

STATEMENT

OF

DR. RICHARD C. BARTH

ACTING ASSISTANT SECRETARY FOR POLICY
DEPARTMENT OF HOMELAND SECURITY

REGARDING A HEARING ON

“EXAMINING PREPAREDNESS AND COORDINATION EFFORTS
OF FIRST RESPONDERS ALONG THE SOUTHWEST BORDER”

BEFORE THE

U.S. HOUSE OF REPRESENTATIVES

COMMITTEE ON HOMELAND SECURITY

SUBCOMMITTEE ON
EMERGENCY COMMUNICATIONS, PREPAREDNESS AND
RESPONSE

Tuesday, March 31, 2009 - 10:00 a.m.
311 Cannon House Office Building

Introduction

Chairman Cuellar, Ranking Member Rogers and distinguished members of the Committee. Thank you for the opportunity to testify before you today about the preparedness and coordination efforts of first responders along the Southwest Border (SWB).

As you all know, the Department of Homeland Security (DHS) and the Obama Administration as a whole are greatly concerned about the increased level of cartel-related violence in Mexico and its impact on communities on both sides of the border. That's why the U.S.-Mexico relationship is receiving sustained, high-level and comprehensive attention. Prior to his inauguration, President Obama met with President Calderon. Admiral Mullen visited Mexico on March 5th and 6th. Secretary of State Clinton visited Mexico last week, and Secretary Napolitano will visit at the end of this week with Attorney General Holder, all ahead of the President's trip to Mexico on April 16th and 17th.

The daily reporting on drug-related violence in Mexico may make us feel familiar with the situation, but we will not let familiarity breed complacency. The magnitude and severity of the violence in places like Ciudad Juárez has overwhelmed local police forces and spurred President Calderon to deploy over 7,000 Mexican troops to this city that sits just a stone's throw away from El Paso, Texas. Our Department has undertaken a proactive and comprehensive response on both sides of the border to fully support the Mexican government's campaign against the violent cartels and reduce the flow of contraband across the border in both directions.

State and Local First Responders: The Need for Partnership

In order for this comprehensive response to be successful in the long run, the United States government must support the efforts of State, local, and tribal first responders along the Southwest Border. They have significant roles to play both in dealing with the current violence and preparing for scenarios where violence in Mexico could directly impact the United States homeland in the future.

While violence in the Southwest United States has not increased markedly since the brutal drug wars began in Mexico, other border-related criminal activity continues to confront State, local, and tribal first responders in the region, who remain concerned about the potential for spillover violence in the future. First responders at the State, local and tribal level have dealt with border crime and related issues for their entire careers. They are the “boots on the ground” that possess deep operational knowledge of the border region and its unique social, cultural and geographical intricacies. The successful mitigation of such a complex and multifaceted threat like border violence means that DHS and other Federal agencies must constantly collaborate and coordinate with our State, local, and tribal allies in an effort to share resources and information whenever necessary.

DHS Office for State and Local Law Enforcement

The Department’s Office for State and Local Law Enforcement, led by Assistant Secretary Ted Sexton, coordinates DHS policies with the more than 730,000 State and local first responders across the nation. Assistant Secretary Sexton has been directed by Secretary Napolitano to ensure that State and local law enforcement officials have a seat

at the table when it comes to the development and implementation of programs and policies like those currently impacting the Southwest Border.

State and Local First Responders: Capabilities

The capabilities of State, local and tribal first responders to deal with cartel-related violence along the Southwest Border are substantial and DHS will continue to support these vital assets. I will discuss several of these capabilities and associated DHS support in greater detail.

Border Enforcement Security Task Forces (BEST)

Although I understand that my colleague, Deputy Assistant Director Ayala, will be focusing on BESTs in her testimony, I would still like to take a moment to touch on the critical role that State, local, and tribal first responders play in these task forces. As you know, BEST is not just a program, it is also an innovative model for collaborative law enforcement that has delivered substantial results. The BEST program coordinates with the Department of Justice and its initiatives such as Project Gunrunner and the Organized Crime Drug Enforcement Drug Task Force to ensure a unified approach to the problems along the border. Since July 2005, the BESTs have been responsible for a number of criminal and administrative arrests, indictments and convictions. BESTs utilize a comprehensive approach towards dismantling the cross-border criminal organizations that exploit our border and utilize that information to eliminate the top leadership and the supporting infrastructure that sustains these often violent organizations. The 12 BESTs that currently exist (of which eight are located on the Southwest Border) include the participation of Immigration and Customs Enforcement

(ICE), Customs and Border Protection (CBP), the U.S. Coast Guard, the DHS Office of Intelligence and Analysis, the Bureau of Alcohol, Tobacco and Firearms (ATF), the Drug Enforcement Agency (DEA), the Federal Bureau of Investigation (FBI), and State, local, and tribal law enforcement agencies. These State, local, and tribal law enforcement participants play a critical role in the BEST model by providing essential “boots on the ground” intelligence and operational knowledge on a daily basis. Additionally, my colleague, Deputy Assistant Director Ayala will discuss Operation Armas Cruzadas, which is an important complement to the BEST initiative.

We at DHS firmly believe that reinforcing the highly successful BEST model will greatly enhance our ability to deal with the root causes of cartel-related violence along the Southwest Border. Just last week, Secretary Napolitano announced that DHS would be doubling the number of BEST teams that incorporate Federal, State, local and tribal law enforcement and intelligence officers. This will greatly expand our capacity to collaborate with State, local, and tribal law enforcement to combat cartel-related crime that occurs on the U.S. side of the border.

Operation Stonegarden

In terms of grant funding, last week, Secretary Napolitano also announced that DHS will change the grant guidance for our remaining balances in the Operation Stonegarden grant pool. We modified the program last week to focus \$59 million available in Operation Stonegarden funding to enhance the operational readiness and asset capabilities of State, local and tribal law enforcement along the Southwest Border.

And we will expand the scope of Operation Stonegarden funds to pay for additional law enforcement personnel overtime, travel and other related expenses for deployment of State, local, and tribal officials to the border.

Started in 2004, Operation Stonegarden supports U.S. border States and territories in increasing their capability to prevent, protect against, and respond to border security issues. The program has made funds available to more than 200 agencies in areas adjacent to either the Canadian and Mexican borders to enhance their border security operations. In the past, funds have been used to support overtime and per diem costs, and to purchase equipment such as night vision technology and observation equipment to enhance security operations on the border in areas close to Border Patrol operations. Participation in the program allows agencies to enhance their traditional law enforcement missions. The recently-announced funding flexibilities will ensure that State, local, and tribal first responders are equipped with the resources they need to confront the complex and dynamic challenges that exist along the Southwest Border.

In addition, we are engaging State, local, and tribal law enforcement in ways that haven't been done previously. DHS is coordinating regular conference calls with Southwest Border law enforcement officials and representatives from DHS components. These conference calls create a two-way flow of border-related intelligence by providing State, local, and tribal officials with the opportunity to discuss critical Southwest Border issues and receive briefings from Departmental components on relevant programs and policies. This increased engagement will help arm State and local first responders with the best information available.

Emergency Communications with Mexico

DHS is currently participating in numerous initiatives that will increase the capability of State, local, and tribal first responders to communicate effectively both along the Southwest Border and with their counterparts across the border in Mexico. Specifically, the DHS Office of Emergency Communications (OEC) is in the process of developing the Congressionally-mandated Border Interoperability Demonstration Project (BIDP). The BIDP seeks to improve interoperable communications in no fewer than six U.S. border communities, at least three of which will be located on the southern border. Although still in the planning phases, the Demonstration Project will ultimately function as a competitive selection grant program for State, local, and tribal communities in border areas to improve their communications capabilities.

Additionally, OEC co-chairs the Security Communications Task Group (SCTG) for the U.S.-Mexico High-Level Consultative Commission (HLCC) on Telecommunications. The SCTG is a joint U.S.-Mexico effort to address cross border communications among emergency responders. In May 2008, HLCC principals agreed to an Action Plan which directs OEC to lead the U.S. development and implementation of a Cross Border Security Communications network. This network will enable emergency responders to share video surveillance streams, conduct joint operations teleconferencing and securely exchange fingerprints and photographs. OEC is also leading a domestic working group of first responders that is examining different communications equipment that may be effective along the Southwest Border. The successful implementation of these initiatives will help ensure that State and local first responders have the ability to communicate with one another during critical incidents along the Southwest Border.

Increased Engagement with Southwest Border State, Local, Tribal Law Enforcement

DHS is also working tirelessly to create open lines of communication and information sharing with our State, local, and tribal partners along the Southwest Border. In fact, DHS Assistant Secretary for State and Local Law Enforcement Ted Sexton recently traveled from Brownsville, Texas to San Diego, California to meet with Southwest Border first responders and discuss their concerns about border violence and related DHS programs and policies. During the course of his two-week trip, Assistant Secretary Sexton met with over two dozen border police chiefs and sheriffs, all of whom indicated that they are willing to fully cooperate and collaborate to respond to ongoing border-related crime and violence.

El Paso Intelligence Center (EPIC)

Located in El Paso, Texas, EPIC was established in 1974 in an effort to improve drug- and border-enforcement operations along the Southwest Border. Initially comprised of representatives from the U.S. Customs Service, U.S. Immigration and Naturalization Service (now United States Citizenship and Immigration Services, Customs and Border Protection and Immigration and Customs Enforcement) and the Drug Enforcement Agency (DEA), EPIC is now staffed with over 300 personnel and liaison staff from 15 Federal, State and local agencies. The State and local agencies embedded at EPIC include the El Paso Sheriff's Office and Texas Department of Homeland Security. Through the years, EPIC has evolved into a fully coordinated, tactical intelligence center supported by databases and resources from its member agencies. The State and local first responders embedded within EPIC make tremendous contributions to the numerous intelligence-led

operational initiatives that EPIC helps to facilitate along the Southwest Border.

Additionally, EPIC disseminates tactical bulletins (including officer safety alerts) to first responders along the Southwest Border and across the country. The intelligence center is also home to a State and local liaison group that organizes criminal interdiction training. To further assist State, local, and tribal law enforcement along the Southwest Border, DHS created the Homeland Intelligence Support Team (HIST) at EPIC in 2007. The goal of the HIST is to improve information sharing among Federal agencies and with State, local, and tribal partners.

Conclusion

In closing, DHS is fully engaged and focused on ensuring that our State, local, and tribal first responders have the necessary resources to successfully respond to border-related crime and violence along the Southwest Border. These officials have unequivocally indicated their willingness to partner with each other and DHS. Clearly, no single entity can defeat this threat alone. If spillover violence from Mexico ultimately occurs, State, local, and tribal *first* responders will be, as the name suggests, our *first* line of defense. As indicated in my testimony, our State and local partners have existing capacity to respond effectively along the Southwest Border. The recent increases in funding, personnel and programmatic support to the Southwest Border will reinforce this capacity in vital way. I remain confident that DHS and the Federal family can successfully confront the cartel-related violence through a successful partnership with these brave men and women who risk their lives on a daily basis to secure our homeland.

Thank you for your continued support of DHS programs and policies. I would be happy to answer any questions you might have at this time.