the land borders of the United States. OPSG provides funding to designated localities to enhance cooperation and coordination between law enforcement agencies in a joint mission to secure the border. Law enforcement agencies along the border in St. Clair County were awarded the Operational StoneGarden Grant. This funding provides for overtime wages, fuel/maintenance, and equipment. This has allowed us to put more boots on the street and significantly increase maritime operation along our border. This funding has enhanced security in border areas not normally afforded patrols due to shrinking budgets.

OPERATIONAL INTEGRATION CENTER

In March of 2011 CBP opened its new Operational Integration Center (OIC) on Selfridge Air National Guard Base. The OIC provides a centralized location for CBP, along with Federal, State, local, and international partners, to gather, analyze, and disseminate information. The OIC will enhance information sharing with all partners in the Great Lakes Region. Real-time video feeds into the OIC's situational awareness room from 11 towers equipped with high-tech cameras and radars built along 35 miles of the St. Clair River. Local law enforcement agencies in collaboration with Federal agencies now have the ability to utilize this technology in a variety of applications, such as: Drug and human smuggling, boating accident reconstruction, and local criminal activity.

CORRECTIONS DIVISION

Not only have we established solid working relationships with Government agencies on the law enforcement component of our office, but we have a solid internal relationship also. St. Clair County Jail is one of only four jails in the State of Michigan qualified to house ICE detainees. We currently house an average of 155 Federal prisoners including ICE detainees, U.S. Marshal and Federal Bureau of Prisons inmates in our county jail. This internal relationship was taken to new levels this past year as St. Clair County holds video court proceedings for ICE detainees. ICE has also assigned a full-time agent to our facility in a liaison capacity. Additionally, our office provides detainee transportation services. This includes to and from correctional facilities, courthouses, and airports for the entire eastern half of Michigan.

CONCLUSION

Chairwoman Miller and committee Members I would like to thank you for your service and the opportunity to testify before you today. It has been a great honor to represent the citizens of St. Clair County and local law enforcement at this hearing. I hope this has aided you in regards to the on-going partnership between local and Federal law enforcement agencies on the Northern border and our challenging maritime environment.



Mrs. MILLER. Thank you very much, Sheriff.
 Sheriff Garcia, for your testimony, sir.

**STATEMENT OF SHERIFF ADRIAN GARCIA, HARRIS COUNTY
 SHERIFF'S OFFICE, TEXAS**

Sheriff GARCIA. Thank you.

Good morning, Madam Chairwoman, Congressman Cuellar, and distinguished Members of this important subcommittee. Thank you for allowing me the opportunity to share a bit about what we do in Harris County, Texas.

Harris County is otherwise known as the city of Houston, which includes 33 other municipalities besides the city of Houston, with a population of 4.2 million people and growing every day. As sher-

iff, I oversee the Nation's third-largest sheriff's office as well as policing of the unincorporated areas of the county where about 1.5 million people live, which is equal to the city of Philadelphia.

But the Harris County Sheriff's Office is also the lead law enforcement agency of the Houston Ship Channel Security District, a corridor that is home to 40 percent of the Nation's chemical manufacturing capacity, 14 percent of its oil refining capacity, including a large amount of jet fuel. The waterway obviously is the main two-way transit way for all of this crucial activity. It is said that a shutdown of the ship channel could cost the local economy \$300 million a day, not to mention the obvious impact that it could have on National economy. This is also where you will find the Port of Houston, which has led the Nation in foreign tonnage for 14 years.

I have two main messages today. First, we do a great job coordinating with many sister law enforcement agencies, industry groups, boards, city, county, State, and Federal Government. We are a model of communication and maximization of resources among overlapping bureaucracies. Perhaps this is by necessity because we know how important the port is to the rest of the world. But it is important to point out that intelligence from Osama bin Laden's compound indicated that al-Qaeda has considered bombing the kind of oil tankers that we protect at the port every day.

The second message is: We need additional resources to help us at the local level so we can stay ahead of domestic and international terrorism. Our biggest challenge in securing the ship channel is a shortage of funding from all government levels.

However, even with the need of additional resources, I am proud of my deputies for doing an incredible job in keeping this vital infrastructure safe. My deputies patrol the waterway on sheriff's office patrol boats that can respond to any disturbance or suspicious activity spotted by the human or electronic eyes or by other forms of technology. We are well-coordinated with the U.S. Coast Guard, the Merchant Marine, and other Government agencies and private stakeholders.

But the bottom line is that we have yet to be able to deploy our personnel to the extent that this type of responsibility demands. The reason for that is that, despite the \$30 million in homeland security grants that we received from the Federal Government for new hardware, these grants do not allow for the investment in the most critical of resources: Full-time deputies and the necessary training they need to have to be effective at policing a unique environment like the Houston Ship Channel.

One of the financial problems is local. The Ship Channel Security District collects assessment fees from its members and pays the money to the county to reimburse it for security services and enhancements. But the economy has harmed property values, and they are the foundation of the tax base the county uses to fund all of its operations, including my agency.

I have been under a forced hiring freeze since October 2009. I have lost several hundred employees as a result, with 120 just from our patrol bureau. All of my crime-fighting programs are strained, and I have to pay overtime just to run our jail operations at the required State standards.

Yet we have not been awarded any COPS grants from the Justice Department. One reason is because agencies that have had to lay off employees get first priority. I need Congress and the administration to recognize that a forced hiring freeze, not even replacing attrition, is, in fact, a layoff. It prevents us from deploying more crime-fighters to the Houston Ship Channel.

For now, I have a detail of deputies assigned to water patrol. They have done everything, from escorting liquid natural gas vessels to redirecting recreational watercraft away from restricted areas. I want to add bodies but cannot do so without additional funding. We need any kind of assistance from Washington, whether it comes from COPS or elsewhere.

The Houston Ship Channel Security District is a true model for how multi-jurisdictional agencies should address a common mission. The Coast Guard controls the entrants to the mouth of the ship channel. CBP regulates cargo. We watch the ship channel through a combination of surveillance and detection technology; we refer to it as our “ring of steel.” We also fall under the Area Maritime Security Council, which takes a regional approach to maritime and border security in our area.

We are not deterred by what it takes to protect a National asset like the Houston Ship Channel, but I am taken aback by how difficult it is to get the necessary support through programs like COPS to help us deter and detect interested terrorists. We want to meet all of the highest expectations of our community, our Nation, and the world, but we need your help.

Thank you for allowing me this time, and I invite you to visit the Houston Ship Channel to see our operations in real-time. Thank you, and I would be interested in answering your questions.

[The statement of Sheriff Garcia follows:]

PREPARED STATEMENT OF ADRIAN GARCIA

JULY 12, 2011

Thank you distinguished Members of the Border and Maritime Security Subcommittee of the House Homeland Security Committee, and thank you to the gentleman from South Texas, Congressman Cuellar, for inviting me to provide testimony about Harris County, Texas. The county is otherwise known as the Houston area, which includes 33 other municipalities besides the city of Houston, with a population of 4.2 million diverse constituents whom I serve. It’s a major international crossroads for commerce, immigration, and recreation. It’s growing everyday.

As sheriff, I oversee the Nation’s third-largest jail as well as the policing of the unincorporated areas of the county, where about 1.5 million people live. That population number is equal to the city of Philadelphia or the city of Phoenix.

But the Harris County Sheriff’s Office is also the lead law enforcement agency of the Houston Ship Channel Security District, a corridor that is home to 40 percent of the Nation’s chemical manufacturing capacity and 14 percent of its oil refining capacity, including a large amount of jet fuel. The waterway obviously is the main, two-way transit-way for all of this crucial activity. It’s said that a shutdown of the Ship Channel costs the local economy \$300 million a day—not to mention the obvious impact that such a disruption could have on the National economy. This is also where you’ll find the Port of Houston, which has led the Nation in foreign tonnage for 14 years.

I have two main messages about the job we do on the Ship Channel.

ONE: We have done a miraculous job coordinating with a stunning number of sister law enforcement agencies, industry groups, boards, city government, county government, State government and the Federal Government. If there is such a thing as model communication and maximization of resources among overlapping bureaucracies, you are most likely to find it along the Ship Channel in Harris County, Texas. Perhaps this is by necessity, because we know how important our port is to

the rest of the world. We were also not surprised when the intelligence from Osama bin Laden's compound indicated that al-Qaeda has considered bombing the kind of oil tankers that are every day sights at the Ship Channel.

TWO: We need additional resources to help us at the local level so we can stay ahead of domestic and international terrorism. Our biggest challenge in securing the Ship Channel is the woeful shortage of these resources—namely, funding from a variety of government levels. However, even with the need of additional resources, my deputies are doing an incredible job in keeping this vital infrastructure safe—and they are doing so on a 24/7 basis. My deputies patrol the waterway on sheriff's office patrol boats that can respond to any disturbance or suspicious activities spotted by the human or electronic eyes or by other forms of technology. We are well coordinated with the U.S. Coast Guard, the Merchant Marine, other Government agencies and private stakeholders. But the bottom line is that we have yet to be able to deploy our personnel to the extent that this type of responsibility demands. And the reason is that, despite the \$30 million in Homeland Security grants we have received from the Federal Government for new hardware, these grants do not allow for investment into the most critical of resources; and that is the full-time deputies and the necessary training they need to be effective in policing a unique environment like the Houston Ship Channel.

One of our financial problems is local. The Ship Channel Security District collects assessment fees from its 100 or so private industry members and pays the money to county government in return for security services and enhancements. But the National economy has harmed property values in the Houston area, and these values are the foundation of the tax base the county uses to fund all of its operations, including my agency. The county cut its overall spending by forcing a hiring freeze. I have lost several hundred employees as a result since October 2009, with more than 120 just from our Patrol Bureau. All of my crime-fighting programs are strained; I have had to pay an exorbitant amount of overtime just to staff my jail at required state standards.

And yet, we have not been awarded any COPS grants from the Justice Department, apparently because law enforcement agencies that have had to lay off employees got first priority. I hope Congress and the administration will recognize that a forced hiring freeze—not even replacing attrition—is in fact a layoff—especially when it prevents us from deploying more crime-fighters to the National security asset known as the Houston Ship Channel. For now I have a small detail of deputies assigned to water patrol, and they have done everything from escorting Liquid Natural Gas vessels to directing fishing boats and recreational watercraft away from restricted areas. I would love to be able to add bodies to this first line of defense but cannot do so without funding from local and/or National sources. Fortunately, the on-the-water team is backed by patrol officers who handle regular calls for service on that east side of our county. For now, they are our stop-gap force. We welcome any kind of assistance from Washington, whether it comes from COPS grants or elsewhere.

To further complicate our work, the Houston Ship Channel is not entirely in Houston. In fact Houston is just one of eight cities with acreage in the Ship Channel Security District. Other partners in the security district include the Texas Department of Transportation, the Metropolitan Transit Authority, the county's Office of Emergency Management and its other agencies, and the University of Houston. The security district has an 11-member board, eight of whose members come from private industry. Each of those members comes from one of four Ship Channel zones. One board member is appointed by the Harris County Mayors and Councils Association, which has 36 member cities, but their appointee has to come from one of the eight cities along the Channel. If that's not enough to boggle your mind, consider that the Security District was only able to launch in 2009 because of required enabling laws that passed the State Legislature 2 years earlier.

The Houston Ship Channel Security District is a true model for how multi-jurisdictional agencies should address a common mission. The Coast Guard controls the entrance to the mouth of the Ship Channel. Customs and Border Patrol regulates cargo. As has been disclosed in public, we watch the Ship Channel through a combination of wireless and fiber-optic communications, surveillance and detection cameras, and many other forms of technology applications and systems—that a colleague once referred to as our "ring of steel". We also fall under the Area Maritime Security Council, which takes a regional approach to maritime and border security in Houston and nearby Galveston, Freeport and Texas City, Texas.

We are not deterred by complexity of what it takes to protect such a National asset as the Houston Ship Channel, but I am taken back by how difficult it is to get the necessary support through such programs like COPS to make sure that we can continue to deter or detect interested terrorists. My staff has been creative and

diligent about achieving the levels of cooperation we have with all stakeholders. We all want to meet the highest expectations of our community, of the Nation, and of the world, but we need your help to stay on top of our mission. Thank you.

Mrs. MILLER. Thank you very much, Sheriff.

We certainly appreciate the comments and the testimony of all of our witnesses today. I certainly am appreciative of the challenges, financial challenges, that are facing all of our law enforcement.

I would just mention this—and, believe me, I do it in a very highly respectful way. Texas has probably the best economy in the Nation. Your sheriff neighbor right next to you there is operating in a State that has probably the worst economy in the entire Nation. Take a walk around our neighborhood, and one of the cities in St. Clair County, Port Huron, has unemployment right now at about 35 percent. So property values, et cetera—you can only imagine the challenges around.

Everybody is facing financial challenges, the Federal Government as well. So that really is the purpose of this hearing, because, honestly, there is not a lot of money at the Federal level either when we have a \$14 trillion deficit and we are talking about raising our debt ceiling here. So there is going to be less, not more, coming from Washington. It is just a reality, the hard reality that we are all dealing with.

So that is really what we are trying to get at here, how we can continue to—I always say the largest room is the room for improvement—how can we continue to improve our cooperation with the limited resources that we all have at the Federal level, at the State level, at the local level as well. I think the two areas that we have pointed out, we are showcasing today, from the north to the south, are excellent areas to showcase wonderful cooperation between the local county sheriffs and the Customs and Border Protection and the Coast Guard, et cetera.

I would just, I guess, ask a question of, I think, all of our witnesses, because I thought it was interesting that both the sheriffs testified about the petrochemical kind of footprint that they have in their particular areas. Sheriff Garcia mentioned about the Houston shipping channel there, with all of the transit that is happening and the oil refineries, et cetera. In our neck of the woods, in St. Clair County, the sheriff can tell you very well, we are host to, we think, the largest concentration of petrochemical plants in the hemisphere, perhaps next to New Jersey, on the Canadian side, that you can't quite hit with a golf ball but it is not too far away actually, which has a different dimension, another dimension, to an asymmetrical kind of war-gaming, really, that we are constantly doing with all of the challenges that we have there.

I would just ask, perhaps starting with the general and the admiral, about overlapping maritime jurisdictions. Whether it is the contiguous zone or even in an area like St. Clair County or even in an area like the Houston shipping channel, there are the kinds of things that the Coast Guard boats—the Coast Guard might be able to do legally that Customs and Border Protection could do or can't do legally. How do the local sheriffs enter into an equation like that, just as far as legal jurisdiction and who is responding first?

I ask that question because, in the back of this room, I am looking—you can't all see unless you turn your heads, but we have a very large print of the burning towers. That was something that this committee—it was why this committee was formed. Subsequently, of course, we all now see who responded: It was the local first responders that were responding to this horrific, horrific attack on our Nation.

As so, as we think about border security, particularly in the maritime realm, again, how can we ensure that the local first responders are working as cooperatively as they can within their legal frameworks? What kinds of things Congress might be able to do, even if we need to do it legislatively, to help you all do the jobs that you do so very, very well?

We will start with the general.

General KOSTELNIK. Well, I think a lot of that cooperation is driven both by the resources you bring to the fight and also the entitlements that you have.

I think between us and the Coast Guard there is very close cooperation around all these major cities, Houston and many others, but I would highlight Miami as a good example, District 7, where you have, you know, farther out in the deeper water the larger Coast Guard craft that take care of that responsibility; as you get in closer to the shoreline, you have CBP assets, smaller, more maneuverable, looking for a certain type of thing; and then, as you get into the ports, have you some of the CBP and Coast Guard vessels, you know, supporting other kinds of entities for the coastal missions. You are more likely to come into the State and local as you get close into those ports. So in Port of Miami, that is why a lot of these new maritime operating capabilities and coordination activities are so important, because it chooses to integrate all those things.

In the area of Houston, for example, where you have a lot of infrastructure in this oil and natural gas pipeline, clearly, that is an opportunity for somebody to do great harm. Obviously, you get instant impact at the pump when something in the media spins up.

I think another one of those areas for Air and Marine, why we put a new branch, a marine branch, under the direction of this Congress, into the Port of Galveston, which supports the Port of Houston. We have had an air branch in Houston supporting not only our own mission but State and local upon request. Then with the now Guardian, you know, maintained out of NAS Corpus Christi and with the COAs that we have, we can fly throughout the ports. So we have now the capability in a crisis to support unique overhead, support from an unmanned asset, feeding live imagery to any of the vessels on the ground, whether it is a local emergency center, a State or a local, or through the cutter systems or the Coast Guard proper.

So I think you will find that this is one of those areas that really is the initiative of both the commandant and Commissioner Bersin, to tie all those things together given the assets we have. I think you will find that there is a natural relationship, you know, based on the type of equipment that we operate that provides a seamless connectivity from deepwater into the port specific.

Mrs. MILLER. Thank you.

Admiral, before you answer, I will hope that you touch a little bit on—I know the Coast Guard is looking at doing some sort of voluntary cross-training on ships and various things for the locals, as well. I think my sheriff is very interested in how that might work, as well.

Admiral ZUKUNFT. Certainly.

Let me just follow up. When I was commanding our 11th Coast Guard District, this was an area of great concern to me, with the ports of LA/Long Beach, which are actually two distinct ports. So, first, I wanted to make sure that information was getting down to the local level. So I actually went down and participated in one of these law enforcement boardings, but it was a vessel carrying over 8,000 TEUs that had been in one the ports where we had done an assessment that said, this is a high-risk port.

So, as the vessel was making its way out to sea, it provides 96-hour advanced notice of arrival. We worked with the National Targeting Center, look at what cargo was on board, who the shippers are, and then we look at the crew makeup. We can also provide biometrics if any of those crew members come up suspicious, and then escort that vessel as it comes into port.

So all of that is taking place out in the high seas, where the Coast Guard continues to have jurisdiction. As we come inside of 12 miles, we have shared jurisdictions with a number of municipalities. In this particular case, we put together a team of LA Harbor Police, CBP, and Coast Guard, all armed to do this boarding.

You may ask, well, why so many? Why can't one agency do it? We want to turn these container ships around in about 6 hours so we don't gridlock our global supply chain. So we went on there with 12 boarding team members, all interagency, and then we were able to clear the vessel within about 45 minutes' time. So that is a security protocol that we would also have in Houston-Galveston but also in our 35 sectors where we have standing air/maritime security committees.

But it really begins with sharing information, knowing what the threats are, and then working across our law enforcement enterprise so we don't gridlock our global supply chain. Because our port infrastructure has not grown, yet the TEUs coming into this Nation continue to grow at a significant volume.

Mrs. MILLER. I am running a little bit over my time here, so I am going to—

Admiral ZUKUNFT. All right.

Then, as it comes to training, we have stood up a Shiprider training program at our law enforcement training school in Yorktown, Virginia. We have trained both local and international students there. We have run through, even on the Canadian side, nearly 60 Canadian law enforcements, as well, that basically come out of there deputized to serve in the U.S. waters, as we do in theirs.

Mrs. MILLER. Sheriff Donnellon.

Sheriff DONNELLON. In regards to the Coast Guard authority bill, which you touched on earlier prior to this, we are very much in need of that type of assistance.

When you look at places like St. Clair County, we have a large water presence, and we work in partnership with the Coast Guard, who is the lead on the majority of these operations. But St. Clair

County is only 1 of 83 sheriff's offices, and most, if not all, of them have some sort of a marine division. With that type of bill, it will level the playing field and open up a universal training for all of the local law enforcement, which is very much needed.

In regards to the inter-cooperation and partnerships, that goes on on a regular basis. Much like the Shiprider program with the Coast Guard, we have that with the CBP, where the agents are assigned to our sheriff's office vessels, and we also assign ours to their vessels. This gives you, a lot of times, the best of both worlds. In the St. Clair County area, on a marine boat you may run into a general State of Michigan law-type statute of a drunken boater or an accident on the water where our people can handle it, and at the same time or within the same shift you will run into an international-type incident. When you have the CBP agent assigned, you cover it all at once. So it is extremely helpful to build this collaboration.

Mrs. MILLER. Thank you very much.

Sheriff Garcia.

Sheriff GARCIA. Without a doubt, it is imperative that we collaborate and coordinate and share resources as often as possible.

But one of the things that I wanted to point out that makes things even more challenging in our jurisdiction is the fact that we have annual hurricane threats. We are a flat community. So with our neighboring communities like Louisiana, our partners, the Coast Guard, do get pulled and stretched very thin in trying to balance the cone of uncertainty when we have natural disasters coming upon our area. So it is always incumbent to make sure that we have the necessary support to have that mutual aid ability to respond to those issues within our jurisdiction.

But all that to say that the training that has been provided to us, the sharing of information that we coordinate, arrest and security reviews of people that work and go about the Port of Houston—last year we did several arrests of people who were in the port area who had outstanding warrants—so, maintaining that type of integrity of that critical infrastructure is critical and, obviously, very important. Can't do it without more people, though.

Mrs. MILLER. Thank you very much, very much.

The Ranking Member.

Mr. CUELLAR. To the two sheriffs, instead of myself asking the questions, I would like to give both of you an opportunity to ask our two good friends here from the Air and Marine and, of course, the Coast Guard questions, because I think you all just met for the first time, is that correct?

Sheriff DONNELLON. That is correct.

Mr. CUELLAR. Just following up what the Chairwoman started on, going to a little bit more details, what would you like to ask the Coast Guard to help you with or the Air and Marine now that you have those two leaders here, a little bit more, into the cross-training, equipment, maybe some used equipment that they might not need anymore, whatever the surplus rules are on that?

But I would give you an opportunity now to ask the questions now. What would you want to ask, Sheriff Garcia? You will start off, and then Sheriff Donnellon. Think about this, because you have a pretty unique idea to give the two leaders here.

Sheriff GARCIA. Well, first of all, I am proud of the partnership and the collaboration that we do have with our respective partners in the Harris County area. There is not much I want to ask of them, because I do see that they are challenged with their resources. But I guess I want to continue to enhance the opportunity to receive all the necessary training that they can offer, any resources, used boats, things of that nature that they may not have any need for.

Regretfully, I have to go back to the issue of personnel. I can take on all the boats that they don't need, but I don't have people to put in them. I can get more training opportunities, but if I only have the same folks that I have, then it becomes difficult to constantly retrain the folks that I already have.

So it is imperative that we be candid with this body in that I see personnel as being one of our critical needs to meet our ability to be good partners with the U.S. Coast Guard and the others. But if there is anything they have, if they don't need any part of their budget, I will take that.

Mr. CUELLAR. For example, besides going into personnel, that is a different issue, but on the issue, for example, UAV Guardian, could that be useful to you? Because, for example, your area is very unique in the sense that, and I am sure that it is the same to many parts of the country also, but you have multiple private landowners along the corridor, private docks and all of that. Is there anything in particular, for example, that UAVs could be useful to you? It is going to apply to the other sheriff also.

Sheriff GARCIA. Congressman, that is an excellent point. We do have a fixed-wing operation that we utilize to provide some aerial surveillance of the Houston ship channel, and I understand there are some other forms of drones that are available, UAV aircraft. We would definitely like to look at the ability of incorporating those into our resources. If those types of issues and opportunities do meet the standards of our partners, I would definitely like to look at it.

Several agencies in our area are exploring the use of unmanned small helicopters that have incredible capabilities. We are looking to test those as well.

Mr. CUELLAR. Thank you. Sheriff Donnellon.

Sheriff DONNELLON. Recently we were fortunate to start the partnership with CBP and we have that agent assigned to our drug task force, our full-time narcotics sector, and that has been a tremendous asset for the St. Clair County Sheriff's Office. We have a number of other small operating teams, such as our major crimes unit, which is a combination of Port Huron Police and St. Clair County Sheriff's Office, as well as our highway interdiction unit.

Touching on staff, of course, everyone would like staff. I would as well in my organization, but possibly the ability to assign some of the Federal counterparts to our task force. That is a true force multiplier. That has worked tremendously having the CBP agent assigned to our drug unit. If we had additional border agents assigned to some of our smaller units, such as our highway interdiction with their dogs working in conjunction with our dogs on the highways and the port of entry, that would be a perfect marriage.

Additionally with the Coast Guard, additional training. They are the lead in our area, and we work so close with the Coast Guard. Any training, particularly that that can be funded that would cover some of our overtime and back pay costs for the personnel to train, because it is as tough to find the training as to find the funds to send the guys to training because you have to replace them in the patrol sector. So the training as well as the assistance of agents assigned to sheriff units.

Mr. CUELLAR. My time is up already, but I would ask both the Coast Guard and the Air and Marine to think of a checklist. Because I know you are doing it already, but if there is a checklist that you can provide the sheriffs, and I know, Sheriff Garcia, I think you got a Texas Association meeting coming up in Texas and maybe General Kostelnik and also for the Coast Guard, if you all would like to send them kind of like a checklist of what is available on that.

A lot of this is just things that we can build on, because I know that a lot of us have been talking about coordination, and I know you all just signed a memorandum of coordination between the three agencies in Homeland Security. Now, that doesn't even talk about coordination with the Department of Justice, where you include ATF, FBI, DEA and other folks. It is just a coordination with this.

I don't know what you all were doing before this memorandum was signed, but I am glad that you all are doing this now. But I would ask you to think about the same type of process and see how you can help our local sheriffs. I would ask both of you all to follow up with the two sheriffs after the meeting instead of just saying goodbye and never see each other again. I would ask you to do that.

My time is up. Thank you very much, Madam Chairwoman, and thank you to the witnesses, thank you very for being here, all four of you. Thanks.

Mrs. MILLER. I thank the gentleman.

The Chairwoman now recognizes the gentleman from Mississippi, Mr. Thompson.

Mr. THOMPSON. Thank you very much, Madam Chairwoman. I appreciate this hearing. I will talk to the sheriffs, because they are individuals who are on the front lines.

Both of you have talked about collaboration, and I think we all agree that collaboration between agencies is absolutely essential. But that goes only to a certain point. At this point, the House has voted to cut by over 50 percent grants to State and locals. If those cuts go through, what changes, given your receipt of Federal monies, would you have to do and what would those changes do for the security of the waterways in the counties you presently protect?

Sheriff Donnellon, I will take you and then Sheriff Garcia.

Sheriff DONNELLON. Well, Michigan is under an extreme economic crisis and in St. Clair County, our county seat, Port Huron, has upwards of 30 percent unemployment. It is not uncommon to pick up the paper and see well-established law enforcement agencies, firefighters, and schoolteachers laid off across our region, which was not commonplace not too long ago. So we are aware of the difficult situation we are in.

Our funding has been reduced over the last 3 years and we have made great strides to do more with less. A lot of these relationships in building these partnerships have really aided Saint Clair County, particularly CBP. Prior to 9/11, the Marysville Station had less than 10 agents. Now there is in excess of pushing 80. That is a huge force multiplier that can help assist us when the budgets are cut. We do recognize that with these tough economic times come tough decisions, and no one is held harmless and we do recognize that.

Sheriff GARCIA. Congressman, thank you for the question. I will tell you that I have an incredible challenge because the Port of Houston, the Houston ship channel, is a generator in our local economy. It is one of the factors that generates about one-third of the National economy. So I don't have many choices in not providing the personnel I need to police that area. In fact, it sometimes could be at the detriment to the rest of our responsibilities, pulling folks off of their routine duties to support our port operations, our ship channel security district operations. So it becomes a true and very difficult process of robbing Peter to pay Paul and then robbing Paul to pay Peter. So it is a very difficult process.

That is why I continuously look for the opportunity and hope that, No. 1, that Congress does not cut the COPS grants or any of the other programs that have supported local law enforcement for so many years, because, you know, criminal street gangs is an issue that continues to stay in the forefront in my mind, so I do worry about folks that are interested in causing harm utilizing those kinds of resources in our own backyard to bring danger and disruption to our community.

The best way to deter that, above the collaboration that we are doing, I really have no criticism of our partners, because we do have a very, very incredible working relationship, active information sharing, sharing of resources, sharing of space and things of that nature, where we are embedded with each other. But at the end of the day, it does come down to the ability to have someone in a patrol car, in a patrol boat, to be able to respond to respective threats that are in our waterway.

Mr. THOMPSON. Thank you. I would take from both your comments that Federal resources are absolutely essential if in fact your counties are to continue to receive the same level of protection that they have, and to the extent that those resources are there, you can indeed provide the protection. Am I saying what you said correctly?

Sheriff GARCIA. That is true.

Sheriff DONNELSON. Well, that is true. We have had a number of cuts, and this is nothing new in St. Clair County. When I took office, I inherited about a 3.8 percent cut to my budget, last year was 6, and I anticipate upwards of 7 percent this year. So, you know, we rely so much on our Federal counterparts and we have that great relationship. So the cuts are something that, as brutal as they may seem, it is very commonplace in the State of Michigan.

Mr. THOMPSON. Thank you.

Mrs. MILLER. The Chairwoman recognizes the gentleman from Texas, Mr. McCaul.

Mr. MCCAUL. Thank you, Madam Chairwoman, and thank you to the witnesses.

Sheriff Garcia, great to see you again. I would like to claim you as my sheriff as well. I represent a large part of Harris County, and I commend you for the great work that you do. The Houston Port Authority ship channel I view, as you pointed out with the bin Laden compound, it is probably one of the top targets. It provides energy for the entire Nation. So it is critical, whether it is UASIs or COPS, that I think you get those resources. We talked about that. We also discussed the drug cartel threat in the Harris County region.

There is one model that I want you to expand upon in your testimony. You talk about the Houston Ship Channel Security District, and it is sort of a co-op of regional companies that band together authorized under State law to provide security. I think that is a sort of interesting model that I think we could learn from on this committee. Can you sort of describe how that works?

Sheriff GARCIA. Surely. There are approximately 100 private sector companies that have agreed with the enabling State legislation that was provided to assess themselves, tax themselves, even a little bit more so to provide additional resources to the county so that we can provide the work that we are doing. I think the fact that those particular private companies have come together in recognition of the need that there is and the fact that they can't expect the local governments to do it all, they have become an incredible partner in making sure that certain priorities do become realities.

They also have a governing board that allows for good work to occur in that regard. I have here a little bit of how that particular process works, and it is—here it is. The Ship Channel Security District has eight cities that it has to also coordinate with, not including the Texas Department of Transportation, the Metropolitan Transportation Authority, the county's Office of Emergency Management and other agencies as well as the University of Houston. The district has an 11-member board, eight of whose members come from private industry. Eight of those members come from one of our four ship channel zones. One board member is appointed by the Harris County Mayors and Councils which has 36 other member cities, but their appointee has to come from one of the eight cities along the ship channel.

So this is a very good model, and I would encourage this body to further look at how that has worked well for us.

Mr. MCCAUL. Madam Chairwoman, the theme of this hearing is cooperation to enhance security, and I think this is a great model that works, that could be a good model to apply across the country.

You mentioned the helicopter drones, which I think is a very interesting idea, a lot more cost-effective. Perhaps, General, you can provide some assistance with that effort. I think that would be a very cost-effective way to patrol the Houston Port Authority and ship channel.

While we have you on this topic, General, I can't help myself but ask if there are going to be additional UAVs deployed. Do you anticipate any of those being deployed in Texas?

General KOSTELNIK. I recall there were two added assets that you all were supportive of, and the first one of those will be going to NAS Corpus Christi. That will give us a Predator with synthetic capture radar which is very important for the hurricane, where 3

years ago we flew the coastal line, all across Texas, all across Florida and Louisiana up to Dover, Delaware. So those data maps are there. The second aircraft will be going to Sierra Vista, and that will give us six aircraft on the Southwest border. Because of the ops concept and the way we fly them, on any given day there could be three or more aircraft in Texas. They are routinely now flying nightly, not only in the Rio Grande Valley, but up through Laredo and up through El Paso and across the top part of Texas from Sierra Vista.

Those six aircraft you can think about as being interchangeable, but recall it is not just the aircraft, it is the ground support equipment, the GCSs, all the infrastructure that are necessary to make all those things work. So initially there will be just be the two aircraft in Corpus and four at Sierra Vista. Then the Guardian we think will probably be deployed out of the Cape. That will give us two Guardians there, one for deployed activity and one to support the Caribbean.

So slowly but surely we are laying in the UAS assets across the country to provide a very critical National contingency response.

Now 2 weeks ago we flew the Mississippi Valley. That is the first time the Reaper class vehicles have flown that far. They flew from New Orleans all the way up to Memphis. Today we are flying—at the request of NOAA—the floods in Iowa, and we are prepping for more work in North Dakota and we flew floods there a couple of weeks ago.

So not only are these assets important for security, but they give us a unique and unprecedented capability for a wide variety of National contingency responses.

Mr. MCCAUL. I agree, and thank you for that.

Admiral, a final question. I went on a delegation to Colombia, Panama, and then Mexico City. When we were in Panama, the Panamanian President made an interesting observation. He said, you know, the canal is really the chokepoint. We talk about drug interdiction, they basically, these boats, these fast boats, will go, and submersibles will go around the canal and load off into Mexico and Guatemala.

He recommended the idea of naval ships down there and Coast Guard assets to basically choke it. I mean, it is a natural chokepoint, and if we could get more assets down there, we could literally stop, I believe, a tremendous amount of flow of narcotics going north into Mexico and then into the United States.

Do you have any thoughts on that?

Admiral ZUKUNFT. I spent the better part of my career chasing go-fasts, and then they changed to semi-submersibles. A year ago we saw about 60 percent of the drugs coming up the eastern Pacific, 40 percent in the western Caribbean. Today it is about 50/50. We are seeing what used to be average loads of up to 5,000 kilos are now down to about 1,600, but still significant loads.

But they are running in littoral areas, particularly in go-fasts with relatively smaller loads, but they are spreading the risk out by making multiple runs. All of these are running, typically starting in the source zones, in the jungles of Colombia where the loads are first picked up, and then they will follow along the Gulf of Panama, bypassing—their objective is to avoid detection, so they will

stay out of any primary shipping lanes and then typically they will make the run at night and then make the deliveries in the eastern Pacific, it is typically in Guatemala, and then those loads are broken down eventually into Mexico and then smaller loads as they come into the United States. We are seeing similar challenges in the western Caribbean with Honduras.

So there is really no clear chokepoint, if you will. Our real challenge has been in being able to put enough resources down there, both Navy and Coast Guard. While we have the authorities, again, that does become a resource challenge of how do you cover an expanse that is literally the size of the United States and on any given day you are looking for one or two small boats. So that does become a challenge.

Air surveillance and intelligence are key enablers in that. So as we do these interdictions, we really need to get the prosecution. That is where we get the pocket litter that feeds that intelligence cycle to know why we need to position resources, because we can't be the cop on the beat at all places at all times. But we haven't found that natural chokepoint in those shipping areas. They are watching us as much as we are trying to find them.

Mr. MCCAUL. So they keep changing the game. When you go to one place, they go somewhere else.

Admiral ZUKUNFT. That is correct.

Mr. MCCAUL. I see my time has expired. Thank you.

Mrs. MILLER. I thank the gentleman.

The Chairwoman now recognizes the gentleman from Virginia, Mr. Rigell.

Mr. RIGELL. Thank you, Madam Chairwoman, and I thank each of the witnesses today. I am very grateful that you keep us safe. So thank you for being vigilant.

You know, we know that those who want to harm our country, they are tenacious and they adapt, and weapons are getting smaller, they are getting more lethal and they are certainly becoming more affordable. So I think we need to adopt somewhat of the mindset of our friends in Israel, just, you know, every Israeli citizen has this keen sense of being observant. So toward that end, we have the American Waterways Watch and that is the equivalent of the See Something-Say Something campaign, and this is a program, of course, for boaters.

But there is an important distinction between those two programs, and specifically it is that there is no immunity granted for people who are on the nautical side for America's Waterways Watch, whereas they do have immunity on the See Something-Say Something campaign. So, I suppose I could direct this to any of you. Admiral, I will direct it to you.

Do you see any reason why we would not want to reconcile those two programs and give immunity to those who, under reasonable conditions, you know, are suspicious of activity and report that same activity?

Admiral ZUKUNFT. We have roughly 17 million recreational vessels in the United States. That is quite a Navy that I could leverage. But perhaps maybe one of those 17 million is an actor who means to cause harm to the United States. I would fully support such a measure so we can leverage that American Waterways

Watch, because they are the ones on the water, they are the ones that are probably first going to detect that anomaly. Because even our Coast Guard crews that rotate every 4 years may not have that local knowledge, but that local knowledge is absolutely critical in feeding that key piece of information.

Mr. RIGELL. So just based on what you have just said, it is pretty clear then that you would support just reconciling those two programs to give immunity to those who do the same thing on the waters, those who would do something like that under the See Something-Say Something campaign?

Admiral ZUKUNFT. Unequivocally.

Mr. RIGELL. Okay, thank you so much.

Following up on a different line here, you mentioned in your testimony the Joint Harbor Operation Centers set up by the Coast Guard and also, of course, the Navy. Now, in our own area, I have the privilege of representing Virginia's Second Congressional District, and you have been there, I am sure. We have the largest concentration of Coast Guard personnel and it is just a real honor to have you in our area.

But in that, the Joint Harbor Operations Center, as I understand it, the Navy is no longer going to participate in that in 2012. So is that being done with your concurrence? Is that being done over the Coast Guard's objection? What is the Coast Guard's view of specifically the Joint Harbor Operations Centers?

Admiral ZUKUNFT. I am very familiar with that. First of all, we meet every year with the Navy staff, with the CNO and his staff at the four-star level, and we were well aware this was going to be a resource challenge. I have served on four ships in Hampton Roads, and we have a long-standing relationship with our Navy brothers and sisters in that port. So we are able to make that virtual connection.

So we don't have a uniformed member there in that JHOC. We do in San Diego, we do in Puget Sound. But that does not mean the information flows. It is a 24-hour watch and we are still able to push that information to the Navy. So we have a very rich, collaborative relationship. We just do it now in a virtual environment.

Mr. RIGELL. So you sleep well at night, if I may phrase it that way, just based on that decision in Hampton Roads, and we haven't really degraded our security as a result of that?

Admiral ZUKUNFT. Not in the least.

Mr. RIGELL. Sheriff Garcia, thank you for being here again today. I know the immense responsibility you have there in the Houston Port Authority. I will tell you, if I told our Norfolk sheriff, Sheriff McCabe, that he had the same responsibility in Hampton Roads that you do, I don't know what he would say. So I am just intrigued, and in the few seconds I have here, if you could help me to understand, it seems like so much of what you are referring to generally would be a Federal responsibility.

So to the extent you are conducting Federal operations, I mean, I would say here even as a strong fiscal conservative, we need to make sure that you are funded, if in fact you are really taking over some responsibilities that we think traditionally to be Federal responsibilities.

Sheriff GARCIA. Well, thank you, and it is an incredible responsibility. I have always said since becoming sheriff of the community that it is the one area that does keep me up at night, making sure that we are doing everything possible to make sure that it is as safe as possible. But making sure that we do—you know, we are providing a very critical operation. It does speak to the National security of our country. So that is why having the necessary personnel to deploy there is critical. It is not something I want. It is something I need.

So, conducting those operations and working as closely as we do with the U.S. Coast Guard and our other Federal partners there, CBP, with the FBI, DEA, all of the operations that we work very jointly there in that area, really speaks to a true National security effort that we are taking as much of the responsibility over.

Mr. RIGELL. Thank you. My time has expired.

Mrs. MILLER. I thank the gentleman.

The Chairwoman now recognizes the gentlelady from Texas, Ms. Jackson Lee.

Ms. JACKSON LEE. Madam Chairwoman, let me thank you very much for this hearing, and to the Ranking Member as well. I appreciate the hearing.

As a little backdrop for the gentlemen that are here, I thank those with the Coast Guard and Homeland Security and our two sheriffs. A little background, I just recently returned from Panama, Colombia, and Mexico, where we were discussing the waterways and the challenges that they have with respect to the waterways and the dependence upon the United States Coast Guard.

Now, we have come to understand that any intrusion into our border is a threat on the homeland. It could be major, disastrous, devastating drug cartels who are violently plaguing innocent users of the waterways and then using those waterways to make their way up to the United States or to cause havoc. So, the importance of your work and this hearing is more than crucial. It is more than necessary to have a hearing to focus on any penetration of America's boundaries.

I want to express my appreciation to the Coast Guard and quickly, if I could, Admiral, just get a quick comment on how important it is to be vigilant on intrusions into our waterways.

Admiral ZUKUNFT. Well, that vigilance starts well beyond our waterways. So as we look at the South border, we look at the South border of Mexico, because that is really where the threat to their homeland originates, which it then migrates into our homeland as well. So we have a long-standing relationship with the Mexican Navy that does have leads for law enforcement. We do not have a bilateral agreement with Mexico, but we have been able to work operations center and formalize standard operating procedures where we do share information.

Ms. JACKSON LEE. Can you utilize more assets, more resources?

Admiral ZUKUNFT. Well, that would be an understatement, and certainly that does continue to be our challenge.

Ms. JACKSON LEE. Do you realize, I know you realize that our embassy and the personnel that are in our embassy that deal with sort of overlapping between Homeland Security, but I think it is sort of emergent to each other, really need your assets in those

waters off of Panama and in the Colombian area. You understand that?

Admiral ZUKUNFT. I certainly do. So our intelligence, our common intelligence picture is improving. Our collaboration is improving. But you can have all the authorities, all the information, but if you don't have the interdiction assets, then the bad guys are going to win.

Ms. JACKSON LEE. And the personnel. Your assets have been very helpful to them. I want to give you that compliment. They really appreciate it. Just your presence on the water makes a difference.

Sheriff Garcia, I want to go to you. I am glad we have a sheriff from the south and the north. But you made a very valid point that in the course of our capturing Osama bin Laden we have seen materials that suggest beyond aviation, rail, that our waterways are a target. You made a point about Harris County, that there are many, many cities, and you made another valid point about monies going to the county entity and not necessarily getting to the direct agency such as the sheriff's department that is in need.

Speak to the concerns that you have again, and let me thank your men and women for their service, on not being able to get monies because you have had attrition versus the term layoff. You still are not getting the resources that will allow you to staff up for the major responsibility that you have, many others, but around the port area.

Sheriff GARCIA. That is correct, Congresswoman Jackson Lee. Thank you for your leadership on this issue. It is imperative—you know, I am a big proponent that providing presence is one of the greatest deterrents that we can offer. So we have a particular staffing model that we would like to deploy at the Houston ship channel for our relationship to the Houston Ship Channel Security District. But right now we are a far cry from being where we would like to be, even as a start. So it is imperative that I continue to advocate for the COPS funding and for other funding opportunities that allow for the hiring of personnel.

The UASI grants have been an incredible resource to us. We have been able to use that to appropriate incredible technology that is obviously making things a lot easier for us. But at the end of the day we need people to watch that technology, we need people to utilize that technology. We need people in boats, we need people to be able to maintain that first responder presence and vigilance out in this critical infrastructure. So that is why I continue to lean back on the need to have funding opportunities that allow us to hire full-time people and not depend on overtime. We are burning out our people with overtime.

Ms. JACKSON LEE. Could my northern sheriff answer that question too, with the potential of the COPS grants being zeroed out? Just the amount of resources you need to continue to do—the partnership between you and the Federal Government, how important that is.

Sheriff DONNELLON. Well, we have a great partnership with the Federal Government, and we have significant issues on our borders as well as far as infrastructure. For example, the water plant for the City of Detroit, the water intake for the potable water is lo-

cated 10 miles north of the Blue Water Bridge in 200 feet of water, and our dive team, which is responsible for anything underwater, is primarily volunteer on-call. So any resources are much needed, or tools for the resources, such as equipment and training.

We have a significant chemical valley just across the river in Sarnia that is extremely large. That is also a grave concern for us.

Ms. JACKSON LEE. Let me thank all of the witnesses, Madam Chairwoman. I know that I would have wanted to approach all of our witnesses. But I want to thank the former General with the affiliation with NASA and his service, and we will rise again just as we will protect the homeland. I do thank you all.

I yield back to the Chairwoman and to the Ranking Member.

Mrs. MILLER. I thank the gentlelady.

The Chairwoman now recognizes the gentleman from South Carolina, Mr. Duncan.

Mr. DUNCAN. Thank you, Madam Chairwoman.

As I said many times, being from South Carolina, we are about as far away from the Southern and Northern borders as you can get, but it is very much a concern for South Carolinians that we secure this great Nation. I want to commend the gentlewoman from Texas for acknowledging the facts that we do have a problem and we should be able to determine who comes into this country and what comes into this country.

I want to further acknowledge in the General's statement, I believe it is, it says the CBP is responsible for securing America's borders against threats while facilitating legal travel and trade. Then it goes on and says their approach to enhance the security of our borders while facilitating the flow of lawful people and goods entering the United States. That is a great statement of your mission. I commend you guys for what you do, because you are fulfilling the constitutional role in Article IV, Section 4. It says the United States shall guarantee every State in this Union a republican form of government and shall protect each of them against invasion.

If you look up the definition of "invasion," it will lend you to think that we may have some issues on some of our borders, specifically the Southern border.

But being from South Carolina, I am very interested, guys, in the Charleston port and what is going on down there with the Inter-agency Operations Center known as SeaHawk, which I think is a very successful on-going operation in IOC. These were created, IOCs were created to create an environment where different agencies could come together under one roof and work collectively toward a common goal of securing a harbor, and I think SeaHawk is something that can be held out as a working model.

But what are the benefits, and I am going to ask the Admiral this, what are the benefits to having various agencies working together under one roof?

Admiral ZUKUNFT. Well, I have been to the SeaHawk facility for the ribbon cutting, and the real value added is, one, we stand a 24-hour watch there, which as we look at other agencies, we do this for search and rescue, but we also provide law enforcement awareness, push information. But it is a challenge for other agencies to

stand a 24×7 watch, because as we have heard, the demands on human resources.

The key value there is we have the container targeting team that CBP provides, and we have had some tremendous successes on some illicit cargo that has been intermingled with legitimate cargo coming into the port of Charleston. So that really has made a difference. So it really gets to having that awareness as that container leaves perhaps a port in Singapore or perhaps in a European port or other place, coming to Charleston. Then aiding and abetting the gang violence that our sheriffs are trying to fight on a daily basis.

So as much as that illicit cargo that we can keep out of the hands of the gangs, but be able to do that through a collaborative effort, the SeaHawk does provide that model, if you will.

Mr. DUNCAN. All right. You were saying the mini-sub and the smuggling operations on the West Coast, and I am assuming maybe on the East Coast as well. But do you all have a similar facility out on the West Coast where agencies work together for drug smuggling and maybe human trafficking and that sort of thing?

Admiral ZUKUNFT. We have a JHOC, Joint Harbor Operating Command, in San Diego. But as we look at the drug threat, that really is—the center of excellence for that would be at our Joint Interagency Task Force based in Key West, Florida, which, again, is interagency. It is also international and commanded by a Coast Guard flag officer.

Mr. DUNCAN. Madam Chairwoman, I will be glad to yield back. But I just want to thank you guys. A lot of times we think about Customs and Border Patrol and securing this Nation. The harbors, the ports are left out of that and we think about the borders more than anything. But I keep in mind always that the ports, the oceans, they are our borders as well. So thank you guys for what you do to keep this great Nation safe.

Madam Chairwoman, I yield back.

Mrs. MILLER. Finally, the Chairwoman would recognize Mr. Pierluisi from Puerto Rico.

Mr. PIERLUISI. Thank you, Madam Chairwoman.

Protecting our Nation's maritime borders is a matter of great importance to Puerto Rico as well. As Federal officials curb the flow of drugs across the U.S. Southwest border, drug trafficking organizations are increasingly turning to the alternate Caribbean pathway leading to an unacceptably high number of drug-related murders. I come to this hearing concerned that there is a mismatch between the level of drug-related violence in Puerto Rico, as you know, a U.S. Territory, and the size and scope of the Federal response.

So, Admiral, I am concerned that Sector San Juan does not have any fixed-wing coastal patrol aircraft permanently stationed on the island and won't until 2018. That is not only my concern, but also the concern of the Appropriations Committee of this House, which in the Homeland Security appropriations report questioned whether the Coast Guard was meeting the request for maritime surveillance hours made by the Joint Interagency Task Force South. So, I have just a couple of questions for you.

Is the rotation of one fixed-wing coastal patrol aircraft between Florida and Puerto Rico sufficient in your opinion to address the Coast Guard's interdiction responsibilities in the Caribbean?

Admiral ZUKUNFT. Well, quite frankly, no. It is an 18-hour go-fast ride from the Guajira Peninsula to Puerto Rico. Puerto Rico is really at the frontline of the United States for go-fast activity. We don't particularly have cocaine-laden go-fasts coming into San Diego from Miami, but San Diego is on the forefront.

We do look at how do we best leverage our resources with CBP and also putting helicopters at sea at the approaches. It is part of our Steel Web Campaign, which is the drug campaign for Puerto Rico. But that is a concern of mine, that it is a very illusive threat. They typically run at night, and you really need that constant surveillance to be able to make a difference.

Mr. PIERLUISI. I appreciate your candor, because I think it was said here before, this is like a moving target. So it makes no sense, Madam Chairwoman and Ranking Member, to devote all resources or put all your eggs in one basket. You need to keep an eye on the Caribbean as well. The drugs that go through Puerto Rico end up in Florida, and it could be even Texas or Mississippi. So we need to be smart about this.

Now, how many maritime surveillance hours does the Coast Guard currently devote to Puerto Rico? Do you have that statistic, Admiral?

Admiral ZUKUNFT. I can provide that for you. But we often will provide resources from Miami that will stage out of Puerto Rico. But most of that surveillance is done by helicopter in the approaches, and also we partner with CBP as well. I will say that our aircraft hours overall for counterdrug did go down in support of JIATF South this past year, primarily due to aviation maintenance, but also the delivery of our medium-range surveillance aircraft. We will eventually get to 36 of those, but we had to pause the delivery of those as we are making some very difficult choices in recapitalizing our fleet. But we need to recapitalize our air wing as well.

Mr. PIERLUISI. I understand that this new aircraft, the HC-144, the Ocean Sentry, will be arriving to Puerto Rico in 2018, as I said. In the meantime, I see two possible options. Can we advance that delivery date, or, in the alternative, assign to Puerto Rico current aircraft deployed elsewhere? Are those possibilities?

Admiral ZUKUNFT. Well, we do on a routine basis, as we have done with aircraft staged both out of Clearwater and Miami where the C-144s will be located, routinely support those approaches to the U.S. Virgin Islands and Puerto Rico as well, and that is a normal patrol area for them, as well as the migrant flows coming off of Cuba as well. So we have set patrol areas. For the time being, they are staged out of Miami and Clearwater, so we do lose that critical transit time that they could otherwise be actively patrolling from the moment their wheels are up.

Mr. PIERLUISI. Thank you. I am running out of time, but Commissioner, just turning to CBP and basically OAM, I know that there is an on-going partnership and I know all you do. But I want to have a better understanding of the way you are funding OAM's operations in Puerto Rico. Would you be so kind as to give me a briefing in the near future in my office?

General KOSTELNIK. We absolutely would be happy to do that. As you realize, a lot of the growth infrastructure was funded by the Puerto Rican Trust Fund and there are issues, legal issues, that have caused some reduction in the maritime capability. I would mention we do provide a very good aviation support with the Dash-8s, and also as we get the Second Guardian into the Cape, those aircraft are destined for Caribbean options, and particularly Puerto Rico.

Mr. PIERLUISI. Thank you.

Thank you, Madam Chairwoman.

Mrs. MILLER. I thank the gentleman for his questions, and I thank him for joining the committee here as well.

First of all, I would just remind all the Members that the hearing record will be open for 10 days. So if you have any additional questions we will ask our witnesses to answer in writing, if possible.

But that was really the impetus of this hearing, not only cooperation amongst the various agencies, et cetera, but as has been mentioned here numerous times, we think about border security, we think about the Southern border, we think about the Northern border. We don't sometimes think about our coastal borders, and we have to take a comprehensive approach to border security.

I always say that the first and foremost responsibility of the Federal Government is to provide for the common defense. That is in the Preamble of the Constitution, which means National security, homeland security, border security. All of those things fall under that umbrella, I think. As we are spending money on all kinds of things at the Federal level here, we do have to think about securing our borders certainly.

Again, I just want to thank all of the witnesses for coming. I thought the testimony was excellent and the question-and-answer period was excellent as well, and in particular our two sheriffs who come from the local perspective, I thought both gentlemen handled yourself very well with the questions and it was very enlightening for all the Members as well.

So thank you all very much. With that, the committee will stand adjourned.

[Whereupon, at 11:45 a.m., the subcommittee was adjourned.]

APPENDIX

QUESTIONS FROM CHAIRWOMAN CANDICE S. MILLER FOR MICHAEL C. KOSTELNIK

Question 1. Are any of your officers participating in the Shiprider program or training? Are any of them qualified to take part in joint operations with Canadian officers, or other partner nations? If this program was further expanded, would it be helpful to receive this training and have your officers participate?

Answer. The U.S. Coast Guard (USCG) is the “Central Authority” for the United States and the Royal Canadian Mounted Police (RMCP) is the “Central Authority” for Canada for the Framework Agreement on Integrated Cross-Border Maritime Law Enforcement Operations, commonly known as “Shiprider.” The U.S. Department of Homeland Security (DHS) is drafting a DHS Shiprider Management Directive and the Coast Guard continues to develop internal operational documents to support this program.

Currently the U.S. Customs and Border Protection (CBP) Office of Border Patrol has four Shiprider-trained personnel, and they are all from the Swanton Sector. CBP Office of Air and Marine (OAM) Agents are not currently participating in the Shiprider program; however, OAM welcomes the opportunity to participate in the Shiprider program, and is currently working with USCG to identify personnel requirements for the program which will further enhance United States and Canadian law enforcement and security missions.

In October 2010, Canada Minister of Public Safety Vic Toews introduced to the Canadian Parliament the Keeping Canadians Safe (Protecting Borders) Act, which included a provision that would ratify the Framework Agreement. The bill, however, died due to a “no confidence” vote in the Canadian parliament and will have to be re-introduced to Parliament under the new government.

There are no current operations currently underway under the Framework Agreement because Canada has yet to ratify it. Although DHS concurs with the Shiprider concept, DHS cannot comment on the new legislation because it has not yet passed Canadian Parliament.

OAM and OBP, however, regularly and actively participate with our Canadian law enforcement counterparts to address immediate smuggling events. Additionally, CBP actively participates in the Integrated Cross-Border Maritime Law Enforcement and the Integrated Border Enforcement Teams to address border security operations. In 2010, the U.S. Coast Guard and U.S. Customs and Border Protection partnered with RCMP in Toronto to support security efforts for the G20 Summit, as well as supported the 2010 Vancouver Winter Olympics.

Question 2. In the most recent report to Congress, CBP identified a reemergence of the use of ultra-light aircraft by drug trafficking organizations to cross the U.S.-Mexico border in Southern Arizona. What is CBP doing to counter that threat? Is there a comparable threat on the Northern border?

Answer. CBP employs significant resources on the Southwest border and is working with the government of Mexico and multiple Federal, State, local, and Tribal law enforcement agencies to detect, deter, interdict, and apprehend trans-national air incursions. The use of ultra-light aircraft (ULA) to smuggle contraband into the United States is a method that criminal elements utilize primarily in the Southwest border region. There is no known validated ULA threat along the Northern border at this time.

The use of ultra-light aircraft by criminal organizations to further their cross-border smuggling activities is an on-going focus of CBP and U.S. Immigration and Customs Enforcement (ICE). CBP clearly recognizes the threat from cross-border ULA activity and has taken a proactive approach towards combating that threat. The CBP Air and Marine Operations Center (AMOC) is a 24/7 state-of-the-art law enforcement radar surveillance center designed to counter airborne smuggling, and serves as a repository for information pertaining to ULA activity.

AMOC coordinates with CBP field locations to engage appropriate enforcement response to trans-national air incursions on both sides of the U.S./Mexico border. CBP and ICE work together with Mexican Authorities and respond to all suspected air incursions in order to interdict and investigate the event. CBP is actively pursuing deployment of transportable, commercial sensors designed to enhance detection and tracking of ULA and other low-flying aircraft.

CBP encourages the public to report suspicious or low-flying aircraft to AMOC through its toll-free number at 1-866-AIR-BUST.

In an effort to increase capabilities, CBP is working closely with DHS/Science and Technology Directorate (S&T) to identify, develop, and transition critical technologies to detect and track small, stealthy aircraft. Ultra-lights as well as small fixed-wing aviation and helicopters continue to challenge standard detection methods. As an example, in March 2011, CBP/Air & Marine finished a joint testing program with DHS/S&T and the USAF Test Pilot School at Edwards AFB, CA to determine the level of our current air interdiction capability and find ways to improve our effectiveness in detecting and tracking these small aircraft. Results showed that changes in the patrol pattern, intercept geometry, of CBP aircraft could increase our ability to detect and track small aircraft.

Question 3. What types of missions do CBP UAVs perform and what is the cost per flight hour? What would be the comparable cost per flight for a manned fixed-wing aircraft?

Answer. CBP Unmanned Aircraft Systems (UAS) missions include reconnaissance, surveillance, and tracking to provide effective on-call, dynamic surveillance (typically cued by Border Patrol agents or unattended ground sensors). CBP UAS provide situational awareness through covert monitoring of areas of interest or high-threat environments while providing real-time images to agents on the ground.

In addition to its border security mission, the CBP Office of Air and Marine (OAM) also utilizes UAS as a force multiplier during emergency and disaster response efforts, including those of the Federal Emergency Management Agency (FEMA), the U.S. Coast Guard (USCG), U.S. Geological Survey, and other Department of Homeland Security (DHS) partners. There is no comparable manned aircraft in the OAM fleet that can operate as long or as covertly as the UAS that OAM currently employs. As an example the mission endurance for a P-3, a manned fixed-wing aircraft, is 10-12 hours (compared to up to 18-20 hours with the UAS).

A direct comparison between UAS flight-hour cost and any other aircraft's operating cost is difficult to determine because of the extreme differences in missions, capabilities, and operating expenses. Also, like all aircraft flight cost estimates, UAS estimates fluctuate frequently due to multiple factors including fuel and satellite access cost changes, system upgrade/development cost (often a factor with new technologies) and relocation expenses (driven by high demand for the unique UAS capabilities and limited UAS assets).

Question 4. Recently, CBP has launched a multi-role enforcement aircraft project to replace multiple types of aircraft. What is the current status of that project and how many aircraft are planned to be acquired within the next 5 years? How does the cost per hour and the capabilities of this aircraft compare to the Guardian UAV?

Answer. CBP has a competitively awarded contract with the Sierra Nevada Corporation in Hagerstown, MD to acquire up to 30 Multi-role Enforcement Aircraft (MEA). Currently, five MEAs are on order, funded in fiscal years 2007, 2008, and 2009. The first MEA was delivered in mid-June; it has completed preliminary Operational Testing and is deployed to the Southwest border for operational use and pilot training. The next three MEAs are scheduled for delivery by end of calendar 2011. The fifth is scheduled for delivery in February 2012. There are no additional MEAs funded by fiscal year 2010, 2011, or 2012 budget allocations.

We cannot answer the MEA cost per flight hour question at this time. The first MEA placed into service (MEA No. 1) began operations on June 20, 2011. On July 20, 2011, 1 month later, MEA No. 1 completed 200 flight hours and went into a mandatory 200-hour scheduled maintenance inspection. MEA No. 1 completed a post-maintenance inspection flight on August 9. Less than 2 months of operational data on a newly-introduced aircraft is insufficient time to gather reliable operational cost data. Once the MEA has been in service a full year accurate and reliable cost data will be available. As for the capabilities, both aircraft have comparable long-range maritime search radars, day/night cameras, the potential to carry signals direction-finding equipment, Ku-Band (The Ku-band is the 12GHz to 18GHz portion of the electromagnetic spectrum in the microwave range of frequencies) satellite down link capabilities, and the capability to carry synthetic aperture radar systems. The Ku-band was selected because it provides a stable signal through weather and permits federated use with other platforms having Ku-band capability. Ku-band is currently installed on aircraft that routinely deploy beyond line of sight of land, i.e.

UAS, P-3, and DHC-8 aircraft. The maximum mission duration for the MEA is 6 hours, while the Guardian can fly up to 18–20 hours in a single mission.

QUESTION FROM HON. MIKE ROGERS FOR MICHAEL C. KOSTELNIK

Question. General Kostelnik, what is Air and Marine's plan for acquiring additional UAVs? How many assets does your strategic plans call for given the current resources available to each? During your testimony to this subcommittee on March 15, 2011, you discussed the huge cost savings that UAVs provide over manned assets. You specifically stated that the Guardian UAV hourly cost is around \$3,500, or roughly \$3,000–\$3,500 less expensive per flight hour than a P-3 and about \$500–1,000 less expensive per flight hour than a Multirole Enforcement Aircraft? Based upon these cost savings, have you accelerated OAM's plans to acquire more UAVs? Have your cost estimates changed over the past few months, and do these estimates take into account the full acquisition, personnel, and operational costs for these aircraft?

Answer. OAM's strategic plan calls for a UAV end state of 24 aircraft. Availability of funds to purchase and, more importantly, maintain and operate these aircraft will dictate the pace of procurement.

CBP aircraft acquisitions are based on validated operational requirements with capabilities tailored to optimize their performance for specific mission sets within the limits of available funding. Direct cost comparisons are not an effective guideline for determining the optimum aircraft mix to accomplish CBP's mission.

There is no comparable manned aircraft in the OAM fleet that can operate as long or as covertly as the UAS that OAM currently employs. The cost per flight hour categories used to calculate the UAS cost per flight hour and the categories that comprise the other aircraft, including the P-3, cost per flight hour are not exactly the same. Therefore, a direct category-by-category comparison between UAS flight hour cost and any other aircraft's operating cost is difficult to determine. Furthermore, there are extreme differences in missions, capabilities, and operating expenses associated with the UAS and other aircraft. The UAS and P-3 are complimentary assets as each brings unique capabilities to the border security mission. Also, like all aircraft flight cost estimates, UAS estimates fluctuate frequently due to multiple factors including fuel and satellite access cost changes, system upgrade/development cost (often a factor with new technologies) and relocation expenses (driven by high demand for the unique UAS capabilities and limited UAS assets).

QUESTIONS FROM HON. MICHAEL T. MCCAUL FOR MICHAEL C. KOSTELNIK

Question 1. I was pleased to hear that an additional UAV will be stationed in Texas later this year. Would you please keep my staff informed as this deployment moves forward? In addition, the Texas Rangers and Department of Public Safety have brought it to my attention that the absence of a UAV based along the border has already hindered law enforcement operations. Poor weather has caused numerous UAV flights from Corpus Christi to be cancelled over the past few years. As you know, both Federal and State law enforcement rely on the critical surveillance that these systems provide. Having a UAV system readily available along the border is crucial to their mission. Specifically, how many maritime UAV flights out of Corpus Christi have been canceled due to environmental conditions? How do the weather constraints on CBP UAV compare to the constraints on your manned assets? Furthermore, have you considered moving your Texas-based UAV to locations closer to the border with Mexico, such as in Del Rio, Texas? How much would it cost to move the current UAV and/or station the new UAV to a location along closer to the border?

Answer. The cost of relocating or establishing a UAS site is dependent on a number of variables that precludes the ability to provide a reasonable "generic" cost estimate. CBP's existing UAS sites allow OAM to leverage existing aviation infrastructure and support services which results in considerable cost avoidance.

As of 15 November 2011, UAS aircraft stationed at the National Air Security Operations Center, Corpus Christi were scheduled to fly 191 times, with 41 of the flights cancelled in some part due to weather. Two major factors contributed to the unusually high weather cancellation rate: Unusual spring weather patterns across the entire South Texas region and the operational safety requirements pertaining to weather contained in our Certificate of Authorization (COA) from the FAA.

Prior to April 18, 2011, the FAA required UAS to operate with cloud ceilings of no lower than 3,000 ft above field elevation and no less than 5 miles of visibility for launch and recovery. Due to the UAS not having a pilot on board the aircraft, the FAA mandates these minima in order to provide an environment for both visual observers, acting as the "eyes" for the UAS, and other pilots to "see-and-avoid" UAS.

That requirement, coupled with the low ceilings and higher than normal winds caused by the unusual spring weather over South Texas, severely hampered UAS operations out of Corpus Christi.

After an FAA review of required weather minima in April 2011, the weather requirement has been eased, and CBP UAS are now required to “maintain cloud clearances consistent with Visual Flight Rules (VFR)” (3 miles of visibility for launch or recovery). While this adjustment does provide some relief from the impact of adverse weather, the current FAA requirements continue to mandate UAS aircraft to operate under VFR rules in airspace where encounters with other aircraft could occur.

CBP continues to work with the FAA on safe integration of UAS into the NAS at all CBP operational locations and toward the establishment of approach procedures that would allow the UAS to land in instrument conditions.

CBP conducted extensive research into numerous locations before selecting NAS Corpus Christi as an UAS site. NAS Corpus Christi best meets the requirements for UAS operations because of its available maintenance facilities, minimally restrictive airspace and normally favorable weather conditions. One of the most important advantages of operating UAS out of NAS Corpus Christi is the availability of experienced CBP pilots and sensor operators already stationed at that location. By dual qualifying P-3 operators at NAS Corpus Christi in the UAS, OAM has effectively added 13 UAS pilots, 12 sensor operators, and a fully operational UAS site to the National border security effort without needing to hire any additional UAS aircrew members.

Question 2. I was under the impression that the Office of Air and Marine operated and controlled all of the boats that CBP maintains. However, I have heard that the Border Patrol also operates some boats, in 37 different locations with more than 340 Border Patrol Marine agents, for CBP. Wouldn't it make sense to consolidate control of these assets under one assistant administrator within the agency? Can you address the overlap between the Border Patrol having its own boats instead of those boats being under the administration of OAM?

Answer. In 2005, DHS transferred control of the ICE Air and Marine programs to CBP. On January 17, 2006, CBP officially announced the integration of its marine program with the air program, creating the Office of CBP Air and Marine, which is now called the Office of Air and Marine (OAM).

OAM was assigned the responsibility for CBP marine budget planning and execution, vessel procurement and maintenance, and the administrative management of all agency marine resources. OAM was further tasked with establishing safety and operational standards as well as developing and delivering comprehensive training and conducting individual evaluations of all CBP marine personnel. The Border Patrol has the primary responsibility for Border Security between official Ports of entry and, as such, has the tactical, day-to-day oversight of all air and marine operations along the Northern and Southern Borders.

CBP divided the marine theater into two distinct environments: Riverine and Coastal. CBP determined that these two different operating environments necessitated having more than one position. CBP then created the Marine Interdiction Agent (MIA) and Border Patrol Agent—Marine (BPA-M) positions. The MIA position (re-titled from U.S. Customs and ICE Marine Enforcement Officer position) within OAM provides maritime captaining skills and interdiction expertise in coastal and Great Lakes environments. The BPA-M position within the Border Patrol provides water-borne capabilities in riverine and similar environments.

OAM is responsible for fleet budgeting, management, and procurement for all vessels (numbering 298) in the CBP vessel inventory, which includes the vessels assigned to the coastal and riverine patrol and intercept missions.

CBP currently has 375 BPA-M's assigned to 39 OBP Stations conducting riverine patrols and 349 OAM MIA's assigned to 30 OAM Marine Units conducting coastal interdiction and patrol operations in the littoral approaches to the United States.

QUESTIONS FROM HON. JEFF DUNCAN FOR MICHAEL C. KOSTELNIK

Question 1. One of the good things I have heard from the Seahawk center in Charleston is that they are able to use blue force tracking tools to monitor law enforcement assets and where they are within the port. Do all or some of your Air and Marine boats have blue force tracking tools onboard so that their operations can be monitored and viewed as part of the common operating picture for their areas? If so, are other agencies, such as the Coast Guard, when necessary, able to see these blue force tracking data on their Common Operating Pictures for the harbors?

Answer. OAM and the USCG have vessels that are equipped with Automatic Identification Systems (AIS) that transmit real-time position data to other similarly equipped USCG/OAM vessels and command centers. CBP OAM currently has 77

marine vessels equipped with AIS capable of processing and displaying encrypted AIS data.

AIS provides increased situational awareness and safety during a maritime response by enabling air, surface, and command center assets to determine the real-time location of surface assets with a common operational picture on an equipped vessel and/or aircraft.

Additionally, operators of vessels with AIS capability can determine what assets are available to respond in emerging situations, providing increased situational awareness among “blue” forces that can help mitigate uncertainty in dynamic situations, reducing the potential for blue-on-blue encounters, and increasing the probability of mission success.

Question 2. Admiral Zukunft and General Kostelnik, the Coast Guard operates more than 1,000 small boats. CBP Air and Marine has almost 300 small boats. But between the two agencies, there is only one shared platform: The 33 ft Special Purpose Craft-Law Enforcement. The Coast Guard has 44 of these boats and Air and Marine have 21. It makes sense to share assets and consolidate acquisitions, especially in today’s austere budget environment. What efforts have your two agencies taken to develop additional common platforms? How are you coordinating acquisitions to reduce costs to the Federal Government?

Answer. CBP coordinates extensively with the U.S. Coast Guard (USCG) to take advantage of efficiencies, where practical, particularly with respect to marine vessel acquisition, maintenance, and training. This relationship is maintained through our participation in the DHS-sponsored Boat Commodity Council.

OAM and USCG share Operational Requirements Documents (ORD) during the planning stages of vessel procurements. In addition, OAM has allowed for USCG to share capacity on OAM’s new Coastal Interceptor Vessel (CIV) contract if the vessel meets their operational requirements.

Over the past 3 years, the USCG has transferred custody of 99 vessels to CBP. Of those, 58 have been refurbished and placed into service in support of CBP’s riverine operations. The transfer of these vessels has enabled CBP to offset a portion of its near-term riverine vessel investments totaling nearly \$19 million (including the amount needed to repair and upgrade the vessels and to provide engines). The remaining boats will be entered into service as funding permits, and as ready pool vessels deployed to meet surge requirements, to replace severely damaged vessels, or to augment marine sites in response to changing threats.

A maintenance facility has been established at the National Marine Center (NMC) in St. Augustine, Florida. The NMC handles and directs all maintenance requirements for the CBP maritime fleet. As part of the Boat Commodity Council, the NMC also provides maintenance support to the U.S. Coast Guard’s fleet of 33’ SAFE Boats. This joint service has resulted in substantial savings and will continue in coming years.

As a result of the Boat Commodity Council, CBP and USCG also share practices and training opportunities. For example, CBP has provided 33’ SAFE Boat indoctrination training and Small Boat Interdiction Program training for USCG personnel. The Small Boat Interdiction Program includes high-speed pursuit tactics, warning shots, and disabling fire. CBP has also detailed agents to the Joint Maritime Training Center (JMTC) at Camp Lejeune, North Carolina to evaluate courses and topics of value to CBP.

OAM is currently in the contract selection phase of procurement of a new Coastal Interceptor Vessel (CIV) to replace its fleet of aging Midnight Express interceptor vessels. This contract was specifically written to permit the USCG to procure CIVs if they desired.

QUESTIONS FROM CHAIRWOMAN CANDICE S. MILLER FOR PAUL F. ZUKUNFT

Question 1. We are working towards Port Security Authorizing Legislation later this year. One possible idea we are considering is allowing the Coast Guard to develop voluntary training standards for State and local marine law enforcement agencies in order to certify these boat operators and ensure that they can both operate in a safe and effective manner, and that they are using tactics and procedures that are interoperable with the Coast Guard and other key maritime law enforcement agencies. Can you explain to us what a framework like this would look like? Why would developing interoperable standards be helpful to DHS?

Answer. To comply with Section 828 of the Coast Guard Authorization Act of 2010, the Coast Guard is working with its State and local enforcement partners in producing National standards for training and credentialing of law enforcement personnel. A comprehensive standard for the training, typing, and credentialing provides interoperability and collective partnerships of Federal, State, county, and local

law enforcement officers. It will help unify National resources, enhance the Coast Guard's capabilities and provide increased safety and security for our citizens within the maritime domain.

Question 2. On July 7, 2011, DHS released the Maritime Operations Coordination Plan (MOC-P). I feel this plan has been long overdue and is a step in the right direction, however it seemed to be lacking in a few areas. How do you feel about the effectiveness of this plan? What areas do you feel the plan could be strengthened?

Why did it take so long for DHS to release this plan?

Does this plan include a mechanism for sharing best practices between different regions? Does it include a process for feedback to filter up and down between DHS and the regional commands? Does it include a process for local and State law enforcement agencies and other stakeholders to push out feedback about their regional commands to DHS?

How is DHS going to know if this plan is working? How are you going to measure success?

Answer. The plan will make regional coordination more effective and consistent. Since September 11, 2001, maritime port partners have been cooperating in varying degrees. A requirement for maritime operations coordination was first set in the SAFE Port Act of 2006, directing the establishment of Interagency Operations Centers (IOC) for port security. In that same year, the Coast Guard and U.S. Customs and Border Protection established a Senior Guidance Team (SGT) to coordinate their efforts in areas of joint concern. In 2009, the Department of Homeland Security published the Maritime Port Operations Handbook detailing best practices for port operations. In 2011, the SGT (which now includes U.S. Immigration and Customs Enforcement) determined that additional guidance was needed to ensure a consistent, repeatable effort among its components. The result was the Maritime Operations Coordination (MOC) Plan.

The Plan clearly establishes consistency in the boundaries of the regional coordination efforts, based upon the Coast Guard Sector area of responsibility. It provides a reporting mechanism for feedback to move up and down the chain through required report for implementation plans and membership. This will include incorporation of feedback/membership by other Federal, State, local, and Tribal agencies.

The initial implementation status report will be provided to the SGT in the fourth quarter of 2011. Based upon the review of those plans, the SGT will determine what, if any, additional reporting will be required and if any changes/strengthening of the plan is needed.

An additional feedback mechanism from the MOC plan efforts will be the incorporation of the IOC for each of the ports into the MOC Plan. The SGT has a standing work group on IOC cooperation which continues to report to the SGT. This work group has promulgated IOC "Best Practices" in the past and will provide the mechanism for the regional MOC plans. The MOC plan also designates the Air and Marine Operations Center (AMOC) as the National focal point where information provided by the regional centers is aggregated and disseminated for improved maritime domain awareness across the regions. Using the CBP Office of Air and Marine-sponsored and jointly-staffed AMOC in this role will ensure that critical information is shared in a timely, accurate, and actionable manner across the maritime community of interest.

Finally, the measure of success for the MOC Plans will be the degree in which the Regional Coordinating Mechanisms are involved in the routine planning of operations, exercises, and responses to unplanned events.

QUESTION FROM HON. MIKE ROGERS FOR PAUL F. ZUKUNFT

Question. At a March 15, 2011 hearing with this subcommittee, CBP testified that its Guardian UAVs cost roughly \$3,500 per hour. When comparing their costs per hour to the cost per hour of a HC-144 or a C-130, the Guardian appears to be significantly less expensive. Based upon these cost figures, has the Coast Guard increased its focus on acquiring and using UAVs to conduct maritime surveillance?

Answer. While the Coast Guard does not yet operate unmanned aircraft, they do offer some economic benefits over manned aircraft for specific surveillance purposes. However, they do have limitations relative to manned aircraft, including weather restrictions and are not able to conduct other missions (e.g. SAR) that manned aircraft can perform. Overall, based on the potential advantages of this technology to augment the current aircraft fleet, the Coast Guard has steadily increased its focus on acquiring unmanned systems to augment our multi-mission patrol assets.

Since fiscal year 2009, the Coast Guard established key partnerships with the Navy and U.S. Customs and Border Protection (CBP) to participate in joint development of unmanned aircraft, focusing largely on demonstration efforts for Firescout

and Predator B airframes already in the Navy and CBP inventories. These initiatives have been accomplished with minimal costs and fostered important progress in adapting to maritime environments and developing effective mission systems.

In addition, Coast Guard has created a unmanned aircraft systems (UAS) platform manager position, established a UAS Standardization Branch, qualified several UAS pilots and sensor operators, and assigned personnel to cross-train with CBP crews, and strengthen CBP and Navy operational evaluations. By continuing to work closely with CBP and teaming with their UAS operators, the Coast Guard can maintain UAS operator training, proficiency, and develop tactics and procedures manuals. These efforts will allow progress in acquisition efforts.

QUESTION FROM HON. MICHAEL T. McCAUL FOR PAUL F. ZUKUNFT

Question. Last year's *Deepwater Horizon* accident proved that the Coast Guard Maritime Contingency Plan for Louisiana was insufficient; it failed to take into account a spill of such magnitude. The Captain of the Port is in charge of developing a similar plan for security, known as the Area Maritime Security Plan (AMSP), for each Coast Guard Sector. Are these AMSPs fully complete, or do they have similar holes like the Maritime Contingency Plan in Louisiana did?

I fear that without the proper oversight of these plans, if a major security incident were to occur in a port, it would be too late to find out then that the current plans are inadequate. What is the USCG doing to ensure that this is not the case? Is there is a system for oversight and review of these plans in order to ensure they meet all requirements and take into account a variety of possibilities for different Transportation Security Incidents?

Answer. The Nation's Area Maritime Security (AMS) Plans are complete, comprehensive, and compliant with all current directives. The Coast Guard's Atlantic and Pacific Area Commanders have approved these plans after extensive review and have determined that they meet the requirements established by the Maritime Transportation Security Act (MTSA) of 2002, the MTSA implementing regulations in 33 Code of Federal Regulations Part 103, and the Security and Accountability for Every Port Act of 2006. These community-based plans were first certified in 2004 in coordination with the respective Area Maritime Security Committees (AMSC) and other maritime stakeholders. Using the Coast Guard's Maritime Security Risk Analysis Model (MSRAM), the top three most likely Transportation Security Incidents (TSI) scenarios for each of 43 separate Captain of the Port zones are identified by the AMSC, and procedures for responding to these TSI scenarios are established within the plan. The AMS Plans are exercised annually within the Coast Guard's Area Maritime Security Training and Exercise Program and the results are used to improve the plans on a continuous basis. The plans are also required to be formally reviewed and updated every 5 years, as outlined in MTSA.

These plans were last formally updated in 2008–2009 to include salvage response procedures in compliance with new SAFE Port Act requirements. The updates also included significant improvements to Maritime Transportation Security (MTS) Recovery elements by incorporating lessons learned from Hurricanes KATRINA and RITA and use of an all-hazard compatible MTS Recovery plan template. The updated AMS Plans were formally reviewed by Coast Guard District Commanders and approved by Coast Guard Area Commanders by August 2009. The AMS Plans address protection, prevention, response, and initial recovery from potential terrorist events or TSI and contribute significantly to the Nation's maritime security preparedness and MTS resiliency.

QUESTION FROM HON. BENJAMIN QUAYLE FOR PAUL F. ZUKUNFT

Question. Admiral Zukunft and General Kostelnik, how are your two agencies leveraging your relationship with the each other to find administrative and operational cost savings? It seems you both have small boat units in 23 different harbors. Are you sharing pier space, training programs, or maintenance programs to find reduced costs?

Answer. Yes, there is a Government structure set up to leverage efficiencies. The Department of Homeland Security (DHS) Boat Commodity Council (BCC) is co-chaired by the Coast Guard and U.S. Customs and Border Protection (CBP) and is comprised of the Coast Guard, CBP, and the Federal Law Enforcement Training Center. The Coast Guard and CBP share some common assets, logistics support, training, tactics, techniques, and procedures through innovative management practices executed by the BCC. Some examples include: Reutilization of small between DHS components, joint Personnel Protective Equipment contract for standard dry suits and personal locator beacons, joint maintenance facilities for Coast Guard/CBP

assets in seven locations and a bulk fuel purchase agreement allowing CBP to fuel at Coast Guard facilities throughout the Great Lakes.

The Coast Guard, CBP, and U.S. Immigration and Customs Enforcement collaborate on the sharing of sensor data across the DHS enterprise. In addition to sensors, DHS's ability to share information and intelligence is maturing, allowing for a holistic and integrated display of data that is specific to the current event, actionable, and draws from a variety of sources. One of the greatest difficulties in fusing sensor and video cameras is the lack of universal standards, which leads to significant cost to integrate disparate video and radar formats in one operating picture. The SGT has commissioned a working group to identify additional data, whether sensor or database derived, that should be shared. The implementation of the MOC plan will further highlight which individual databases contain the most relevant information across the enterprise. This in turn will allow DHS to prioritize limited resources to attain the greatest operational benefit.

QUESTIONS FROM HON. SCOTT RIGELL FOR PAUL F. ZUKUNFT

Question 1. The Watchkeeper software has been in development since 2007. It has already been proven helpful in many ways. Our subcommittee staff was able to visit Hampton Roads last week and saw that some features are still lacking. Specifically, there is no radar overlay in the common operating picture and there does not seem to be the ability for agencies to share video feeds from different security cameras.

Is the Coast Guard working on these issues? When do you expect them to be rectified?

What does the Coast Guard need in order to fully implement Watchkeeper as an operational tool for information sharing and collaboration?

Answer. Yes, the Coast Guard has identified the Watchkeeper sensor management and radar overlay issues for priority work.

Watchkeeper acquisition project Segments 1 (WatchKeeper, interface to existing databases) and 2 (Sensor Management—app to Watchkeeper for maneuvering authorized existing cameras and radars) provide an operational tool for information sharing and collaboration.

Question 2. The Coast Guard's International Port Security Program is required to inspect the security standards at every port shipping goods to America every 3 years. Do you think that it would be helpful to allow some countries and international organizations that are already inspecting themselves, to simply share their results with us? Would utilizing these results be good enough for the Inspection Program? Would this help make the program more efficient and better utilize our scarce taxpayer dollars?

Answer. The Coast Guard's International Port Security (IPS) Program does not inspect every port in every foreign country that conducts maritime trade with the United States. Instead, the IPS Program examines how foreign countries are implementing the International Ship and Port Facility Security Code, and typically visits a sample of ports or port facilities within a country to make an assessment.

It could be helpful to utilize the work of some countries and international organizations as the basis for the assessment determination. In recognition of this potential efficiency, the Coast Guard is currently developing a Memorandum of Understanding (MOU) with the European Commission on "Mutual Recognition" of each other's inspections. It is anticipated that the MOU will be completed during the fall of 2012. Relying on other organizations or nations will only be feasible if the country or organization could demonstrate that it has an effective inspection and oversight regime in place, is willing to fully share its results, and will allow the IPS Program to periodically audit or verify their inspection regime. In this way, the IPS Program could devote more attention to higher-risk countries with weaker security, more efficiently utilizing given resources.