

# COAST GUARD LAW ENFORCEMENT

---

---

(109-23)

## HEARING

BEFORE THE

SUBCOMMITTEE ON  
COAST GUARD AND MARITIME TRANSPORTATION  
OF THE

COMMITTEE ON  
TRANSPORTATION AND  
INFRASTRUCTURE  
HOUSE OF REPRESENTATIVES

ONE HUNDRED NINTH CONGRESS

FIRST SESSION

—————  
JUNE 15, 2005  
—————

Printed for the use of the  
Committee on Transportation and Infrastructure



—————  
U.S. GOVERNMENT PRINTING OFFICE

22-502 PDF

WASHINGTON : 2006

---

For sale by the Superintendent of Documents, U.S. Government Printing Office  
Internet: [bookstore.gpo.gov](http://bookstore.gpo.gov) Phone: toll free (866) 512-1800; DC area (202) 512-1800  
Fax: (202) 512-2250 Mail: Stop SSOP, Washington, DC 20402-0001

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

DON YOUNG, Alaska, *Chairman*

THOMAS E. PETRI, Wisconsin, *Vice-Chair*  
SHERWOOD L. BOEHLERT, New York  
HOWARD COBLE, North Carolina  
JOHN J. DUNCAN, Jr., Tennessee  
WAYNE T. GILCHREST, Maryland  
JOHN L. MICA, Florida  
PETER HOEKSTRA, Michigan  
VERNON J. EHLERS, Michigan  
SPENCER BACHUS, Alabama  
STEVEN C. LATOURETTE, Ohio  
SUE W. KELLY, New York  
RICHARD H. BAKER, Louisiana  
ROBERT W. NEY, Ohio  
FRANK A. LoBIONDO, New Jersey  
JERRY MORAN, Kansas  
GARY G. MILLER, California  
ROBIN HAYES, North Carolina  
ROB SIMMONS, Connecticut  
HENRY E. BROWN, Jr., South Carolina  
TIMOTHY V. JOHNSON, Illinois  
TODD RUSSELL PLATTS, Pennsylvania  
SAM GRAVES, Missouri  
MARK R. KENNEDY, Minnesota  
BILL SHUSTER, Pennsylvania  
JOHN BOOZMAN, Arkansas  
JIM GERLACH, Pennsylvania  
MARIO DIAZ-BALART, Florida  
JON C. PORTER, Nevada  
TOM OSBORNE, Nebraska  
KENNY MARCHANT, Texas  
MICHAEL E. SODREL, Indiana  
CHARLES W. DENT, Pennsylvania  
TED POE, Texas  
DAVID G. REICHERT, Washington  
CONNIE MACK, Florida  
JOHN R. 'RANDY' KUHL, Jr., New York  
LUIS G. FORTUÑO, Puerto Rico  
LYNN A. WESTMORELAND, Georgia  
CHARLES W. BOUSTANY, Jr., Louisiana  
VACANCY

JAMES L. OBERSTAR, Minnesota  
NICK J. RAHALL, II, West Virginia  
PETER A. DeFAZIO, Oregon  
JERRY F. COSTELLO, Illinois  
ELEANOR HOLMES NORTON, District of  
Columbia  
JERROLD NADLER, New York  
ROBERT MENENDEZ, New Jersey  
CORRINE BROWN, Florida  
BOB FILNER, California  
EDDIE BERNICE JOHNSON, Texas  
GENE TAYLOR, Mississippi  
JUANITA MILLENDER-McDONALD,  
California  
ELIJAH E. CUMMINGS, Maryland  
EARL BLUMENAUER, Oregon  
ELLEN O. TAUSCHER, California  
BILL PASCARELL, Jr., New Jersey  
LEONARD L. BOSWELL, Iowa  
TIM HOLDEN, Pennsylvania  
BRIAN BAIRD, Washington  
SHELLEY BERKLEY, Nevada  
JIM MATHESON, Utah  
MICHAEL M. HONDA, California  
RICK LARSEN, Washington  
MICHAEL E. CAPUANO, Massachusetts  
ANTHONY D. WEINER, New York  
JULIA CARSON, Indiana  
TIMOTHY H. BISHOP, New York  
MICHAEL H. MICHAUD, Maine  
LINCOLN DAVIS, Tennessee  
BEN CHANDLER, Kentucky  
BRIAN HIGGINS, New York  
RUSS CARNAHAN, Missouri  
ALLYSON Y. SCHWARTZ, Pennsylvania  
JOHN T. SALAZAR, Colorado

SUBCOMMITTEE ON COAST GUARD AND MARITIME TRANSPORTATION

FRANK A. LOBIONDO, New Jersey, Chairman

HOWARD COBLE, North Carolina

WAYNE T. GILCHREST, Maryland

PETER HOEKSTRA, Michigan

ROB SIMMONS, Connecticut

MARIO DIAZ-BALART, Florida

DAVID G. REICHERT, Washington, *Vice-*

*Chair*

CONNIE MACK, Florida

LUIS G. FORTUÑO, Puerto Rico

CHARLES W. BOUSTANY, JR., Louisiana

DON YOUNG, Alaska

*(Ex Officio)*

BOB FILNER, California, Ranking Democrat

CORRINE BROWN, Florida

GENE TAYLOR, Mississippi

JUANITA MILLENDER-McDONALD,  
California

MICHAEL M. HONDA, California

ANTHONY D. WEINER, New York

BRIAN HIGGINS, New York

BRIAN BAIRD, Washington

JAMES L. OBERSTAR, Minnesota

*(Ex Officio)*

(III)



# CONTENTS

## TESTIMONY

	Page
Sirois, Rear Admiral R. Dennis, Assistant Commandant for Operations, United States Coast Guard .....	3

## PREPARED STATEMENTS SUBMITTED BY THE WITNESS

Sirois, Rear Admiral R. Dennis .....	22
--------------------------------------	----



## COAST GUARD LAW ENFORCEMENT

---

Wednesday, June 15, 2005

HOUSE OF REPRESENTATIVES, SUBCOMMITTEE ON COAST  
GUARD AND MARITIME TRANSPORTATION, COMMITTEE  
ON TRANSPORTATION AND INFRASTRUCTURE, WASHING-  
TON, D.C.

The subcommittee met, pursuant to call, at 10:08 a.m., in Room 2167, Rayburn House Office Building, Hon. David G. Reichert presiding.

Mr. REICHERT. The subcommittee will come to order.

The subcommittee is meeting today to hear testimony on Coast Guard law enforcement; and, as you know, we will limit opening statements to the vice chairman and ranking Democratic member. If other members have statements, they can be included in the hearing record.

The subcommittee is meeting this morning to oversee the Coast Guard's maritime law enforcement missions.

Current law provides that the Coast Guard has broad authorities to enforce or assist in the enforcement of applicable laws on, under and over the high seas and waters subject to the jurisdiction of the United States. Under the Coast Guard's maritime law enforcement mission, the Service regularly enforces fisheries laws in U.S. Waters and prevents illegal drugs and illegal immigrants from entering the United States by sea.

In fiscal year 2004, the Coast Guard intercepted more than 176 tons of cocaine and nearly 13 tons of marijuana at sea. Already this fiscal year, Coast Guard missions have resulted in the seizure of more than 96 tons of cocaine and marijuana and the destruction of a substantial amount of illegal drugs that were jettisoned by drug smugglers at sea. These missions are instrumental in stemming the tide of illegal drugs that enter into the United States.

In recent years, the Coast Guard has developed several specialized units to intercept drug smugglers at sea. The Coast Guard has formed a Helicopter Interdiction Tactical Squadron, HITRON, that patrols areas in the Caribbean sea and the Eastern Pacific ocean in conjunction with the Coast Guard cutters. The Coast Guard has estimated that the HITRON squadron has been responsible for intercepting approximately 8.5 tons, or \$6 billion, worth of drugs from entering the United States.

I understand that the Coast Guard's fleet of HH-65 and HH-60 helicopters will be fitted under the Deepwater program with the equipment necessary to carry out these drug interdiction missions at sea. I am looking forward to hearing how these improved assets will enhance the Service's ability to intercept drugs Nationwide.

In addition to the Service's drug interdiction mission, the Coast Guard regularly carries out alien migrant interdiction missions and fisheries law enforcement missions abroad aboard its many cutters. These missions enforce national immigration laws and protect the Nation's valuable natural resources in the U.S. Economic Exclusive Zone.

However, despite the importance of the Coast Guard's law enforcement missions, I am concerned by the recent trend in resource hours that are being devoted to the Service's drug interdiction, alien migrant interdiction and fisheries law enforcement missions. A GAO report last year revealed that resource hours devoted to illegal drug interdiction, living marine resources and foreign fishing enforcement had been reduced by 44 percent, 26 percent and 16 percent respectively. As a result, I look forward to hearing the testimony this morning regarding the Coast Guard's plans to maintain a true mission balance between its many and varied missions in this time of increasing maritime homeland security needs.

I also look forward to hearing the Coast Guard's plans under the Deepwater program to acquire vessels and aircraft with the equipment necessary to enhance the Service's ability to carry out these law enforcement missions and other traditional homeland security missions.

I thank the witness for appearing before the subcommittee this morning. I look forward to his testimony.

I now recognize the ranking Democratic member, Mr. Filner, for his statement.

Mr. FILNER. Thank you, Mr. Chairman.

Mr. Chairman, I think it is very appropriate that in this hearing on law enforcement we have the former Sheriff of King County, Washington, with us. We thank you for your long service in this area, and we hope you can add your expertise to this. We thank you for chairing this.

I would like to welcome the young people who just walked in. Where are you from?

VOICE. California.

Mr. FILNER. What part?

VOICE. L A.

Mr. FILNER. Mr. Honda is here from San Jose, and I am here from San Diego, so we have some Californians here with you as we start here today.

Clearly the issue of law enforcement and the Coast Guard is an important issue. We know that the traditional role of the Coast Guard as it enforces fishery laws, for example, secures our coastline from drug smugglers and illegal migrants, but adding the homeland security responsibility is, of course, exceedingly important today.

As the chairman mentioned, the Coast Guard has been increasingly effective in stopping cocaine from reaching our streets. And, again, the chairman pointed out the effectiveness of the HITRON helicopters; and I hope we can, as a committee, continue to support the use. As you know, this committee authorized funds to deploy another squadron, Mr. Chairman, on the west coast of the United States of those helicopters that have done so well in intercepting cocaine; and I hoped that we could get a west coast squadron

maybe halfway between Washington and San Diego just so we could get your support for that, that is, stopping drug runners in the Pacific ocean.

Equally, this committee has expressed concerns about the Deep-water program as it deals with law enforcement. It seems to have changed from a program to get the best new ships and aircraft for the men and women of the Coast Guard into a program that seems to rely heavily on rebuilding old aircraft, and this committee and this Congress needs to ensure that the men and women who risk their lives every day to save others and to enforce our laws have the best equipment possible.

So I am looking forward to the hearing, Mr. Chairman. Thank you for being here. Let us work together to see that we have the security that we need. Thank you, Admiral, for being here with us today.

Mr. REICHERT. Thank you, Mr. Filner.

Mr. REICHERT. Now I will introduce our witness, Rear Admiral Dennis Sirois, Assistant Commandant for Operations for the U.S. Coast Guard. Welcome, sir.

**STATEMENT OF REAR ADMIRAL R. DENNIS SIROIS, ASSISTANT  
COMMANDANT FOR OPERATIONS, UNITED STATES COAST  
GUARD**

Admiral SIROIS. Thank you, Mr. Chairman and distinguished members of the committee. It is a pleasure to appear before you today to talk about Coast Guard law enforcement missions.

I ask that my written statement be entered into the record, and I will summarize with a short statement.

As the lead Federal agency for maritime drug interdiction, the Coast Guard seeks to reduce the supply of drugs to our streets by denying smugglers the use of air and maritime routes throughout the 6 million square mile transit zone in the Caribbean, Gulf of Mexico and the Eastern Pacific. As noted, in fiscal year 2004 the Coast Guard disrupted the supply of nearly 160 metric tons of cocaine destined for the United States. In pounds, that is 350,000 pounds of cocaine.

Increasing interdepartmental, interagency and international coordination in intelligence and information sharing and enhanced capabilities have played a vital role in our recent successes.

Operation Panama Express, which is a Department of Justice led and Department of Homeland Security supported operation in Tampa, Florida, generates a tremendous amount of actionable intelligence on trafficking organizations and routes. This intelligence enabled a higher rate of success for interdiction assets from the Coast Guard, Navy and other partner agencies.

Enforcement of immigration law at sea is another primary mission of the Coast Guard. We work very closely with other agencies and foreign governments to deter and interdict undocumented migrants, denying them entry via maritime routes into the U.S..

We maintain an effective presence at key choke points along migrant smuggling routes. In fiscal year 2004, the Coast Guard successfully deterred or intercepted more than 87 percent of the undocumented migrants attempting to enter the United States. A

total of 10,899 migrants were interdicted by the Coast Guard last year, the largest number in over a decade.

Protection of all living marine resources is carried out through the enforcement of domestic fisheries law and by protecting the U.S. Exclusive Economic Zone from foreign encroachment. The U.S. EEZ is the largest and most productive in the world, covering nearly 3.4 million square miles of ocean. Enforcement throughout such a vast area is a mission largely conducted by Coast Guard Deep-water assets. The Coast Guard is the only agency with the authority, infrastructure and assets able to project a Federal law enforcement presence over this area.

At-sea boardings are used to ensure compliance with our Nation's fisheries and management plans. The Coast Guard partners with industry, Federal and State agencies to collect and share enforcement information. The Coast Guard boarded over 4,500 fishing vessels in fiscal year 2004.

Foreign fishing vessel incursions into the U.S. EEZ threaten to undermine the Nation's fisheries management regime and the U.S. Commercial fishing industry. The highest threat areas for incursion are the U.S.-Mexican border in the Gulf of Mexico, the U.S.-Russian maritime boundary line in the Bering Sea, and the Western/Central Pacific EEZ border. Interception continues to be a significant deterrent to illegal fishing. However, limited operational presence constrains our ability to intercept foreign fishing vessels in our remote EEZs.

The Coast Guard is working with the National Oceanic and Atmospheric Administration and the State Department to pursue an enforcement agreement with Mexico and to develop a U.S.-Russia ship rider agreement to aid EEZ enforcement in the Bering Sea.

Of note, along the U.S. Mexican border and the Gulf of Mexico we have been receiving increasing intelligence that ties Mexican fishing launch activities with organized crime elements and smuggling operations.

The Coast Guard's Ports, Waterways and Coastal Security mission has continued to evolve as our understanding of the threat, vulnerability, and consequence dimensions of terror-related risks improves. We now have 13 maritime safety and security teams in or near critical ports throughout the Nation. These specially trained teams augment existing Coast Guard forces to perform surge operations in support of Ports, Waterways and Coastal Security; Anti-Terrorism; Counter-Drug and other law enforcement missions.

The success of the Coast Guard law enforcement missions have not come without their share of challenges. We are working our assets and our crews harder than ever. The President addresses capacity and capability improvements for the Coast Guard in his fiscal year 2006 budget request, which I ask you to support. Deep-water, our plan for major assets recapitalization, and network centric conductivity has never been support relevant; and I ask for your support for the President's request.

I know that you and many others are concerned that, because of our increased homeland security missions, that many of our traditional missions have not have had the same level of effort since 9/11, although we concentrate on performance outcomes versus level

of efforts, but I am happy to report to you that for fiscal year 2005 we are approaching the same level of effort previous 9/11. I just recently signed out our mission planning guidance to our operational planners that our level of effort for fiscal year 2006 will be at or above pre-9/11 levels of effort in all of our areas.

Thank you for the opportunity to testify before you today. I will be happy to answer any questions you may have.

Mr. REICHERT. Thank you, Admiral.

I was a sheriff in King County, as Mr. Filner said, just up until January 3 of this year. It is a force of 1,100 employees. One of the things I understand is the budget begins to get a little tight and your mission changes and after September 11 changes in your focus and how you have to distribute your resources and then also look at the outcome.

I appreciate you sharing some of that with us, just to get a little bit more specific on how you are accomplishing that mission and if your outcome is equal to or may even exceed pre-9/11 numbers.

As we said earlier, the Coast Guard has taken on substantial responsibilities to protect the Nation's maritime homeland security, in addition to the responsibilities of carrying out the Service's many traditional missions that you spoke of. As a result, resource hours for the Service's traditional missions, including law enforcement missions, have been reduced from pre-9/11 levels. Despite these reductions, the Coast Guard has maintained mission performance at similar levels to those observed prior to September 11. How do current resources hours devoted to law enforcement missions compare to pre-September 11 levels?

Admiral SIROIS. For fiscal year 2005, for drug interdiction we are about 4 percent short of pre-9/11 numbers. Now all these hours are apportioned. They may not be used the same way as we go through the year because we apportion, we use our assets depending on the threat and the situation.

For migrants operations, we are going to be at 108 percent of our pre-9/11 numbers.

Our Ports, Waterways and Coastal Security mission, which is our port security mission, is not new, but its increased emphasis since 9/11, we will be at 1,538 percent of our pre-9/11 resources hours.

All these increases are attributable to the fact that the administration has requested and the Congress has supported many, many new small boats to the Coast Guard inventory, many new parole boats in the Coast Guard inventory, the transfer of five Navy 179-foot patrol boats to the Coast Guard inventory. Those smaller boats have taken up a lot of the work that we pulled large cutters in close to shore to do just after 9/11.

Mr. REICHERT. Do you have a count on the number of boardings compared to pre-September 11?

Admiral SIROIS. Is that fisheries boardings?

Mr. REICHERT. Fisheries boardings or drug interdiction boardings, either.

Admiral SIROIS. The fisheries boardings are close to pre-9/11 numbers. I can give you the exact number later. But I do not have the drug enforcement boarding numbers.

[The information received follows:]

Number of Drug Boardings		Number of Fisheries Boardings	
7/1/00 - 6/30/01	7/1/04 - 6/30/05	7/1/00 - 6/30/01	7/1/04 - 6/30/05
427	376	6,562	5,883

Mr. REICHERT. We happen to be one of the cities that have one of your special teams in Seattle, and we appreciate the presence there.

With the increasing number of maritime homeland security responsibilities and expanding readiness gap due do increasing legacy asset failure, how does the Coast Guard propose to maintain the mission performance for the Service's traditional law enforcement missions?

Admiral SIROIS. We have a number of programs in place to extend the service lives of our major cutters. For our 210-foot cutters and our 270-foot cutters we have a mission effectiveness program that we will be putting in place. We have major subsystems on those assets that are failing very quickly, so we plan on recapitalizing those major subsystems over the next 2 to 3 to 4 years to extend the service life of those cutters until we can replace them with the new Deepwater cutters.

Our patrol boats are also going to undergo a major sustainability rework to extend the service lives of those patrol boats. We also hope to accelerate the acquisition of our new fast response cutter, our new parole boat, by 10 years in the Deepwater program.

On the aviation side of the house, we have begun re-engining our H-65 fleet. We have five of them already completed. One air station, Atlantic City, New Jersey, has a complete set of new re-engined aircraft.

Mr. REICHERT. Thank you.

Mr. Filner.

Mr. FILNER. Thank you, Mr. Chairman.

I guess from the questions that the chairman asked and as I read your statement, you want to say, on the one hand, you are doing better than you ever have before. On the other hand, you want to say everything is breaking down. It seems to me you ought to take one or the other and go with it. How do you account for this paradox?

Admiral SIROIS. The cutters are not in the condition that we would like them to be; and we know, like last year, we lost 393 days of patrol days due to unscheduled maintenance. We should not be losing.

Mr. FILNER. So you are not doing the best job you could do.

Admiral SIROIS. No, sir

Mr. FILNER. For example, you estimate here you got 87 percent of attempted illegal entrants. I do not know how you get that percentage. How do you know who you missed? How do you estimate that?

Admiral SIROIS. There is an estimated flow based upon intelligence, information.

Mr. FILNER. I represent the whole California-Mexico border. We have hundreds of thousands of people per year coming through illegally, aside from just in my district, 50, 60 million legally. So it is hard to estimate, of course, how many you do not get. But 10,000 in my book is pretty small, given how many people do come through just in my district every day.

You used to estimate the percentage of drugs that got through. Do you still have an estimate of that? I did not see it in your statement.

Admiral SIROIS. Yes, sir. That is equally as hard to estimate how much is flowing. I think our last estimate was that we interdicted 15 percent of the estimated flow. That is 15 percent of the non-commercial maritime flow.

Mr. FILNER. Fifteen percent. Let's see, can you extrapolate that to WMDs? I mean, if we had that rate of success, we would be in big trouble. How do you translate that kind of percentage and your readiness gap that you talk about here to problems with terrorism?

Admiral SIROIS. Sir, it is a huge ocean.

Mr. FILNER. If we are only getting X percent of whatever, that is quite a threat to the United States.

Admiral SIROIS. Yes, sir.

Mr. FILNER. It seems to me we ought to be talking more about that than how many immigrants you got or cocaine pounds you got. We still have major problems in those two areas but certainly with the potential terrorism. And with your—the readiness, you mention readiness gap, do you not? Is that what you call it? We used to have a President who ran on that thing, readiness gap. It is like a missile gap we used to have.

If we have this readiness gap in your operations and we are trying to prevent another attack on the United States, how are we going to do that? I do not get it from your own words here.

Admiral SIROIS. Well, our readiness certainly is not where we would like it to be; and we are working hard to, as I said, fix the major systems, subsystems, on our major cutters, re-engine our helicopters to get them to the readiness status we would like them to be.

Mr. FILNER. If you extrapolate, if you close that readiness gap and you are getting this much drugs and this much immigrants, what is the optimal operation if you were able to close that gap? I mean, what percentage would you be stopping or how secure would we be as a nation?

Admiral SIROIS. In the counter-drug arena?

Mr. FILNER. It seems to me we are talking about little issues in here in your report. I am talking about WMDs, and you are talking about a couple of cutters. I think we have a major problem, and I think you have got to talk in bigger terms.

I mean, are we adequately funding the Coast Guard and the assets that it needs? Are we adequately patrolling the water off the United States? These are big issues. They probably require a lot of money. And it seems to me we have got to talk in these bigger terms than you are doing here today with us.

Admiral SIROIS. The key is intelligence. In the Commandant's maritime domain awareness effort, we will never have enough resources to blanket the coast. We have 95,000 miles of coastline. We will never be able to do that. So the key to this is intelligence and information sharing. We are working very hard with our partners in the Department of Homeland Security and the Department of Justice and the Department of Defense to get as much visibility on activities in the maritime arena as we can, because we know we will never have the assets.

Mr. FILNER. I just would like to see us talk more about what do we need to achieve the optimal performance from the Coast Guard, given the fact that somebody said we have to be right 100 percent,

a terrorist only has to be right one time. It seems to me we need a far broader discussion of that than we are getting here today, Mr. Chairman.

Mr. REICHERT. Thank you.

I just have a question along the same lines. Of course, you have all of the responsibilities that you have just described; and Mr. Filner sees a conflict between trying to accomplish your traditional role versus your homeland security new role that you now have taken on. You mention one thing I think is very important, increased intelligence. I hope there is a concerted effort in gathering intelligence and working with the Navy, the Army and the other services that you are partners with.

Also technology. You have not touched on technology at all, at least that I have heard this morning; and I would guess that is a part of our overall plan, too, in helping you accomplish these jobs, these new responsibilities that you are about to undertake and that you have undertaken.

Then the question really I have is what is the connection, if any, you see between your traditional role as far as doing your job and the performance of drug interdiction and illegal immigration, what is the connection to homeland security? As you do those jobs, are you finding intelligence that you gather in your daily responsibilities that apply to homeland security?

Admiral SIROIS. Well, in the intel arena, you know, we are a new member of the intel community for several years now. We have stood up maritime intel, fusion centers on the Atlantic and the Pacific. We have also deployed field intelligence support teams throughout the country. These are down at the port level, very tactical level, people, human intelligence working the ports and supplying information to our operational folks.

In the technology world, a number of things. In underwater port security, we have different sensors that we have been developing with the Navy for maritime safety and security teams to be using in the ports, a radiological detection program we have established for our boarding officers in our MSSTs, as we call them.

Other technology upgrades on our ships that have been funded through the Deepwater program allow our major cutters now to share our common operating picture and to talk to each other over secure means where in the past we were unable to do that. Already this capability has led to the great success we have had in the current drug arena.

The connection between our traditional missions and homeland security, when you are out on the water you are out on the water collecting information. That presence provides you with a wealth of information. So whether we are out there doing a search-and-rescue case or doing a counter-drug mission, your presence there allows you to have a better visibility of the maritime domain.

Mr. REICHERT. Thank you.

Mr. Coble.

Mr. COBLE. Thank you, Mr. Chairman.

Admiral, traditionally, the bread-and-butter issues of the Coast Guard were search and rescue, aid to navigation, law enforcement, fishery law enforcement, et cetera; and I the fear that since 9/11 and the homeland security and terrorism era in which we live—I

hope I am wrong about this, Admiral—but I hope these bread-and-butter issues are not being compromised too unfavorably.

I think the Coast Guard, probably more than any other armed services, are continually asked to do more with less. I think you do a pretty good job at accomplishing that.

You may have touched on this with the chairman, but I do not believe you did; and I am coming here from compromising the bread-and-butter issues.

Six of the Coast Guard's 110-foot patrol boats are now deployed in the Persian Gulf in support of Operation Iraqi Freedom. Prior to their deployment, these vessels were primarily deployed to enforce fisheries laws in the United States' waters.

Let me put a three-part question to you, Admiral. What steps have the Coast Guard taken to compensate for the temporary loss of these reallocated assets, A? B, what areas are being affected by the relocation of these assets? And, finally, how has the unavailability of these vessels affected the Service's ability to carry out the law enforcement missions in these areas?

Admiral SIROIS. Congressman, as I mentioned earlier, with the new assets that Congress has provided since 9/11, the resource hours dedicated to all our missions is at or above the pre-9/11 operational tempo. So in fiscal year 2006 we will be at or above in all our mission areas the operational tempo that we had prior to 9/11.

The six boats in the Persian Gulf are there supporting the U.S. Navy as part of our national defense mission. How we are making up for those op hours, we have acquired or the Navy has loaned to the Coast Guard five 179-foot patrol boats that we are running. Two of them are in Pascagoula, Mississippi; and two of them are in San Diego. We have four. We will get one more at the end of the summer. They are running at much higher op tempo than our 110 patrol boats. We are making up a lot of the hours because we have five loaned boats to the Navy to make up those hours.

We also have new 87-foot patrol boats that have been put into service. I do not know the exact number but probably 10 to 20 since 9/11. So those boats are picking up the slack that we lose from those 110s.

Mr. COBLE. How many 110 footers in the fleet?

Admiral SIROIS. Forty-nine, sir.

Mr. COBLE. Forty-nine?

Admiral SIROIS. Forty-nine.

Mr. COBLE. So six of those 49 are in the Persian Gulf?

Admiral SIROIS. Yes, sir.

Mr. COBLE. I yield back. Thank you, Mr. Chairman.

Mr. REICHERT. Thank you.

Mr. Honda.

Mr. HONDA. Thank you, Mr. Chairman. Welcome, Rear admiral.

I have visited the Oakland facility quite a few times since I have been in office, and I have always been amazed and impressed with the Coast Guard's understanding of interagency cooperation. Then, after 9/11 happened, it appeared that the Coast Guard had the model to put forth in order to protect our 95,000 miles of coast line and hopefully that interagency model continues to operate and it has been escalated to a higher level.

On my last visit a couple of months ago, I understood that you have had a couple of war games. I was just curious what those war games brought forth in terms of needs, and I would not mind you reiterating your need for assets that you are going to need because it appears that prior to 9/11 your asset situation was pretty dismal and you were cannibalizing existing vessels in order to maintain others and that is not the kind of way that I like to see our Coast Guard operate, especially post 9/11.

Having increased your—or expanded your scope of responsibilities, going from under DOT to Homeland Security, the concern of this committee was that you have an officer high enough in the hierarchy so that they can impact decision making in terms of budget that would eventually turn out to be more assets that are needed in your Service.

Can you comment on those two points: What kind of needs became apparent when you did your war games and what is it that you need? Then, also, the increase in budget based upon the increased needs and the assets that you will need to be able to do your job optimally. Because, in terms of homeland security, whether there is drug interdiction or immigration or whatever, they all seem to lace in together in your network for search for weapons of mass destruction. They all seem to be connected in my mind.

So—and perhaps you could comment on whether Homeland Security and/or the Coast Guard has done a threat analysis in terms of homeland security. What are those points of interest for us in terms of the outcome of a threat analysis, if it in fact has been done? If it has not been done, I would like to know that, too.

Thank you, Mr. Chairman.

Admiral SIROIS. Thank you, Congressman.

I do not know the exact number, but our budget since 9/11 has increased in the order of 40 to 50 percent, and I can get you the specific number. But I can assure you we are no longer cannibalizing aircraft and boats and ships parts since the great infusion of funds for those assets.

How much budget? The President's request for 2006 goes a great way towards starting to acquire new assets through our Deepwater program in support to other programs. It includes more small boats, more patrol boats. So we would ask you to support that budget. It will go a great way towards helping us close some of those readiness gaps.

Threat analysis, yes, we have done threat analysis. All ports, there has been threat assessments done for all ports. I cannot discuss specifics here, but we could get you that information on how we do our threat analysis and then our risk analysis and how we rate each port based upon that.

[The information received follows:]

The Coast Guard budget has increased approximately 60% between fiscal year 2001 and fiscal year 2005.

Mr. HONDA. Mr. Chairman, if I may, through the Chair, given that threat analysis for different ports, it would be of interest to me what assets you are going to need in order to address those shortcomings in the different ports and whether there is an articulation between the Coast Guard, the Port Authority, local law enforcement, so that there is a seamless cooperation and communica-

tion in order to make sure that the assets are—the infrastructure is safe.

In Oakland, I understand that if there is any trauma in Oakland relative to the channel or to the rail that it can affect over 60 percent of our economy in this country; and I understand also that 60 percent of all goods that go to Chicago come from Oakland and its rail system. So there is a possibility of creating a situation of mass disruption, which is probably more pervasive than anything that can happen. So I would be interested in what kind of technology, what kind of integration in terms of cooperation with the other law enforcement agencies that are available. If you have that report, I would love to see it, if it is not classified.

[The information received follows:]

Computing Risk: Generally, we compute risk as a function of threat, vulnerability, and consequence.

The threat variable is developed from an estimate of FY04 credible threats and incidents to ports and less credible threats and incidents that have sufficient terrorist operational indicators and plausibility that the incident could not be discounted as a potential threat.

Vulnerability to attack is comprised of three parts. The first part is comprised of the distance from "open water." For this vulnerability, an index value was assigned based on length of the confined waterway. The second part is a function of how busy the port is. The third part addresses the presence of tankers in the port.

The consequence variable of an attack on a port consists of people, economic and national security related sub-variables which in turn were further broken down and quantified.

Based on past analyses of U.S. ports by the U.S. Coast Guard, the following factors were examined in 129 ports: domestic, international, containerized, energy and hazardous cargos; ferry and cruise-ship passengers; military requirements; vulnerability to channel-blocking; traffic volume; tanker visits; and possible effects on the maximum resident population within 10 miles of the port should a cargo be weaponized.

Threat Assessment: The Coast Guard has a two-fold approach to these security assessments – the Port Security Assessment and an accompanying Port Threat Assessment (PTA). PTAs are prepared by the Coast Guard's Intelligence Coordination Center (ICC), which is located at the National Maritime Intelligence Center in Suitland, Maryland. They are the most complete and up-to-date local port threat assessments available to field commanders for use in critical planning and resource allocation.

The PTAs identify transnational and domestic terrorists, organized crime groups, and with subversive and maritime activist organizations with a local presence, and assess the capability and intention of each group to attack or disrupt port operations.

PTAs are made based on a qualitative evaluation of classified intelligence reports, interviews with federal and local law enforcement officials, and interviews with private sector security managers. Threat analysis is based on a compilation of national and domestic security intelligence along with criminal information.

No information indicating specific terrorist threats has been identified. The PTA's do, however, summarize criminal and terrorist-related persons & organizations, or potential support activity, in the region.

There are 361 total domestic ports of which 55 are deemed militarily or economically critical (15%). Port Threat Assessments (PTAs) for 41 of the 55 strategic ports have been completed and published (75%). An additional four PTAs have been drafted, are in production review and will be published by the end of July; the remaining 10 PTAs are planned for completion by end of FY 2005.

Admiral SIROIS. Of course, the solution is multifaceted. It is harbor facilities and policemen walking the beat. It is boats on the water. It is a whole number of things that go into making the port and the facilities secure. We work very closely with our partners in law enforcement and the industry through our maritime security committees in each port to address just these things. If a facility is more secure from its own physical security, that requires less patrolling.

So we have to balance all of those. That is how we come up with what we need on the Coast Guard side of the equation to reduce the risk in each port.

Mr. REICHERT. Mr. Honda, do you have anything further?

Mr. HONDA. If the chairman would give me permission for one quick one, in the transport of these goods that come across in these tankers that come across the waters, I understand that the percentage of cargo that is examined is not very high. Can you comment on that?

Admiral SIROIS. The containers are the responsibility of Customs and Border Protection, although we work very close with them on screening ships' cargo and people before the ship is allowed to come into port. But the contents of the container, that is the Customs and Border Protection responsibility.

Mr. HONDA. Are you comfortable with the level of security that seems to be out there as a part of the team? I know it is part of the Customs, but from what you know, would you feel comfortable with the level of security that we have in terms of our understanding what is in those containers?

Admiral SIROIS. We will never have 100 percent knowledge, but there are a number of new initiatives in place and under way started by the DHS under Customs, you know, to partnerships with industry where the containers get looked at overseas before they are loaded and then they are certified by Customs. So more and more of these partnerships and these procedures where we know what goes in the container is going to help assure us of the security of that container. So there is a number of initiatives under way, but I am not sure we will ever get to 100 percent. But, of course, that would be a great goal.

Mr. HONDA. Then I conclude that you are saying that I am not really that comfortable yet? You do not have to answer that.

Admiral SIROIS. I am more comfortable today than I was on 9/11.

Mr. REICHERT. Thank you, Mr. Honda.

Mr. Fortuño.

Mr. FORTUÑO. Thank you, Mr. Chairman.

Admiral, I want to tell you I flew with some your men and women recently over the Mona Passage, and it was quite an experience. I commend you for the men and women you have working in Puerto Rico as we speak.

I left, however, with a concern. I was supposed to fly in a helicopter, and I flew on a plane instead. I inquired further about it, and I was told that there is some indications that Members of Congress should not fly in some of those helicopters. Are those the HH-65 that we were talking about perhaps?

Admiral SIROIS. You are saying that some Members of Congress should not be flying on it? Is that what you are saying?

Mr. FORTUÑO. All Members of Congress, not just some. At least I was told that it would be preferable that I fly on a plane as opposed to—and, again, it was quite an experience I must say. But it was indicated to me that it would be better—because I inquired further. I must say they did not volunteer that information. I inquired further as to why we were not using a helicopter, and they said it would be better that we go on a plane. Could that be possible it was an HH-65, by any chance?

Admiral SIROIS. Most likely.

Mr. FORTUÑO. Most likely.

I have a question. What percentage of your patrols in the Caribbean region are carried out in conjunction with the HITRON helicopters that you mentioned earlier?

Admiral SIROIS. The HITRON helicopters?

Mr. FORTUÑO. Yes.

Admiral SIROIS. We only have eight of them, and two to three are deployed at any time. So we always have one in the Pacific and one in the Caribbean.

Mr. FORTUÑO. So they are moving around?

Admiral SIROIS. Yes.

Mr. FORTUÑO. They go out of Florida and out of Puerto Rico and so on and so forth? They move around, would you say that?

Admiral SIROIS. We deploy them on ships.

Mr. FORTUÑO. On ships?

Admiral SIROIS. Yes.

Mr. FORTUÑO. Okay. I also have a question, and it was something that came up after we flew. I visited some of the holding facilities for illegal migrants in the western part of the island. In talking with some of the men and women there, they told me that they have recently seen an increase in Middle Eastern and Asian illegal migrants coming through the Caribbean region, especially Puerto Rico and the U.S. VI. Could you comment on this?

Admiral SIROIS. I know that Chinese migrants have been—my last tour in the Caribbean on a ship was in 1988 and 1990, and we picked up Chinese migrants then coming across from the Dominican Republic. Middle Easterners, there may be onesies, twosies coming through the Caribbean that we have seen. We have seen several in the eastern Pacific coming out of Ecuador into Guatemala but no great numbers coming through Puerto Rico.

Mr. FORTUÑO. Someone not from the Coast Guard—it was ICE personnel—but they told me earlier this year that they stopped an Afghan national coming through Puerto Rico. Do you have any information on that?

Admiral SIROIS. No, sir, but I can find out and get back to you. [The information received follows:]

On March 12, 2004, the Coast Guard Cutter RELIANCE (WMEC-615) interdicted a 40-foot yola located 30 nautical miles northwest of Punta Borinquen, Puerto Rico. Of the 137 migrants aboard the yola, 134 were from the Dominican Republic, two were from Cuba, and one was from Afghanistan. The 134 Dominican migrants and two Cuban migrants were repatriated to the Dominican Republic through a bilateral agreement between the U.S. Government and the Government of the Dominican Republic. The Afghan national was transferred to FBI/CBP in Puerto Rico for further investigation.

Mr. FORTUÑO. Sure.

Going back to this new wave of migration that may have a connection to a certain degree with our national security, I would like you to comment on the new efforts the Coast Guard is making in addressing this new wave from Middle Eastern countries and Asia.

Admiral SIROIS. It all comes back to information and intelligence. That is why we work very closely with Immigration and Customs Enforcement and Customs and Border Protection to get that information from their agents who are stationed all around the Caribbean and elsewhere to alert us to that.

Mr. FORTUÑO. If I may go back one second to my first question regarding the helicopter in a traditional tactical squadron, are you using those missions for other purposes other than drug interdiction as well?

Admiral SIROIS. This past year we did use some of the HITRON helicopters to support the national security events at the Democratic National Convention and the Republican National Convention.

Mr. FORTUÑO. But that is about it? So it is mostly for drug interdiction?

Admiral SIROIS. The HITRON squadron was formed for counter-drug interdiction.

Mr. FORTUÑO. And mostly in the Caribbean and the Pacific?

Admiral SIROIS. That is correct.

Mr. FORTUÑO. Thank you very much. I yield back.

Mr. REICHERT. Thank you, Mr. Fortuño.

I have flown on Coast Guard helicopters, so I must be one of those Congressmen.

Mr. Baird

Mr. BAIRD. Thank you, Mr. Chairman.

I thank the Admiral for being here. I appreciate the good work you do.

I represent southwest Washington, the Columbia River bar; and I have got to tell you your folks out there are pretty gutsy individuals. The professionalism saves the lives of our fishermen almost on a daily basis, and we are grateful for it.

I have some questions about the drug interdiction efforts that we are discussing today. It happens that I have got an interest in the strategy of interdicting with helicopters and other approaches. One of the questions I would have is, it is my impression that, apart from the helicopters, that the regular vessels you have are not very able to keep up with the cigarette boats. The drug runners are using these extremely high-speed boats, and your regular vessels cannot intercept them. Is that generally a fair portrayal?

Admiral SIROIS. Yes, sir. Neither can Navy ships keep up with them.

Mr. BAIRD. I understand, however, that there are available boats in the market that could keep up with them, particularly if sea conditions became rough and these cigarette boats have to slow down to much slower speeds. But my understanding is that the Coast Guard has been not particularly vigorous in pursuing the purchase or acquisition of some of these faster patrol boats. Can you enlighten us about that?

Admiral SIROIS. We have deployed and we are deploying more of the horizon cutter boats on all of our cutters. These are boats capable of 40 to 50 knots. I cannot tell you the sea state, but we deploy them 100, 200 miles away from the mother cutter.

Mr. BAIRD. You can do that? What is the size of those vessels?

Admiral SIROIS. Seven meter.

Mr. BAIRD. That is a pretty small vessel. That is 21 foot, roughly. How long can they stay out on their own?

Admiral SIROIS. Six to 8 hours.

Mr. BAIRD. They are only 6 to 8 hours. So if you are a drug runner you might want to stay low.

Admiral SIROIS. That is why it is good to have an armed helicopter that can stop the go-fasts.

Mr. BAIRD. Do you have any sense of the efficacy rate in terms of what percentage with the helicopters you can stop the go-fast boats?

Admiral SIROIS. They are close to 95 percent effective.

Mr. BAIRD. In other words, if you understand there are go-fast boats running in the area, what is the range of the helicopters from the mother vessel?

Admiral SIROIS. Those helicopters, I would say a hundred miles.

Mr. BAIRD. My question would be, I guess I would be interested and maybe we could talk further about this at some point, but I would be interested in a cost-benefit analysis of putting a somewhat larger, higher-speed vessel out there, something that could go 40 knots but is more in the 80-foot range and could be out in the sea for 5 to 8 days with a larger boarding crew and could chase these guys down in higher sea conditions. Maybe we could talk about that at some point.

Admiral SIROIS. I would like to talk about it.

It is a time-distance problem. Everyone thinks the distance from San Diego to Ecuador is very small on the map, but it is a 7-day transit for our ships and Navy ships. So if you had an 80-foot vessel, unless you had an oiler down there to resupply it, you would be running back and forth to port all the time.

Mr. BAIRD. I am familiar with some vessels that can stay in the open water for at least a week with full accommodations for crew, go 40 knots in fairly good sea conditions. I would be interested in talking about that with you further.

Related to that—

Mr. FILNER. Mr. Baird, if you would yield for a second, we have authorized in the last several years for the Navy to lease another HITRON squadron to intercept these, and they just have not done it, and I do not know why. According to the Admiral's testimony today, they have three of these helicopters deployed on any given day, three for the whole United States. There is something wrong here.

I agree with you that we have to look at the kind of analysis that you are doing. The Admiral testified we have a 95 percent effectiveness rate with these helicopters. We have eight of them for the whole country, three deployed on any day. We have authorized another squadron for the west coast, and they just have not done it. I just do not know why.

Mr. BAIRD. May I follow up with one last, related question?

When we talk about this, helicopters are fine. My understanding is they fly around and shoot them out with high-speed rifles. Is that right? Fifty-caliber sniper rifles?

One of the questions is, who boards them at that point? And the other thing is, it seems to me the helicopter is limited in its potential. If you have a boat in the water, its ability to help vessels in distress, its ability to do water-based search and rescue, recovery, et cetera, it seems to me—while the helicopters have a function, it seems to me to have some assets on the water makes some sense. Again, we can discuss it further.

But, related to this, a tremendous amount of the drugs coming into our country are traveling up the coast through the Caribbean in go-fast boats on both sides of the canal, basically. It seems to me we ought to help some of our foreign partners and their Coast Guards. I am thinking of Costa Rica and other countries that would dearly love to have some of these vessels work in partnership with us.

To what extent has our Coast Guard or our Navy explored working with our State Department to help make available some of these vessels to our friends and allies who suffer from these challenges?

Parentetically—I will put this into context. We talk about a billion dollars going to Columbia for attack helicopters to spray coca, etc. Gosh, I would sure much rather intercept these boats coming through the water and not deal with all the other issues that have gone on in Columbia, et cetera. To what degree is our Coast Guard working with Coast Guards from other countries?

Admiral SIROIS. We do that every day. In fact—you mentioned Costa Rica. Their fleet of patrol boats are retired Coast Guard patrol boats that the State Department turned over to them.

Mr. BAIRD. My understanding is they are dreadfully slow, their maintenance costs almost exceed the value of the boats themselves, and a guy with a fast kayak could outrun them on a bad day.

Admiral SIROIS. I think the 82-footers can do about 20 knots, but they are not a 50-knot boat.

Mr. BAIRD. I understand their maintenance costs down there are just dreadful. Our State Department pats itself on the back and gives ancient boats to these countries and say, here is a wonderful boat you caught, and they are stuck with the maintenance costs.

I appreciate the intent, but I am not sure the impact is as desirable, and I want to underscore this, the impact on stopping these drugs coming into our country. It is not for me, about making an appearance, that we are sending boats to another country. What it is for me about is trying to protect our communities. And if we send inefficient vessels to these countries and costly inexpensive vessels, we are not ultimately solving the mission; and the points that have been raised by my colleague, Mr. Filner, about people getting through are a problem.

I yield back the balance. Thank you, Mr. Chairman.

Mr. REICHERT. I would like to kind of continue on with Mr. Baird's thought but a little bit different line. It is still around the partnership and working with other agencies line of thinking.

First of all, in the area of threats and risk assessment, is the Coast Guard a member of the Joint Analytical Centers across the

country? I know we have one in Seattle. Do they participate? Does the Coast Guard participate in the Joint Analytical Center efforts? Offices are usually in the FBI offices.

Admiral SIROIS. Is that the Joint Terrorism Task Force?

Mr. REICHERT. Joint Terrorism Task Force is the investigative arm of the Analytical Centers.

Admiral SIROIS. We have liaisons at many of those centers. We have them at the Organized Crime Drug Enforcement Task Forces. Just about every intel organization in Washington has a Coast Guard liaison officer now assigned. That facilitates our sharing of information.

Mr. REICHERT. One of the threats we experienced, as you are aware of in Seattle, is the threats around the ferry system; and there was great cooperation between the Seattle Police Department and the King County Sheriff's Office and the Coast Guard.

I think that when you are in the process of threat assessment and risk assessment it is important to work with the locals, and I am certain that you recognize that. But to further that partnership and not just be in the process of engaging in discussion around intelligence and the sharing of intelligence and risk assessment, there are resources available in some of those larger police departments and sheriff's offices.

We have been talking about helicopters and boats. I know in my old job as sheriff, the Sheriff's Office in King County has a helicopter and air support unit with several helicopters. San Diego's Sheriff's Office and the Police Department both have air support units. I know San Diego and L.A. have an air force, I think.

But have you thought about reaching out and partnering with some of those along the coast, some of those larger cities and Sheriff's Offices like King County, like San Diego, to have some resources that could help you in your—not only in your homeland security efforts on the coastal areas but also in the areas of your traditional law enforcement responsibilities? We have tried to build a partnership like that and found it difficult. What are your views on that?

Admiral SIROIS. Partnerships are key to everything we do. We are very small. So partnerships are one of the building blocks that we use everywhere in all our missions.

I can't speak specifically to the Seattle area on hard examples, but in San Diego there is a joint harbor operations center that has stood by the Navy, the Coast Guard, the local police, the harbor patrol, the border patrol. They are all on this joint operations center; and it is a great example my commandant likes to quote as the way to do things on a local level.

Mr. REICHERT. I would be interested in following up personally with you on a possible partnership that we might be able to develop further in King County, if that would be acceptable to you. Thank you.

Mr. Filner.

Mr. FILNER. The joint operations that he mentioned, you may want to come down and look at it. It is pretty interesting and looks like an effective means of that kind of cooperation.

Is that the only one, by the way? Is there another one existing?

Admiral SIROIS. There is one in the Norfolk area. We are working with the Navy right now to establish them throughout the country. The Navy is interested in their primary ports, of course, but we are building in the future what we are calling our sector command centers. And as we are planning for these, we are leaving room for our partners in the local area to be able to come into those centers.

Mr. FILNER. Just one final comment, Mr. Chairman. I know these hearings are broadcast on our internal television, but I hope al Qaeda is not watching. I mean, I am far more scared than when I walked into the room, I must say, in terms of our ability to deal with certainly homeland security.

When you have these helicopter mishaps 329 times, it says here, of what the FAA considers safe, I am not surprised you wouldn't want to put a Congressman on that, although maybe a Republican Congressman should go. When you have half of your 110-foot cutters having hull breaches, it says right here; every time your high endurance cutters go out, there is some sort of engine room failure; 5 percent of the fleet out at any given time. I just don't have a lot of confidence that we are addressing these things quickly enough or fast enough.

Here we are, 3, 4 years after 9/11, and we are talking about these kind of failures in what has become the front-line agency on homeland security. You have a Congress, as I told the Commandant several times, that wants to provide the resources to deal with this, and yet they are not either being asked for or not being given or whatever. But this is not giving me a lot of confidence about our effectiveness against outside threats.

Mr. REICHERT. Thank you, Mr. Filner.

Before we adjourn today, I would like to take a moment to recognize a Coast Guard Academy cadet that is in the audience, Brendan McKenna. Brendan, do you want to stand?

Mr. FILNER. Just don't get on a helicopter.

Mr. REICHERT. Helicopters are perfectly fine.

I want to thank all of you for your time this morning and thank you for being with us this morning for your testimony. I look forward to working with you and discussing some possible partnerships in Seattle.

If there are no further comments, questions or responses by our witness, this hearing stands adjourned. Thank you.

[Whereupon, at 11:10 a.m., the subcommittee was adjourned.]

U. S. Department of  
Homeland Security  
United States  
Coast Guard



Commandant  
United States Coast Guard

2100 Second Street, S.W.  
Washington, DC 20593-0001  
Staff Symbol: G-ICA  
Phone: (202) 366-4280  
FAX: (202) 366-7124

**DEPARTMENT OF HOMELAND SECURITY**

**U. S. COAST GUARD**

**STATEMENT OF**

**REAR ADMIRAL R. DENNIS SIROIS**

**ON**

**COAST GUARD LAW ENFORCEMENT**

**BEFORE THE**

**SUBCOMMITTEE ON COAST GUARD AND MARITIME TRANSPORTATION**

**COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE**

**U. S. HOUSE OF REPRESENTATIVES**

**JUNE 15, 2005**

Good morning Mr. Chairman and distinguished members of the Committee. It is a pleasure to appear before you today to discuss the law enforcement missions of the United States Coast Guard.

The Coast Guard possesses extensive regulatory and law enforcement authorities governing ships, boats, personnel and associated activities in our ports, waterways and offshore maritime regions. We maintain, at the ready, a network of coastal small boats, aircraft, cutters, and expertly-trained personnel to counter illegal drug smuggling, prevent illegal migration via maritime routes, protect living marine resources, ensure the safety and integrity of the maritime transportation system, protect our nation's environment, and enforce all U.S. federal laws.

Enforcement of immigration law at sea is a primary mission of the Coast Guard. By conducting patrols and coordinating with other federal agencies and foreign nations, the Coast Guard seeks to deny entry to illegal immigrants via maritime routes to the United States, its territories and possessions. Additionally, we are working on bilateral agreements with Ecuador and Haiti, similar to those with the Dominican Republic and the Bahamas, to deter the illegal migrant flow from these nations.

On the enforcement front, the Coast Guard maintains an effective presence at key choke points along migrant smuggling routes. Despite a significant increase in migrant flow out of the Dominican Republic and Haiti in FY 2004, the Coast Guard successfully deterred or intercepted more than 87% of the undocumented aliens attempting to enter the United States via maritime means. A total of 10,899 migrants were interdicted by the Coast Guard last year, the largest number in over a decade. The Coast Guard continues to place emphasis on this critical homeland security mission. Although overall migrant interdiction levels to date in Fiscal Year 2005 are lower than the same period in Fiscal Year 2004, the Coast Guard is seeing increasing trends from certain individual source countries such as Cuba; the Coast Guard continues to actively monitor the possibility of mass migration due to deteriorating economic and social conditions in Cuba, Haiti and the Dominican Republic.

The protection of living marine resources is carried out both through the enforcement of domestic fisheries law and by protecting the U.S. Exclusive Economic Zone (EEZ) from foreign encroachment. The U.S. EEZ is the largest in the world, extending up to 200 nautical miles from U.S. shores and covering nearly 3.4 million square miles of ocean. For this reason, fisheries enforcement is a mission largely conducted by Coast Guard Deepwater assets. The EEZ is a renewable resource, providing a vast supply of food, recreational opportunities, and a livelihood for thousands of commercial fisherman. The Coast Guard is the only agency with the authority, infrastructure, and assets able to project a federal law enforcement presence over this vast area.

To prevent over-fishing and protect species health, the Coast Guard conducts at-sea boardings to ensure compliance with our nation's fisheries management plans. The Coast Guard partners with industry and other federal and state agencies to collect and disseminate enforcement information, further improving our operational efficiency. For example, the Nationwide Vessel Monitoring System (N-VMS), run by the National Marine Fisheries Service (NMFS), detected a vessel suspected of illegally fishing within a closed area off of New England. NMFS alerted the Coast Guard, which then intercepted and boarded the vessel, seizing over 12,000 pounds of illegally caught fish. In FY 2004, the Coast Guard boarded over 4,500 fishing vessels and observed a compliance rate of 96.3%.

Foreign fishing vessel incursions into the U.S. EEZ threaten to undermine the nation's Fisheries Management Plans and the U.S. commercial fishing industry. The highest threat areas for foreign fishing vessel incursions are the U.S.-Mexico border in the Gulf of Mexico, the U.S.-Russian

Maritime Boundary Line in the Bering Sea and the Western/Central Pacific EEZ border. The number of detected incursions in Fiscal Year 2004 rose significantly compared to the previous four years. Our analysis indicates that the threat is similar to prior years and that more accurate reporting is the primary reason for the increase in detections. Interception continues to be a significant deterrent to illegal fishing; however the vast distances within the U.S. EEZ impacts our ability to intercept foreign fishing vessels in the remote areas of the EEZ. The Coast Guard is working with the National Oceanic and Atmospheric Administration and the State Department to pursue an enforcement agreement with Mexico, and to develop a U.S./Russia shiprider agreement to aid EEZ enforcement in the Bering Sea.

The Coast Guard extends its law enforcement authority to marine environmental protection. Charged with enforcing the Oil Pollution Act of 1990 (OPA 90), the Coast Guard cited nearly 100 tank ships and tank barges for violations of the Clean Water Act as amended by OPA 90, collecting nearly \$5 million in civil penalties. Additionally, the Coast Guard, in conjunction with the Department of Justice, aggressively sought and successfully obtained federal numerous criminal convictions involving the discharge of oil and falsifying records. One recent case alone resulted in a \$25 million fine against a large multi-national shipping company.

The Coast Guard is also responsible for enforcing maritime security standards in the United States. The events of 9/11 set in motion significant security-related enhancements to protect the maritime transportation infrastructure. The Maritime Transportation Security Act of 2002 expanded the reach of port State activities to enhanced security screening and targeting, verification examination, enforcement and control procedures, including armed teams to escort vessels and screen mariners. Over the past year, the Coast Guard detained nearly 300 vessels for safety or security reasons. In addition, the President has proposed a complete update of the merchant mariner credentialing statutes in Title 46 of the United States Code to heighten security vetting and control who is able to obtain government-issued credentials.

The Coast Guard's Ports, Waterways and Coastal Security (PWCS) mission is to prevent terrorist attacks in the U.S. maritime environment, protect maritime related critical infrastructure and key assets, and both minimize damage and facilitate recovery from an attack. In support of these objectives we now have 13 Maritime Safety and Security Teams in or near critical ports throughout the nation. These specially trained teams augment existing Coast Guard forces to perform surge operations in support of PWCS, Anti-Terrorism, Counter-Drug and other Law Enforcement missions. We have expanded our Explosive Detection Canine Program and are developing and deploying anti-swimmer and small-boat entangling systems to protect against waterborne attacks.

The Coast Guard works to ensure the safety and security of the nation's offshore oil and gas infrastructure. With assistance from the Minerals Management Service, we conduct safety inspections of offshore facilities and develop offshore security programs to protect this infrastructure sector which is vital to our nation's energy security and economic well-being.

The President's Proliferation Security Initiative (PSI) encourages all nations to coordinate their efforts to prevent shipments of Weapons of Mass Destruction, delivery systems and related materials. The Coast Guard provides negotiators to help craft bilateral PSI agreements, particularly with those nations that have large ship registries. There are currently agreements with Panama, Liberia the Republic of the Marshall Islands, and Croatia, while negotiations are in progress with Greece, Belize, and Cyprus. The Coast Guard participates in Operational Experts meetings held regularly around the world. Further, the Coast Guard hosted and participated in Operation Chokepoint 04, a PSI exercise

held in the Caribbean last November, which involved an actual at-sea boarding under the Liberian bilateral agreement and a dockside examination in Panama.

As the lead federal agency for maritime drug interdiction, the Coast Guard seeks to reduce the supply of illegal drugs entering the country by denying smugglers the use of air and maritime routes throughout the over six million square mile transit zone in the Caribbean, Gulf of Mexico, and the Eastern Pacific. In Fiscal Year 2004, the Coast Guard removed just under 160 metric tons of cocaine from the commerce stream. This number includes the seizure of over 109 metric tons of cocaine valued at nearly \$8 billion dollars. By comparison, 62 and 53 metric tons of cocaine were seized in FY 2003 and FY 2002, respectively. Enhanced capabilities coupled with increased inter-department, inter-agency, and international coordination and intelligence sharing, have played a vital role in our recent successes.

The key to our ability to perform the counter-drug mission is The Integrated Deepwater System, a fleet of cutters, aircraft, and deployable boats and command and control systems. The biggest threat to our continued performance in drug interdiction is the declining state of our legacy ships and aircraft.

The majority of the Coast Guard's operational assets will reach the end of their anticipated service lives by 2010, resulting in rising operating and maintenance costs, reduced mission effectiveness, unnecessary risks, and excessive wear and tear on our people. The resulting "readiness gap" negatively impacts both the quantity and quality of Coast Guard "presence" – critical to our ability to accomplish the Service's law enforcement missions.

Listed below are some specific examples highlighting system failure rates, increased maintenance requirements, and the subsequent impact on mission effectiveness:

- HH-65 helicopter in-flight engine power losses occurred at a rate of 329 mishaps per 100,000 flight hours in FY 2004. The comparable Federal Aviation Administration acceptable standard for a mishap of this severity is approximately 1 per 100,000 flight hours. Re-engining the HH-65 will remain the Coast Guard's highest legacy asset priority until complete.
- The 110-foot Patrol Boat fleet has experienced 23 hull breaches requiring emergency dry docks.
- The 378-foot High Endurance Cutter fleet averages one engine room casualty, with potential to escalate to a fire, on every patrol.
- The total number of unscheduled maintenance days for the major cutter (medium and high endurance cutters) fleet has increased from 85 days in FY 1999 to 358 days in FY 2004 (over a 400% increase). This loss of operational cutter days in 2004 equates to losing two major cutters, or 5% of our major fleet for an entire year.

The President's FY 2006 budget provides \$966 million for *The Integrated Deepwater System*, taking aim on reversing the Coast Guard's declining readiness trends and transforming the Coast Guard with enhanced capabilities to meet current and future mandates through system-wide recapitalization and modernization of Coast Guard cutters, aircraft, and associated sub-systems. I urge you to support this budget, as *The Integrated Deepwater System* is the enduring solution to both the Coast Guard's declining legacy asset readiness concerns and the need to implement enhanced maritime security capabilities to reduce maritime risk in the post-9/11 world.

The revised Deepwater plan recently submitted to Congress includes additional capabilities that will better equip the Deepwater system to meet the challenges of the post 9/11 environment. These additional capabilities will also improve performance in all Coast Guard mission areas. For example, the revised Deepwater plan calls for arming the entire fleet of organic helicopters. The use of armed helicopters, combined with new Cutter Boats Over-the-Horizon (CB-OTH), has greatly improved the Coast Guard's capability to stop "Go Fast" vessels. Deployed throughout the Caribbean and Eastern Pacific, armed helicopters were directly involved in the seizure of over 31 metric tons of cocaine and the arrest of 84 people in FY 2004. This highly successful program is growing. The Coast Guard and Maritime Transportation Act of 2004 extended the airborne use of force for counter-drug missions to U.S. Navy aircraft under tactical control of the Coast Guard and Congress provided the Coast Guard with \$2.5 million in Fiscal Year 2005 to begin arming organic Coast Guard helicopters. Additionally, the Coast Guard has assisted the United Kingdom in their development of an airborne use of force program for Royal Navy helicopters.

The Coast Guard attributes its success in Fiscal Year 2004 to the intelligence analysis and coordination of the interagency members that participate in Joint Interagency Task Force (JIATF) South. JIATF South coordinates the counter drug detection and monitoring resources of our international (U.S., British, Dutch, and French) and domestic agency partners (Department of Defense, Department of Justice, and Customs and Border Patrol).

Operation Panama Express, a joint effort of the Department of Homeland Security and the Department of Justice, also generates a tremendous amount of actionable intelligence on trafficking organizations and smuggling routes. Leveraging this intelligence enables a higher rate of success for interdiction assets from the Navy, Coast Guard, other domestic agencies, and international partners.

To further improve the effectiveness of our law enforcement programs, and to maximize coordination with our international partners, the Coast Guard has negotiated bilateral and multilateral counter drug and alien migration interdiction agreements with 26 Caribbean nations. These agreements act as force multipliers and are exercised on a regular basis in drug and migrant interdiction cases, and in the planning and conduct of counter drug operations such as CARIBE VENTURE and CARIBE STORM.

The successes in the Coast Guard law enforcement missions have not come without their share of challenges in performing our critically important non-homeland security missions while meeting increased homeland security requirements and supporting Operation Iraqi Freedom. We are working our assets—and our crews—harder than ever. The President addresses capacity and capability improvements for the Coast Guard in his Fiscal Year 2006 budget request, including increased funding for the Integrated Deepwater System, which has never been more relevant for the Coast Guard's operational success in law enforcement and other mission areas. I ask your support for the President's budget request.

Thank you for the opportunity to testify before you today, and your continued support of the Coast Guard. I will be happy to answer any questions you may have.