

**THE STATE OF INTEROPERABLE EMERGENCY  
COMMUNICATIONS ALONG THE TEXAS BORDER**

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**FIELD HEARING**  
BEFORE THE  
SUBCOMMITTEE ON EMERGENCY  
COMMUNICATIONS,  
PREPAREDNESS, AND RESPONSE  
OF THE  
COMMITTEE ON HOMELAND SECURITY  
HOUSE OF REPRESENTATIVES  
ONE HUNDRED TENTH CONGRESS  
SECOND SESSION

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FEBRUARY 19, 2008  
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## **THE STATE OF INTEROPERABLE EMERGENCY COMMUNICATIONS ALONG THE TEXAS BOR- DER**

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**Tuesday, February 19, 2008**

U.S. HOUSE OF REPRESENTATIVES,  
COMMITTEE ON HOMELAND SECURITY,  
SUBCOMMITTEE ON EMERGENCY COMMUNICATIONS,  
PREPAREDNESS, AND RESPONSE,  
*Laredo, TX.*

The subcommittee met, pursuant to call, at 10 a.m., in Room 116 of the Western Hemispheric Trade Center, Texas A&M International University, Laredo, Texas, the Hon. Henry Cuellar [Chairman of the subcommittee] presiding.

Present: Representatives Cuellar, Dent, and Souder.

Also present: Representative McCaul.

Mr. CUELLAR. Mayor, thank you again very, very much. The Subcommittee on Emergency Communications, Preparedness, and Response will now come to order. The subcommittee meeting today is to receive testimony regarding the state of interoperable emergency communications along the Texas border. The Chair would like to acknowledge that a Member of the committee who does not sit on the subcommittee assembled today, Mr. McCaul, has asked to participate in today's hearing. As you know, he is a Member of Homeland Security, a Chairman of one of the subcommittees recently, and consistent with the rules and the practices of the committee, we're pleased to honor his request, and I now ask unanimous consent to allow Congressman McCaul to sit and question the witnesses at today's hearing. Without objection, it is so ordered.

Again, good morning to all of you all. On behalf of the Members of the subcommittee, let me first welcome our panel of witnesses that we have here today who'll work everyday to make sure that their community and our country are prepared for any and all threats. We applaud your efforts and we're glad that you are here today. Also, I would like to thank the Ranking Member of this Chair, Charlie Dent, from Pennsylvania. Both Charlie and Mr. Souder also came a long way, Michael from the Austin/Houston area. Souder is from Indiana and then we've got somebody from Pennsylvania, so welcome to our warm weather down here in south Texas, and, actually, it's cool today. I just want you to know it's cool today. I know that—I know that Charlie and Michael have been—I think this is their second or third visit for both of them, and, again, for Souder, again, welcome here today.

I also want to say to all the Members, thank you. As you know, we're in Washington. This week we're off here in the districts and, again, for them to take time away from Indiana, from Pennsylvania, from the Houston/Austin area to come down here to spend some time on an issue that's important not only for the southern border, but for the northern border. We certainly want to say thank you.

The purpose of this hearing is to examine the continuing challenges and highlights, successful practices toward achieving interoperability. As you know, along our Nation's borders that is an issue that's very, very difficult because—again, because of the multi-dimensional issues that we have. It's not only on the U.S. side working with State, local and Federal partners, but on the borders you got to work with our partners across the river which is again very important. Specifically we will assess the cross-border emergency communications capabilities in south Texas as well as the coordination and planning between Federal, State and local governments. The United States shares nearly 6,000 miles of border with both Canada and Mexico. The communities along those borders face very unique challenges. For instance, Laredo, which is the largest inland port in the United States, sees thousands of shipments of hazardous materials pass through this port everyday. In addition, the large amount of contraband that flows across the border and the violence associated requires a coordinated local, State, Federal and international effort. The ability to communicate during an emergency is key to that part of coordination, not only for the law enforcement, but also for health and environmental reasons also. The challenges to achieve this interoperability are not—it's not a new phenomena. I think if you look at the history just a few years ago, firefighters, police and other emergency responders had trouble talking at the Oklahoma City bombing or the 9/11 or during the Hurricane Katrina. So it's something that we have seen, but we need to make sure that we take the actions so we don't see this in the future. This is why Congress after the Hurricane Katrina created the Office the Emergency Communications at the Department of Homeland Security to centralize and to coordinate emergency communications work at the Department and make sure that public safety systems at all level of government are able to communicate.

After a few—after a slow start, I'm hopeful that this office can finally take the leadership role that many of us in Congress have visioned. I know we have a new leader here. We appreciate Mr. Essid, your work here. We're going to get an update from Mr. Essid, the new director of the Office of Emergency Communications at the Department, and we certainly all of us want to make sure that we work with you. I also look forward to having Steve Landin, Laredo's department of—deputy fire chief and emergency management coordinator to discuss personnel equipment, other resources, challenges that face the border community like we have here and also the other border communities that we have up and down the river.

I also look forward to hearing from a witness from Nuevo Laredo, Mr. Ledezma, the director of city security. Thank you. [Spanish.] Who'll give us a unique insight to the cross-border of communica-

tions. Finally, we have two individuals, Mr. Peters and Mr. Simpson, who are here to talk about the State-wide efforts to make sure that we connect the—you know, the planning, the governing structure that's present throughout the State of Texas.

As you know, the State of Texas does—as you know, the Federal Government Homeland does provide moneys—this is important to note. Gives money not only to the individual entities at the local level, but if you look at the numbers, the Homeland Security gives million and millions and millions and millions of dollars to the State to make sure that they then distribute those dollars down whether it's our local areas or whether it's emergency or whether it's volunteers or other areas to make sure that we get our job done. So the Federal dollars come two ways. One is directly to the cities and the counties and the other way to the State so the State can then distribute this out. Certainly I can tell you on behalf of the Federal Government we certainly want to work with the State to make sure that we have the best distribution system in place.

The second hearing that we're having also—this is a second hearing, should I say, that our subcommittee has been looking into emergency preparedness issues along the border. So, again, it's not the first time we're doing this. It's the second time we want to make sure that we understand the border and it is our intention to continue raising this issue, shine lights on any challenges or difficulties that we might have to look at and give credit to those who have made good steps toward ensuring that the first responders have operable and an interoperable emergency communication system.

Again, I want to thank the witnesses again for their testimony. The Chair now will recognize—what I'm going to do is—usually what we do is we just recognize the Ranking Member, but I will recognize the Ranking Member of the subcommittee, Mr. Charlie Dent, and then I'm going to ask Mr. Souder and Mr. McCaul if they want to add testimony—I mean have an opening statement. So, again, Charlie, again, welcome back to Laredo again.

Mr. DENT. Thank you, Chairman Cuellar. It's good to be here again in Laredo. I was here in August 2006 and I really enjoyed that experience, and, again, Mayor Salinas, thank you for your wonderful hospitality. Hopefully you'll make it to eastern Pennsylvania one of these days. Our greeting in Pennsylvania Dutch is “willkommen” and we'll also give you shoo-fly pie just to add to your cardiac problems. Very good just the same.

Also, this community—I've often heard down here that this is one community separated by a river. I live in eastern Pennsylvania and we border the State of New Jersey, and for the longest time my State slogan was “America starts here”. It was just a slap at New Jersey, and I hope that the—I want to get a good sense today of the state of interoperable communications not just within Texas, but also across the border. I'm curious to see if your efforts are better than what we have between our two States. But before I get into my remarks, I'd like to ask unanimous consent that Mr. Mike Simpson replace Mr. Peter Collins on our panel of witnesses. Mr. Collins is unable to be here due to an emergency, but his deputy, Mr. Simpson, is equally knowledgeable, so I'm pleased he is here with us this morning. I'd just like to make that statement.

I'm also pleased to be here in Laredo today with Chairman Cuellar to examine the critical issue of interoperable emergency communications. First responders and public safety officials across the country face critical challenges in achieving interoperable communications everyday. We certainly learned this lesson very hard after 9/11. For those on the border communities such as Laredo the challenges can be that much more acute due to additional international factors. For instance, police and firefighters may encounter interference in their radio communications because Mexico does not regulate and enforce the use of radio frequencies the same way we do. The increased demand for interoperable emergency communications may also be particularly challenging due to Laredo's status as the largest land border port of entry.

I'm pleased we have with us today Mr. Chris Essid from the Department of Homeland Security's Office of Emergency Communications. Mr. Essid is the first director of this new office that was created by the Post-Katrina Emergency Management Reform Act of 2006. I look forward to hearing from Mr. Essid on how his office is reaching out to State and local officials to help them address their interoperability challenges. I also look forward to discussing with him how the Federal Government is working to develop the National Emergency Communications Plan that will help guide future spending on interoperable communications.

Also with us today are State and local officials representing the emergency management, law enforcement, and information technology communities. I also look forward to hearing their views regarding the challenges to achieving interoperability, the transition to the use of the 700 megahertz frequency, and overall coordination throughout the State. It's my understanding that the entire State of Texas was involved in drafting the State's interoperable communications plan and that the latest application for grant funding was also coordinated across all jurisdictions. It's certainly a tremendous achievement to bring everyone to the table to discuss critical communications issues. I look forward to hearing more about how this was achieved and also look forward to hearing about the state of interoperable communications across the river.

So, again, I want to thank all the witnesses for being here today and for sharing your expertise with us on this important issue. I really thank you, Chairman Cuellar, for inviting me back. It's just great to be here again. This is a wonderful tight-knit community, very hospitable and I thank the mayor again for all the courtesies he's extended to me each time I have been here. It's good to know more about this wonderful community. So thank you, Mr. Chairman. I yield back.

Mr. CUELLAR. Thanks very much. Mr. Souder.

Mr. SOUDER. Thank you very much. I appreciate also the opportunity to be here. It was just really great that you got the Hotel Posada to get remodeled so that we have a wonderful place to stay. In addition to my interests in this subcommittee and in communications in general, my hometown, Fort Wayne, Indiana, is the center of defense and Homeland Security communications for the SINGARS radio and a lot of the interoperable systems through General Dynamics and others that are so important, not only between trying to connect local police and fire to Federal systems, but

also looking at how we connect people in the forest fires when we have them out West. Often they can't talk to each other when they get in. As we look at these emergency communications, it becomes especially critical, and it's also critical to the employers in my district, as we build many of these communication systems, so I appreciate the opportunity to be here.

My primary responsibility in Homeland Security is I'm their Republican leader on the border security and global counterterrorism subcommittee, and I apologize for being late. I was actually out on the river with the Border Patrol this morning, seeing some of the challenges of not being able to see the water as you are walking along the border trails there and some of the challenges that we face in those areas.

I'm also co-chair and founder of the drug policy caucus in Congress and have spent much of my career as the narcotics chairman in Congress working in much of our—the narcotics that flow in Indiana come across the border between here and McAllen, and so it is a huge issue on mobile fronts in addition to the ability to respond to emergencies. I'm taking the rest of this week and will be going up to Eagle Pass and Del Rio, then on to Big Bend, Marfa, and over to El Paso in this section of the border. I spent much of my career on the north and south borders, but Texas, particularly that zone from here over to El Paso is—becomes more wild as it goes. In fact at the Academy Awards this week, two of the nominated movies were filmed over in Big Bend because it's so abandoned over there.

So I look forward to this time in Texas. I'm sorry I didn't bring a big load of Indianapolis Colts things. I think a banner would have been great down here and would have outrun the supply. Thank you very much.

Mr. CUELLAR. Thank you very much. At this time I'll recognize—the Chair will recognize Mr. McCaul.

Mr. MCCAUL. Thank you, Mr. Chairman, and, Mayor, thank you for all your hospitality, as always. I look forward to seeing you in Washington. I think in a week or two from now, I think, and let me give an advance congratulations to Chairman Cuellar and his designation as Mr. South Texas in the Washington Day Parade. Sorry I won't be there to celebrate with you. Let me just—if I could comment on the Chairman. He has been a real leader in the Congress on these issues and I am very proud to work with him. We've been very focused on border-related issues recently coming back from Mexico City where we met with President Calderon for a very long period of time and the Mexican Attorney General about drug cartels and security issues that we have at the border. I sense that there's a real sincerity with the Mexican Government to work with us, and there's an opportunity—a unique one for real partnership between the two countries, and I know that's a passion that the Chairman shares and that I share with him, and I know that we'll be working hard in the Congress to facilitate that.

This is an important issue and I want to thank the panel for being here. Our ability to communicate was identified after 9/11 by the 9/11 Commission as one of the weaknesses, and we didn't have adequate communications between Federal, State, and local officials. We didn't—we had silos. We had turf battles. I was in the

Justice Department for a while, as was the Mayor, and I'm sure he can tell you that the turf battles were counterproductive. The communication didn't flow. We were not able to connect the dots and that actually, ultimately, led to the events of 9/11 in my view. I think that our ability to communicate more effectively in today's world is absolutely paramount to protecting the American people from not only a man-made disaster, but a natural disaster, as we have seen not only with 9/11 but also with Katrina and Rita.

I will say that the—it's really important—this is such a unique area. I went out with a rancher yesterday to look at his stretch of the ranch on the river. He really—I encourage Members to come down and see it because you can't really have an appreciation and an understanding for the border until you've been down here to witness it and to talk to the people that live here. It's a very unique area. It's important because the amount of cross-border trade and the fact that such an event, whether it be man-made or natural, could affect citizens on both sides of the river.

The Homeland Security Act of 2002 required the development of a National Emergency Communication Plan, and in 2006 the Post-Katrina Emergency Management Reform Act established the Office of Emergency Communications, or the OEC, of the Department of Homeland Security. The OEC is the principal Federal office in charge of strengthening emergency communications Nation-wide by coordinating with Federal, State, and local governments, and I look forward to hearing Director Essid's testimony about the progress that his office has been making. The Federal Government has also been helping State and local authorities by providing funding through the Public Safety Interoperable Communications grant program.

I'm pleased to say that Texas has been ahead of the curve as usual, a real leader in developing their own State-wide Communications Interoperability Plan, and was one of the largest recipients of the grant funding. Much of this is due to the work, in my judgment, of the Texas Radio Coalition, an organization that I've been personally very involved with and look forward to hearing from Mr. Simpson and his testimony about the work that the coalition has done and the challenges that you have.

Finally, I look forward to hearing from Deputy Chief Landin, who is the emergency management coordinator here in Laredo, Director Ledezma, as well as Director Peters from the Sheriffs' Association of Texas about what challenges you have in communicating and coordinating and what funding you need from the Congress to better do your job. So with that I'll go back to Mr. Chairman and thank you for holding this hearing.

Mr. CUELLAR. Thank you very much, Mr. McCaul. The Chair now asks the unanimous consent to allow testimony from Dr. Hector Gonzalez, the Director of Health from the city of Laredo Health Department to be inserted for the record, and without objection, his testimony—thank you very much, Hector, for your testimony.

[The statement of Dr. Gonzalez follows:]

STATEMENT OF HECTOR F. GONZALEZ, MD, MPH, DIRECTOR OF HEALTH, CITY OF  
LAREDO HEALTH DEPARTMENT, LAREDO, TEXAS

FEBRUARY 19, 2008

A. INTRODUCTION

Mr. Chairman and Members of the House Emergency Communications, Preparedness, and Response Subcommittee, my name is Dr. Hector F. Gonzalez, Director of Health for the city of Laredo. Today Chief Steve Landin of our Fire Department and who is also our Emergency Management Coordinator will address you on the importance of interoperable communication especially as it impacts the U.S.-Mexico border. In addition he will share some of our successes and best practices such as the newly activated critical first responder and emergency management interoperable communication-800 megahertz trunking radio system, which now needs to be enhanced for public health interoperable communication.

My colleagues and I are addressing you to provide testimony on best practices, our unique communication and emergency operations issues as well as resources to adequately protect not only our community but the entire Nation through our first responder system, emergency care services and all hazards public health response on the U.S.-Mexico border (and in particular in Laredo). I will specifically share with you our Laredo public health response experience and the need for critical interoperable communications.

Mr. Chairman as you know border communities and in particular Laredo do not just respond to local disasters, incidents or public health threats (even though resources are only provided based on local need), the truth of the matter is that our role is both regional and national.

B. NEW FIRST RESPONDER PARADIGM

Since 9/11, the first responder paradigm changed; no longer do we view first responders and public health preparedness in the same way. Nowhere is this more evident than in Laredo where the Chiefs of Police and Fire and myself work intimately close to respond to disasters and all hazard incidents: biological, chemical and radiological. Because of our model both the Fire Chief and I sit on the Governor's Homeland Security Advisory Committee and I sit on the State Communications Plan Advisory Committee. Mr. Chairman, Laredo has developed resources and contributed more than its fair share as we have always recognized that it is our community but everyone's border to protect. We maximize resources and manage all responses in a regional manner as resources have never been sufficient. Consequently we created our own response expertise especially for all public health threats. For us it is routine to respond locally, regionally and in our case internationally. We are the State and Federal responders as there is no one else to respond.

C. POTENTIAL EMERGENCY INFECTIOUS DISEASE AND ALL HAZARDS RESPONSE REQUIRES INTEROPERABLE COMMUNICATION

Just over 4 months ago we got a call from the Centers for Disease Control and Prevention (CDC) Quarantine Station (QS) from El Paso about a Cuban refugee with probable Tuberculosis. Three days later we got a call again from the QS that 3 Cuban families seeking political asylum had children sick with "smallpox". Both the Public Health Chief of Disease Control and Emergency Response and I did the actual work-up and investigation—ruling out "smallpox" but also assessing over 20 additional refugees that could have gone undetected for any potential infectious problem and served as a threat not just to Laredo but to multiple communities along their route to Florida. If this had truly been "smallpox" it would have been a bioterrorist act that required immediate intervention of both FBI and CDC as well instant communication with Customs and Border Patrol (CBP). At the present we would not have been able to radio emergency management preventive and triage orders. Definitely we would not have been able to communicate with Mexico.

D. CHALLENGES TO INTEROPERABLE COMMUNICATION

Rapid and efficient communication in an all-hazards emergency response specifically for public health is critical, especially along the U.S.-Mexico Border, among all public health jurisdictions. In fact Public Health Data Communication Exchange takes into consideration all of the factors that influence the health of communities and individuals. There is a need to develop total public health data communication integrated and interoperable systems, also considered medical intelligence, in our

case border medical and public health intelligence. Some of the barriers that need to be addressed are:

- Interference and dropped calls with cellular communications;
- Local calls to Mexico are international and long distance in some cases;
- Different bands, not enough communication relay towers;
- Lack of rapid efficient radio communication with State and Federal partners as well with Mexico for public health response;
- Not enough Binational Interoperable Communication Training;
- Lack of interoperable communication with other public health departments along the U.S.-Mexico Border in the event of a public health disaster;
- Lack of multi-agency interdisciplinary approach to provide the total disaster perspective and based on evidence;
- More efficient data communication integrated links. At the present, an overwhelming vast amount of data is available, but we lack the ability to link different sources into one integrated cost-effective, rapid and efficient program with interoperable communication capacity.

#### E. RECOMMENDATIONS

1. Enhance Laredo's 800 megahertz interoperable communication infrastructure system for Public Health emergencies.
2. Purchase additional radios and develop special channel for interoperable emergency rapid communication with State and Federal partners as well with Mexico.
3. Develop rapid interoperable communication with other public health departments from Brownsville to El Paso, Texas.
4. Assure secure communication among public health responders.
5. Develop mobile data communication capacity for public health.
6. Enhance reporting through syndromic surveillance to assist public health officials in the field to detect and confirm as well have the capacity for interoperable communication.
7. Increase the capacity of the Early Warning Infectious Disease Surveillance (EWIDS) system to test, confirm and detect public health disease threats along the U.S.-Mexico Border with interoperable communication capacity.
8. Develop continuous training with all partners on interoperability.
9. Acquire biological airborne permanent environmental detection systems, such as, "BIOWATCH" for early detection of the release of pathogens into the air, providing warning to the public health community of a potential bioterrorist event. This system then needs to be linked to interoperable systems once we know if a hazard.
10. Link interoperable communication systems to the Laboratory Regional Network such as at the city of Laredo Health Department.
11. Interoperable EWIDS communication.

#### F. SUCCESSES AND BEST PRACTICES

- Joint simulated training with all partners and Mexico with a special emphasis on interoperable communication.
- Ongoing routine meetings to enhance communication.
- 800 MHz radio interoperability established.
- Emergency Operations Center functions with interoperability.
- EWIDS Public Health expert weekly exchange of public health disease and surveillance data.
- Binational monthly public health training with limited simulations that include some interoperable communication testing.

#### G. CONCLUSION

The United States is under a constant threat of an intentional or unintentional medical, biological or chemical attack especially along our U.S.-Mexico Border. In Laredo we say "When Nuevo Laredo, Mexico coughs, Laredo, Texas gets the cold." Disease does not respect a border.

When you think of the potential public health threats that can cause epidemics, or contaminate our water or food supply, there is no other area more vulnerable than the U.S.-Mexico Border and interoperable communication is fundamental.

In Laredo, we are proud to provide the first line of defense for our community, the State and the Nation. I want to thank you for allowing me to provide this written testimony.

Mr. CUELLAR. Let me—again, before we get started with the witnesses, again, I have to again thank this Member. You will see by the line of questioning that these folks really know about Homeland Security. Someone from the northern part of the United States, some of us from the southern part, but we're all working together in a bipartisan way to make sure that we address—I know all of them. They have all been in Homeland Security. They know the work that they do is something that is very important to all of us, and I certainly want to thank all of them for being here.

Also, I would like to say that our committee works on a bipartisan way with the Ranking Member, Peter King, and our Chairman, Bennie Thompson. In fact, Bennie Thompson will be in Laredo Friday, will be coming to Laredo Friday, will spend a day here with us on Friday—this Friday, so I certainly want to thank the Chairman and the committee staff, both the Republican and the Democratic staff for all of us working together. I certainly want to recognize Betty and, of course, Peter King also, a Ranking Member.

Also, don't forget that after this, we have a 1:30 grants seminar where we've got Homeland that will be talking to us about the different grants that are available, what timetable, what are the criteria to make sure that you take full advantage of the opportunities that are available. It's a very unique type of seminar that we'll have here, and I certainly want to thank everybody for participating.

At this time I will go ahead and move onto the witnesses. I first welcome the panel of witnesses. First of all, our first witness is Mr. Chris Essid, who's the director of the Department of Homeland Security, Office of Emergency Communications. Prior to his position, he served as the first interoperability coordinator the Commonwealth of Virginia. Mr. Essid is veteran of the U.S. Army and holds a master's degree in public administration. Again, thank you. It's good seeing you again and welcome to our hometown.

The second witness is Mr. Steve Landin, who's the assistant fire chief and emergency management coordinator for the city of Laredo, has been a member of the Laredo Fire Department for 18 years, holds a Bachelor's Degree in finance, economics with an emphasis in fire administration from the Empire State College. Thank you, Steve, for being here with us.

Our third witness is Alfonso Olvera Ledezma, who serves as the director of security in Nuevo Laredo for Tamaulipas. Mr. Ledezma, again, has been a 16-year veteran of the Mexican State Government. Thank you for being here with us. [Spanish].

Our fourth witness is Mr. Joe Peters, who serves as a director of Technology Assistance Division of the Sheriffs' Association of Texas in Austin covering communications interoperability. Prior to his position he served for 30 years as a member of the Texas Department of Public Safety as a trooper, highway patrol sergeant and as a Texas Ranger. Mr. Peters currently serves as a communications committee liaison between the Sheriffs' Association of Texas and the Texas Congressional Delegation, State legislators and State agencies. Welcome.

Our fifth witness is Mr. Michael Simpson, the wireless communication services manager for the city of Austin. He's also the State-wide Communications Interoperability Plan Coordinator and

Technology Advisor for the Texas Radio Coalition. Again, Mr. Simpson, welcome.

We're all pleased to have you here. Without objection, the witnesses' full statements will be inserted into the record, and now I'll ask each witness to summarize his statement for 5 minutes beginning with Director Essid.

**STATEMENT OF CHRIS ESSID, DIRECTOR, OFFICE OF EMERGENCY COMMUNICATIONS, OFFICE OF CYBERSECURITY AND COMMUNICATIONS, DEPARTMENT OF HOMELAND SECURITY**

Mr. ESSID. Good morning, Chairman Cuellar, Congressman McCaul and Members of the subcommittee. From its inception the Department of Homeland Security has worked closely with Congress and the administration to address the—to address the human, technical and governance challenges of interoperability, one of Secretary Chertoff's highest priorities for the Department. Personally, I've learned a great deal about the realities of implementing interoperability solutions at the State and local level as Virginia's interoperability coordinator, and I'm excited about the opportunity to apply those lessons as we all work together to improve emergency communications across our Nation.

Since becoming operational on April 1, 2001, the Office of Emergency Communications has focused on the development of a national emergency communications plan, the national communications capability report and the integration of three interoperability programs transferred from within DHS entities, the Integrated Wireless Network, the Interoperable Communications Technical Assistance Program and Elements of the SAFECOM program.

As a coordinator of cross-governmental initiatives, OEC is implementing shared infrastructure projects through the Federal Partnership for Interoperable Communications, known as FPIC, a partnership of Federal, State and local agencies with a public safety mission to enhance the interoperability of Federal departments and agencies.

Interoperability grant programs require States and territories to develop State communications interoperability plans. This requirement and the planning efforts of the States and localities mark critical milestones in breaking down the coordination barriers of the past and establishing a roadmap of a future interoperability. As of December 3, all 56 States and territories submitted State-wide communications interoperability plans. For the first time, all States have plans for interoperable communications and the tools to measure their progress toward realizing their interoperability goals. This is a very significant accomplishment. As you know, border regions in our country face an even broader set of challenges as they work to achieve cross-border interoperability. OEC must collaborate closely with agencies that share responsibility for overcoming these domestic and international challenges including the U.S. Department of State, the National Telecommunications and Information Agency and the Federal Communications Commission.

Currently, OEC is engaged in several activities to address and resolve issues at the technical, operational, policy and regulatory levels that are hindered—that have hindered the realization of

cross-border interoperability at the Federal, State, local and tribal level on both the northern and our southern borders.

The United States-Mexico High Level Consultative Commission on Telecommunications Security Communications Task Group is developing a bilateral solution that will establish a long-term interoperability solution between the United States and Mexico along the southwest border.

The 2010 Olympics Task Force Security Subcommittee Communications Interoperability Working Group is coordinated among the Federal, State, and local emergency responders along the north-west border to develop and exercise an interoperability plan for the 2010 Olympics in Vancouver, and the Federal Partnership for Interoperable Communications Southwest Border Communications working Group is working closely with Texas, Arizona, California and New Mexico to coordinate initiatives and user needs at the Federal, State, local and tribal levels along the southwest border.

Spectrum sharing and information assurance are two common and important policy issues currently being addressed by these groups. Additionally, as a former State interoperability coordinator I recognize the important of cost-effective, technical and operational solutions that adequately address interoperability requirements. Finally, these solutions must be included in operational plans and must be a key element in operational training and exercises. We are actively working with practitioners and planners throughout the Nation to provide guidance, coordination and assistance at both the technical and operational level.

In conclusion, improving interoperability on our northern and southern borders is of paramount importance to the safety and security of our Nation. The Office of Emergency Communications serves as a as focal point for the coordination of long-term cross-border interoperability solutions that address user needs and policy requirements of all three countries. Through FPIC and other forms, the Office of Emergency Communications will continue to cultivate relationships between the Canadian, Mexican and American users and regulatory agencies across all levels of government to better identify and address barriers to interoperability.

I appreciate the opportunity to discuss OEC's activities and I look forward to working with this subcommittee to help meet the emergency communication needs of our Nation.

[The statement of Mr. Essid follows:]

PREPARED STATEMENT OF CHRIS ESSID

FEBRUARY 19, 2008

INTRODUCTION

Good morning Chairman Cuellar, Ranking Member Dent, and Members of the subcommittee. I appreciate the opportunity to testify on cross-border interoperable communications issues. I am Chris Essid, the Director of the Office of Emergency Communications (OEC).

OEC is a component of the Office of Cybersecurity and Communications (CS&C) within the National Protection and Programs Directorate of the Department of Homeland Security. Assistant Secretary for Cybersecurity and Communications Gregory Garcia is responsible for the overarching mission of CS&C to prepare for and respond to incidents that could degrade or overwhelm the operation of our Nation's information technology and communications infrastructure. This mission is

part of a larger strategy to ensure the security, integrity, reliability, and availability of our information and communications networks.

From its inception the Department of Homeland Security has worked with Congress and the administration to address the human, technical, and governance challenges of interoperability. Indeed, interoperability is one of Secretary Chertoff's highest priorities for the Department.

#### MISSION, RESPONSIBILITIES, AND ACTIVITIES

Title XVIII of the Homeland Security Act, as amended, assigns to OEC the mission of advancing interoperable and operable emergency communications through collaboration with Federal, State, local, and tribal partners. Since becoming operational on April 1, 2007, OEC has focused on meeting its various mission requirements, including the integration of three interoperability programs transferred from other DHS entities: the Federal wireless programs under the Integrated Wireless Network (IWN), the Interoperable Communications Technical Assistance Program (ICTAP), and outreach, guidance, and tool development by the SAFECOM program. We have also focused on working with our key stakeholders to identify their needs and gain a better understanding about the ever-changing interoperable communications environment.

OEC is working to bridge interoperability gaps between Federal, State and local governments. As a coordinator of cross-governmental initiatives, OEC is implementing shared infrastructure projects, through the Federal Partnership for Interoperable Communications (FPIC)—a partnership of Federal, State, and local agencies with a public safety mission to enhance the operability and interoperability of Federal departments and agencies. OEC will continue to leverage the groundwork established by its Federal wireless partners and build on existing capabilities at all levels of government to enhance interoperable emergency communications. Further, we will be working with the National Communications System (NCS), which is also a component of CS&C, to coordinate our responsibilities for ensuring the continued operation of the telecommunications functions and responsibilities of the Federal Government.

#### NATIONAL PLANS AND ASSESSMENTS

As directed by Congress, OEC conducts periodic assessments of the state of interoperability across the Nation and regularly reports on progress toward achieving national objectives as established by the President, Congress, and DHS. Development of the National Communications Capabilities Report of existing Federal, State, local, and tribal government capabilities is a key first step in our analytical efforts. The first phase of this report, currently under departmental review, builds on the findings and conclusions of studies and documents such as the National Interoperability Baseline Survey, Tactical Interoperable Communications Plans, Tactical Interoperable Communications Scorecards, and the Communications Asset Survey and Mapping (CASM) database.

While past assessments like the Baseline Survey focused on State, local, and tribal interoperable communications, the Capabilities Report incorporates information from the Federal perspective to show the full scope of interoperable communications Nation-wide. The report aims to characterize the emergency communications challenges that must be addressed, the capabilities that exist to address them, and any gaps in capability availability or deployment.

OEC will use the findings and recommendations from the report to develop a National Emergency Communications Plan (NECP) later this year. Since this will be a National Plan, OEC will be working closely with other DHS components and other Federal agencies with emergency communications roles and responsibilities, including the NCS, the Federal Emergency Management Agency (FEMA), and the Office for Interoperability and Compatibility, in addition to our stakeholders from regional, State, local, and tribal governments, and the private sector. Additionally, OEC has established the preliminary framework for activities of the Emergency Communications Preparedness Center, which Congress directed to coordinate the Federal aspects in the development of the NECP. The NECP will set goals and provide short-term and long-term recommendations for addressing interoperability gaps and advancing operability and interoperability.

Before we can begin building the NECP, however, we need to have a comprehensive understanding of the interoperability capabilities needed and those currently in use across the Nation. Thus, one of OEC's top priorities in the near term is to develop a robust assessment of the state of emergency communications, particularly gaps and vulnerabilities. The Capabilities Report noted above will give us much of this information, but we also will be gathering valuable input from other initiatives

like the State-wide Communications Interoperable Plan (SCIP) review process, which ultimately will help us identify how OEC can advance the emergency communications capabilities of first responders and emergency management officials.

A key component of a Nation-wide, cross-governmental understanding of emergency communications is the development of Communications Asset Survey and Mapping (CASM) tool. CASM is a web-based communications assets database that consolidates information about land-mobile radio systems and other interoperability assets and determines how they are being used by metropolitan and urban area public safety agencies within a State. OEC works with participating public safety agencies to populate CASM with their data and help them understand the interoperability methods used by neighboring agencies so they can plan accordingly. Recently, CASM has been upgraded to include a “what if” feature that allows users to see the consequences to communications assets in a variety of man-made and natural disaster scenarios. To date, more than 75 metropolitan/urban areas and States—representing more than 8,000 agencies—have entered data into CASM. Through attendance and tool demonstrations at national public safety conferences, FPIC meetings, and ongoing coordination with other DHS partners such as the member agencies of the National Communications System, OEC is reaching users and policymakers at all levels of government.

#### OUTREACH AND TECHNICAL ASSISTANCE

OEC has participated in and supported a number of stakeholder forums and initiatives designed to promote awareness and build consensus among Federal, State, and local entities on policy and technical issues affecting interoperable communications. This includes dedicated interoperability events with groups such as the National Governors Association’s State-wide Planning Workshops and the National Association of Counties/National League of Cities Interoperability Policy Academies. OEC leaders attend major conferences hosted by the National Public Safety Telecommunications Council, International Association of Fire Chiefs, the Association for Public-Safety Communications Officials and others. Additionally, a significant portion of OEC’s stakeholder engagement occurs through the SAFECOM Executive Committee and Emergency Response Council. OEC leaders also understand the need for private-sector engagement in support of this mission and continue to meet with industry to learn more about new developments in interoperable equipment and technology.

Building on these relationships, OEC provides technical assistance services to the practitioner community to foster the development of interoperable communications capabilities at the State and local levels. OEC’s technical assistance helps States identify gaps in their communications infrastructure and determine technical requirements for an interoperable communications system. Technical assistance includes strategic and tactical communications planning, system feasibility studies, tabletop exercises, evaluations of communications sites and technologies, and on-site engineering support.

During the preparations in the Gulf Coast Region for the 2007 hurricane season, OEC moved from planning mode to technical-services support mode. There, OEC coordinated the accelerated delivery of communications equipment and training services to several hurricane-prone States in the region well in advance of the season. The training addressed the usage of the equipment in its designated communications planning environment, as well as the need for coordination, governance, and a regional set of standard operating procedures for communications.

The Office of Emergency Communications also provided on-site support for the 2007 Golden Phoenix, an Interoperability Joint Training Event, which had a scenario with an 8.0 earthquake in the greater Los Angeles area. Participants in the event include Los Angeles city and county multi-jurisdictional emergency responders, the California National Guard, and the Department of Defense (DoD). OEC ICTAP provided technical evaluators and planning assistance to measure and evaluate communications interoperability across the continuum of first responders, DoD, and participating State and local government entities and non-governmental organizations. The event underscored the need for training opportunities among the various response groups and the challenges that might be encountered. OEC helped to document the challenges and findings.

#### STATE-WIDE COMMUNICATION INTEROPERABILITY PLANS

Historically, limited and fragmented planning and a lack of coordination and cooperation among disciplines and jurisdictions have hampered the emergency response community’s ability to communicate during response efforts. To combat this problem, the DHS fiscal year 2007 Homeland Security Grant Program (HSGP) re-

quired States and Territories to develop locally driven, multi-jurisdictional, and multi-disciplinary State-wide Communication Interoperability Plans (SCIPs). Following coordination between DHS and the Department of Commerce's National Telecommunications and Information Administration (NTIA), NTIA has also incorporated the SCIP requirement as an element of its Public Safety Interoperable Communications (PSIC) Grant Program. The SCIP requirement and the planning efforts of States and localities mark critical milestones in breaking down the barriers of the past and in establishing a roadmap for the future of interoperability. As of December 3, 2007, all 56 States and Territories submitted SCIPs. For the first time States will have a plan for interoperable communications and a baseline to assess their progress toward realizing their interoperability goals.

OEC provided technical assistance, outreach, and guidance to States and territories in the development of their SCIPs. The office developed and facilitated 35 SCIP development workshops, conducted 15 document reviews, and provided SCIP-development support to 48 of the 56 States and territories. In addition, OEC provided States and territories with the option of submitting preliminary SCIPs. Forty-two took advantage of this option, and OEC conducted a peer review process in October 2007 to provide critical feedback to those States and Territories on their preliminary plans before the final submission deadline.

Upon final submission of the SCIPs in December 2007, OEC began working with its partners at FEMA and NTIA to facilitate a peer-review process to evaluate the SCIPs and supported NTIA in the evaluation of applicants' PSIC Investment Justifications. Just last week, panels of Federal, State, local, and tribal peers convened in St. Louis, Missouri to provide input on the approval of SCIPs. Based on this peer input, OEC will make decisions on whether a SCIP receives a "pass" or "needs additional information" grade. The evaluated SCIPs with comments and recommendations will be returned to the States and territories by March 31, 2008. Technical assistance will be available to any State or territory that requests additional SCIP support.

Through this process, States and territories will be receiving feedback from their peers on how to improve their planning efforts. As a result, the Department expects that the SCIPs will require periodic updates and enhancements. To promote the value of this process, future DHS grant programs will continue to build upon the progress made through the SCIPs to better target funding and ensure the State-wide planning process continues.

#### INTEROPERABLE COMMUNICATIONS GRANT PROGRAMS

In the Implementing Recommendations of the 9/11 Commission Act of 2007, Congress authorized the Interoperable Emergency Communications Grant Program (IECGP) to provide grants to support projects which improve operable and interoperable emergency communications among Federal, State, regional, local, tribal and, in some instances, international border communities. This grant program will fund activities which comply with the SCIPs and with the National Emergency Communications Plan. Once completed, the National Plan will help frame the way-ahead for the Nation, and will be essential in helping the Department set national priorities for emergency communications and target-specific outcomes.

FEMA and OEC share responsibilities for the IECGP, which will require continued coordination between the two organizations to ensure its success in producing measurable progress in improving interoperability. Fortunately, OEC already has an excellent working relationship in place with FEMA through our previous collaboration on the fiscal year 2007 HSGP, and our combined work in support of NTIA's PSIC Grant Program. For the IECGP, we will leverage our collective experience and expertise and build on the progress, requirements, and lessons learned from existing programs.

#### CROSS-BORDER INTEROPERABILITY CHALLENGES

Ensuring the ability of public safety agencies and officials to communicate across disciplines and jurisdictions and to exchange information on-demand during an incident is challenging enough from a purely domestic perspective. Interoperability challenges become even more difficult in our country's regions that border Canada and Mexico. As a result, OEC must collaborate closely with agencies that share the responsibility for surmounting these challenges, including the U.S. Department of State, NTIA, and the Federal Communications Commission (FCC). OEC is working with its stakeholders and partners in several areas to improve cross-border interoperable communications and manage challenges.

### *Spectrum Management*

The proper management of spectrum resources is key to achieving cross-border interoperability. The use of different spectrum bands among border communities in different countries is a significant hurdle to overcome: our emergency response partners in Canada and Mexico do not use U.S. frequency allocations, which results in the use of disparate frequencies. Establishing cross-border interoperability requires the use of additional technology solutions to bridge these disparate frequencies, or new cross-border agreements to allow emergency communications operations in the appropriate bands. OEC has established a close relationship with the Department of State, and continues to make headway on the issue.

### *Regulation*

The Federal Communications Commission and the National Telecommunications and Information Administration (NTIA) regulatory requirements must be met when establishing domestic interoperability among Federal, State, local, and tribal public safety agencies. To establish cross-border interoperability on the Canadian and Mexican borders, the requirements of Industry Canada<sup>1</sup> and the Mexican Secretariat for Communications and Transportation (SCT) with support from the Federal Commission on Telecommunications (COFETEL) must also be met. Differing regulatory requirements in these agencies increases the amount of time and effort required to establish interoperability and coordinate spectrum use.

### *Coordination*

In an effort to ensure harmonious spectrum sharing along our common borders, the United States has entered into bilateral agreements with Canada and Mexico. As interoperability solutions are adopted, new bilateral agreements may be required to protect these solutions or exemptions to existing agreements may be needed to preserve the legality of the solution. These negotiations are conducted in conjunction with the Department of State; its early involvement is critical to the success of any interoperability solution that may be inconsistent with existing international telecommunications agreements.

### *Security*

Information assurance is a priority for public safety agencies. Many interoperability solutions, particularly those providing data interoperability, require multiple systems to interface, which creates several security concerns. These system security concerns must be factored into any cross-border interoperability solutions.

### *Geographic and Demographic Factors*

The immense size, varying terrain, and differing population densities of the U.S. border regions require interoperability solutions to be tailored to the implementation locales. For example, the most effective solution in a rural, desert location will not be appropriate for a mountainous, metropolitan area.

### *Operations*

Without comprehensive operational and exercise plans, the best technical interoperability solution may not realize its optimum effectiveness; therefore, all interoperability solutions must address operational interoperability. Additionally, the United States, Mexico, and Canada do not have a common incident management terminology, and in some instances there are language barriers to overcome.

#### OEC INITIATIVES TO IMPROVE CROSS-BORDER INTEROPERABILITY

### *The United States-Mexico High Level Consultative Commission on Telecommunications Security Communications Task Group*

The United States-Mexico High Level Consultative Commission on Telecommunications Security Communications Task Group (HLCC SCTG) was established in 2006 to address the need for security communications between the United States and Mexico. The SCTG is jointly chaired by OEC and the Mexican Secretary of Public Security. Initially, a short-term solution was implemented that negotiated an exemption to an existing telecommunications protocol to allow the use of ten Mexican public safety radios in the State of Arizona. The SCTG's recommended long-term solution will provide voice and data interoperability between the United States and Mexico by establishing ten broadband microwave links between Customs and Border Protection (CBP) sites in the United States and the Centers for Control, Command, Communications, and Computers (C4) sites in Mexico. The SCTG finalized its recommendations and presented them to the HLCC in early February 2008.

<sup>1</sup>Industry Canada is the spectrum regulatory body for Canada.

The identification of mutually acceptable frequencies has proven to be a challenge. Thanks to OEC's leadership, the SCTG has successfully worked with SCT and NTIA to license the frequencies for its long-term solution.<sup>2</sup>

The SCTG will be recommending the establishment of a protocol by the High Level Consultative Commission on Telecommunications (HLCC) to ensure the interference protection of the frequencies. Additionally, the protocol will establish a users group to address the development of standard operating procedures and other operational issues once the long-term solution is no longer under the purview of the High Level Consultative Commission on Telecommunications. The SCTG will also determine whether communications over the solution will occur in English or Spanish along the southern border.

*The 2010 Olympics Task Force Security Subcommittee, Communications Interoperable Working Group*

The 2010 Olympics Task Force Security Subcommittee, the Communications Interoperable Working Group (CIWG) is developing an integrated interoperability plan in preparation for the Olympics in Vancouver. The Interoperability Continuum<sup>3</sup> is being used as a basis to develop a robust interoperability solution. Efforts to date have involved the identification of existing communications assets and required participants. The next steps in the process include the development of interoperable protocols, policies, procedures, and tactical communication strategies. The CIWG will also develop a multi-year training and exercise plan and schedule. Spectrum issues are also anticipated to be a challenge in the implementation of the International Border Community Interoperable Communications Demonstration Project and the 2010 Olympics CIWG. The participating agencies operate in a wide range of disparate frequency bands.

Geographic and demographic factors will come into play during the 2010 Olympics. The influx in the number of tourists and public safety officials has the potential to stress existing communications systems. OEC sees this as a good opportunity to identify cross-border interoperability solutions to be used for a large-scale international event.

*The Federal Partnership for Interoperable Communications Southwest Border Communications Working Group*

The Federal Partnership for Interoperable Communications (FPIC) Southwest Border Communications Working Group is a domestic initiative intended to effectively use the region's scarce critical resources to identify and leverage interoperability opportunities among Federal, State, and local agencies implementing wireless infrastructure along the United States-Mexico border and to help programs succeed in meeting end-users' needs.

Additionally, this group is working to ensure coordination among public safety agencies on the U.S. side of the border. While this effort does not directly create cross-border interoperability, it works to establish domestic interoperability in a critical region as a precursor to cross-border interoperability.

CONCLUSION

Improving interoperability on our northern and southern borders is of paramount importance to the safety and security of our Nation. OEC will continue to serve as the focal point for the coordination of robust cross-border interoperability solutions that address user needs and policy requirements of all three countries. Through FPIC and other forums, OEC will continue to cultivate relationships with Canadian, Mexican, and American users and regulatory agencies across all levels of government to better identify and address barriers to interoperability.

I appreciate this opportunity to discuss OEC activities look forward to working with this subcommittee to help meet the emergency communications needs of our Nation.

Mr. CUELLAR, Director, I say thank you again for your testimony. At this time I now recognize Chief Landin to summarize a statement for 5 minutes.

<sup>2</sup>Currently, the SCTG and Mexico C4 have identified five of the six frequency pairs required for Phase I of the crossborder microwave project. The latest frequencies submitted by Mexico C4 for the Agua Prieta to Douglas microwave link are currently under consideration by the NTIA. The frequencies will be in the 7 GHz to 8 GHz band.

<sup>3</sup>The Interoperability Continuum is a tool devised to measure progress in public safety interoperability using five elements: Governance, Standard Operating Procedures, Technology, Training and Exercises, and Usage.

**STATEMENT OF STEVE E. LANDIN, DEPUTY CHIEF,  
EMERGENCY MANAGEMENT COORDINATOR, LAREDO, TEXAS**

Mr. LANDIN. Chairman Cuellar, Ranking Member Dent and Members of the subcommittee on Emergency Communications, Preparedness and Response. Good morning. I'm Steve Landin and I've been a proud member of the Laredo Fire Department since 1990. The Laredo Fire Department is a 348-uniform personnel department. Like my father before me, my professional career has been as a first responder on the border, having worked as a firefighter and sheriff's deputy and now as the acting assistant fire chief and current emergency management coordinator.

Before I begin my formal testimony, I would like to take a moment on behalf of my fellow border first responders in Laredo to thank Chairman Cuellar and this committee for the focus you have brought to the challenges we face. Chairman Cuellar sat down with Laredo public safety leaders to craft a U.S.-Mexico border public safety and public health response paper. The conclusion of that paper, a copy of which is attached to my testimony, is that there is a need for a Federal and local partnership. While I was not part of the committee that authored the paper, I do endorse the content.

On the border, because we are often so isolated from any surrounding communities on the U.S. side, we understand better than most that we are on our own to address threats, not only to the people, property and economy of Laredo, but increasingly to the United States. For instance, while my colleagues in New York City or the District of Columbia may rely upon joint assistance programs which are surrounding communities in times of challenge, in Laredo, are nearest U.S. support is over an hour's drive away. Despite Nuevo Laredo, a city of 600,000, being just across the river and while the Federal agents manning the border points have point responsibility for security, Laredo does bear the burden with respect to protection of life, health and property.

While the Chairman is well aware of Los Dos Laredos or the two Laredos and the role that we play on the border, let me take a moment to share some insights about my community with the subcommittee and outlining Laredo's role on the border. I am also seeking to answer the question that many of you may have. Why should Federal resources be used to support inoperable communications that are typically provided by every local government?

Laredo is at the center of the primary trade route connecting Canada to the United States and Mexico. We are the Gateway to Mexico's burgeoning industrial complex. The two Laredos are actually one city divided by only a river. Laredo became the first official port of entry on the U.S.-Mexico border in 1851. In fact, the United States Consulate in Nuevo Laredo, Mexico is America's oldest continually active diplomatic post established in 1872. Today the Laredo customs district handles more trade than the land ports of southern California, Arizona, New Mexico and west Texas combined.

The city of Laredo provides its local citizens and the Nation a comprehensive public safety and public health response to threats at the border. Laredo provides the largest communications infrastructure in the region. A unified approach to police, fire and public health first responders to ensure safety, security and public health

disease control and preparedness. We provide training, planning and support for disease control and prevention through its public health authority, and we support for our Federal and State partners in responding to the public safety hazard challenges such as primary response to river rescue and recovery as well as response to bomb threats at our international bridges to conduct searches for weapons of mass destruction.

Despite Laredo providing these national defense services, Laredo is not a direct beneficiary of any of the new DHS programs because Federal funding for Homeland Security has been limited to U.S. census data. Funding formulas must be changed to address threat levels and services provided to the Nation by border communities. Laredo is providing these services. It is time that the Nation provides Laredo with a fair share of the resources needed for these efforts.

As first responders on the U.S. border we face a myriad of challenges in delivering emergency services. An example of this is our current need of enhancing our regional communications operation. Although our region has joined forces—as first responders on the U.S. border we face challenges and although our region has joined forces for this important task, we have a long road ahead of us. Our geographical location dictates that we must consider two important aspects of our overall preparedness and strategy. We must ensure that the regional communications is adequate and functional, and we must ensure that we can do the same to our current Mexican counterparts.

We do provide some Federal solutions. Regional radio communication infrastructure upgrades, specifically the addition of radio towers in our region. Regional upgrades to the 800 megahertz frequency, continued trading for local or regional interoperability and cross-border communication capabilities to include training and equipment. This should include the sharing of the spectrum with our first responder colleagues and the ability to communicate several miles into Mexico.

Training and equipment for first responder HAM radio operators and UASI should be changed to make proximity to the board a threat criteria and funding should be available for people and equipment required to meet the threats of the Nation's health and safety. Laredo provides more public health first responders and public safety responders on the border than the Federal Government, yet it is not eligible for direct funding.

The Port Security initiative must be modified to include all major ports, not specifically water ports. The city of Laredo is the Nation's largest inland port on the U.S.-Mexican border, yet it is not eligible for port security funding. International bridges should be included in the protective class of infrastructure of national significance. Their losses would have a major impact on the Nation's economy. Creative border security initiatives such as the Laredo River Vega project that enhances national security by clearing lines of site and building river retaining walls with the result being an integrated national security project should be supported.

All other DHS and Department of Justice programs which fund first responders such as the SAFER grant and the COPS grant

must be fully funded and the role the community plays in supporting national security must be included in the funding criteria.

In conclusion, Laredo is the only southern border city strategically positioned at the convergence of all land transportation systems. While this location results in Laredo being our Nation's largest inland port on the southern border, it also means that Laredo's public safety and health programs are heavily burdened with a flow of such commerce. Laredo is a shipping and receiving dock for the urban centers and seaports in your States. There are studies and statistics of the amount of cargo that flows or returns to your States in Mississippi, Washington, New York, Pennsylvania, Indiana and the Carolinas and beyond.

Laredo and other border communities strive for healthy and safe communities. Sometimes we are asked to bear too large a burden in keeping our Nation healthy and safe. We look to this committee to assist us obtain the resources we need to meet the challenges that we face on a daily basis. Thank you, and I look forward to any questions.

[The statement of Mr. Landin follows:]

PREPARED STATEMENT OF STEVE E. LANDIN

FEBRUARY 19, 2008

INTRODUCTION

Chairman Cuellar, Ranking Member Dent and Members of the Subcommittee on Emergency Communications, Preparedness, and Response—good morning. I am Steve E. Landin and have been a proud member of the Laredo Fire Department since 1990. The Laredo Fire Department is a three hundred and forty-eight (348) uniformed personnel department. Like my father before me, my professional career has been as a first responder on the border, having worked as a firefighter and sheriff's deputy and now as the Acting Assistant Fire Chief and current Emergency Management Coordinator.

LEADERSHIP OF CHAIRMAN CUELLAR

Before I begin my formal testimony, I would like to take a moment on behalf of my fellow border first responders in Laredo to thank Chairman Cuellar and this committee for the focus you have brought to the challenges we face. Chairman Cuellar sat down with Laredo's public safety leaders to craft a U.S.-Mexico Border Public Safety and Public Health Response paper. The conclusion of that paper, a copy of which is attached to my testimony, is there is a need for a Federal-local partnership. While I was not a part of the committee that authored that paper, I endorse the content.

ISOLATION & COOPERATIVE EFFORTS

On the border, because we are so often so isolated from any surrounding communities on the U.S. side, we understand better than most that we are on our own to address threats not only to the people, property and economy of Laredo, but increasingly to the United States. For instance, while my colleagues in New York City or the District of Columbia may rely upon joint assistance programs with surrounding communities in times of challenge, in Laredo, "our nearest U.S. support" is over an hour's drive away, despite Nuevo Laredo, a city of 600,000 being just across the river. And while the Federal agents manning the border posts have point responsibility for security, Laredo bears the burden with respect to protection of life, health and property.

LOS DOS LAREDOS AND THE ROLE WE PLAY ON THE BORDER

While the Chairman is well aware of "Los Dos Laredos," or "The 2 Laredos" and the role we play on the border, let me take a moment to share some insights about my community with the subcommittee. In outlining Laredo's role on the border, I am also seeking to answer the question that many of you may have—why should

Federal resources be used to support interoperable communications that are typically provided by every local government?

*A. Largest and Oldest Southern Inland Port*

Laredo is at the center of the primary trade route connecting Canada, the United States and Mexico. We are the gateway to Mexico's burgeoning industrial complex. The two Laredos are actually one city, divided only by a river. Laredo became the first "official" Port of Entry on the U.S.-Mexico border in 1851. (In fact, the United States Consulate in Nuevo Laredo, Mexico is America's oldest continuously active diplomatic post, established in 1872.) Today, the Laredo Customs District handles more trade than the land ports of Southern California, Arizona, New Mexico and West Texas combined.

*B. Services We Provide Laredo and Nation*

The city of Laredo provides its local citizens and the Nation a comprehensive public safety and public health response to threats at the border. Laredo provides:

- The largest communication infrastructure in the region.
- A unified approach of police, fire and public health first responders to ensure safety, security and public health disease control and preparedness.
- Training, planning and support for disease control and prevention through its public health authority.
- Support for our Federal and State partners in responding to the public safety hazard challenges such as primary response for river rescue and recovery as well as response to bomb threats at our international bridges to conduct searches for weapons of mass destruction.

Despite Laredo providing these national defense services, Laredo is not a direct beneficiary of any of the new DHS programs because Federal funding for homeland security has been limited to U.S. census data. Funding formulas must be changed to address threat levels and services provided to the Nation by border communities. Laredo is providing the services. It is time that the Nation provides Laredo with a fair share of the resources needed for these efforts.

CHALLENGE

As first responders on the U.S. border we face a myriad of challenges in delivering emergency services. An example of this is our current need of enhancing our regional communications operation. Although our region has joined forces for this important task, we have a long road ahead.

Our geographical location dictates that we must consider two important aspects of our overall preparedness and response strategy:

- First, we must ensure that our regional communications system is adequate and functional as well as possess the capability of communicating with other jurisdictions during an emergency. The need for this was evident during the recent Cotulla, TX wild land fires that consumed more than 17,000 acres and destroyed 20 homes. Several fire departments, including our own, were on the fire ground and experienced the difficulties that accompany a lack of proper communications.
- Second, we must ensure that we can do the same with our Mexican counterparts. There are emergency situations that know no boundaries. It is crucial that we are able to maintain radio contact among responding personnel, as well as with our dispatch, when responding to emergencies in Mexico.

SOLUTIONS

Federal funding for homeland security and public health response initiatives must compensate local communities that are providing protection to the Nation. The easiest way to accomplish this goal is to create a border category in all funding formulas.

There are also specific steps that the Congress can take to address these challenges:

- Regional Radio Communications Infrastructure; specifically the addition of radio towers in our region for enhanced communications capability, as well as the necessary support resources.
- Regional upgrades to 800 MHz frequency radio systems.
- Continued training for local and regional interoperability radio operations.
- Cross Border communications capabilities to include training and equipment. This should include the sharing of spectrum with our first responder colleagues and the ability to communicate several miles into Mexico.
- Training and equipping for first responder HAM radios.

- UASI should be changed to make proximity to the border a threat criterion and funding should be available for people and equipment required to meet threats to the Nation's health and safety. Laredo provides more public health responders and public safety responders on the border than the Federal Government, yet it is not eligible for direct funding.
- The Port Security initiative must be modified to include all major ports, not simply water ports. The city of Laredo is the Nation's largest inland port on the U.S.-Mexico border, yet it is not eligible for port security funding.
- International Bridges should be included in the protected class of infrastructure of national significance. Their losses would have a major impact on the Nation's economy.
- Creative border security initiatives such as Laredo's "River Vega" project that enhance national security by clearing lines of sight and building river retaining walls with the result being an integrated national security project should be supported.
- All other DHS and Department of Justice programs which fund first responders (i.e. SAFER, COPS) must be fully funded and the role a community plays in supporting national security must be included in the funding criteria.

#### CONCLUSION

Laredo is the only southern border city strategically positioned at the convergence of all land transportation systems. While this location results in Laredo being our Nation's largest inland port on the southern border, it also means that Laredo's public safety and health programs are heavily burdened with the flow of such commerce. Laredo is the shipping and receiving dock for the urban centers and seaports in your States. There are statistics of the amount of cargo that flows from, or returns to, your States of Mississippi, Washington, New York, Pennsylvania, Indiana, the Carolinas, Alabama and beyond. Laredo and other border communities strive for healthy and safe communities. Sometimes we are asked to bear too large a burden in keeping our Nation healthy and safe. We look to this committee to assist us to obtain the resources we need to meet that challenge.

Thank you and I look forward to your questions.

#### APPENDIX A.—SUPPLEMENTAL TESTIMONY OF HECTOR GONZALEZ, M.D., DIRECTOR OF HEALTH, CITY OF LAREDO

##### 1. INTRODUCTION

Good morning Chairman Cuellar and Members of the Subcommittee on Emergency Communication, Preparedness and Response. My name is Doctor Hector F. Gonzalez; I am the Director of Health for the city of Laredo. My colleague Chief Steve Landin, Acting Assistant Fire Chief for the city of Laredo Fire Department is addressing you today in person to provide testimony on our unique needs based issues as first responders and emergency care on the border. I am submitting this addenda to the Chief's testimony. I have every confidence that Chief Landin can address any immediate questions you may have on public health threats and our unified response in Laredo, a Texas-Mexico Border City.

I have provided public health care for over 30 years. In contrast to private medicine, public health keeps our community disease-free and promotes wellness and prevention. We want to keep people well.

##### 2. CHALLENGES ON THE BORDER

Nowhere are these activities more vibrant and yet challenging than on the Texas-Mexico Border.

- Infectious diseases and co-morbidities are critical. Laredo has one of highest rates of Tuberculosis in Texas.
- There is a critical lack of access to health care (over 50 percent of our citizens are un/underinsured).
- There is a critical lack of access to health care professionals. We are a HRSA health professions shortage area and we lack appropriate equipment for services and adequate communication which all add to the challenges.

Yet our resiliency has assisted border communities like Laredo to flourish despite the odds. From El Paso to Brownsville, Texas first responder responsibility includes addressing infectious and all hazards threats.

## 3. THE NEW FIRST RESPONDER PARADIGM

After September 11, the first responder paradigm changed. This is especially so after the anthrax attacks. No longer do we view first responder and preparedness in the same way. Nowhere is this more evident than in Laredo where the Chief of Police, Fire Chiefs and I work intimately close to respond to all hazards: biological, chemical and radiological. Yet Laredo has always worked in this manner, maximizing, regionalizing and being innovative because we have always recognized that it is our community but everyone's border to protect. Most importantly however, resources have always been insufficient and therefore we created our own response expertise. We respond to all hazards to contain disease, prevent the spread and provide immediate care of individuals affected as well to protect the public. For us, it is routine to respond locally, regionally and internationally. We are the State and Federal responders, as there is no one else to respond, and we recognized this a long time ago. On the border, issues may be international in scope, but the response to the threat will always be local! This is why we developed our own team of experts especially for an all-hazards and public health response.

## 4. LOCAL RESPONSES TO INTERNATIONAL THREATS

Let me share a few examples of interventions.

*(1) Severe Acute Respiratory Syndrome (SARS)*

During the worldwide Severe Acute Respiratory Syndrome (SARS) threat, there were five mainland Chinese nationals traveling through Mexico City and entering the United States illegally through the Freer, Texas border post. The Customs and Border Patrol called us in Laredo to inform us that two of Chinese nationals had a fever. (Please note, it was not a Laredo Border crossing but individuals in Freer, Texas, an hour's drive.) We respond and conduct a rapid and immediate thorough investigation, instituting quarantine and isolation procedures for the prevention and protection of all. This effort included a response to protect over 30 Federal agents, 25 Mexican and Central Americans (caught with the Chinese) as well the well-being of all Laredoans. We also had to deal with Federal and State health and immigration authorities from both countries. The city of Laredo Health Department (CLHD) made it our immediate responsibility to assure the protection of all and the disease containment to prevent a potential spread of a highly communicable disease that could have impacted the nation. This was the responsibility of Federal authorities but we are the only ones able to respond. While we have a Centers for Disease Control and Prevention (CDC) quarantine station in El Paso that covers New Mexico and Texas, they only have 3 persons. We work wonderfully in partnership with them but in the end we provide all of the local investigations and response, training and prevention efforts not only for Laredo but for the region as we care for four other counties as well. Both Chief Sosa and our staff are continuously responding to all hazards including assuring the appropriate storage of Cobalt 60, assuring the safety management of illegally discarded hazardous materials and the safety of food and water supplies.

*(2) TB*

Finally I am sure all of you have heard about the quarantine and isolation of the person with TB with XDR who traveled worldwide. The whole Nation is concerned and I understand there are hearings on this matter. Well this is an everyday threat for us on the border. We don't need any exotic or biological weaponized threat; there are everyday communicable disease threats to the public that are equally lethal.

One of our cases in 2006 involved two family members (one in Laredo and one in Nuevo Laredo Mexico). We immediately intervened (internationally) since members lived on both sides of the U.S.-Mexico border to get all family members tested, confirmed, treated and followed. When we finished the investigation, we had tested over 40 family members and three were positive. These were immediately confirmed, treated and followed as active TB which needs treatment for at least 6 months with multiple medications. It is imperative to assure compliance to avoid drug resistance which is a problem today and in some cases (as in the case all of you have heard about) there is a rare extremely multi-drug resistant strain. In our situation, the three cases were family members in San Antonio (150 miles away) Dallas (over 400 miles away) and in Chicago. If we did not have the surveillance detection system to intervene quickly, test, confirm, treat and follow these cases, they would have gone undetected putting hundreds if not thousands of people at risk.

Yet we have faced a 30 percent reduction in funds over the last 2 years affecting our public health response infrastructure. Today we do not have adequate infection

control response staff, equipment for services with an isolation and response vehicle and appropriate communication systems is still lacking. Our staff responds with limited resources and equipment and in their own vehicles which are not appropriate for our terrain and protection against potentially communicable diseases and hazardous exposure. This is not an appropriate response. If our staff fail and fail to protect and prevent not only is Laredo at risk but the State and Nation as well.

We ask that you consider providing adequate resources for services, staff and equipment not based on formulas and standards that are used for the rest of the Nation. Our United States-Mexico Border and in particular the Texas-Mexico Border, specially Laredo as the major inland port of entry, must have adequate resources to respond based on our unique response responsibilities to all threats. We must have the appropriate staff, equipment, vehicles to respond as well the proper tools to isolate and quarantine, after all what happens in Laredo affects the entire Nation. If we protect and respond appropriately in Laredo, we protect the public's health and well-being of the country.

#### 5. CONCLUSION

The United States is under a constant threat of an intentional or unintentional medical or biological attack. In Laredo we say: "When Nuevo Laredo, Mexico coughs, Laredo gets the cold." Disease does not respect a border, a wall or even the most professional of custom and border patrol agents.

When you think of the potential public health threats that can cause epidemics, contaminate our water or food supply, there is no area more vulnerable than the U.S.-Mexico border. In Laredo, we are proud to provide a first line of defense for our community and the Nation. We just need help with the resources to meet these demands.

I want to thank you for allowing me to provide this written testimony. I know Chief Sosa is providing immediate answers to any of your questions but I will glad to answer any additional questions you may have as well.

#### APPENDIX B.—U.S.-MEXICO BORDER PUBLIC SAFETY AND PUBLIC HEALTH RESPONSE; THE NEED FOR A FEDERAL-LOCAL PARTNERSHIP

##### BACKGROUND

The city of Laredo provides its local citizens and the Nation a comprehensive public safety and public health response to threats at the border. Laredo provides:

- A unified approach of police, fire and public health first responders to ensure safety, security and public health disease control and preparedness.
- Training, planning and support for Radio Interoperability issues.
- Support for our Federal and State partners in responding public safety hazards challenges.

##### CHALLENGE

Despite Laredo providing these national defense services, Laredo is not a direct beneficiary of any of the new DHS programs because Federal funding for homeland security has been limited to U.S. census data. Funding formulas must be changed to address threat levels and services provided to the Nation. Laredo is providing the services. It is time that the Nation provides Laredo with a fair share of the resources needed for these efforts.

##### SOLUTIONS

Federal funding for homeland security, radio interoperability projects and public health response initiatives must compensate local communities that are providing protection to the Nation. The easiest way to accomplish this goal is to create a border category in all funding formulas.

There are also specific steps that the Congress can take to address these challenges:

- Reinforcing regional radio communications infrastructure; specifically the addition of radio towers in our region for enhanced communications capability, as well as the necessary support resources.
- Continued training for local and regional interoperability radio operations
- Cross-border communications capabilities to include training and equipment. This should include the sharing of spectrum with our first responder colleagues and the ability to communicate several miles into Mexico.
- Regional upgrades to 800 MHz frequency radio systems.
- Training and equipping for first responder HAM radios.

- UASI should be changed to make proximity to the border a threat criterion and funding should be available for people and equipment required to meet threats to the Nation's health and safety. Laredo provides more public health responders and public safety responders on the border than the Federal Government, yet it is not eligible for direct funding.
- The Port Security initiative must be modified to include all major ports, not simply water ports. The city of Laredo is the Nation's largest inland port on the U.S.-Mexico border, yet it is not eligible for port security funding.
- International bridges should be included in the protected class of infrastructure of national significance. Their losses would have a major impact on the Nation's economy.
- Creative border security initiatives such as Laredo's "River Vega" project that enhance national security by clearing lines of sight and building river retaining walls with the result being an integrated national security project should be supported.
- All other DHS and Department of Justice programs which fund first responders (i.e. SAFER, COPS) must be fully funded and the role a community plays in supporting national security must be included in the funding criteria.

APPENDIX C.—DETAILED STATEMENT OF CHIEF LANDIN ON THE STATE OF  
INTEROPERABILITY COMMUNICATIONS ALONG THE TEXAS BORDER

BACKGROUND

Border Security and safety is an essential component of our Nation's homeland security. It is a duty that we gladly and proudly accept each time we report for our shifts. Although our task is challenging, we realize its importance, for we as first responders, are the front line of defense for our Nation against intentional or unintentional threats. A sobering reality is that the number of threats in this post-9/11 world has increased along the U.S.-Mexico border and so has the number of incidents that can potentially escalate into major emergencies.

The county of Webb, in which Laredo is located, is the sixth-largest county of the 254 counties in the State of Texas. It covers 3,360 sq. miles or 2,139,217 acres. As the second-fastest growing city in the Nation, Laredo has outgrown its boundaries. The city of Laredo, thru a contractual agreement, provides emergency services to all of Webb County. The county of Webb has 4 cities that the Laredo Fire Department services: Mirando City, Bruni, Oilton, and Aguilares. The Laredo metropolitan area posted the largest gain in population of any other city along the Texas border. Laredo has an approximate population of 250,000 residents and its sister city, Nuevo Laredo, Mexico, has a population of 600,000 residents.

While all local governments have security issues, border communities have special challenges. Consider Laredo, Texas, the largest land port in the United States for people and goods arriving from Central and South America. Every day, 13,000 trucks bring parts and supplies across the border, and 30,000 people cross its four bridges, a process that takes 1½ hours on a normal day.

Our frontier community is a booming one, having doubled its population in the past 10 years, from 100,000 to more than 200,000. Nuevo Laredo, our sister city across the border in Mexico, has a population of 600,000. During a serious emergency, the closest support from any U.S. locality, State government, or Federal Government agency is 150 miles away. An existing bi-national aid agreement between Laredo and Nuevo Laredo includes an understanding of hazardous-materials responses, bomb threats and SWAT tactics among other public safety disciplines. Historically, the aid provided has been to assist Nuevo Laredo emergency agencies to properly mitigate threat in our sister city. Also we experience an average of three or four bomb threats each week at our international bridges.

CHALLENGES

As first responders on the U.S. border we face a myriad of challenges in delivering emergency services. An example of this is our current need of enhancing our regional communications operation. Although our region has joined forces for this important task, we have a long road ahead.

Our geographical location dictates that we must consider two important aspects of our overall preparedness and response strategy:

- First, we must ensure that our regional communications system is adequate and functional as well as possess the capability of communicating with other jurisdictions during an emergency. The need for this was evident during the recent Cotulla, TX wildland fires that consumed more than 17,000 acres and destroyed 20 homes. Several fire departments, including our own, were on the fire

ground and experienced the difficulties that accompany a lack of proper communications.

- Second, we must ensure that we can do the same with our Mexican counterparts. There are emergency situations that know no boundaries. It is crucial that we are able to maintain radio contact among responding personnel, as well as with our dispatch, when responding to emergencies in Mexico.

In outlining Laredo's role on the border, it is important to answer the question that many of you have: why should Federal resources be used to support what are typical services provided by every local government as well as other special services that may not be typical to other jurisdictions? Listed below are two reasons why:

#### *A. International*

- Largest and Oldest Southern Inland Port

Laredo is at the center of the primary trade route connecting Canada, the United States and Mexico. We are the gateway to Mexico's growing industrial complex. Los Dos Laredos (the Two Laredos) are actually one city, divided only by a river. Laredo became the first "official" Port of Entry on the U.S.-Mexico border in 1851. (In fact, the United States Consulate in Nuevo Laredo, Mexico is America's oldest continuously active diplomatic post, established in 1872.) Today, the Laredo Customs District handles more trade than the ports of Southern California, Arizona, New Mexico and West Texas combined.

#### *B. Domestic*

The city of Laredo is a hub for emergency response with assets and expertise to manage emergencies in a 150-mile radius. The city has executed mutual aid agreements with several jurisdictions to offer aid in the event they should be needed. Local resources could be quickly exhausted should there be a need to respond to a major emergency. As a border community we face a wide variety of threats given our strategic location and as such we must recognize that emergencies in our sister city could lead to a potential emergency in ours.

##### *Structure Fires*

With 60 million square feet of warehouse space to protect on our side of the border, we must consider the vast amount of warehouse space to the south. The limited means of our counterparts puts our community at risk should a fire in their commercial/warehouse districts become uncontrollable. An existing bi-national agreement with Nuevo Laredo would require our fire department to render aid.

##### *EMS*

Laredo Fire Department Emergency Medical Services (EMS) responded to close to 17,000 calls in 2006. Many of these were responses to our international bridges to render aid to patients coming in from Nuevo Laredo. The patients arrive to our bridges via personal vehicles or by foot. Additionally, many attempts by foreign nationals to cross our borders illegally generate a response by our EMS system to render aid in the hostile terrain that surrounds our community. These patients become dehydrated or suffer trauma while attempting to cross via rail car or by vehicles transporting illegal aliens that are involved in accidents.

##### *Mass Casualty Incidents*

In addition to offering protection to our community from mass casualty incidents, we consider other factors that increase the potential for these types of incidents. A major corridor named IH-35, passes through our city and so does a tremendous amount of traffic. This includes passenger buses as well multi-occupant vehicles. This highway is also a major thoroughfare for the transportation of illegal aliens. Many times while chased by law enforcement, these vehicles become involved in accidents with as many as 50 people. Recently, the fire department was called to assist a neighboring border county, Zapata, when a passenger van transporting 50 aliens rolled over killing one. This incident placed a significant burden on our resources as several ambulances were dispatched to assist, render aid and transport the injured back to local hospitals.

##### *HAZ-MAT Incidents*

Laredo is the main NAFTA corridor for the United States and correspondingly in Texas for international trade. Laredo has four international bridges and is currently in the process of applying for a Presidential Permit to build a fifth international bridge. Laredo carries 50 percent of all NAFTA-related trade. It is further estimated that 50 percent of the trade that crosses through Laredo is hazardous material. The United States, Mexico, Central and South America's economies depend on secure bridges (the artery through which life flows for the business-trade sector). Terrorist

actions or any disruptive situations would be detrimental to local, State, national and international economies. According to Laredo Development Foundation's 2001 data, Laredo is the No. 1 inland port in the United States with 2,772,537 annual tractor-trailer crossings and an additional 350,620 rail car crossings through our single railroad bridge. Almost half of the cargo that travels through the Laredo Corridor by land and rail carry hazardous materials. The Laredo Airport, a former U.S. Air Force Base, had 226 million pounds of freight land in 2001.

The situation our community faces today is the increasing volume of commercial traffic with hazardous cargo passing through our city via road and rail. In addition, we are experiencing an expansion of commercial warehousing that store the hazardous materials transported by commercial traffic. This reflects an increase for calls our department makes to hazmat incidents.

Of note are recent emergency calls that posed a threat to our community and contained all of the necessary elements to escalate to a major disaster.

- A tractor-trailer overturned on Hwy 359 spilling a significant amount of highly toxic sodium hydroxide. The highway was closed for several hours. Prevailing winds threatened to carry fumes toward the city.
- A tractor-trailer was found to be leaking an unknown chemical. The trailer contained several pallets of AG Oxycom, an oxidizer corrosive that causes irritation of the respiratory track when inhaled.
- A train derailment caused several boxcars containing petroleum alkalate and benzene 10 percent to burn exposing one boxcar with tetrachloroethylene. Residents in the immediate area were evacuated. Wind conditions threatened to carry fumes toward a populated area.

There is also the challenge of rail yards in the midst of a heavily populated area of town. These boxcars transport a huge amount of cargo throughout the day at the risk of derailment.

All these numbers translate into a single conclusion: Laredo's Fire Department must be prepared to address a hazmat challenge due to the volume of Hazmat cargo, commerce, and tourism present on both sides of the border. Data compiled from the U.S. Department of Commerce indicates that in 2004, the total share of U.S.-Mexico trade passing through the port of Laredo was 58.9 percent. All other ports on the U.S.-Mexico Border totaled only 41.1 percent. This commercial traffic has only increased over the past decade as more commerce is utilizing the Port of Laredo's strategic location. The significant increase has offered many opportunities for the potential of a major hazardous material incident that would affect the lives of many families on both sides of the border as well as those that reside in the surrounding communities. Additionally, Laredo has over 60 million square feet of warehouse space and at least a quarter of that space contains hazardous materials and is highly vulnerable to Terrorism and Bio-Chemical Terrorism.

#### *River Rescue and Body Recoveries*

The Laredo Fire Department is the primary responder to river rescues and body recoveries along the Rio Grande. As the increase in attempts to cross our border illegally so do the number of rescues and recovery of drowning victims. We lack the equipment and training to safely conduct these services on international waters.

#### *Bomb Threat at Bridges*

911 Dispatch receives on average 3 bomb threats a week to our international bridges alone. The Fire Department responds to these bomb threats and conducts a search for any suspicious packages and explosive devices without any protective equipment or ordinance training.

Despite Laredo providing these national defense services, Laredo is not a direct beneficiary of any of the new DHS programs because Federal funding for homeland security has been limited to U.S. census data. Funding formulas must be changed to address threat levels and services provided to the Nation by border communities. Laredo is providing the services. It is time that the Nation provides Laredo with a fair share of the resources needed for these efforts. Additionally, we would like to mention some of the other challenges we face along the border:

#### *Additional Services We Provide Laredo and the Nation*

The city of Laredo provides its local citizens and the Nation a comprehensive public safety and public health response to threats at the border. Laredo provides:

- The largest first responder communication infrastructure in the region.
- A unified approach of police, fire and public health first responders to ensure safety, security and public health disease control and preparedness.
- Training, planning and support for radio interoperability.
- Support for our Federal and State partners in responding public safety hazards challenges such as primary response for river rescue and recovery as well as

response to bomb threats at our international bridges to conduct searches for weapons of mass destruction and emergency response to the region when needed.

#### SOLUTIONS

Homeland security is about the integration of a nation, everyone pledged to freedom's cause, everyone its protector, and everyone its beneficiary. It's about the integration of our national efforts, not one department or one organization, but everyone tasked with our Nation's protection. To accomplish this task, Federal funding for homeland security, radio interoperability projects and public health response initiatives must compensate local communities that are providing protection to the Nation. The easiest way to accomplish this goal is to create a border category in all funding formulas.

There are also specific steps that the Congress can take to address these challenges:

- Regional Radio Communications Infrastructure; specifically the addition of radio towers in our region for enhanced communications capability, as well as the necessary support resources.
- Continued training for local and regional interoperability radio operations.
- Cross-border communications capabilities to include training and equipment. This should include the sharing of spectrum with our first responder colleagues and the ability to communicate several miles into Mexico.
- Regional upgrades to 800 MHz frequency radio systems.
- Training and equipping for first responder HAM radios.
- UASI should be changed to make proximity to the border a threat criterion and funding should be available for people and equipment required to meet threats to the Nation's health and safety. Laredo provides more public health responders and public safety responders on the border than the Federal Government, yet it is not eligible for direct funding.
- The Port Security initiative must be modified to include all major ports, not simply water ports. The city of Laredo is the Nation's largest inland port on the U.S. Mexico border, yet it is not eligible for port security funding.
- International bridges should be included in the protected class of infrastructure of national significance. Their losses would have a major impact on the Nation's economy.
- Creative border security initiatives such as Laredo's "River Vega" project that enhance national security by clearing lines of sight and building river retaining walls with the result being an integrated national security project should be supported.
- All other DHS and Department of Justice programs which fund first responders (i.e. SAFER, COPS) must be fully funded and the role a community plays in supporting national security must be included in the funding criteria.

Additionally, we would like to respectfully submit the following points:

- (1) The city of Laredo has been a major contributor of resources to create a regional mutual aid agreement. As the largest source of assets and experience in our region, we are looked to in the event of a significant emergency occurring in any of the participating jurisdictions. Support and training for regional preparedness is essential to our border communities.
- (2) Our city has invested heavily in the creation of a state-of-the-art fire and law enforcement training facility. This facility has trained first responders from around the globe. Students have trained here from different parts of Mexico, Central and South America, Europe and Canada. Another benefit to first responders from around this region is the close proximity and accessibility to world class training. Standardized training for public safety officials on both sides of our border is essential for a uniformed response to an emergency that would affect communities on the U.S.-Mexico border.
- (3) We must be recognized as a hub for public safety and homeland security for the region and for the front gate of our Nation. Although we are the largest community in the region with public safety assets, it is important to remember that we are the closest entity for emergency response in 150 miles.
- (4) UASI should be changed to make proximity to the border a threat criterion and funding should be available for people and equipment required to meet threats to the Nation's health and safety. Laredo provides more public health responders and public safety responders on the border than the Federal Government, yet it is not eligible for direct funding.

(5) The Port Security initiative must be modified to include all major ports, not simply water ports. The city of Laredo is the Nation's largest inland port on the U.S.-Mexico border, yet it is not eligible for port security funding.

(6) International bridges should be included in the protected class of infrastructure of national significance. Their losses would have a major impact on the Nation's economy.

(7) Creative border security initiatives such as Laredo's "River Vega" project that enhance national security by clearing lines of sight and building river retaining walls with the result being an integrated national security project should be supported.

(8) All other DHS and Department of Justice programs which fund first responders (i.e. SAFER, COPS) must be fully funded and the role a community plays in supporting national security must be included in the funding criteria.

#### CONCLUSIONS

Laredo is the only U.S.-Mexico border city strategically positioned at the convergence of all land transportation systems. While this location results in Laredo being our Nation's largest inland port on the southern border, it also means that Laredo's public safety and health programs are heavily burdened with the flow of such commerce. Laredo is the shipping and receiving dock for the urban centers and seaports in your States. There are even statistics of the amount of cargo that flows from or returns to your States of Mississippi, Washington, New York, Pennsylvania, Indiana, the Carolinas, Alabama and beyond. Laredo and other border communities strive for healthy and safe communities. Sometimes we are asked to bear too large a burden in keeping our Nation healthy and safe. We look to this committee assist us obtain the resources we need to meet that challenge.

Every day, we work to make our border and America more secure. Every day, the memories of September 11 inspire us to live our vision of preserving our freedoms, protecting America, enjoying our liberties, and securing the homeland

Mr. CUELLAR. Thank you, Mr. Landin, for your testimony. I now recognize Director Ledezma to summarize his statement for 5 minutes. My understanding is [Spanish].

#### **STATEMENT OF ALFONSO OLVERA LEDEZMA, DIRECTOR OF CITY SECURITY, NUEVO LAREDO, TAMAULIPAS, MEXICO**

Mr. LEDEZMA. Good afternoon, Mr. Chairman. Members of the committee. The Mexican government in regards to international bridge operating procedures are carried out in case of a high-risk contingencies by the Mexican Federal authorities. The Mexican bridges are Federal precincts. The State authorities, we do not have access to the international bridges, but the Mexican government as Director Ledezma.

In case of municipal situations, high-risk contingencies are dealt by the Civil Safety Direction. It operates with 511 police officers with 30 vehicles. The area determines the exact nature of the problem and decides an immediate response. Exchange of information of any crimes or criminals is vital to monitor the case of establishing of both cities. The communication between both nations is priority for the Mexican government and the U.S. Government.

Our mutual safety, we have considered all bilateral programs and agreements and strategies for both nations as the case of bomb threats, toxic spills—sorry—on international bridges, includes if there's any bomb threats, Mexican government intervenes with protection of civil rights and, also, with the fire department. The fire department actually counts right now with two fire—two fire trucks that will automatically help international bridges in case of an emergency in the United States. Right now the only problem we have are the fire—the fire members right now. They are not—they are all certified by the U.S. Government right now.

In case of an emergency, the International Bridges I, II and the railroad bridge as well as the commercial international bridge will be automatically closed to any access international from the United States into Mexico or from Mexico into the United States. The civil protection—fire department operates with 114 elements, time response for each contingency point occurs, it's approximately about 7 minutes along the Rio Grande and the limits in between Mexico and the United States. The contingencies assists and offers as well as former specialized squads and task forces.

Our fire department has, as I said, two fire engines, a model 2004 Freightliner, with a capacity of 1,260 gallons of water in case of general fires. We also have the boat rescue units that aid to the migrants from the Rio Grande. This also—we also come with a HAZMAT certification program safety for chemicals discharges that attend contingencies of this nature. We are certified by the Laredo, Texas Department of Training.

For better communication between both cities is to establish a rate of communication frequency for either—it could be phone-wise through Nextels. That's mostly what we use. Right now the federal government in case of a contingency automatically goes by the Secretary of Comunicacion. After the Secretary of Comunicacion counts the information, it goes to different Mexico corporations as Sedena. That would be the Mexican Army, [Spanish], that will be the Attorney General, [Spanish], the Federal police, [Spanish], the State attorney general and State police that will be [Spanish] as well as the Mexican authorities.

[The statement of Mr. Ledezma follows:]

PREPARED STATEMENT OF ALFONSO OLVERA LEDEZMA

FEBRUARY 19, 2008

Regarding all international bridge crossings, operating procedures that are carried out in case of high-risk contingencies by the Mexican Federal Authorities consider these areas as FEDERAL PRECINCTS.

Notification of any contingency, by the U.S. Government to the Mexican authorities are received through the National Secretary of the Interior (Secretaria de Gobernación) in Mexico, and it is then passed on to the Central of Control, Command and Compute (C4). It then properly identifies the incident and does the precise evaluation of the incident for all international crossings between Laredo, Texas and Nuevo Laredo, Tamaulipas.

C4 is coordinated with different Mexican Corporations such as SEDENA (Mexican Army); PROCURADURIA GENERAL OF THE REPUBLICA, (Attorney General); POLICIA FEDERAL (Federal Police); PROCURADURIA GENERAL OF JUSTICE OF THE STATE OF TAMAULIPAS (State Attorney General); State of Tamaulipas Police (POLICIA MINISTERIAL); SEGURIDAD CIUDADANA (Civic Safety) and SEGURIDAD VIAL (Traffic Police).

C4 classifies the incident and then accordingly assigns it to the corresponding authority. Mexican protocols establish that the first action is to secure national assets, as refineries, electrical stations, water supply stations, food banks, international crossings and State and national highways.

The above-mentioned cases are the responsibility of the Mexican Federal Government.

In case of Municipal situations, high-risk contingencies are dealt by the Civil Safety Direction, which operates with 511 policemen, with 30 patrol cars and a 5-minute response time to any part of the city.

This area determines the exact nature of the problem and decides an immediate response. Exchange of information of the crime and the criminals is vital to monitor the case and establish the search parameters.

For our mutual safety we have to consider all bilateral programs and agreements that are strategic for both our nations, as are the cases of bomb threats, toxic spills

on or near international bridges, as well as inside city limits. Other cases are reports to search for abducted or disappeared persons and river rescues.

This concludes issues related to Civil Safety.

Regarding traffic-related issues, the Traffic Department has 225 officers and a response time of 4 to 5 minutes inside city limits. Other responsibilities are to control traffic fluency, privilege rapid movement of ambulances and public safety or emergency units to the place of the contingency.

Municipal Traffic Authorities considers the following areas as a strategic perimeter for all cases and types of contingencies:

- International Bridge I, (Bridge of the Americas). Closing of Streets or Avenues in the following way: (1.) On the Street 15 of Junio and Avenue Guerrero: the total closing of the structure of the International Bridge, to channel vehicle circulation by the Avenue Guerrero to the South of the City. (2.) On Matamoros Street and 15 of Junio: to provide traffic fluency on Guerrero Avenue to the South of the City. (3.) On Street 15 of Junio and Juárez to give traffic fluency to Guerrero Avenue to the South of the City. (4.) On the Street 15 of Junio and Obregón to provide traffic fluency on Guerrero Avenue to the South of the City.
- International Bridge II, (Juárez—Lincoln Bridge) and the closing of Streets or Avenues in a rank of two (2) blocks all around its main access. (1.) On the Street 15 of Junio and Santos Degollado Avenue: The closing of vehicles that try to enter to the International Bridge. (2.) On the Street 15 of Junio and Avenue Jesus Carranza: to relieve the traffic along the Street Jesus Carranza to the South. (3.) On the Street Nicolas Bravo and Avenue Jesus Carranza: to give preference to Jesus Carranza street for vehicles that be come from the International Bridge (II). (4.) On Bravo Street and Santos Degollado Avenue: We do not permit the entrance of vehicles to the International Bridge (II) by Santos Degollado Avenue and proceed to send them to the Bravo Street and send the circulation to Boulevard Luis Donaldo Colosio. (5.) On Bravo Street and 20 of Noviembre Street to send circulation to the Boulevard Luis Donaldo Colosio. (6.) International Bridge III, (World Trade Bridge) has an answering time of 10 to 15 minutes and closes the access to Mex 2 highway, and the entrance to the same road and the internal area that is of federal jurisdiction.

#### *Certifications and Qualifications*

Our personnel is certified and qualified by the Laredo, Texas Fire Department, in the following specialties: (1.) Fireman 1, (2.) Rescue, (3.) HAZ-MAT, (4.) Emergency Management Units. The Red Cross, Certification in ER Techniques, Medicaid, Health Sector updating for hospital Pre-Techniques; Michou Mau Foundation (for treatment and transportation of burned children).

- Direction of Civil Protection and Firemen (DIRECCION DE PROTECCION CIVIL Y BOMBEROS) operates with 114 elements, with a response time of 7 minutes for any type of contingency that occurs in city limits and along the Rio Grande.
- 1.- 2 (two) Operating Units for Civil Protection.
- 2.- 2 (two) Utility ATVs for Off-road Needs.

Consequently in these subjects immediate assistance is offered as well as formation of specialized squads and task forces.

Our Fire Department has two 2004 Freightliner Fire Engines with a capacity of 1,260 gallons of water for cases of general fires that can be presented within city limits, as well at the disposal for the Laredo, Texas authorities.

We also have a Boat Rescue Unit to lend aid in the margins of the Rio Grande to people in risk; or for searching or monitoring corpses, by georeference of the conditions in which the margins of the Rio Bravo are found, to locate, diagnose and establish joint strategies.

This area also counts with HAZ-MAT certification (Program of Security) for chemical discharges that attend contingencies of this nature, with personnel specialized attention in high-risk zones, where it is necessary to jointly establish routes for the transit of vehicles that carry dangerous materials.

For a better communication between both cities, it is possible to establish a radio communication frequency, or either use Nextel phones (PTT) between both cities authorities to achieve full binational collaboration.

As a last note, it is important to establish that a possible problem that could exist is the need of passport and visas approval by the U.S. Government in order to allow Mexican authorities that need to cross to the United States, basically civil protection and fire department personnel.

Mr. CUELLAR. Muchos gracias for your testimony [Spanish]. I said that in Spanish. In English, it's a pleasure that you are here

with us. We do understand in this area that the Rio Grande River does not divide us, but actually unites us in a community up and down the Rio Grande. Thank you on both sides.

At this time, I would like to go ahead and recognize Mr. Peters to summarize his statement for 5 minutes. Director Peters.

**STATEMENT OF JOE M. PETERS, DIRECTOR, TECHNOLOGY ASSISTANCE DIVISION, SHERIFFS' ASSOCIATION OF TEXAS**

Mr. PETERS. Chairman Cuellar, Ranking Member of the subcommittee, Mr. McCaul. My name is Joe Peters. I serve as director of the Technology Assistance Division of the Sheriffs' Association of Texas and as director of the Border Research and Technology Center, a program of the National Institute of Justice. I'm also a founding member of the Texas Radio Coalition. I retired after 30 years of service with the Department of Public Safety as a Texas Highway patrol trooper, highway patrol sergeant and the last 18 years of my career as a Texas Ranger.

I grew up in Zavala County and spent a good portion of my career as a Texas Ranger working in the border regions. It's my pleasure to appear before you today, and to thank you for the opportunity to discuss the state of interoperable border emergency communications along the Texas border.

One of the most significant challenges to emergency communications along the Texas-Mexico border has been and continues to be a lack of operability in many areas. This is not to downplay the importance of interoperability, but without the ability to communicate at all because of a lack of adequate coverage provided by the antiquated systems in place in many of the rural areas along the border, interoperability becomes a moot point. Due to the much appreciated congressional support for the Homeland Security effort, many of the first responders serving in the border region are beginning to have some hope that relief is finally on the way in the historically underserved region. Some jurisdictions along the border have begun to utilize their Homeland Security Grant program funding to begin improvements in their emergency communication system. Public Safety Interoperable Communications grant funding anticipated later this year will provide a much needed boost in those improvements. Resolutions to the emergency communications problems are just beginning, but much work remains to be done.

A second challenge to achieving a desired level of operability and interoperability has been a lack of cooperation, planning and coordination between jurisdictions. I'm pleased to report that we are making progress in that area due in large part to grant funding requirements that encourage, if not require, planning and cooperation.

A third and significant challenge to establishing and maintaining interoperable emergency communication systems along the Texas border is a lack of reliable recurring funding mechanism for operations and maintenance of the systems being or about to be deployed. Again, many of the border area agencies lack the tax base to support operations in maintenance of a state-of-the-art communication system they so richly deserve to put them on par with their counterparts in the more affluent areas of the State.

The funding committee of the Texas Radio Coalition is looking at possible solutions such as a small increase in the 911 service fee charged to customers in the public switched telephone network. This fee in Texas is currently set at 50 cents per telephone line up to 100 lines per subscriber. The fee is used to operate and maintain the 911 system across the State. A small increase in this fee would serve to fund the operation and maintenance of the public safety emergency communication systems across the State. This or almost any fee increase will require a tremendous amount of grassroots support across the State to overcome the efforts of the lobby whose clients, the service providers, would not support such increases.

Even as the emergency communications infrastructure is replaced in the border region, many of the smaller agencies, especially fire departments and law enforcement, still have been unable to afford to purchase adequate number of mobile and especially portable radios, so their responders will be able to communicate whenever and wherever they may have the need.

As grant funding is made available to the border region, a significant concern is that many of the local jurisdictions, particularly those in economically depressed areas, and those are many, will be unable to meet the cash max requirements of those grants and thus be deprived of the opportunity to upgrade their emergency communication systems. Even when funding is identified for system upgrades, a lack of available radio spectrum could still prevent some jurisdictions along the Texas-Mexico border from deploying upgraded systems. The vast majority of the geographic expanse of the Texas-Mexico border is currently served by emergency communication systems operating in the VHF band which offered very limited spectrum availability for the public safety user. This band is also played by interference from both sides of the border. In instances where the interference is identified as originating from the Mexican side of the border, fortunately the responder community in some areas along the border has established local relationships with Mexican regulatory authorities and in many cases those interference issues are resolved quickly and efficiently with often no more than a short visit or a phone call to those authorities.

Spectrum in the 700 megahertz band that will soon be available to most of the United States will not be available to public safety along the Texas border until the appropriate agreements with Mexico are negotiated. That process is underway with no estimate of when that very lengthy process will be completed, but a significant impediment to you of utilization of those frequencies along the border. The need for effective reliable cross-border communications is significant and increasing. Once again, the resourcefulness of local first responders has helped mitigate this issue in some areas, but a long-term fixed solution must be identified and implemented. This solution is important not only in the case of catastrophic incidents, but in the day-to-day response on both sides of the border. Establishing cross-border mutual aid channels with regulatory authority to operate on either side of the border may well be an efficient step in the right direction.

The formation of the Texas Radio Coalition has been instrumental in providing a venue for public safety communications users across Texas to come together in many cases for the first time in

a spirit of cooperation and coordination. The Radio Coalition membership includes representatives of all public safety disciplines from local, tribal, State and Federal agencies. The TxRC, by the way, owes much of its success to Mr. Peter Collins and to Mr. Mike Simpson, the wireless communication manager for the city of Austin for their unprecedented support for the Radio Coalition.

As a result of having attend the regularly scheduled meetings of the Coalition, representatives of the five councils of government with counties contiguous to the Texas-Mexico border have been working cooperatively to form the Texas Border Communications Project. The goal of this project is to maximize utilization of the anticipated PSIC funding to establish a common shared infrastructure within those five councils of government areas of responsibility from El Paso to Brownsville. This group has accomplished more toward cooperation and coordination in the last few months to further emergency communications than likely has ever been accomplished in the border region.

The border project was born of the effort of the Middle Rio Grande Development Council under the leadership of their executive director, Leodoro Martinez, and with project oversight by their Homeland Security director, Forrest Anderson.

The Middle Rio Grande Regional System is a state-of-the-art, Project 25-compliant, spectrum-efficient, VHF-trunked infrastructure currently being shared with local, tribe, State and Federal users. The system is switched via a master site owned and maintained by the city of Austin. Once again, the city of Austin stepped up to the plate and offered excess capacity on their switch at no cost to assist the Middle Rio Grande establish their regional system.

Most entities across the Texas-Mexico border region currently utilize radio communications towers that are either expensive leased towers or they are 30- to 35-year-old towers purchased with LEAA funding in the 1970's. As the experience in the Middle Rio Grande deployment will show, these older towers must now be budgeted for replacement. Some of these towers were bound to be in serious need of significant repair or replacement due to corrosion and/or a lack of routine preventative maintenance. Some of them are quite simply overloaded with antennas and transmission line and may be in danger of collapse due to overloading.

Several entities within the border region have recently acquired mobile communications vans or trailers equipped to provide communications gateway functionality to achieve interoperability at incident scenes as may be required from time to time. These investments in technology have proved to be quite useful already, these often during critical incident. The first 2 hours of the response is the most critical period where interoperability is required. Systems must be designed and deployed so that interoperability is always on and at the ready. Another advantage of having this always-on capability is that the emergency communications user community is intimately familiar with the equipment because it is their primary means of communication and is in use during their day-to-day response.

In conclusion, it's safe to say that the state of interoperability communications along the Texas border is on the verge of signifi-

cant improvement due in no small part to the foresight of local leaders and the unwavering support of leaders such as Chairman Cuellar, the Members of this subcommittee and other Members of Congress. The work has only begun and much remains to be done and, fortunately, many of the entities along the border are only able to provide their demonstrated willingness to plan, coordinate and cooperate to ensure that whatever Federal funding they receive will result in a substantial return on investment for the Federal Government.

Again, a sincere thank you for the opportunity to discuss border communications with you, and I look forward to the opportunity to respond to any questions the subcommittee may have.

[The statement of Mr. Peters follows:]

PREPARED STATEMENT OF JOE M. PETERS

FEBRUARY 19, 2008

Chairman Cuellar and Members of the committee, my name is Joe Peters, and I serve as the Director of the Technology Assistance Division of the Sheriffs' Association of Texas and as Director of the Border Research and Technology Center, a program of the National Institute of Justice. I am also a founding member of the Texas Radio Coalition. I retired after 30 years of service with the Texas Department of Public Safety (DPS) as a Texas Highway Patrol Trooper, Highway Patrol Sergeant and the last 18 years of my DPS career as a Texas Ranger. I grew up in Zavala County and spent a significant portion of my career in the Texas Rangers working in the border region. It is my pleasure to appear before you today and I thank you for the opportunity to discuss the state of interoperable emergency communications along the Texas Border.

CHALLENGES WE FACE

One of the most significant challenges to emergency communications along the Texas-Mexico border has been and continues to be a lack of "operability" in many areas. This is not to downplay the importance of "interoperability" but without the ability to communicate at all, because of lack of adequate coverage provided by the antiquated systems in place in many of the rural areas along the border, interoperability becomes a moot point. Due to the much appreciated congressional support for the Homeland Security effort, many of the first responders serving the border region are beginning to have some hope that relief is finally on the way in the historically underserved region. Some jurisdictions along the border have begun to utilize their Homeland Security Grant Program funding to begin improvements in their emergency communications systems. Public Safety Interoperable Communications grant funding anticipated later this year will provide a much-needed boost in those improvements. Resolutions to the emergency communications problems are just beginning and much work remains to be done.

A second challenge to achieving the desired level of operability and interoperability has been a lack of cooperation, planning and coordination between jurisdictions. I am pleased to report that we are making progress in that arena, due in large part to grant funding requirements that encourage if not require such planning and cooperation.

A third and significant challenge to establishing and maintaining interoperable emergency communications systems along the Texas border is the lack of a reliable recurring funding mechanism for operations and maintenance of the systems being or about to be deployed. Again, many of the border area agencies lack the tax base to support operations and maintenance of the state-of-the-art communications systems they so richly deserve to put them on par with their counterparts in the more affluent areas of the State. The funding committee of the TxRC is looking at possible solutions such as a small increase in the 911 service fee charged to customers on the public switched telephone network. This fee in Texas is currently set at 50 cents per telephone line up to 100 lines per subscriber. This fee is utilized to operate and maintain the 911 system across the State. A small increase in this fee would serve to fund the operation and maintenance of public safety emergency communications systems across the State. This or almost any fee increase will require a tremendous amount of grassroots support across the State to overcome the efforts of the lobby whose clients, the service providers, would not support such increases.

Even as the emergency communications infrastructure is replaced in the border region, many of the smaller agencies, especially fire and law enforcement, still have been unable to afford to purchase an adequate number of mobile and especially portable radios so their responders will be able to communicate whenever and wherever they may have the need.

As grant funding is made available to the border region, a significant concern is that many of the local jurisdictions, particularly those in economically depressed areas, and those are many, will be unable to meet the cash match requirements of those grants and thus be deprived of the opportunity to upgrade their emergency communications systems.

Even when funding is identified for system upgrades, a lack of available radio spectrum could still prevent some jurisdictions along the Texas-Mexico border from deploying upgraded systems. The vast majority of the geographic expanse of the Texas-Mexico border is currently served by emergency communications systems operating in the VHF band which offers very limited spectrum availability for the public safety user. This band is also plagued by interference from both sides of the border. In instances where the interference is identified as originating from the Mexican side of the border, fortunately, the responder community in some areas along the border has established local relationships with Mexican regulatory authorities and in many cases, those interference issues are resolved quickly and efficiently with often no more than a short visit or a phone call to those authorities.

Spectrum in the 700 MHz band that will soon become available to most of the United States will not be available to public safety along the Texas border until the appropriate agreements with Mexico are negotiated. That process is underway with no estimate of when that very lengthy process will be completed.

#### CROSS-BORDER COMMUNICATIONS

The need for effective, reliable cross-border communications is significant and increasing. Once again, the resourcefulness of local first responders has helped mitigate this issue in some areas but a long-term fixed solution must be identified and implemented. This solution is important not only in the case of catastrophic incidents but in day-to-day response. Establishing cross-border mutual aid channels with regulatory authority to operate on either side of the border may well be an efficient step in the right direction.

#### WHERE ARE WE NOW?

The formation of the Texas Radio Coalition (TxRC) has been instrumental in providing a venue for public safety communications users across Texas to come together in many cases for the first time in a spirit of coordination and cooperation. The TxRC membership includes representatives of all public safety disciplines from local, tribal, State and Federal agencies. The TxRC, by the way, owes much of its success to Mr. Peter Collins and to Mr. Mike Simpson, Wireless Communications Services Manager for the city of Austin for their unprecedented support for the TxRC.

As a result of having attended the regularly scheduled meetings of the TxRC, representatives of the five Councils of Government (COGs) with counties contiguous to the Texas-Mexico border have been working cooperatively to form the Texas Border Communications Project. The goal of this project is to maximize utilization of the anticipated PSIC funding to establish a common, shared infrastructure within those five COG areas of responsibility from El Paso to Brownsville. This group has accomplished more toward cooperation and coordination in the last few months to further emergency communications than has ever been accomplished in the border region.

This border project was born of the effort of the Middle Rio Grande Development Council (MRGDC) under the leadership of their Executive Director, Leodoro Martinez with project oversight by their Homeland Security Director, Forrest Anderson.

MRGDC leadership recognized in 2001 that the first responder community across the entire economically depressed nine-county, almost 15,000-square-mile region was in desperate need of emergency communications system improvements. Many of their agencies were totally dependant upon communications infrastructure that was purchased with Law Enforcement Assistance Administration grant funding in the early 1970's, was unreliable and obsolete, making repair parts acquisition difficult if not impossible. There were many instances of radio technicians being forced to cannibalize the base station radios installed in the 1970's intended solely for interagency communications State-wide, obviously rendering that limited method of interoperability totally useless. In some cases, agencies were unable to afford the repair costs for their equipment and certainly could not afford to purchase replacement equipment. In some cases, agencies were forced to purchase substandard

equipment that could not long withstand the rigors of the sometimes harsh public safety environment. This situation may have placed the safety of the first responders and the citizens they serve in jeopardy because of poor or nonexistent emergency communications.

The MRGDC emergency communications community came together and after studying their options, elected to seek funding to establish a region-wide, multi-agency, multi-jurisdiction shared state-of-the-art interoperable communications infrastructure to be deployed across all nine counties of the region. Their first attempts to acquire grant funding to start the project failed. Several members of the first responder community approached their congressional and legislative representatives at the time to seek advice on how they might enhance their chances at securing grant funding. Ultimately, congressionally-directed funding was secured to begin the project. It was established as a multi-phase project to be deployed over 4 years. The originally planned MRGDC Regional Communications Project infrastructure should be completed and fully operational by the end of calendar 2008, pending receipt of requested PSIC funding later this Spring.

The MRGDC regional system is a state-of-the-art, Project 25-compliant, spectrum-efficient, VHF-trunked infrastructure currently being shared with local, tribal, State and Federal users. The system is switched via a master site switch owned and maintained by the city of Austin. Once again, the city of Austin stepped up to the plate and offered excess capacity on their switch, at no cost, to assist the MRGDC establish their regional system. This infrastructure, while shared across the entire nine-county region, still affords each agency the opportunity to have their own private talk groups as their needs may dictate. There are a number of local and region-wide interoperable talk groups available in every radio on the system for use when the need arises. One of the pitfalls encountered with this project is that only a limited amount of the budget was dedicated to the purchase of subscriber radio equipment for the first responder community across the region. Consequently, a number of agencies have not been able to fully utilize the system due to the fact they cannot afford to provide their entire fleet with the required mobile and handheld radio equipment until additional grant funding is received. Some agencies were able to provide some local funding for purchase of the required subscriber equipment without waiting for the next grant funding cycle.

Most entities across the Texas-Mexico border region currently utilize radio communications towers that are either expensive leased towers or they are 30-35-year-old towers purchased with LEAA funding in the 1970's. As the experience in the MRGDC deployment would show, those older towers must now be budgeted for replacement. Some of these towers were found to be in serious need of significant repair or replacement due to corrosion and/or a lack of routine preventive maintenance. Some of them are quite simply overloaded with antennas and transmission line and may be in danger of collapse due to overloading.

Several entities within the Texas-Mexico border region have recently acquired mobile communications vans or trailers equipped to provide communications gateway functionality to achieve interoperability at incident scenes as may be required from time to time. These investments in technology have proven to be quite useful already. A very recent example where the communications trailers were instrumental in providing interoperability was the recent incidents of range fires that blackened almost 20,000 acres in the South Texas border region. This method of achieving interoperability is certainly a necessary part of any interoperable communications plan, but it should not be relied upon as a permanent fix. Often, during a critical incident, the first 2 hours of the response is the most critical period where interoperability is required. Systems must be designed and deployed so that interoperability is "always on" and at the ready. Another advantage of having this "always on" capability is that the emergency communications user community is intimately familiar with the equipment because it is their primary means of communication and is in use during their day-to-day response.

In conclusion, it is safe to say that the state of interoperable emergency communications along the Texas border is on the verge of significant improvement, due in no small part to the foresight of local leaders and the unwavering support of leaders such as Chairman Cuellar, the Members of this subcommittee and other Members of Congress. The work has only begun and much remains to be done. Unfortunately, many of the entities along the border are only able to provide their demonstrated willingness to plan, coordinate and cooperate to ensure that what ever Federal funding they receive will result in a substantial return on investment for the Federal Government.

Again, a sincere thank you for the opportunity to discuss border communications issues with you. I look forward to the opportunity to respond to any questions the subcommittee may have.

Mr. CUELLAR. Mr. Peters, thank you again for your testimony and you brought up a lot of very interesting points, and we are going to have some questions. As you know, the Federal Government put in a billion dollars for the State so they can add interoperability and 5 percent, my understanding, has already gone out for planning. The other 95 percent of the \$1 billion to be available, but a lot will be dependent on what States do to the planning and the coordination. So we certainly want to thank you all for the leadership that you've taken.

The other thing is the rural areas, that's a big concern for all of us, the small communities, concerns also about the issues about—as you know, the 700 megahertz will be available for public safety, but the border's in a very unique situation, Mr. Director. If we don't get an agreement with the Mexican side, that's going to put our side at a disadvantage, so we certainly—I think, Members of the committee, we certainly want to make sure that we're updated on that. Certainly we told Secretary Chertoff the other day about thinking outside the box.

The Federal Government has towers along the borders and will be putting more towers along the borders, whether for cameras or for other purposes. I think a partnership with our State and local folks to use those towers instead of reinventing the wheel and putting in another tower and using some of those towers is something that I would ask you all to look at to make sure that we coordinate that. So we'll cover some of those points in a few minutes, but we've got to think outside the box. We've got to listen to our folks here because the border is in a very, very unique situation, but why don't we go ahead and move on and we'll open up for questions.

Mr. Simpson, I want to thank you again—first of all, Mr. Peters, thank you again very much, and, Mr. Simpson, I now recognize you to summarize your statement for 5 minutes.

**STATEMENT OF MICHAEL SIMPSON, STATE-WIDE COMMUNICATIONS INTEROPERABILITY PLAN COORDINATOR AND TECHNOLOGY ADVISOR, TEXAS RADIO COALITION**

Mr. SIMPSON. Mr. Chairman and subcommittee Members, Mr. McCaul, my name is Michael Simpson. I'm the wireless communication services manager for the city of Austin, Texas, but I'm appearing today before this body in the capacity of State-wide Communications Interoperability Plan Coordinator and Technology Advisor for the Texas Radio Coalition, also known as the TxRC. This group is composed of individuals from various agencies and associations that represent public safety and critical infrastructure first responders from both urban and rural areas from across the State, thus allowing TxRC to serve as a voice to that community in Texas.

Governor Rick Perry appointed the TxRC as the governing body for the Texas State-wide Communications Interoperability Plan. The TxRC's primary is oversight of public safety communication interoperability in Texas and the development and ongoing revision of the Texas State-wide Communications Interoperability Plan. The responsibility includes, but is not limited to, making official recommendations to the Governor of Texas, the Texas Homeland Security director, and the Governor's Division of Emergency Manage-

ment. The recommendations concern interoperability technology procurement, training exercises, standard operating procedures, implementation and funding of the same.

In a news conference on April 11 of last year, Governor Perry announced a partnership with the TxRC with respect to a State-wide interoperable communications plan. In May 2007, the Texas Homeland Security Director Steve McGraw formerly requested that the TxRC develop a new Texas State-wide Communications Interoperability Plan as required by the U.S. Department of Homeland Security. Working with the Texas Association of Regional Councils of Government and the Sheriffs' Association of Texas, the TxRC oversaw a State-wide communications asset survey, 27 regional and special focus group sessions and a State-wide strategic planning session that led to the development of the 141-page Texas State-wide Communication Interoperability Plan. A copy of that plan has been submitted to the subcommittee with my written remarks along with an appendix entitled Texas State-wide Interoperability Channel Plan. Copies have been presented to Mr. Turbyfill.

Although we have interoperability needs in every region, from its inception the TxRC has placed improvement of the Texas Border Interoperability Communications Radio as its top priority. Toward this goal, the TxRC sponsored the formation of the Texas Border Communications Project which brings together Federal, State, local and tribal agencies in the five councils of governments regions along the Texas border with Mexico from El Paso to Brownsville. The project oversight team has been meeting on a regular basis since the fall of 2007 to coordinate the planning and build-out of an integrated standards-based radio communications capability from El Paso to Brownsville. The funding approved by Congress in the form of the Public Safety Interoperable Communications Grant Program was the catalyst that kick-started this project. Thank you. Once grant funding draw-down is approved this spring, the project will launch this summer with the PSIC Grant Program performance period to end on August 31, 2010. This piece of the project will cost close to \$10 million. However, complete build-out of the infrastructure, upgrade of certain existing mobile and portable radios and acquisition of needed additional subscriber units will put the totality estimated project cost along the border in excess of \$150 million, most of which is unfunded at this time. Additional Federal assistance will be needed for successful project completion.

On behalf of the TxRC and the 24 million Texas residents served by our interoperability planning efforts, I thank the subcommittee for the opportunity to discuss our activities and plans today. We are truly appreciative of the program and funding support to date from Congress as we move steadily toward building a State-wide standards-based radio system by January 2015. The enormity of this undertaking is such that ongoing congressional support will be critical to our success.

Again, thank you, and I stand ready to answer any questions.  
[The statement of Mr. Simpson follows:]

## PREPARED STATEMENT OF MICHAEL SIMPSON

FEBRUARY 19, 2008

Mr. Chairman and subcommittee Members, my name is Michael Simpson. I am the Wireless Communication Services Manager for the city of Austin, Texas, but I am appearing today before this body in the capacity of State-wide Communications Interoperability Plan Coordinator and Technology Advisor for the Texas Radio Coalition, also known as the TxRC. This group is composed of individuals from various agencies and associations that represent public safety and critical infrastructure first responders from both urban and rural areas across the State, thus allowing TxRC to serve as a voice for that community in Texas.

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In a news conference on April 11, 2007, Governor Perry announced a partnership with the TxRC with respect to State-wide interoperable communications planning. In May, 2007, Texas Homeland Security Director Steve McCraw formally requested the TxRC to develop the new Texas State-wide Communications Interoperability Plan, as required by the U.S. Department of Homeland Security.

Working with the Texas Association of Regional Councils of Governments and the Sheriffs' Association of Texas, TxRC oversaw a State-wide communications assets survey process, 27 regional and special Focus Group Sessions, and a State-wide Strategic Planning Session that led to the development of the 141-page *Texas State-wide Communications Interoperability Plan*. A copy of the Plan has been submitted to the subcommittee with my written remarks, along with an appendix entitled the *Texas State-wide Interoperability Channel Plan*.

Although we have interoperability needs in every region, from its inception, the TxRC has placed improvement of Texas border interoperable radio communications as its top priority. Toward this goal, TxRC sponsored the formation of the Texas Border Communications Project, which brings together Federal, State, local, and tribal agencies in the five Councils of Governments' regions along the Texas border with Mexico. The Project Oversight Team has been meeting on a regular basis since the fall of 2007 to coordinate the planning and build-out of an integrated, "standards-based" radio communication capability from El Paso to Brownsville. The funding approved by Congress in the form of the Public Safety Interoperable Communications (PSIC) Grant Program was the catalyst that kick-started this project. Once grant funding draw-down is approved this Spring, the Project will launch this summer, with the PSIC Grant Program performance period to end August 31, 2010. This piece of the Project will cost close to \$10 million. However, complete build-out of the infrastructure, upgrade of certain existing mobile and portable radios, and acquisition of needed additional subscriber units, will put the total estimated Project cost in excess of \$150 million, most of which is unfunded. Additional Federal assistance will be needed for successful Project completion.

On behalf of the TxRC, and the 24 million Texas residents served by our interoperability planning efforts, I thank the subcommittee for the opportunity to discuss our activities and plans today. We are truly appreciative of the program and funding support to date from Congress, as we move steadily toward building a State-wide standards-based radio system by January, 2015. The enormity of this undertaking is such that on-going congressional support will be critical to our success.

I will be glad to answer any questions.

Mr. CUELLAR. Mr. Simpson, again, thank you very much for your testimony and for the work that you've done, and I want to thank all of the witnesses for being here at this time. I would like to remind each Member that he or she will have 5 minutes to question the panel with a little flexibility, of course, added. I will go ahead and I'll now recognize myself for the first set of questions.

This question goes to Director Essid. As you know, the International Board of Interoperability Communications Demonstration

Project was created by implementing recommendation of the 9/11 Commissions Act of 2007. I was a Member of that particular bill. It was signed into law on August 3, 2007. It is my understanding that your office has been coordinating with FCC and the Department of Commerce to decide the location of six communities along the northern and southern borders for this pilot. The pilot—I assume this project, three will probably be in the northern part of the States and three in the southern part of the United States, I assume. Can you give the committee an update of what has transpired so far in the interactions with FCC and the Department of Commerce and explain the criteria that's been developed to select these six communities and when you expect that pilot program to start.

Mr. ESSID. Mr. Chairman, right now the criteria is still under development. We know what was given to us per the legislation, but, you know, criteria hasn't been finalized. We're coordinating right now. We've submitted some estimates at your request. That's still going through the approval process at DHS to give you some estimates on the cross-border projects, but right now as far as final criteria goes, we don't have any yet. We're still working on it.

Mr. CUELLAR. Can you give us an rough estimate when you'll be—I don't want to tie it up to the exact date and hour, but a rough estimate?

Mr. ESSID. Well, you know, right now we're trying to figure out—there's various options for the cross-border projects. Would it be a split three in the northern, three in the southern, what size projects, small, medium, large, voice and data. There's so many variables that we're working through right now to establish the criteria and then those are directly linked to what funding the projects would require also, sir. So we're working on it. We're moving as quickly as possible. We should have some criteria I know in the very near future, but as far as the specific dates, sir, I can go back and ask my staff if you would like and I can get you a response on record.

Mr. CUELLAR. Thank you. Just give us an update on the progress on that and to the committee staff. Let me—questions again for Mr. ESSID, for Mr. Peters and Mr. Ledezma, and then I have a question for Mr. Simpson on one issue. Congress, as you know, set the date of February 17, 2009 to transfer portions of the 700 megahertz spectrum to the public safety in the budget Reconciliation Act of 2006. The FCC is currently in the process of auctioning this spectrum. In your testimony, Mr. Peters, you raised a very troubling fact that the 700 megahertz band will not become available to public safety along the Texas border unless the appropriate agreements between the United States and Mexico are negotiated. My first question to you and then I'll move onto the other individuals, Mr. Peters, can you further elaborate on how you believe this will impact Texas and what outstanding issues that are still under consideration?

Mr. PETERS. As I mentioned in my testimony, the majority of the geography along the Texas-Mexico border now is covered by systems that operate in the VHF frequency band—VMF high band frequency band. Someone in here smarter than I am can probably correct me if I'm wrong, but somewhere in the neighborhood of a little

over 3 megahertz are available—in that spectrum available to public safety. The 700 megahertz spectrum, there is a total of 24 megahertz available depending on locations and other uses and so forth. Until the treaties are negotiated with Mexico, those 700 megahertz frequency-based spectrum is not available to border areas across the country for that matter within 140 kilometers of the border. We can't fire up the transmitter on those frequencies until those treaties are agreed to with Mexico. Not a small task in itself is getting those treaties. There are television stations in Mexico operating on those frequencies still and, as a matter of fact, there's still some in the United States. But as you mentioned, February 2009 they are supposed to be gone and public safety will have priority. But not having that spectrum available to public safety along the border will have a significant negative impact on interoperability along the border.

Mr. CUELLAR. Thank you. Mr. ESSID, with February 17, 2009 just a year away—less than a year away, can you explain what the principal Federal agencies involved in this negotiation, DHS, the State, tell us, you know, where are we on this negotiation because that's going to put the whole border at a very disadvantage, and I think you know my personal feelings. You know, it's—people talk about a wall, but we can't even get these communications between our neighbors started, and we're extremely interested in where we are on this issue.

Mr. ESSID. Yes, sir. We've got some pretty good negotiations and coordination going on between the United States and Mexico with the High Level Consultative Commission, the HLCC. They have got some long-term border interoperability solutions we've been working on. We attended some meetings in Mexico earlier this month and making a lot of progress, you know, and it's really looking at the first ever long-term agreement between the U.S. Government, the Mexican Government or the State, local and Federal folks along the border.

I know 700 megahertz is in those discussions right now. I don't know the exact point where we're at today, but what I will do is find out when I go back to the District of Columbia, have my staff research it and report back to the committee. I know that's one of the issues that is amongst a lot of the issues that are being discussed, but we're making significant progress on a lot of the issues, and I don't know the exact point where 700 megahertz is right now, but our intent is to move forward and get some agreements as quickly as possible, not to hold anyone up from planning.

Mr. CUELLAR. And not only keep us in informed, but I specifically would request to you that the different witnesses are here, that y'all get to know each other real quickly and communicate. So not only with our committee, but also with the witnesses who are here, all of them present.

One other question. Mr. Ledezma, just to follow up on this is who in the Mexican Government is—are the equivalent participants or negotiating these agreements.

Mr. LEDEZMA. There's one group responsible of communication we're talk being about here. That will be the Federal Government. That will be from Secretaria de Gobernacion. That depends on them.

Mr. CUELLAR. If you can just send a message back, very amicable message from us that we would like for y'all to continue working with our Federal Government to get this agreement done as soon as possible because it is going to affect both sides of the river where we talk about public safety.

Mr. LEDEZMA. We'll extend the communication.

Mr. CUELLAR. One question, then I'll pass it on to Mr. Simpson. Mr. Simpson, in your testimony you state that the Texas Radio Coalition has been very successful in working collectively to create a State-wide radio communication system, and I thank you for all the work that y'all have been doing. The Texas Radio Coalition seems to be ahead of the curve when it comes to governance and planning, and because of the effort and energy that y'all had put in and I certainly applaud you for the efforts, can you elaborate as to what are the best practices that can be shared with other States that may lack the level of coordination we've instituted here in the State of Texas?

Mr. SIMPSON. Congressmen, Mr. Chairman, we were extremely lucky to form an alliance early on in our process which is only May of last year, it wasn't that long ago, with the Texas Association of Regional Councils of Government that already had a standing weekly conference call for all 24 COGs with the SAA, the State Administrative Agency, with the Government Division of Emergency Management that does grant administration through DHS. So that framework was already there and I encourage people that use existing frameworks that may be available in their States rather than try to invent something new. Because of these regional councils of government, they deal with the various counties within the region and then the county emergency management coordinators deal with individual cities and fire departments and police departments within those counties. So that network was already there and we just kind of tapped into it.

We also through a partnership with Joe's group, Sheriffs' Association of Texas, already has a wide network made up of law enforcement throughout the State. That's very important to us and then, of course, working with Government Division of Emergency Management staff. So together as a collective body, we put together a scheme on how we're going to pull this off as far as our planning efforts to build a new system, and we only have about 4 to 6 months to put a plan together for 24 million people. We started with surveying all the police, fire and EMS agencies throughout the State through this COG process. That filled it up, and we conducted 27 focus group sessions and regions around the State, and we have a monthly TxRC steering committee meeting in Austin and that rolled up into a State strategic planning session that we'll hold every year to discuss where we are in the state of interoperability communications to make changes to our plan.

The outgrowth of all of that was a State-wide communication in our building plan that was then presented to our governance bodies, our oversight bodies, the executive committee which is made up of the director of the State police, the DPS, the director of the Texas Transportation Department, other key players and city and county government, health, around the State. They passed our plan out and we submitted it to DHS the week before on December 3.

That was kind of a crash program in how we did it. I'm sure there's pieces of Texas that we haven't gotten to and it may not have trickled down to every individual, but we're continuing our outreach in that respect.

Mr. CUELLAR. With 254 counties I think you've done very well, so thank you again very much. At this time I'd like to recognize the Ranking Member of the subcommittee, Mr. Dent, the gentleman from Pennsylvania for questions.

Mr. DENT. Thanks, Mr. Chairman. Mr. Essid, I guess my question to you is, as you know, the Office of Emergency Communications was established by the Post-Katrina Emergency Management Reform Act of 2006. The office was formerly established in 2007. Would you please discuss the progress that's being made in fully establishing the Office of Emergency Communications and also, how many full-time staff you have versus contractors?

Mr. ESSID. Yes, sir. Well, I'm happy to say right now we have announcements on the street, Federal announcements for job opportunities. Seventeen of them were announced late last week, early this week. As it stands right now we have five Federal employees, GS, government service employees, and we have about 100 contractors, so supporting our effort now our plans are to hire 37 GS employees to offset that balance.

Mr. DENT. So you are using contractors right now because you can't hire Federal employees?

Mr. ESSID. Yes, sir, and we've also got some assistance that we've requested to have, detailees from other DHS agencies to come in to help us in the year term. Apparently, the hiring process in the Federal Government just—I'm 2 months on the job and I'm just learning a whole lot about the Federal process, but it takes—it's pretty time-consuming, so we're looking at every option we can to try to get some other Federal employees in the door to help the Office of Emergency Communications.

Mr. DENT. What can we do to help you hire people? Would a direct hire authority be helpful to you?

Mr. ESSID. Well, sir, we looked to requesting a direct hire authority and the process it takes to request it and then get approval we were told can take anywhere up to 6 months, so we rapidly scrapped that option for our initial wave of employees. I do—you know, I do appreciate the offer to help. One good thing, sir, that I think the committee will be happy to hear is that we have a lot of interest in coming to the Office of Emergency Communication from folks that have been working interoperability for 10 years. Some of them are Federal employees that might be able to come into the door a little quicker than a 6-month process in transfers. So we've got a lot of interest in these jobs. People are asking when are you going to advertise them or are there any opportunities where we can come on board and assist you in your mission immediately, but, you know, I'm not really sure what assistance can be offered. I know Secretary Chertoff has offered the same assistance and he offered to provide detailees from the agency and put out that request.

Mr. DENT. Another question, I guess, for Mr. Peters. We talked a little bit about lack of operability, not to mention the challenges of interoperability, but operability. What is your sense from a

State-wide perspective—not looking at Nuevo Laredo for a little bit—what is the current state of interoperability between Texas and other States, like Arkansas, Oklahoma, or Louisiana, and how does that compare to what’s happening down here with Mexico? Is it better across the border than it is with the other States? I’m just looking at my perspective from Pennsylvania. Many of my constituents commute from New York City every day, you know, New Jersey and New York City, and we look at interoperability kind of within the State silo. We’ve got New Jersey and New York to deal with and New York City has its own challenges. I’m just curious how the interstate play is versus the international play.

Mr. PETERS. I would suggest that the interoperability challenges between the States are probably not as challenging as those between Texas and Mexico. Fortunately, the local agencies or local public safety first responders, if you will, in a lot of cases have good relationships with their counterparts on the other side of the border, and often it’s easier to get cooperation from our counterparts on the other side of the border than it is to get cooperation amongst ourselves, but—

Mr. DENT. I had a feeling you were going to say that, but go ahead.

Mr. PETERS. Well, I just thought if the shoe fits we need to wear it, do something about it. Maybe we can take some lessons from our friends in Mexico about cooperation, but as far as interoperable communications with surrounding States, Louisiana, Arkansas, Oklahoma, New Mexico and so forth, Texas has developed a—Texas Communications Interoperable Channel Plan that is a list of VHF frequencies, 800 frequencies, 700 frequencies when they become available and they have—we have identified as available State-wide, those frequencies are all licensed to the Texas Department of Public Safety State-wide, and if a local entity will sign a memorandum agreement with the Department of Public Safety, they are free to and encouraged to utilize those interoperable frequencies. These are Simplex frequencies. They can for the most part only be used at an incident, but still that has been—that has proven quite successful, and we invite the other States to participate as well.

Mr. DENT. With respect to interoperability, you have various challenges due to geography or land. In my own State we have mountains in northeastern Pennsylvania. That has interrupted interoperable communications. In fact that is where the first cable company was laid up there actually because of those reasons, because of those intended issues, I’m curious, do you have those same challenges here in Texas?

Mr. PETERS. Yes, sir. Just probably more of them. We need to keep in mind too that generally the VHF system that was deployed in the early 1970’s with LEAA grant funding was deployed across Texas for the most part and was designed at the time for mobile communications, and, you know, the towers were spaced accordingly in some cases and in some cases the engineers put a dart on the map and placed a tower. Those tower placements need to be reconsidered as we move to 700 megahertz and 800 megahertz because of the difference in propagation characteristics between the bands, and we’re experiencing now coverage problems where the

public safety responder is demanding or requiring—not necessarily demanding, but requiring communications with hand-held radios or portable radios. They can't always have their vehicle with them with a high-powered radio in it. They get out of the car on the border or out of truck on the border. They are on their own. Often don't have commercial service coverage in the areas and would be totally dependent on the public safety infrastructure that we provide them. Unfortunately, the system that is currently in use in most of those rural areas particularly was not designed for portable coverage.

Mr. DENT. I guess one thing too, you keep talking about operability, which I think is important. One of the problems with Katrina was, of course, operability. Nothing was operating. I guess just to get back to the issue of 700 megahertz, and maybe Mr. Landin can help me with this with respect to Laredo, I think you already touched on this issue. You can't implement a 700 megahertz system until this treaty is implemented or signed, but how much of the 700 megahertz system is being implemented throughout Texas right now, I guess, absent the border communities? How long will it take to get the treaty ratified?

Mr. PETERS. If the question to me is as to how long it will take to get the treaty ratified, I don't have a clue except that we don't anticipate it will happen any time soon because of the challenges that are based by the people that are doing those negotiations. We would encourage a prompt response and every effort be applied to making that happen because it is so critical to national security that the first responders along the southwest border, particularly, and the northern border as well have the capacity to communicate not only amongst themselves, but with their counterparts on the other side of those borders.

Mr. DENT. Mr. Landin, the 700 megahertz issue, how is that going to affect you if we don't get this treaty issue resolved?

Mr. LANDIN. Currently the city of Laredo is on the 800 megahertz spectrum, and as I mentioned in my testimony, we do have the largest infrastructure radio infrastructure in our region alone, and, again, we're far away from any of the or communities. We're about an hour's drive away on the U.S. side, and, so, yes, we are on the 800 spectrum as we currently speak and it's functioning very, very well.

Mr. DENT. My final question, I guess, is to our friends from Nuevo Laredo. When an incident occurs in Nuevo Laredo that will affect Laredo, how is that information communicated to officials here in Laredo?

Mr. LEDEZMA. There's a—it's called C4. When there's a contingency in the United States and Mexico, the first ones that will be called will be Secretaria de Gobernacion. Secretaria de Gobernacion will delegate the responsibilities to C4. That is what we call it. That will be center of control command and compute. After the immediate, it will be notified for the different authorities that will be—Sedena will be the Mexican military, Procuraduria General of the Republica, the attorney general, will be combined with all authorities and it will just be one host for the authorities.

Mr. LANDIN. I can expand a little bit on that because we do respond to the border on the bomb threats and also the river rescues,

the Laredo Fire Department responds there, and so basically the way we get the call is basically over the telephone through 911 and we pick up a tie line and our Laredo International Bridge, it will directly call over to the Nuevo Laredo Bridge and that will activate them and then they'll communicate on their end. On our end we're, again, on the 800 spectrum radio system and that's the way we currently respond through phone currently or personal cell phones or regular land lines.

Mr. DENT. Do you have any mutual aid agreements between Laredo and Nuevo Laredo whether it's a fire or other type of incident?

Mr. LANDIN. We do have an understanding and we have responded to fires in Nuevo Laredo as recently as the Christmas season. We assisted the Nuevo Laredo Fire Department in extinguishing a couple of houses that burned over there and as well as some grass fires that were ongoing over there during that time. So, yes, we do have that understanding. We do respond in there into Nuevo Laredo, and basically our radios will work to very limited capabilities, but we cannot communicate with Nuevo Laredo at all over the radio. Basically we rely on hand signals or we can call them through Nextels as they've indicated a little while ago. That is the way we rely on communicating with them in emergency situations. That is why we bring that solution that—that I proposed in my testimony was basically the addition of towers that would be able to carry over and provide us communication into Mexico for that purpose and adding additional infrastructure along the border would be a big plus for that.

Mr. CUELLAR. Before I pass him on just a clarification. Mr. Essid, who are the principal participants responsible in this U.S.-Mexico negotiations? Is it the OEC, DHS or is it the State Department?

Mr. ESSID. I know it's OEC and the State Department.

Mr. CUELLAR. Who's the driving force on our side?

Mr. ESSID. OEC is really going down there with the technical negotiations, and so we're working in conjunction with the State Department, sir. I mean I don't know who the driving force is. I know we have to go through the State Department with our negotiations and our coordination with the Mexican Government.

Mr. CUELLAR. Again, just to remind you, we want to be informed periodically. I'll let y'all work it out with our staff.

Mr. ESSID. Yes, sir. It will be first and foremost on my mind when I go back to Washington.

Mr. CUELLAR. Thank you. At this time the Chair recognizes 5 minutes from the gentleman from Indiana, Mr. Souder.

Mr. SOUDER. Mr. Essid, do we have the same problem on the northern border with the 700 megahertz?

Mr. ESSID. Yes, sir. I think we're going to have coordination with both borders.

Mr. SOUDER. Is there as much resistance on the northern border? In other words, they have TV stations and that's the only two you know.

Mr. ESSID. Well, it's complicated. I'm sure they have the same issues that everyone's having with the TV stations having to, you know, vacate and then you have buffer zones and things of that nature until you get these treaties worked out. I do know we're working with the 2010 Olympics and we're working through going

through some planning that's involving the Canadian government as well, so this issue has come up there.

Mr. SOUDER. Mr. Peters and Mr. Simpson, maybe I can start with you on this question. Do—these radios, are they used for law enforcement in addition to fire and public safety?

Mr. PETERS. The idea is to have one radio that will serve all disciplines.

Mr. SOUDER. Is it a similar challenge or different as it relates to our Federal agencies like Border Patrol?

Mr. PETERS. It depends on the area you are talking about. The city of Laredo, for example, operates on an 800 megahertz trunk system. The Federal agencies in all the borders that I'm aware of operate at VHF. The two are not compatible.

Mr. SOUDER. So as I move along the Texas border, different sheriff's departments are sometimes going to be able to interconnect with Border Patrol and sometimes not?

Mr. PETERS. That's true readily.

Mr. SOUDER. Mr. Essid, that—one of my frustrations is have you ever dealt with the Department of Defense? Do they talk to you about what they've done on this?

Mr. ESSID. Yes, sir. We're coordinating with them right now. They're part of a coordination effort amongst a lot of different Federal entities that OEC is leading.

Mr. SOUDER. On behalf of the taxpayers, the stovepiping gets incredibly frustrating. I mean I have a man in my district who at the request—this has got to be 15 years ago at this point trying to get the SNDRs radios and other military radios and you are just raising a technical problem. He's already fixed it, that you can take any different radios and interconnect the radios. It's not something that has to be invented here or it's as difficult as can be because we were running into this problem and when we're in a military situation, they can't have this happen. The question is why doesn't the technology that—this is true on some of our defense protection or other electronics protection.

We're having huge problems where they can't get the cameras to work on Project 28 right now and Boeing's bringing in another team. They have already done this at the military bases 10 years ago, and the interoperability of radios sounds to me a lot like a solution trying to find the problem. That, in other words, we've already solved it. The question is what's the cost of this? What is the challenge of this to get this type of thing? It's a similar thing that the Department of Interior hasn't looked at this enough and the Federal Government—I mean we start a forest fire and—forest fire starts and you have the Interior Department people looking, local fire department and different States come in and they have to take down helicopters and stop the spring because they can't talk to each other and they are afraid they are going to run into each other when, in fact, we've taken care of this.

I would encourage you to not blame DHS here. The Department of Defense has been at times less than willing to share full cooperation. I mean, admittedly they are busy, but at the same time they tend not to do this, and Homeland Security has to be more aggressive or come to Congress and say, look, we're not getting the co-

operation. We need you to push the Department of Defense because taxpayers have already funded a bunch of this stuff.

Mr. ESSID. Yes, sir, I agree, and I think your comments underscore a greater need for interoperability. The technologies exist—I think everyone on this panel here would agree that the technologies exist to solve the problem. What we need to invest in focusing on is governance, standard operating procedures, training and exercises. This is a 90 percent coordination, 10 percent technology problem, and Texas has done a great job of coordinating from what I'm hearing, and the coordination is where getting folks in a room and talking about these issues before an incident is how we're going to solve this problem, sir. I mean we've spent so much money on equipment, and as a State—former State person in Virginia when we did inventories I was always amazed at the amount of equipment, the sheer volume of stuff that people had bought to try to solve this problem.

Mr. SOUDER. Let me ask you one other line of questioning on the risk assessment of how you decide where you are going to spend your money. Is it—I thought the implication was nearly divided by population at this point. Do you have some risk assessment criteria that can go beyond that? For example, where you see signing across from Detroit we have all these chemical plants right along the river versus a border crossing where—how do you do the risk assessment on what the potential damage is to public safety—how do you factor in the tornado alleys in New Orleans where you are doing your communication system?

Mr. ESSID. Sir, we've been working with FEMA right now about how these risk assessments are done. I know it's usually a combination of population and then threat of natural or man-made disaster, but I'm not exactly 100 percent up to how these different threat assessments are conducted. I mean—

Mr. SOUDER. But there will be a prioritization process based on risk assessment? There will be a prioritization of where grants go based on risk assessment?

Mr. ESSID. I believe a portion of the funding will be as a risk assessment, yes, sir.

Mr. SOUDER. Thank you.

Mr. CUELLAR. Thank you, Mr. Souder. At this time the Chair recognizes the gentleman from Texas also, Mr. McCaul.

Mr. MCCAUL. Thank you, Mr. Chairman, and I want to thank all of the panelists. I also want to commend Mr. Peters and Mr. Simpson for your leadership on this issue. Getting five COGs together along the border with Mexico is not an easy thing to accomplish, and I've been to a couple of your meetings and I've sort of witnessed first-hand the great accomplishment that you had made in terms of laying the foundation and the structure—maybe infrastructure in place to make it happen. I think that's actually a model I think the rest of the country can look at in terms of how to better put this together.

My questions are—really have to do with funding because that's what we do in the Congress. We fund things, and we probably spend too much money, but this is an important issue I think we need to be spending money on. The last Congress we appropriated a billion dollars of grant funding for this purpose. Out of that bil-

lion dollars, \$65 million came to the State of Texas, about \$14.5 million of that went to the Houston area which does have some high-risk assets, leaving about roughly \$50 million for the rest of the State.

You just said, Mr. Simpson, that you need about \$150 million to really be able to fully fund and carry out your operations. Can you explain to me—obviously we're going to have a deficiency there. Can you explain to me what is it—what would be the plan with the full \$150 million?

Mr. SIMPSON. The \$150 million estimate only pertains to the border COGs. Texas conducted the study about 8 years ago State-wide which is kind of an updated \$1.6 billion to really do everything that needs to be done in Texas. The border being a subset of that, estimates have been somewhere in excess of \$150 million to complete the radio system network from Brownsville to El Paso.

Mr. MCCAUL. Where is that money going to come from?

Mr. SIMPSON. Well, we're trying to be as inventive as possible. We have our regular Homeland Security grant funding as well as the FISA grant. Most of the granting authorities when you put forth the best of justifications, they like to see that you are maximizing the income from a variety of resources and that you had a long-term plan that you divided in phases and that you put together large consortiums of entities that are working cooperatively together.

So with that in mind we're also looking at the Assistance to Firefighter Grant. Quite a bit of money is available there. The Community Oriented Police and Services Grants from the Department of Justice by invitation of certain metropolitan statistical areas which also received several in the last 2 years and others at that time, so we're reaching out to all sources, plus there's local bond elections and COs and operating budgets. Those are still far short.

Mr. MCCAUL. I guess Steve McGraw, my old friend from the FBI, is going to be making the allocations with regard to the \$65 million to the State. You are working closely with him?

Mr. SIMPSON. Very closely. In fact, if you factor out the State agency share and the strategic reserve funds, that leaves about \$33 million for the various councils of governance, and if you divide 24 into \$34 million, you get something like a million-three or whatever per COG and the COG may be made up of three to 20 counties. So you can see at the bottom end there's not a lot of money actually available at the user level.

Mr. MCCAUL. Yeah, I agree that's going to be a rural problem. I failed to mention the city of Austin's role in all this, and being from Austin, I appreciate the leadership they have provided.

Mr. Essid, getting to the funding issue, the administration's 2009 budget request for DHS does not include funding for the Interoperable Communications Grant Program and proposes to cut funding for the State Homeland Security Grant Program, another large funding source for these communications activities. In other words, sort of zero—we got a billion dollars last year in grant funding, but this budget request, as I understand it, and correct me if I'm wrong, is zeroed out with no money. In fact, they're not only zeroed out, but they are now giving you additional cuts. Can you explain why in this particular area?

Mr. ESSID. Well, no, sir. I do know—I can't explain that. I can just say that, you know, FEMA just recently released 16 grant programs a few weeks ago and a lot of these grants, if not all of these grants, are eligible for interoperable communications investments. Communications investments go on in a lot of these different. They kind of dominate a lot of the grant requests throughout the Nation from all the States. It's such an important issue, so I know there is a lot of funding available in these larger Homeland Security grant programs and other grant programs that can be set aside by States and localities for interoperable communications, you know, and so there's a lot of opportunity here with the coordination we're seeing from the panel members here in Texas. I think that's the first step to investing in the right things, but, you know, communications investments are eligible for these grant funds.

Mr. MCCAUL. In fact, I'm meeting with the DHS grants person after this hearing, and I'll be talking to him about this specific request. I think we got out in front, we have this structure in place and I'd like to see the funding there for you so that we can make it a success. It's something I think the rest of the country can appreciate.

Last, I want to—my last question has to do with our relationship with Mexico. You talked about mutual aid—mutual border aid agreements. I think, Mr. Landin, you said that there are actually some of those in place already?

Mr. LANDIN. We do have them in place, and we have gone—mainly the United States, you know, Laredo has gone into Mexico and I know that Dr. Gonzalez works very closely with the physicians and the health departments on the Nuevo Laredo side. We do have a larger fire department than theirs, Nuevo Laredo, so basically the request mainly comes from them to us and we do honor those requests, and we do go into Mexico to provide those services.

Mr. MCCAUL. Mr. Ledezma, we met with President Calderon. He mentioned that he has committed or dedicated 30,000 Mexican troops, soldiers, to the northern border or to the respective borders of Mexico, southern and northern. Can you comment on—well, first of all, the level of communication between the Mexican military and our side of the border, who are they talking about? Are they talking to our military or are they talking to our law enforcement?

Mr. LEDEZMA. There's a monthly meeting between both cities, the United States and Mexico, and there's collaboration between [Spanish] and Mr. Ledezma right now in the U.S. customs for civil protection, fire departments, the United States Army, the Mexican Army, also with the FBI. There's one right now is—my understanding from Mr. Ledezma right now there's a meeting and they're in communication right now. Like Mr. Ledezma said, there's via phone. That's all we have right now or the Nextel. That's our communication with the fire department. We communicate ourselves with Nextels. That's how we are—the communication we have right now.

Mr. MCCAUL. Very last question and, again, to Mr. Ledezma. This may be outside the scope of this hearing, but since we have you here, I'd like to ask this question. That is the well-being of the city of Nuevo Laredo. We know that the—a lot of businesses have moved out. We know that the level of violence that was there with

the drug cartels. Can you comment on the current security in the city of Nuevo Laredo and particularly with the introduction of the new Federal troops?

Mr. LEDEZMA. The intervention of the federal government or federal Army right now, it's rolled up by the authorities in Mexico right now. It gives you a better security to the people in Nuevo Laredo. Mr. Ledezma as director of the safety civil police, his work is to see the people in Nuevo Laredo have a better business there.

Mr. MCCAUL. Thank you. We certainly wish you all the success there, that the businesses will be back in full force and health and prosperity and security. Thank you so much.

Mr. CUELLAR. Thank you, Mr. McCaul, and, again, it was a pleasure going with Representative McCaul to Mexico City just recently to a fact-finding case. I really appreciate it. It was very good for us. Any other questions? I have no further questions.

Mr. DENT. Just one brief one.

Mr. CUELLAR. Yes, sir, Mr. Dent.

Mr. DENT. Thank you. I'll be very brief. Mr. Simpson, I neglected to ask you during my first round: How did the Texas Radio Coalition work with the Office of Emergency Communications and did you guys consult with the OEC during the drafting of the State-wide Communications Interoperability Plan?

Mr. SIMPSON. Our association with the OEC is kind of recent in nature, only in the matter of the last few weeks. We were struggling in the process last year to get this plan crunched in such a short period of time. We reached out to as many as we could. VHS, ICTAP particularly which is part of OEC did provide technical assistance to us during the search process and so we had a relationship there, but our relationship has kind of been renewed as of recent in the last 2 weeks with the Southwest Border Regional Working Group. In fact, they may be coming—Chris and I were talking earlier about some of these folks coming to our next meeting in April to see what we were doing to kind of firm up those relations. So our relationship is improving with all Federal agencies, particularly OEC.

Mr. DENT. So you really didn't get much feedback then from OEC regarding your State-wide plan?

Mr. SIMPSON. Only through the ICTAP. That was very, very useful. They came down for several working days with a team of three people. It was intense sessions and lots of phone calls and it was very much appreciated.

Mr. CUELLAR. Thank you, Mr. Dent. Mr. Souder, any other questions?

Mr. SOUDER. No.

Mr. CUELLAR. Mr. McCaul.

Mr. MCCAUL. No, sir.

Mr. CUELLAR. First of all, before we start closing up, I want to thank my colleagues here. As you can tell, these Members are extremely knowledgeable in Homeland Security, whether it's in the northern part or the southern part of the United States, and, actually, we're all pretty docile in the questions because we've been a little more aggressive on the questioning, but today, you know, I really appreciate the work that they've done. They are colleagues of mine, and I really appreciate their expertise here. I know that

some of them will be leaving us after a while, but I do want to thank them for coming down here to Laredo.

A couple of just—couple things before we close up. I know one of the things that McCaul—we got together last night. We were talking about this. One of the things that we are going to be doing afterwards and anybody that's willing to join us after the grant seminar is that we're going to go down to an area where the Texas Soil and Water Conservation has worked on clearing up the Carrizo. As you know, there's different thoughts on how to do this. With all due respect to our friends at Homeland, they want to bring in—I think their solution is to bring in Spanish bugs to eat up the Carrizo. I'm concerned about what happens when they finish eating the Carrizo what sort of diet they are going to go after and that's going to take really honestly a couple of years before they see the unforeseen.

There's some solutions that have been taken care of. In fact, Michael, I think you were at the Steve La Mantias ranch where they actually got rid of Carrizo and put grass there so make sure there is no erosion. So there's other places, and I know that afterwards if anybody wants to join us this after the grants, anybody that wants to join us, you are welcome to do that, No. 1.

No. 2, we're going to go ahead and break off for lunch, but I do ask you to come back at 1:30. At 1:30 we have the other part, which is a grant seminar. The two folks that we have here is—these are key people that we have here. First of all, we have Mr. Ed Staples, the manager of the Homeland Security Grants Coordinator for the State. Is Edward here? Edward, thank you very much. Edward will be making a presentation, and we want to thank you again. Again, Federal and State dollars going in to you and we appreciate you being here. Ross Ashley, the FEMA assistant administrator, who's now the head of the grants program. Where is Ross? There you are. Thank you. Ross will be here. These two people are key to Federal grants and State dollars going—Federal dollars going through the State for the applications. I certainly want to welcome everybody. I know we got—I see many faces from—all the way from the valley up to the San Antonio area to former judges from Laredo. So many people here from Ryan Gant's office. So many other folks here. I would ask you to come back at 1:30. The two gentlemen will be making the presentation.

This grant seminar is key. It really is. I know we've been very successful in getting more grants, but this presentation as to what dollars are available, what are the timetables, what are the criteria. I ask you to come back for all the first responders that we have. I'm really, really happy because we've got folks from all over the place. I'll ask you to come back, go have lunch, be back the same place here at 1:30.

The last comment before I close up, Mr. Essid, I ask you to establish this relationship with Mr. Simpson, with Mr. Peters, Mr. Ledezma, Mr. Landin and any of the folks because you as the new director, and I know you are new and I appreciate that, but you got to work with these folks. These folks have been on the ground for years and years, and, you know, you were in Virginia. You understand how the State and locals can provide a lot of new ideas to the Federal Government.

I would ask you to follow up with our staff. Coming down in April, that's great, but if you need to see them before, if y'all want to go up there before, please work with our staff so we could set up and facilitate the meetings, but, again, these people have been here on the ground for years and we ask you to please take advantage.

So at this time with this house cleaning, we're going to go ahead and break for lunch. Be back at 1:30. Ask everybody to be back. I thank all the witnesses for the valuable testimony and the Members for their questions. The Members of the subcommittee may have some other questions to ask you. Having no further business, the hearing is now adjourned. Thank you.

[Whereupon, at 12:12 p.m., the subcommittee was adjourned.]



## APPENDIX

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QUESTIONS FROM CHAIRMAN HENRY CUELLAR OF TEXAS FOR CHRIS ESSID, DIRECTOR, OFFICE OF EMERGENCY COMMUNICATIONS, OFFICE OF CYBERSECURITY AND COMMUNICATIONS, DEPARTMENT OF HOMELAND SECURITY

*Question 1.* Mr. Essid, as you know, the International Border Interoperability Communications Demonstration Project was created by the Implementing Recommendations of the 9/11 Commission Act of 2007, which was signed into law on August 3, 2007. It is my understanding that your office has been coordinating with the FCC and the Department of Commerce to decide the location of six communities along the Northern and Southern borders for this pilot project. Can you give the committee an update of what has transpired thus far in your interactions with the FCC and the Commerce Department?

Can you explain the criteria being developed to choose these six communities and when you expect it to begin?

Given what you heard at the hearing on February 19, 2008 about the vulnerabilities and the unique border positioning we are confronted with in my District along the Texas-Mexico border, do you believe Laredo would be an appropriate location for this border demonstration project?

Answer. The proposed selection criteria for the International Border Interoperability Communications Demonstration Project are broken down into four major categories:

- Existing infrastructure/activities: examine established working groups, activities, shared systems, and interoperability solutions that can be leveraged for the demonstration projects;
- Priority locations: identify communities that have pressing interoperability needs identified by Federal agencies, Canada, or Mexico;
- Risk: examine a range of factors that increase the need for interoperable emergency communications; and
- Geographic diversity: ensure that the selected communities meet the legislative requirement to conduct the demonstration projects in areas of differing population densities.

These proposed selection criteria are currently being reviewed and approved internally within DHS. Upon approval, the criteria will be coordinated with the Federal Communications Commission, the State Department, and the Department of Commerce. At that time the Department will be able to assess specific locations.

*Question 2.* As you all you know, Congress set the date of February 17, 2009 to transfer portions of the 700 MHz spectrum to public safety in the fiscal year 2006 Budget Reconciliation Act. The FCC is currently in the process of auctioning this spectrum. In your testimony, Mr. Peters, you raise a very troubling fact—that the 700 MHz band will not become available to public safety along the Texas border until appropriate agreements between the United States and Mexico are negotiated.

Mr. Essid, with the February 17, 2009 just a year away, can you explain who the principal Federal agencies involved in these negotiations—DHS, Department of State? How soon will these negotiations result in an agreement permitting Texas to manage and use this spectrum?

Answer. In November 2006, the United States and Mexico signed a Protocol (agreement) to share the 700-MHz band. Since this time, the Federal Communications Commission (FCC) has modified the public safety allocations within this band. The U.S.-Mexico High Level Consultative Commission on Telecommunications (HLCC) is currently negotiating an amendment to the existing Protocol to reflect the new U.S. public-safety allocation. The Department of State and the FCC are the principal Federal agencies within the HLCC involved in this negotiation and is striving to have the amendment in place before the February 17, 2009, deadline.

QUESTIONS FROM CHAIRMAN HENRY CUELLAR OF TEXAS FOR STEVE E. LANDIN,  
DEPUTY CHIEF, EMERGENCY MANAGEMENT COORDINATOR, LAREDO, TEXAS

*Question 1a.* Chief Landin, you and I are very aware of the unique challenges that public safety folks face in Los Dos Laredos when put to the test of responding to emergencies. Due to our geographic location, we have a strong Federal, State, and international presence in Laredo. In your testimony you spoke of the need of building a stronger Federal-local partnership. Can you elaborate on your statement?

Do you believe that the local government is accurately included in the decision-making process when it immediately affects Laredo? If so, why? If not, why not?

Answer. Response was not received at the time of publication.

*Question 1b.* Can you explain the day-to-day operational coordination and the cooperation between the government in Laredo with CBP/ICE and other Federal entities that are present here?

Answer. Response was not received at the time of publication.

QUESTIONS FROM CHAIRMAN HENRY CUELLAR OF TEXAS FOR ALFONSO OLVERA  
LEDEZMA, DIRECTOR OF CITY SECURITY, NUEVO LAREDO, TAMAULIPAS, MEXICO

*Question.* As you all you know, Congress set the date of February 17, 2009 to transfer portions of the 700 MHz spectrum to public safety in the fiscal year 2006 Budget Reconciliation Act. The FCC is currently in the process of auctioning this spectrum. In your testimony, Mr. Peters, you raise a very troubling fact—that the 700 MHz band will not become available to public safety along the Texas border until appropriate agreements between the United States and Mexico are negotiated.

Mr. Ledezma, who in the Mexican government are the equivalent participants that are negotiating these agreements?

Answer. Response was not received at the time of publication.

QUESTIONS FROM CHAIRMAN HENRY CUELLAR OF TEXAS FOR JOE M. PETERS,  
DIRECTOR, TECHNOLOGY ASSISTANCE DIVISION, SHERIFFS' ASSOCIATION OF TEXAS

*Question 1.* Mr. Peters, in your testimony you mention how antiquated communications systems are in rural parts of Texas and that border regions within our State have historically been underserved. Can you explain to the committee how dire the situation is?

Can you describe some areas in which Texas is progressing and what is being done to address the emergency communications challenges?

Answer. Response was not received at the time of publication.

*Question 2.* As you all you know, Congress set the date of February 17, 2009 to transfer portions of the 700 MHz spectrum to public safety in the fiscal year 2006 Budget Reconciliation Act. The FCC is currently in the process of auctioning this spectrum. In your testimony, Mr. Peters, you raise a very troubling fact—that the 700 MHz band will not become available to public safety along the Texas border until appropriate agreements between the United States and Mexico are negotiated.

Mr. Peters, can you further elaborate on how you believe this would impact Texas—what are the outstanding issues that you are aware of?

Answer. Response was not received at the time of publication.