OVERVIEW OF COAST GUARD DRUG AND MIGRANT INTERDICTION

(111–13)

HEARING

BEFORE THE

SUBCOMMITTEE ON
COAST GUARD AND MARITIME TRANSPORTATION

OF THE

COMMITTEE ON
TRANSPORTATION AND
INFRASTRUCTURE
HOUSE OF REPRESENTATIVES

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March 9, 2009

SUMMARY OF SUBJECT MATTER

TO: Members of the Subcommittee on Coast Guard and Maritime Transportation

FROM: Subcommittee on Coast Guard and Maritime Transportation Staff

SUBJECT: Coast Guard Drug and Migrant Interdiction

PURPOSE OF THE HEARING

The Subcommittee on Coast Guard and Maritime Transportation will convene at 10:00 a.m. on March 11, 2009, in Room 2167 of the Rayburn House Office Building to receive testimony regarding the Coast Guard's drug and migrant interdiction operations.

BACKGROUND

The Coast Guard is the United States' primary maritime law enforcement agency. As such, it is the lead federal agency responsible for conducting maritime drug interdiction operations; it shares responsibility for air interdictions with the U.S. Customs Service. In fiscal year 2008, the Coast Guard removed just under 368,000 pounds of cocaine being smuggled through the Eastern Pacific and the Caribbean – which was a new record for the service (surpassing the old record set in fiscal year 2007).[1] The service also removed just over 23,000 pounds of marijuana from those region in fiscal year 2008.

[1] Removals include the actual seizure of drugs through an interdiction – or the destruction (by burning or sinking) of drugs by smugglers in the presence of Coast Guard personnel (often as a reaction to an impending interdiction).

The Coast Guard is also responsible for ensuring compliance with U.S. immigration laws and international conventions against alien smuggling. The Coast Guard has interdicted more than 350,000 migrants since 1980. The majority of the migrants interdicted by the Coast Guard originate from Cuba, Haiti, and the Dominican Republic. In the first quarter of 2009 alone, the Coast Guard has interdicted more than 2,700 undocumented migrants, which is 14.5 percent higher than the rate of interdictions experienced at the same time in 2008.

The Joint Inter-Agency Task Force South (JIATF-S) is a joint operations fusion center located in Key West, Florida, and led by the Department of Defense. Entities that are represented at JIATF-S include the Department of Homeland Security (Coast Guard, Customs and Border Protection [CBP], and Immigrant and Customs Enforcement [ICE]), the Department of Justice (including the Drug Enforcement Agency [DEA] and Federal Bureau of Investigations [FBI]), Central Intelligence Agency, Defense Intelligence Agency, National Security Agency, Office of Naval Intelligence [ONI], National Reconnaissance Office [NRO], National Geospatial-Intelligence Agency [NGA], Naval Criminal Investigative Service [NCIS] and the Serious Organised Crime Agency [SOCA] of the United Kingdom. In addition to U.S. assets, France, Great Britain, and the Netherlands provide aircraft, ships and liaison officers to JIATF-S; liaison officers are also provided by several partner nations in Latin America. JIATF-S gathers intelligence information from multiple sources to detect and monitor illegal trafficking operations and coordinates the deployment of response assets within the Eastern Pacific and the Caribbean basin.

JIATF-S uses actionable intelligence to determine the location of suspected drug trafficking vessels. Such intelligence is bolstered by information collected from sensors and active assets, including patrol aircraft from CBP, DOD, Coast Guard, and international partners. Once a suspected smuggler has been identified, JIATF-S reports the location to a surface asset provided by the Coast Guard, U.S. Navy, or international partner with a Coast Guard Law Enforcement Detachment onboard. These assets conduct the interdiction operations, including seizing illegal drugs and arresting suspected smugglers.

Drug Interdiction

The global drug trade supplies much of the marijuana and the majority of the cocaine and heroin that flows into the United States. In addition to the harm caused in the lives of users, the drug trade poses a serious threat to national security, in part because many terrorist entities and organized crime syndicates rely on the profits of the drug trade to fund their illegal activities. In recent years, the trade has also been a contributing factor to the destabilization of governments in regions vital to U.S. interests, including previously Colombia and, more recently, Mexico.

According to the National Drug Threat Assessment published in 2009, there were more than 1.8 million drug-related arrests in the United States in 2007 covering all levels of government.[2] In 2009, the U.S. government will spend more than $14 billion to combat drug flows and use by supporting interdiction operations, drug-related law enforcement activities, and drug treatment and use prevention programs.[3]

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[2] National Drug Threat Assessment, 2009, page III.
[3] Ibid.

Drug origins

JIATF-S projects that in 2009, approximately 67 percent of the illegal drug production from South America will flow to/through Mexico and into the U.S. Fifteen percent will flow into Caribbean nations - and the remaining production will flow into Europe and Africa.

The majority of the cocaine smuggled into the U.S. originates in South America in the countries of Columbia – which is the world's largest supplier – and, to a lesser extent, Peru and Bolivia. According to the Office of National Drug Control Policy (ONDCP), in 2007, between 545 and 707 metric tons of cocaine left South America in route to the U.S.[4] According to information provided by JIATF-S, 80 percent of the cocaine departing South America is initially moved via maritime conveyances; the majority of the remaining cocaine departing South America moves via the air.

According to the DEA, Columbia is also the largest single supplier of the heroine that is smuggled into the U.S. Unlike cocaine, heroine is generally smuggled in small quantities primarily by air; it is often carried by humans and/or animals – both of which can be known by the term "mule." It is also transported in furniture, machine parts and other items loaded in containers that are shipped to the U.S.

The majority of the marijuana that is smuggled into the U.S. originates in Mexico and is trafficked by land over the southwest border. In the past few years, however, Mexican-based drug trafficking organizations have begun cultivating marijuana inside the U.S. border in an effort to reduce the risks associated with the cross-border transit and to increase profit margins by producing the drug closer to its users.[5] Marijuana is also being smuggled into the U.S. from Canada The quantities smuggled from Canada into the U.S. are far smaller than those smuggled from Mexico into the U.S. – but Canadian-grown marijuana is generally of a higher potency than Mexican-grown marijuana.[6]

Methamphetamines are produced in super labs in Mexico, also making Mexico the largest producer of methamphetamines destined for the U.S.[7]

Trafficking Trends

The Transit Zone is a 42 million square mile area through which drugs are smuggled into the U.S. from South America[8]. The zone includes the Caribbean Sea, Gulf of Mexico, and the Eastern Pacific Ocean. Interdictions within the Transit Zone are conducted through coordinated efforts conducted by the U.S. and its international partners, who patrol this large area and work to interdict traffickers crossing maritime and air routes toward the United States.

Drug smugglers use a variety of routes to cross the Transit Zone. Some routes extend up to two thousand miles offshore into the Eastern Pacific and the Western Caribbean. Over the past five

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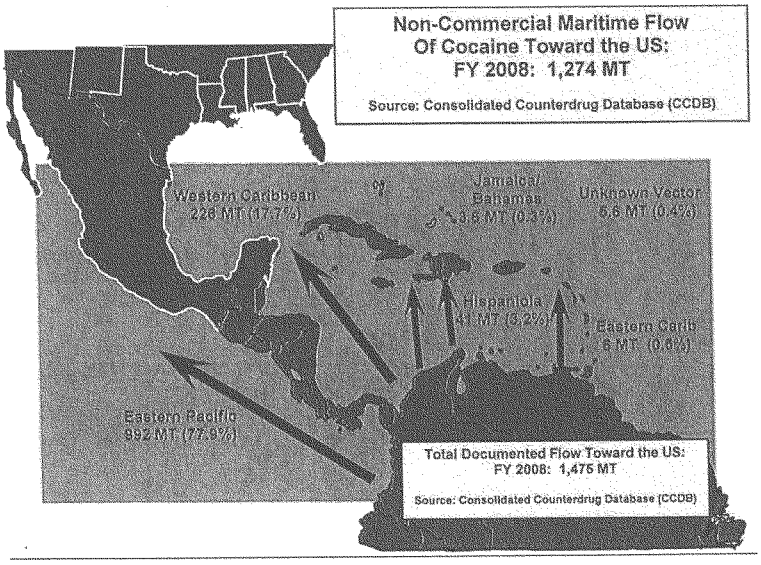
[4] Office of National Drug Control Policy, *Cocaine Smuggling in 2007*.
[5] Office of National Drug Control Policy, *National Drug Control Strategy*, January 2009.
[6] Office of National Drug Control Policy, *National Drug Control Strategy*, January 2009.
[7] Office of National Drug Control Policy – March 2008 International Narcotics Control Strategy Report
[8] Congressional Research Service, *International Drug Control Policy*, RL34543, February 9, 2009.

years, the Eastern Pacific and Western Caribbean routes have accounted for nearly 90 percent of smuggled drug flow that is intended for the U.S. Of the total cocaine removed by the Coast Guard in 2009, approximately 95 percent was interdicted in the Eastern Pacific Ocean.

The chart below shows the total estimated maritime flow of cocaine toward the United States originating in South America in fiscal year 2008. The chart shows that nearly 78 percent of the flow moved through the Eastern Pacific and the remaining flow moved through the Caribbean (with the majority bound for the U.S. and small amounts bound for destinations in the Caribbean).

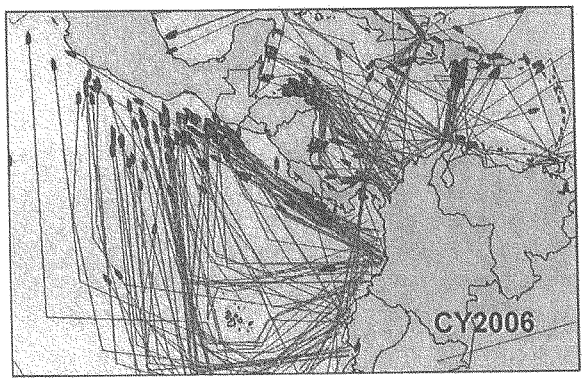


As the Coast Guard and its partner agencies succeed in interdicting drugs trafficked along one route, drug trafficking organizations change their routes and the means by which they transport drugs in an effort to elude interdiction efforts. Thus, through the use of its cutters, aircraft armed to conduct airborne use-of-force operations, small boats launched "over the horizon" from larger vessels, and fixed-wing maritime patrol aircraft, the Coast Guard has succeeded in interdicting an increasing amount of the drugs moved along routes that stretch far out into the Eastern Pacific and Western Caribbean. Smugglers have responded by increasing their use of routes that remain within the territorial seas of Central American nations close in to these nations' coastlines (called the "littoral" areas). Such routes allow smugglers to blend in to local traffic and avoid the risks of rough weather.

The charts below compare the routes vessels taken by drug smugglers from South America en route to Mexico and Central America in 2006 and 2007. The 2006 chart shows many smugglers

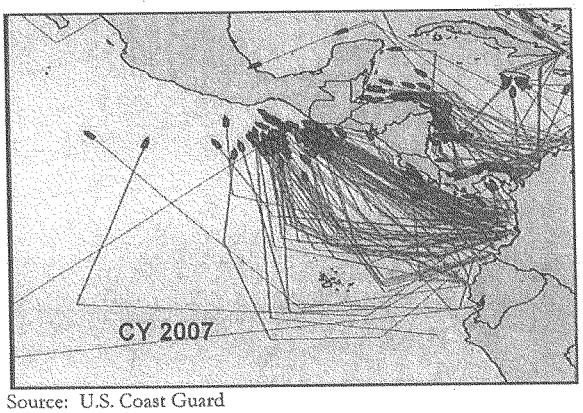
swinging into the Pacific Ocean far west of the western Coast of Central America before turning in a northern direction. The 2007 chart illustrates the increasing use of littoral routes in that year.

Trackings of Vessels Used to Smuggle Drugs in 2006



Source: U.S. Coast Guard

Trackings of Vessels Used to Smuggle Drugs in 2007



Source: U.S. Coast Guard

Smugglers often use fishing vessels (which may not be distinguishable from legitimate vessels) or "go-fast" vessels to carry drugs. Go-fasts are recreational vessels that are small in size, operate at high rates of speed with a shallow draft, and are nearly invisible to radar. Go-fasts can be used along routes that extend far out to sea as well as in the littorals. Nearly half of the drugs smuggled into the U.S. are carried by go-fast vessels. Typically, smugglers using go-fasts travel at night; however, these vessels are also practically undetectable during the day if they are stationary in the water and covered with a blue tarp which is used by go-fasts to blend into the ocean.

Drug trafficking organizations have also recently begun introducing new types of vessels designed to evade detection called self-propelled semi-submersible (SPSS) vessels. SPSS vessels ride beneath the water; they can be self-propelled or they can be towed behind other vessels. SPSS vessels are typically built in Columbia. Early models could cost up to a million dollars to produce. More recent models are typically made of fiberglass, wood or steel; they can take up to one year and cost up to two million dollars to construct. Earlier models could carry four to five metric tons of cargo; newer models can carry up to twelve tons.[9]

SPSS vessels are difficult to detect in the day time since some are painted blue and produce only a small wake; some models also have lead shielding that minimizes their heat signature making them difficult to detect at night with infrared sensors. A smuggler can travel up to 2,500 miles in two weeks in an SPSS. Some of these vessels are manned by crews of three to four people who make the journey in a four-feet high cylindrical capsule. Recently, they have begun to be equipped with scuttle valves so crews can quickly sink the vessel if it is detected, thereby destroying the evidence it contains. In January 2009 alone, the Coast Guard interdicted four SPSSs carrying a combined total of more than 51,000 pounds of cocaine.

The *Drug Trafficking Vessel Interdiction Act of 2008* (P.L. 110-407) passed by Congress last years makes it a federal felony offense for to operate a stateless submersible or semi-submersible vessel in international waters with the intent to avoid detection. The maximum penalty for violation of the Act is 15 years in prison and a one million dollar fine. Before the implementation of this Act, smugglers using SPSS vessels were usually released if no drugs were found and thus there was no evidence of smuggling activity) because the mere operation of an SPSS vessel by itself was not a crime. SPSS vessels are designed to quickly sink (scuttle) specifically to prevent the collection of drugs

Drug trade organizations have also begun carrying cocaine in a liquid form, which is diluted with diesel fuel and carried in vessel tanks. In May 2007, the Coast Guard discovered liquid cocaine on board an Ecuadorian-flagged fishing vessels. Working with DEA chemists, the Coast Guard developed a testing method that led to the positive identification and seizure of more than 3,800 gallons of liquid cocaine, which in turn led to the arrest of 17 smugglers.

Typically, whether smuggled in go-fasts, SPSS vessels, or in other types of vessels, cocaine ultimately bound for the U.S. is delivered into Mexico, where it is broken into smaller loads for transit by land across the southwest border into U.S. According to the ONDCP, approximately 90 percent of the cocaine consumed in the U.S. transits through Mexico.[10]

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[9] CNN.com, *Coast Guard Hunts Drug-Running Semi-Subs*, March 20, 2008.

[10] Office of National Drug Control Policy, *International Narcotics Control Strategy Report*, March 2008.

Drug Interdiction Trends

Approximately 52 percent of total U.S. government seizures of cocaine can be attributed to the Coast Guard. In 2007, the Coast Guard removed 355,755 pounds of cocaine with an estimated street value of more $4.7 billion. In 2008, the service surpassed the previous year's record by removing nearly 367,926 pounds of cocaine. In that year, the service also seized more than 22,000 pounds of marijuana.

Coast Guard Drug Removal Statistics – As of December 5, 2008							
FY	Events	Vessels	Arrests	Marijuana (lbs)	Cocaine (lbs)		
					Seized	Removed	Total
2009	17	7	46	20,760	29,480	3,310	32,800
2008	85	35	196	22,170	170,180	197,970	367,920
2007	65	37	188	12,380	238,040	117,710	355,750
2006	64	23	200	9,060	234,340	52,700	287,040
2005	87	66	364	10,030	303,660	34,540	338,210
2004	104	71	326	25,920	241,710	52,280	293,990

Source: U.S. Coast Guard

The amount of cocaine recorded by the Coast Guard as "seized" is the actual amount of cocaine the Coast Guard has physically captured from a vessel.

By comparison, the measure of cocaine "removed" by the Coast Guard is an intelligence-based estimate of the amount cocaine that was on board vessels pursued by the Coast Guard and that was burned, jettisoned, or scuttled by smugglers before it could be seized in an attempt to destroy evidence.

The "removal rate" measures how effective the Coast Guard is in disrupting the flow of cocaine traveling by non-commercial means to the U.S. The "removal rate" is the sum of cocaine physically seized by the Coast Guard and the amount of cocaine lost to the drug trafficking organizations due to the Coast Guard's efforts. The chart below illustrates the Coast Guard's removal goals and actual removal rates between fiscal year 2005 and fiscal year 2008.

Fiscal Year	Coast Guard Removal Goal	Coast Guard Actual Removal Rate
2008	28%	TBD(Aug 09)
2007	26%	32.6%
2006	22%	25.3%
2005	19%	27.3%

Source: U.S. Coast Guard

In 2007, record seizures of cocaine by U.S. forces together with record seizures by Mexican forces and disruption in the Mexican trafficking cartels associated with increased trafficking-related violence in Mexico decreased the availability of cocaine in the U.S., which appears to have caused an

increase in the price of this drug.[11] As reported by the ONDCP, the DEA's System to Retrieve Information on Drug Evidence (STRIDE) reported the average price per pure gram of cocaine increased from $95.35 in January 2007 to $136.93 in September 2007, while the average purity of the cocaine decreased by 15 percent.

Although the Coast Guard's largest seizures have been of cocaine and marijuana, the service has also seized approximately 138 pounds of heroin per year since 2004.

Coast Guard Heroin Seizures

Fiscal Year	Amount of Heroin Seized (in lbs.)
2004	104.4
2005	177
2006	25
2007	366
2008	18.7
Total	691.1

Source: U.S. Coast Guard

Coast Guard Assets

In the Eastern and Western Caribbean, the Coast Guard typically deploys three of its major cutters (which include 210-foot cutters, 270-foot cutters, and 378-foot cutters); these are equipped with small boats and can be deployed helicopters. The Coast Guard also typically deploys maritime patrol aircraft (which include HC-130s (Hercules) and HU-25s (Falcon) aircraft), and two law enforcement detachments (LEDETs) embarked on U.S. Navy, Dutch, or British warships. In the Eastern Pacific, the Coast Guard deploys one cutter equipped with a helicopter, three LEDETs on U.S. Navy Ships, and one HC-130 maritime patrol aircraft.

In 1998, the Coast Guard estimated it was interdicting less than ten percent of the drugs entering the U.S. by sea. Based on direction from then-Commandant James Loy, the Helicopter Interdiction Tactical Squadron (HITRON) was established. Currently based in Jacksonville, Florida, HITRON's helicopters are specially armed with a rifle and a machine gun. The crew uses these armaments for self-protection and to fire warning shots to compel smugglers to stop; if required, Coast Guard crew members can also fire disabling shots that destroy the engines of non-compliant suspect vessels. The Coast Guard's HH-65 (Dolphin) and HH-60 (Jayhawk) helicopters can also be outfitted to pursue drug smugglers. When deployed, HITRON helicopters intercepted and stopped all five of the go-fasts it encountered, arrested 17 suspects, and interdicted 2,640 pounds of cocaine and 7,000 pounds of marijuana with an street value of more than $100 million. The five-for-five success rate prompted the Coast Guard to set a new standard for enhanced future maritime drug interdiction efforts.

The Coast Guard has two Tactical Law Enforcement Teams (TACLETs): the Maritime Security Response Team located in Chesapeake, Virginia, and TACLET South, located in Miami,

[11] Office of National Drug Control Policy publication, *Cocaine Smuggling in 2007.*

FL. TACLETs are comprised of nine-person Law Enforcement Detachments (LEDETs). TACLETs and LEDETS are specialized maritime law enforcement units assigned to enforce U.S. laws across a wide spectrum of maritime response situations. Additionally, they provide terrorist deterrence and asset protection.

International Partnerships

The U.S. has 26 bilateral maritime counter-narcotic agreements with Central and South American and Caribbean partner nations. These agreements define the terms of cooperation among the parties. Depending on the level of cooperation, such agreements may:

- Allow Coast Guard personnel to board vessels carrying the partner nation's flag;
- Sanction ship rider programs under which nationals of the partner nation may ride on Coast Guard vessels to enforce the maritime laws of the partner nation;
- Sanction pursuit by the Coast Guard of alleged smugglers into national territorial waters (in instances in which such agreements are not in place, the Coast Guard must halt the pursuit of suspected smugglers at the start of a nation's territorial sea – typically 12 miles from shore);
- Allow the Coast Guard to enter the territorial waters of a partner nation to investigate alleged smuggling activity among individuals who are not under pursuit;
- Allow maritime patrol aircraft overflights; and
- Allow the Coast Guard to order suspected smuggler aircraft to land.

Exercising the terms of bilateral agreements, the Coast Guard has embarked ship riders onboard Coast Guard cutters from Guatemala, Nicaragua, Costa Rica, Honduras, the Bahamas, Belize, and Palau. Ship riders have improved cooperation between the U.S. and these participating nations and maximized the Coast Guard's effectiveness in enforcing maritime law on the high seas and in the territorial waters of partner nations.

The U.S. also has a bilateral agreement with Columbia which is used on a regular basis. Under the 1997 Maritime Ship Boarding Agreement, the Coast Guard is authorized to board Colombian-flagged vessels when they are in international waters. Using these authorities, in 2007, the Coast Guard removed approximately 16 metric tons of cocaine from Columbian- flagged fishing vessels; these removals included approximately 8 metric tons of liquid cocaine removed from a single Colombian-flagged vessel.[12]

The Coast Guard's three-person Technical Assistance Field Team (TAFT) assists countries in the Eastern Caribbean's Regional Security System by providing engineering expertise, major repair contracting services and vessel assessments. The team assisted the Haitian Coast Guard by providing technical and engineering assistance, greatly improving the operations of the Haitian's small boat fleet.

The Coast Guard's International Training Division's Mobile Training Team deploys worldwide to conduct various maritime law enforcement and vessel boarding training courses to the

[12] Office of National Drug Control Policy, *International Narcotics Control Strategy Report*, March 2008.

maritime services of partner nations. More than 1,400 students from 43 countries were trained in fiscal year 2007.[13]

Migrant Interdiction

Each year, thousands of people attempt to make unauthorized entries into the U.S. by maritime means. The majority of these would-be immigrants approaching the U.S. by water originate from Cuba, Haiti, and the Dominican Republic.

In 1992, Executive Order 12807 was issued by President George H. W. Bush, which directed the Coast Guard to prevent undocumented migrants from entering the U.S. by interdicting them at sea and returning them to their country of origin or departure.

To implement and enforce immigration laws and policies, the Coast Guard works in close coordination with ICE and CBP – which are predominantly responsible for detaining undocumented immigrants – and with the U.S. Citizenship and Immigration Services (USCIS), which conducts legal proceedings as required to assess whether a would-be immigrant has a credible fear of return to their country of origin or departure.

The chart below shows the total number of undocumented migrants interdicted by the Coast Guard between fiscal years 2003 and 2009.

Annual Coast Guard Migrant Interdictions – as of Jan 26, 2009					
Fiscal Year	Haitian	Dominican	Cuban	Other	Total
2009	612	498	384	68	1,562
2008	1,582	688	2,199	333	4,802
2007	1,610	1,469	2,868	391	6,338
2006	1,198	3,011	2,810	867	7,886
2005	1,850	3,612	2,712	1,281	9,455
2004	3,229	5,014	1,225	1,431	10,899
2003	2,013	1,748	1,555	752	6,068

Source: U.S. Coast Guard

During the first quarter of fiscal year 2009, 692 undocumented migrants from a variety of countries of origin successfully landed in the U.S. The Coast Guard has reported an increase in the flow of Haitians and Dominicans and a decrease in migration from Cuba. The overall interdiction rate for Cubans is 44.2 percent; for Haitians, the interdiction rate is approximately 87 percent; and for Dominicans, the interdiction rate is approximately 88 percent.

The specific migration operations involving individuals originating from each of Cuba, Haiti, and the Dominican Republic are discussed in more detail below.

Cuban Migrants

[13] Office of National Drug Control Policy, *National Drug Control Strategy*, January 2009.

For more than 50 years since the Cuban Revolution, Cubans have attempted to migrate to the U.S. by crossing the 90 miles that separate the Island from the Florida Keys. The most famous - and largest - mass migration from Cuba was the Mariel Boatlift which occurred in the 1980s. The Mariel Boatlift occurred between April and October 1980 after the Cuban government announced that anyone who wanted to leave the island could do so; the announcement was precipitated in part by declining economic conditions in Cuba. During the Boatlift, more than 124,000 Cubans departed the port of Mariel, Cuba seeking political asylum in the U.S. They traveled in a motley flotilla of mostly U.S. vessels operated by Cuban-Americans; these vessels traveled in violation of U.S. law because U.S. vessels were (and are) not allowed to enter the territorial waters of Cuba. The Coast Guard provided search and rescue assistance to vessels bound for the U.S. and interdicted U.S.-flagged vessels that were on their way to Mariel Harbor. The service also provided legal assistance to the federal agencies that investigated and prosecuted U.S. boat owners. During this time, the Coast Guard assisted 1,387 vessels. More than 124,000 Cubans made it to America as part of the Boatlift; due in large part to the efforts of the Coast Guard, only 27 died at sea.

More than 25,000 Haitians left Haiti to seek asylum in the U.S. during the time of the Marial Boatlift. In 1981, the bodies of 30 Haitian migrants washed ashore on a beach in Florida. In response to experiences during the Mariel Boatlift and to an increase in the number of Haitian migrants seeking to enter the U.S., President Reagan issued Presidential Proclamation 4865 on September 29, 1981, which suspended the entry of undocumented migrants to the U.S. from the high seas.

Another mass migration occurred between 1991 and 1995. During that time, the Coast Guard interdicted more than 120,000 migrants from 23 countries. In 1994 alone, the Coast Guard prevented more than 63,000 migrants from entering the U.S. At the height of this mass migration, the Coast Guard stationed 17 vessels to patrol the coast of Haiti; an additional 38 vessels patrolled the Straits of Florida.

Since 1995, Cuban migration has fluctuated between approximately 1,200 and 3,000 migrants per year.

The Cuban Adjustment Act of 1966 was revised in 1995 to create what is today commonly known as the " wet foot, dry foot" policy. Under the terms of the policy, officially called the U.S.-Cuba Immigration Accord, anyone who flees Cuba and reaches U.S. shore is allowed to apply for residency one year after arrival. However, under an agreement reached between the Clinton Administration and the Cuban government, the U.S. has stopped admitting Cubans interdicted at sea. Any Cuban interdicted on the water between Cuba and the U.S. is either repatriated to Cuba or sent to a third country if the individual is determined to have a reasonable fear of persecution by Cuban authorities. Cubans who migrate to the U.S. through Mexico are processed in the same manner as if they arrived by maritime means.

Additionally, since 1994, the U.S. and Cuba have had a bilateral agreement under which the U.S. grants up to 20,000 immigration visas a year to Cubans.

Today, Cubans typically move through smuggling networks, which have become a multi-million dollar enterprise relying on go-fast boats to bring Cubans to Florida. Cubans can be charged up to $10,000 each to make the voyage from Havana to Miami, which is approximately 198 nautical

miles. The estimated rate of success for migrants attempting to enter the U.S. on go-fast vessels is 85 percent; by comparison, those attempting the voyage on rafts or other more primitive vessels have a success rate of only about 50 percent.

Cuban migrants have also begun to travel across the Yucatan channel into Mexico; from there, they attempt to enter the U.S. overland across the Southwest border. In response to this trend, the governments of Mexico and Cuba agreed in 2008 to rapidly repatriate Cuban migrants interdicted by Mexican authorities.

Haitian Migrants

Haiti is the poorest country in the Western Hemisphere. In the past, migrants have left Haiti due to deteriorating economic conditions and political violence. Today, most migrants are driven by widespread hunger, poverty, and soaring food prices – all of which are compounded by the repeated devastation caused in that country by hurricanes and tropical storms.

Some Haitians travel to the Bahamas and are then smuggled to the U.S. in go-fast boats. Others travel directly from Haiti to the U.S in large, overloaded sail freighters or even on rafts. Haitians can be charged more than $600 U.S. dollars by smugglers for the trip to the U.S.

The numbers of Haitians attempting to enter the U.S. in the first quarter of fiscal year 2009 has increased – particularly in the period leading up to and immediately following the transition in the U.S. presidential administrations.

Haitians who are interdicted at sea are immediately returned to Haiti. If Haitians are caught on shore, they are processed by CBP and/or ICE and deported back to Haiti.

A Coast Guard Liaison Officer is permanently stationed at the U.S. Embassy in Port au Prince, Haiti. That individual is responsible for handling various migration, counterdrug, and international engagement issues with Haiti including the repatriation of migrants.

Dominican Republic Migrants

Migrants departing from the Dominican Republic (DR) typically do so to seek economic opportunities in the U.S.; more recently, the impact of two devastating tropical storms has also spiked migration from the DR. Dominicans typically travel through the Mona Passage to Puerto Rico in a variety of vessels but most commonly in small wooden boats that can carry as few as 10 or as many as 250 migrants.

In 2003, the U.S. and Government of the Dominican Republic signed a maritime migration agreement that makes the repatriation of Dominican migrants interdicted at sea faster and easier. Since 2005, the number of migrants has decreased each year; this decrease is typically attributed to improvements in the Dominican economy and the implementation of a new biometric program established by the Coast Guard in late 2006.

The biometric program enables the Coast Guard to collect the fingerprints of interdicted migrants and send the information back to a shore-based database to determine if any of the interdicted individuals are wanted to face criminal charges. Those with outstanding warrants are

taken into custody; the remaining individuals are repatriated to the DR. The use of this biometric system also enables the Coast Guard to identify individuals who have been interdicted on repeated occasions. The Coast Guard had collected data from 99 percent of the Dominican migrants it has interdicted; approximately 23 percent of the migrants matched criminal complaints, resulting in 155 individuals being brought ashore to be prosecuted.[14]

Asian Migrants

Immigration by water from Asia – mostly from the People's Republic of China – has dramatically increased in recent years. The smugglers who move migrants from Asia are typically well-organized and can be violent. Migrants are typically crowded into vessel cargo holds in unsafe and unsanitary conditions to make the Pacific crossing; they are then transferred into smaller vessels offshore to make the final trip to the U.S. or they are taken to Central American countries and smuggled into the U.S. over the Southwest border. Migrants also are smuggled into the U.S. by air through transit points outside of China; many carry fraudulent documents. [15]

PREVIOUS COMMITTEE ACTION

The Subcommittee on Coast Guard and Maritime Transportation has not previously held a hearing on Coast Guard drug and migrant interdiction

[14] National Defense Magazine – January 2009

[15] U.S. Department of Justice - Characteristics of Chinese Human Smugglers August 2004

WITNESSES

Rear Admiral Wayne Justice
Assistant Commandant for Capability
United States Coast Guard

Rear Admiral Joseph L. Nimmich
Director
Joint Interagency Task Force-South

HEARING ON OVERVIEW OF COAST GUARD DRUG AND MIGRANT INTERDICTION

Wednesday, March 11, 2009

HOUSE OF REPRESENTATIVES
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
SUBCOMMITTEE ON COAST GUARD AND MARITIME TRANSPORTATION,
Washington, DC.

The Subcommittee met, pursuant to call, at 10:00 a.m., in Room 2167, Rayburn House Office Building, the Honorable Elijah E. Cummings [Chairman of the Subcommittee] presiding.

Mr. CUMMINGS. Good morning. This hearing is called to order.

Today, the Subcommittee convenes to examine the Coast Guard's drug and migrant interdiction operations and policies. Many people in the United States who do not live near the water or work in the maritime industry may have little interaction with the Coast Guard and may simply not be aware to the critical importance of the service's work. However, the Coast Guard's work touches every community in this Nation, and that is particularly true of the service's interdiction missions.

I live in Baltimore's inner inner city, and I have seen firsthand how addiction can blind young people to their hopes and dreams and possibilities. I have also seen how drugs can destroy not only people, but communities. I have seen young men lured into prison, instead of college, by traffickers, and I have seen young women selling their bodies on our streets to feed their habits.

It is almost impossible for me to express how deeply I am troubled by this waste of human lives. However, I am heartened by the successes that the Coast Guard is achieving in interdicting illegal drugs.

Put simply, every ounce of an illegal drug interdicted at sea is an ounce that is kept off of our streets. Every ounce interdicted is an ounce that cannot destroy a life, family, or community. And every ounce interdicted is money kept out of the hands of illegal drug cartels and even potentially terrorist organizations.

In 2007, the Coast Guard removed just under 356,000 pounds of cocaine, with an estimated street value of more than $4.7 billion. The Coast Guard surpassed this outstanding record in 2008, removing nearly 368,000 pounds of cocaine.

The Coast Guard, working with its Federal and international partners, has achieved these record results at a time when the service is increasingly constrained by the limits imposed by its aging assets and while managing an ever-expanding workload arising from its other very critical missions.

It is important for us to understand from today's hearing the factors that may be limiting the service's ability to seize additional amounts of illegal drugs. I am particularly concerned to know whether our intelligence capabilities, which are centered on facilities like the Joint Interagency Task Force South, ably represented today by Admiral Joseph Nimmich, are gathering intelligence faster than we can act on it.

We will also examine the emerging threats we face. In recent years, smugglers have begun using semi-submersible vessels, some self-propelled and some towed behind other boats. These vessels, known as SPSS vessels, can carry large quantities of drugs. In January of this year alone, the Coast Guard removed four such SPSS vessels carrying an estimated combined total of more than 50,000 pounds of cocaine.

The emergence of SPSS vessels and the ships now observed in maritime smuggling routes testify to the increasing ability of the Coast Guard and our partner agencies to interdict drugs carried in more conventional ways. However, they also testify to the willingness and the ability of smugglers to innovate, and that is why we must always be a step ahead of the smugglers if we are to continue increasing interdiction rates.

Congress responded to the SPSS threat by passing legislation last year making the operation of a stateless SPSS vessel with intent to avoid detection a Federal felony. This legislation gives the Coast Guard and the Department of Justice a new weapon in the fight against drugs. We hope to examine today whether other legislative changes may be needed to respond to new threats.

Another critical interdiction mission performed by the Coast Guard involves the interception of undocumented migrants at sea. According to the Coast Guard, in the first quarter of fiscal year 2009, more than 2,700 undocumented migrants tried to come to the United States by sea, a figure that is more than 14 percent higher than the rates seen in the first quarter of fiscal year 2008.

Most of the migrants interdicted by the Coast Guard originate from Cuba, Haiti, or the Dominican Republic. Many of those seeking to enter the United States put to sea in rickety vessels or even homemade rafts in an attempt to flee the desperation of their circumstances. Others are smuggled in go-fasts operated by organizations and smuggling rings.

The Coast Guard's work interdicting migrants is critical to preventing unauthorized entry into the United States. In many instances, the service is also rescuing individuals who may be at great risk in unsafe boats in open water.

As with drug interdiction operations, we hope to examine in more detail today the trends that the Coast Guard is observing in migration, particularly as national economies experience a deepening world recession, as well as what measures may be needed to respond to them.

In addition to Admiral Nimmich, we also are joined by Admiral Wayne Justice, the Coast Guard's Assistant Commandant for Capability. Admiral Justice is a familiar face to the Subcommittee, and we welcome you back.

I will be in and out of the hearing because I have another hearing at the same time, but, believe me, I will be briefed on what I may have missed.

With that, I will now yield to our distinguished Ranking Member, Congressman LoBiondo.

Mr. LOBIONDO. Good morning and thank you, Mr. Chairman, for holding this very important hearing.

Among the armed forces, the Coast Guard is the only military service with the authority to enforce U.S. laws domestically and abroad. Coast Guard personnel carry out missions to protect our Nation's fisheries, secure our maritime border, and stem the tide of illegal drugs onto our streets.

The demands on the Coast Guard personnel to successfully conduct these missions are extremely high and getting even higher. However, the service's assets are increasingly unavailable due to unscheduled and emergency maintenance needs.

I am extremely concerned about the impacts that the decreasing availability of patrol boats and maritime patrol aircraft is having on the Coast Guard's law enforcement missions. I look forward to hearing from our witnesses on how the Coast Guard intends to deal with this increasingly widening gap.

Last year, Congress responded to the Coast Guard's request for additional authorities to interdict stateless submersible and semi-submersible vessels, as the Chairman noted in his statement, that are increasingly being used by Colombian drug lords to ferry illegal drugs north to Central America and Mexico, and eventually onto our coast and onto our streets. Unfortunately, we did not take similar action on the service's longstanding request for strengthened authorities to apprehend and prosecute individuals who attempt to smuggle aliens into the United States.

These alien smugglers attempt to bring thousands of undocumented migrants to the United States each year by sea, without any regard for law enforcement or for the health and safety of the individuals they smuggle in. These smugglers are not in the business for humanitarian reasons. This is a for-profit, big profit, dangerous, and illegal enterprise which needs to end.

I intend to introduce legislation with Congressman Mica—and hopefully a number of others who will see the merits of moving forward with this authority for the Coast Guard—to close these loopholes which give the Coast Guard little choice other than to return alien smugglers to their countries of origin, which is an unacceptable alternative.

This bill will generally follow the guide of legislation which passed the House in the 110th Congress, but would fall under the jurisdiction of this Committee. Our bill will carefully target the smugglers who show a reckless disregard for human life and not the passengers, who are too often caught up in the tangled lies of the smuggling rings.

I hope that the witnesses will address this and other important issues which are impacting the Coast Guard's law enforcement message, and I hope, Mr. Chairman, that you will look at this legislation closely and decide to join in with me to ensure that alien smuggling legislation is enacted as part of the Coast Guard's reauthorization bill during the 111th Congress.

Thank you, Mr. Chairman.

Mr. LARSEN. [Presiding] Thank you, Mr. LoBiondo.

Do any other Members have an opening statement? Mr. Coble?

Mr. COBLE. Thank you, Mr. Chairman. In the interest of time, Mr. Chairman, I would like my entire statement to be made part of the record. But I will associate myself, Mr. Chairman, with the remarks made by the gentleman from New Jersey. He indicated that currently there are enormous procedural and jurisdictional hurdles that seem to protect, and maybe even embolden, alien smugglers, and clearly that deficiency should be addressed hopefully in this session of the Congress.

I thank you, Mr. Chairman.

Mr. LARSEN. Without objection, your entire statement will be entered into the record.

Mr. Olson, do you have an opening statement?

Mr. OLSON. Mr. Chairman, yes, I do, and I will be very brief. Thank you.

Thank you, Mr. Chairman, and thank you, Admiral Justice and Admiral Nimmich. I appreciate your service and I appreciate your being here today to help us understand how our Nation is fighting the drug flow from South America and from Mexico.

In my district, the Greater Houston area has experienced a tremendous increase in violence attributed to Mexican drug trafficking organizations in recent months. The drug violence in Mexico, the human trafficking, the gun trafficking going south from the United States has escalated to the point where Mexican nationals, in some cases, are fleeing to our side of the border, to cities in and around the Houston area, to protect themselves and their families from possible kidnapping and murder.

Narco traffickers in Mexico are receiving the majority of the cocaine they distribute in the United States from countries in South America, particularly Colombia, that deliver drugs by boat or semi-submersibles in the western Gulf of Mexico and the eastern Pacific Ocean.

The National Drug Intelligence Center at the U.S. Department of Justice has even found that Mexican drug trafficking organizations are using the Padre Island National Seashore south of the Corpus Christi metropolitan area, in sort of the Brownsville, the lower South Padre Island, in my home State as an entry point to smuggle drugs and illegal aliens.

As the Mexican drug wars continue to escalate, the Coast Guard's drug and migrant interdiction efforts take on an even more critical role. I appreciate all the good work that the United States Coast Guard does to stop smugglers from bringing illicit drugs and illegal aliens to our shores, and I look forward to hearing your ideas on how we can better enforce our Nation's laws to ensure the integrity of our Nation's borders.

Mr. Chairman, I yield back my time.

Mr. LARSEN. The gentleman yields back.

We are now going to welcome the members of our panel. Rear Admiral Wayne Justice is the Coast Guard's Assistant Commandant for Capability and Rear Admiral Joseph Nimmich is the Director of Joint Interagency Task Force South.

Let me note that Admiral Nimmich is under a time constraint today; he needs to depart at about 11:20 to attend an event with President Obama. Therefore, when we get to questions, we want to be sure that we ask questions of him before his departure.

With that, we welcome both witnesses to our Subcommittee and we will start with Admiral Nimmich.

TESTIMONY OF REAR ADMIRAL JOSEPH L. NIMMICH, DIRECTOR, JOINT INTERAGENCY TASK FORCE SOUTH, U.S. COAST GUARD; AND REAR ADMIRAL WAYNE E. JUSTICE, ASSISTANT COMMANDANT FOR CAPABILITY, U.S. COAST GUARD

Admiral NIMMICH. Good morning, Mr. Chairman, Members of the Subcommittee. Thank you. I am Rear Admiral Joe Nimmich, and I have the privilege of being the Director of the Joint Interagency Task Force South, located in Key West, Florida.

Mr. Chairman, today, 71 Americans will lose their lives to illicit drugs. Nineteen will be the direct result of cocaine. These Americans come from all walks of life; rich and poor, young and old, rural and urban. And as the Chairman pointed out, inner cities bear the largest burden.

Also, nearly 17 Mexican citizens will be executed today in never before seen gang violence against each other and Mexican law enforcement and military.

Joint Interagency Task Force South is a critical piece of a national strategy to reduce our dependence on illicit drugs. The Office of National Drug Control Policy has a multi-pronged strategy to address illicit drugs in the United States. The strategy focuses both on demand reduction at home and supply reduction in the source, transit, and border areas.

Joint Interagency Task Force South is tasked with the interdiction of illicit traffickers in the transit zone. Illicit traffickers encompass the full spectrum of threats to national security, presenting a formidable challenge to our future, as well as our partner nations. Today, we are faced with a highly mobile, asymmetric trafficking threat with the advantages of many years of experience smuggling illicit contraband throughout the region, and now globally, presenting a truly transnational threat.

In order to move people and cargo towards the United States and international markets, well resources illicit traffickers exploit the vast air, land, and maritime domains, using both legitimate and illegitimate methods of conveyance. Traffickers have established an agile and viable infrastructure for transporting large quantities of illicit cargo not only to the United States and to Europe, but to Africa and Asia as well.

While focusing efforts on the transnational illicit threat, JIATF South has continued to disrupt record levels of cocaine bound for world markets, last year yielding 229 metric tons, statistically, 41 percent of the world's cocaine seizures and disruptions. This translates into the removal of $4.5 billion worth of cocaine, and this also reflects the removal of 71 hits of cocaine for each and every U.S. high school student.

Even with this positive result, we cannot lose sight of the continuing funneling of illegal drugs across our communities and the corruption, violence, and instability that remains in the wake here

at home and in the region which affects our national security. We also don't have to look far to cite these shared instabilities from illicit traffickers growing throughout our region. Frequently in the news are the reports on how Mexico has been plagued in recent years by drug-related violence, with powerful cartels battling each other and security forces.

So far this year, more than 1,000 Mexican people have died in the results of this violence. Mexican anti-drug operations, however, have not reduced the violence, according to experts, due to the cartels' ability to buy off police and high-ranking prosecutors. JIATF South supports the Mexican effort by stopping cocaine flow before it arrives in Mexico, removing the money necessary for the cartels to continue the violence.

Violence in Guatemala, although not highlighted in the media as much as in Mexico, has reached similar levels, with thousands of assassinations. Violence costs Guatemala the equivalent of 7.3 percent of its GDP, and it is the fourth highest rate of violence in Latin America, with a homicide rate of 55.4 per 100,000 residents.

In 1989, JIATF South was established to focus on the supply of south-to-north flow of drugs from South America towards the United States. Since 9/11, the command has grown in operational perspective to become more inclusive with the demands of the changing security environment. Daily, we conduct interagency operations against illicit traffickers by highly mobile, asymmetric threats originating in the transit zone. Our joint operating area, through the detection and monitoring of illicit air and maritime targets intelligence fusion, multi-sensor correlation, information sharing, and handing off to our law enforcement agencies and partner nations for the interdiction and apprehension.

In spite of our challenges, we continue to be successful. Two primary reasons: first, JIATF South is a dynamic and evolutionary organization, one continuously adapting itself to evolving target sets; and second is the national and international unity of effort found within our command that spans geographic and functional boundaries, bringing with it operational efficiency and synchronized intelligence.

Thank you for the opportunity to discuss our threat and the challenges we face in combating illicit trafficking. Thank you for your interest in our national integrated task force. I will be happy to answer your questions.

Mr. LARSEN. Thank you, Admiral. Exactly five minutes. Pretty good job. Great staffing.

Admiral Justice.

Admiral JUSTICE. Good morning, Mr. Chairman and distinguished Members. I am honored to appear before you today to share the successes and challenges of the Coast Guard's maritime drug and migrant interdiction missions.

The Coast Guard is the lead Federal agency for maritime drug interdiction in the transit zone and strives, with our DHS partners, to reduce the supply of drugs by denying smugglers the use of maritime routes and conveyances, spanning a 6 million square area that includes the Caribbean and Eastern Pacific, roughly the size of the Continental United States.

I will add to Rear Admiral Nimmich's comments and say that the Coast Guard and our partners could not do our job without the tremendous leadership and support of JIATF South.

The Coast Guard continues to improve its capabilities through its recapitalization program. After successfully re-engining our HH-65 helicopters. We have outfitted some of them with an Air-Use-of-Force capability that can disable non-compliant go-fast vessels, as depicted in the pictures here.

The overwhelming success of the Air-Use-of-Force program has resulted in smugglers using routes through Central American littorals with the attempt to evade U.S. patrol efforts by operating the territorial sea of our partner nations. The Coast Guard has targeted this tactic through a series of 27 maritime bilateral counterdrug agreements and arrangements. Our newest one, which was signed this past December with Mexico, marks a significant expansion. Just last month, using a recently approved operation center information exchange protocols, the Coast Guard was able to confirm the registry of a suspect Mexican flag fishing vessel. In less than one hour, the Coast Guard obtained permission from the government of Mexico to board the vessel and locate nearly 7 metric tons concealed within a hidden compartment.

The effectiveness of any drug or migrant interdiction model requires successful prosecutions to levy consequences. Congress plays a critical role supporting Coast Guard efforts by providing legislation to combat illicit smuggling.

Mr. LARSEN. Admiral? Apparently, when I talk, the static goes away. Maybe you could switch microphones.

Admiral JUSTICE. Okay.

Mr. LARSEN. We will have that other microphone removed from the hearing room.

Admiral JUSTICE. I kind of liked that, sir, because the clock didn't work either.

[Laughter.]

Mr. LARSEN. It is working up here.

Admiral JUSTICE. Most recently, Congress's rapid action to pass the Drug Trafficking Vessel Interdiction Act offers another powerful tool to counter difficult-to-detect self-propelled semi-submersible vessels as a transport of multi-load tons of cocaine bound for the United States. Since the passage of this Act on September 13th, the Coast Guard has interdicted five such vessels, carrying an estimated 25 metric tons of cocaine. Thanks to this new law, U.S. attorneys are now able to prosecute suspect smugglers, even if the vessel is successfully scuttled and no contraband evidence recovered. The Coast Guard greatly appreciates the work of Congress in passing this vital legislation.

Like the illegal drug threat, the flow of undocumented migrants on American shores is both a threat to human life and violates U.S. and international laws. The Coast Guard migrant interdiction operations are as much humanitarian efforts as they are law enforcement efforts. In fact, many of the migrant interdiction cases handled by the Coast Guard begin as search and rescue missions. During the first five months of 2009, 5300 documented migrants attempted to enter the U.S. via maritime means. This number is up 25 percent during the same reporting period last fiscal year. The

largest factor has been an overall increase in the flow from Haiti. We have had twice as many, nearly 3,000 rescues, compared to last year's same period.

Just as we do in drug interdiction, we rely on technological innovation and partnership with other agencies and countries to counter alien smuggling. In Sector San Juan, between the Dominican Republic and Puerto Rico, robust interagency support for interdiction, prosecution, and deployment of a mobile biometrics capability in our 110-foot patrol boats has proven extremely effective in reducing the flow of illegal migration by over 75 percent since 2006. 236 cases have been referred for prosecution that included 40 aggregated felons and 90 aliens attempting to illegally re-enter the United States after deportation. This initiative could not have been possible without the full partnership of US-VISIT, CBP, ICE, and the U.S. Attorney's Office in San Juan, the State Department, Dominican Navy, and others.

Areas of concern is the potential for mass maritime migration, such as occurred in 1994, coming almost simultaneously from Cuba and Haiti. The Department of Homeland Security has developed Operation Vigilant Sentry Operations Plan. This fully integrated operation will work to deter illegal or unsafe migrant departures to interdict, repatriate, and detain migrant populations as necessary and appropriate to protect the security of the United States. While no one can say that we are fully ready for any contingency, I can say with a great deal of confidence that all DHS components and partner agencies are cooperating fully and are ready to deter and respond to a mass migration.

As we look to the future, we are anticipating that DHS's secure border initiative coupled with Mexico's law enforcement efforts, will pressure drug and human smuggling organizations to move their operations offshore. In San Diego, we may be seeing the first signs of an uptick in maritime smuggling activity. We are leveraging the Coast Guard's Joint Harbor Operations Center in San Diego for integrating planning and to undertake joint operations with our Federal, State, local, and Mexican partners.

I will add, Congressman Olson, that we have the same joint effort going on in the Texas-Mexico border off Corpus Christi.

While I am immensely proud of our interdiction efforts, in recent years, Coast Guard personnel have been saddled with significant maintenance challenges associated with maintaining an aging fleet of offshore cutters that are increasingly experiencing lost operational days. Significant structural deficiencies resulting from advanced age have resulted in unplanned maintenance on board several cutters that prompted cancellation of patrols.

The Coast Guard has undertaken a comprehensive modernization effort that will centralize key maintenance and logistics functions under the Deputy Commandant of Mission Support at Coast Guard Headquarters. This consolidation will enable more effective acquisition governance and asset oversight, standardized maintenance processes, and provide a single point accountability for lifecycle management of assets. Also critical, the implementation of the rest of the Coast Guard recapitalization program that will provide the cutters, aircraft sensors, intelligence collections and com-

munications capabilities necessary to address adaptive drug trafficking organizations operating in an expansive maritime demand.

Sir, whether operating thousands of miles downrange, off South and Central America or operating right off our coasts in our Nation's littorals, the Coast Guard, with its DHS and DOD partners, is playing a critical border security role, encountering a broad range of illicit activities in establishing smuggling routes throughout the maritime domain.

Thank you for the opportunity to testify before you today, and I would be happy to answer questions.

Mr. LARSEN. Thank you both. I will start with questions with regards to the submersibles, obviously an innovation over the last couple years. Do you anticipate or can you talk about anything that you foresee in terms of other innovations we might expect from the drug smuggling community?

Admiral NIMMICH. Yes, sir. The drug smuggling community is highly adaptable, and our successes from 2006 actually drove them to develop and more successfully utilize the semi-submersibles. As our success increases this year, we fully expect to see differences in how they do business, one of which is to just emphasize past successes. They are taking extreme advantage of our partner nations' littorals downrange, distributing their load—rather than carrying 6,000 tons in one vessel, putting it in four vessels, knowing that we have limited capacity to be able to react to that—and, finally, we continue to see a trend towards using legitimate containers—not to the United States, but to Europe and Asia—as a method of being able to move cocaine out of the region and then potentially back into the United States through other mechanisms.

Mr. LARSEN. With regards to the movement towards the littorals, could you explain the reason for that a little bit more?

Admiral NIMMICH. Yes, sir. They clearly know that our partner nations downrange don't have the capacity we do, and they use the littorals. Even with our bilateral agreements, it requires more time to be able to respond and recognize the sovereign nature of the territorial waters of each of our partners. So as they move in and out—as a prime example, we have had two vessels in the last two days, high-speed, go-fast vessels run right along the territorial waters of Panama. I have a Navy vessel that tries to do the intercept and they move immediately into the Panamanian territorial waters because Panama restricts my ability to use naval vessels. When I have a Coast Guard vessel, I can exercise the bilateral and move a Coast Guard vessel in.

So it is a challenge for me to keep the right assets in the right place to be able to identify and react to this, but they use our recognition of other nations' sovereignty as a tool to eliminate our ability to interdict. Panama will respond, but they have very limited capability, and often their capability isn't nighttime capable, and the drug cartels know that and they use that to their advantage.

Mr. LARSEN. In a situation like that, would you track the vessel until it gets to a place where—even if you are using a U.S. naval vessel, would you track the vessel until it gets to a place where you can interdict?

Admiral NIMMICH. Within the limited resources we have, we track as long as we can. It is hard to be able to maintain con activity when they go into the mangrove rivers and streams on the eastern pacific coast, so we do—in fact, we have had very good cases where we have been able to direct a partner nation's assets right into the interdiction, including Mexico, Guatemala, Nicaragua. All are providing capability within the realm of what they are capable of.

Mr. LARSEN. In terms of the level of intelligence that you can gather, level of information you can gather but you cannot respond to, respond to that intelligence, what are your limitations in response?

Admiral NIMMICH. It is a difficult question to answer because a lot of our intelligence starts out as human reporting, and human reporting's reliability needs to have validation, second or third sources. So often there is a lot of information out there, but its credibility is in question.

I would say that we are about 50 percent capable of responding to actionable intelligence, where I can get validation, second source or some sort of a national technical capability that tells me, in fact, drugs are moving. I have the assets to be able to detect about 50 percent of that, sir.

Mr. LARSEN. So an estimate of what the gap between actual intelligence and ability to act might be about 50 percent?

Admiral NIMMICH. Yes, sir, and that is a combination of better intelligence capabilities within my command, and we are working very hard at using capabilities and techniques developed in Iraq and Afghanistan on networking and information management. Our intelligence community partners are bringing that capability to us in JIATF, so some of it is better intelligence and then some of it is just purely more assets, primarily maritime patrol aircraft.

Once I have an area that intelligence leads me to, it is usually a fairly large piece of ocean, and if I can't fly an aircraft to physically find the contact that I am looking for, it is awfully difficult to move a ship to do the interdiction.

Mr. LARSEN. The next question I have sort of relates to the Deepwater Program, acquisition program. What particular assets coming out of that over the next several years are most fitting for the interdiction work?

Admiral NIMMICH.. Yes, sir. Clearly, the national security cutter is going to be in a phenomenal increase in capability not just by its endurance and the ability to proceed at a higher rate of speed, but its ability to do collections as well, things we can't quite talk about in this room, but they have national technical capability that will greatly enhance my ability to collect on communications intercepts.

Additionally, the maritime patrol aircraft of the C-130Js are already proving themselves downrange and those acquisitions in long-range maritime patrol aircraft. The short-range maritime patrol aircraft have a value for me in terms of the Caribbean and work out of both Guantanamo Bay, but mostly out of Borinquen in Puerto Rico.

And I will pass it off to Admiral Justice to add to that, sir.

Mr. LARSEN. Admiral Justice?

Admiral JUSTICE. Yes, sir. Thank you. I will just continue again. Our Deepwater recapitalization program focused on the offshore capability, whether it is cutters that can deliver helicopters in boats on-scene or long-range aircraft that are going to find, support the intelligence to get us where we need to respond to, is our focus.

I would add, on the aircraft side, in addition to the C-130s, whether it be the Hs that we are going to upgrade with center wing boxes or if it is the C-130Js, as we get as many as we choose to get of those, or its our cast, the other piece would be UAS, the unmanned aerial systems. And we are approaching that challenge with a DHS national asset construct, where CBP, who also operates the same asset, we are co-joined with them in a joint program office to move forward with both land and maritime variance of potentially a predator that will also add the ability to get this data that we need to respond to intelligence-wise.

On the ship side, in addition to our national security cutters, we have been fortunate to be able to let the contract for our fast response cutters, an extraordinarily capable and advanced, and it will be new cutters that replace our 110s.

And then our next step, sir, is the offshore patrol cutter, that middle band which is going to replace our 210s and 270s, the 40-year-old ships that are just neither big enough nor fast enough, and absolutely are not reliable enough now to continue moving forward and addressing these challenges.

Mr. LARSEN. Sure.

Admiral NIMMICH. If I could just add on to that. The offshore fast response cutters, the patrol boat replacements, come from a Dutch design that I have actually sailed on in the Caribbean, one in Curacao and one in St. Maarten, extraordinarily capable. And the one in Curacao is responsible for several interdictions that we have provided information down to the Dutch. These will make a great improvement in the Caribbean for me.

Mr. LARSEN. Just one more question from me, then I will turn it over to Mr. LoBiondo.

With regard to helicopters, the Coast Guard doesn't have enough 65s to ensure that each large cutter deployed to interdict drugs has a tactical squadron, so what are the alternatives for acquiring additional squadron capacity for the Coast Guard?

Admiral JUSTICE. Sir, I appreciate the question. Yes, you are right, as we balance our aviation assets with the missions that we have, whether they be coastal or search and rescue or security, pollution response or putting one of our cutters offshore, we need to continue to look at that balance and to assess the amount of resources that we have and that we need. The way we do it now, of course, is that we outfit two or three cutters with support supplies, and then we might share that helicopter with those cutters. That works if they are in range. And that is not a panacea, that is just a tactic. So we appreciate that issue, sir, and we understand that challenge.

Admiral NIMMICH. Mr. Chairman, from my perspective, having a vessel without a helicopter is extremely limited, particularly when you talk about the small boat threat that we talked about. A vessel never can stop them, it is the airborne use of force capability that the Coast Guard has developed that is my ace in the hole when it

comes to interdicting go-fasts. A vessel that I have in contact within 150 mile square box, a Coast Guard cutter without a helicopter has about a 7 percent chance of detection. With a helicopter, that goes up to about 40 percent. And when I put maritime patrol aircraft over the top, if I know there is a contact in that box, I have about an 80 percent interdiction rate. So the helicopter becomes a hugely critical factor for me, sir.

Mr. LARSEN. Pretty clear. Thank you.

Mr. LoBiondo.

Mr. LOBIONDO. Thank you, Mr. Chairman. Congressman Olson is under a time constraint, so I would like to yield my time to Congressman Olson, if that is okay.

Mr. LARSEN. Without objection.

Mr. OLSON. I would like to thank my colleague, the Ranking Member, and thank the Chairman for your patience and your making allowance for my time constraints.

Admiral Nimmich, it sounds like the Drug Trafficking Vessel Interdiction Act has been very successful and has given you another tool in your toolbox, so to speak. I just was wondering if you have seen—now that it has been implemented, as you know, you have a measure and then a countermeasure comes. Have you seen a change in the way that the drug traffickers are using their semi-submersibles and any evidence that they are taking it to the next level and actually having fully submersible vehicles?

Admiral NIMMICH. Sir, we have had four interdictions this year, the Colombians have one, for a total of five interdictions. That puts us from what we believe out there at about a 70 percent—that puts the smugglers at about a 70 percent success rate. That is down from an 80 percent success rate just last year. Of the four we have interdicted, 12 of the crew members are here in the United States under indictment, none have gone to trial yet; and the 4 others are waiting transport back to the United States. We expect that they will have to go to trial to test the law and test what the sentencing will be. But they are already providing valuable information back into how the semi-submersible structure works, how the drug traffickers use those, and we believe that we will be more successful this year than we have in the past because of the focus and the success that Congress has given us in being able to bring those crew members back and use the information they provide.

Going from a semi-submersible to a submersible is an extraordinarily technologically difficult event. In 2000, you may recall that there was reporting on a truly true submersible being built in Bogota. That was being built with the industrial capability of a major city. Unfortunately, you can't sequester the people that are building it. People talk, they talk to friends, and suddenly there is a clue that allowed the Colombian police to find the building site. That was a Russian-designed submarine. They can't build submarines in the jungle. The technical capability, the requirements for being able to pressurize the hull just don't exist. We believe that it is possible, but highly improbable, in the current environment.

Mr. OLSON. Thank you very much. One more question, a little closer to my home in Houston. As you know, the Houston area is experiencing an increase in drug trafficking and drug-related violence. Drug and migrant trafficking organizations seem to be get-

ting bolder in the manner in which they try to move illicit drugs and illegal people in the United States. The National Drug Intelligence Centers found drug traffickers are using short distance maritime routes from Mexico to the remote parts of Padre Island, again, south of the Corpus Christi metropolitan area and north of the Brownsville area. Has the Coast Guard examined the use of these routes and potential ways to shut them down?

Admiral NIMMICH. Sir, we have known about and worked on those routes for a considerable length of time. JIATF South, as well as the interagency partners, are part of the ongoing surge efforts now both in San Diego and around the Brownsville, Texas area. Those are areas we are going to need to continue to watch. The real answer for me, sir, in the world I operate in is preventing the drugs from getting in Mexico in the first place, and that is what we do in the transit zone, when those drugs are in the multi-ton load, where you have the most impact. Once they enter Mexico, even across the borders in terms of Brownsville, they come in 100 kilos, 50 kilos, 75 kilos. It takes far more infrastructure to be able to interdict them. So I focus on trying to take out the largest loads before they get to Guatemala and Mexico. If we can be successful in that, that eliminates the benefit to the drug cartels and eliminates their ability to fund the violence.

Mr. OLSON. One more final question. I am sorry, Admiral Justice?

Admiral JUSTICE. Sir, just to add to that, to put a local flavor on that, I can absolutely attest to the DHS partner sort of attention that that area gets, whether it be the border patrol on the river, the port ops people from CBP, or the Coast Guard station that handles the littoral piece there, it is an integrated effort. We know the challenge. There is a fisheries challenge as well as there is the drugs and migrants that potentially come in there. It is absolutely on the radar, sir, and we are working at it as efficiently as we can.

Mr. OLSON. Great. Thank you for that answer. One final question. You mentioned how successful the arrangement we have had with Mexico has been and the cooperation in fighting the war against drugs. Have you seen any evidence that the current unrest could jeopardize these efforts or that drug trafficking organizations will have assistance from elements of the Mexican government to avoid interdiction?

Admiral NIMMICH. Clearly, sir, the resources that the drug cartels have in terms of money allows for an extraordinary amount of corruption and instability in any country, and you saw that in Colombia four to six years ago. The place that Mexico is at is a turning point. They will either survive or they won't. I have not seen any in my interactions with either their Navy or their Air Force that work regularly with me. In fact, the Navy, if anything, has become far more proactive in giving me ready access to Mexican vessels, and when I can't find the drugs on them, taking them ashore and literally stripping them down to bear metal in order to see if there are drugs on there based on the information I provided. That was not true even just two years ago.

Mr. OLSON. Thank you for your answers. Thank you for your service.

Mr. Chairman, I yield the floor.

Mr. LARSEN. Gentleman from New York, Mr. McMahon.

Mr. MCMAHON. Thank you, Chairman Larsen.

And thank you, Rear Admiral Justice and Rear Admiral Nimmich for your testimony this morning, and thank you for your service and dedication to our Country and to the men and women whom you lead every day.

My district includes Staten Island and portions of Brooklyn, New York, as you know, the gateway to New York Harbor and, as you know, the home to a very proud Coast Guard base at Fort Wadsworth. I grew up in Staten Island; I am a lifelong New Yorker. I lived through the terrible crack epidemic of the 1980s and watched crime skyrocket in New York, at one point reaching more than 2,000 murders per year. And while the crime rate has dropped considerably since that time, the flood of cocaine and other illegal narcotics still causes great challenges to the residents of my district and the people across this Country.

The hardworking men and women of the New York City Police Department and the police forces of all our localities put their lives on the line each day in fighting crime and getting drugs off the streets, but we all know that so much of their success and so much of the safety of our communities depends on the hard work that is done by all of you in the Coast Guard to stop drugs from entering the Country in the first place. So on behalf of all those people and New York and around this Country, I thank you.

Hand in hand in stopping illegal drug trafficking is the need to stop illegal immigration. We are a Nation of laws and we must protect our borders. We need to protect the integrity of our immigration policies and we cannot permit people to enter our Country illegally. The Coast Guard and the men and women who protect our borders from illegal immigration provide our front line of defense, because if we fail to protect our borders, then we will never be able to protect the American people from the threats of terrorism, crime, or disease.

But we are also a Nation of immigrants, and the U.S. continues to be the great hope for so many people looking to make better lives for themselves and for others. When we in Congress debate how to deal with immigration, we need to remember that immigration is a very human issue. In fact, I am, myself, the son of immigrants. My mother flew war torn Europe at the end of the second World War and settled here to raise me with my brothers and sisters. My hometown in New York City is currently undergoing a major surge in immigration. Approximately 40 percent of the city's residents were born in another country, close to an all-time high.

Immigrants give New York, and the Nation as a whole, a wonderful mix of culture that makes being in America such an incredible and rich experience. But we cannot have people coming onto our shores who violate our laws and undermine our stated immigration policies, because doing so would undermine the security of us all. Again, therefore, we are all grateful for the great service and the valor that you exhibit every day.

I would just like to ask you a question from your very important perspective in the Coast Guard. How would you describe the levels of cooperation you receive with other Federal, State, and local law

enforcement officers, and how would you describe the cooperation you receive from foreign governments as well?

Admiral NIMMICH. I thank you very much for the question, sir, because that is the value and that is the nature of the business I do at JIATF South. JIATF South is an interagency and international command. I have 13 foreign liaison officers from 11 countries throughout Central America, South America, and Europe. I also have all five Federal law enforcement officers that have authority in drug law enforcement, as well as six of the intelligence agencies, all located in the same command. It is that location and the ability to work together for a common end that make us as successful as we are. I find that when you get to the tactical level, it doesn't matter what agency you are from or what country you are from; you are looking to make the difference, and we have a great story to tell down at JIATF in that regard.

As far as the partner countries, within their capacity, they operate as well as can be expected. Most of the countries in Central and South America have very little capacity and, with the downturn in the economy, find themselves even strapped for something as simple as the gasoline to run their boats. When they have the capacity, they respond and they respond in a very effective manner. There is not a country in the region that I have not had a report on that actually entered into a firefight in order to prevent the drug cartels from moving their product. These are people who put their lives at risk in terms of actually being shot trying to interdict the drug cartels. While the drug cartels choose not to move to that level of violence against U.S. assets, they are very quick to respond violently against our partner nations.

Admiral JUSTICE. Sir, I would like to first make a quick point. I am a Curtis High School Graduate in Staten Island.

Mr. MCMAHON. Go Warriors.

Admiral JUSTICE. Yes, sir.

I would like to make it local. The Safe Port Act, two years ago, has asked for Department of Homeland Security to develop interagency operation centers. We have one of those on Fort Wadsworth. The Coast Guard Sector Command Center there is also manned with CBP, with city police, city fire, State reps. We take that model and it is a regional sort of effort to fuse both intelligence and then fuse our operations. And it wasn't drugs or migrants, but I think you saw the response to the downed aircraft, that integrated response, and that was handled out of that Command Center, and I think that is a good example of how we are serious about interagency operability.

Mr. LARSEN. The gentleman from North Carolina, Mr. Coble.

Mr. COBLE. Thank you, Mr. Chairman. Gentlemen, good to have you all with us. In my opening statement, I alluded to the procedural and jurisdictional hurdles, and I want to follow up on that, Mr. Chairman.

Under current law, Federal prosecutors typically must prove that a smuggler made a profit, actually induced migrants to make the voyage, or that a migrant was seriously injured, in order to pursue a felony charge. What prosecutorial tools, gentlemen, are required to aid in reducing maritime migrant smugglers and, therefore, im-

prove the effectiveness of Coast Guard migrant interdiction operations?

Admiral JUSTICE. Yes, sir. The Coast Guard supports legislation that would simplify the elements of what it is going to take to prosecute these people. We would like to eliminate the for-profit requirement that has to be currently proven; we would like to have a minimum sentence for basic smuggling for three years—we have got to put some teeth into this, sir—we would like to request that Good Samaritans who claim they picked up people, they have to tell us right away, not use that as an excuse; and we would like to enhance seizure and forfeiture provisions in the act. A legislation that brings that to the table, sir, is what we are looking for and we are excited about it happening.

Mr. COBLE. And are you proceeding along that line now, Admiral?

Admiral JUSTICE. Yes, sir.

Mr. COBLE. Formulating it?

Admiral JUSTICE. That's correct, yes, sir.

Mr. COBLE. Thank you, sir.

Gentlemen, the Coast Guard cutter fleet is experiencing severe readiness challenges, which you all had mentioned earlier, which are therefore decreasing the amount of days the Coast Guard is able to actually be on the water performing counter-drug and alien migration interdiction operations. I think you mentioned 149 lost days, Admiral, due to the GALLATIN and DALLAS being taken offline. What is required to address these gaps in availability of assets?

Admiral JUSTICE. Sir, as we recapitalize—and that takes time—we have got to keep these old ships running. To do that, what we are doing, to use the word modernize, but we are attending to the maintenance challenges in a different way. We are going to have asset oversight. We are going to have acquisition governance, much better governance in our acquisition. I won't get into that right now, as to the details, but that is very important. We are going to standardize our maintenance procedures and we are going to have a single point accountability for the life-cycle of these vessels.

I have spent my career, as has Admiral Nimmich, sailing on ships that we have maintained in an ad hoc, almost haphazard manner. We have changed in that and we are going to have one person in charge of maintaining these ships nationwide, and we are going to do it in a consistent, repeatable, and a more efficient way. And we have got to do that now to keep these ships around while we recapitalize, sir.

Mr. COBLE. Admiral, I sailed on the same type cutters a long time ago, so they were probably plagued then too.

Mr. Chairman, one final question, if I may.

Admiral NIMMICH. Mr. Coble, if I could add to that from my Coast Guard perspective, as opposed to my current job as the Director.

Mr. COBLE. Sure.

Admiral NIMMICH. And Wayne makes the point. We have always been responsible for operations and maintenance and training in a single entity, and our ethos drove us to do more operations rather than maintenance and training. By splitting the maintenance and

training to a single individual who is responsible for that, then providing a well trained, well maintained asset to the operator to operate within those limits, breaks the paradigm of us sacrificing the future for current day operations.

Mr. COBLE. I thank you for that.

Mr. Chairman, one final question.

Gentlemen, what is the role of the maritime border when discussing a national concept or model of border security?

Admiral NIMMICH. Sir, as Admiral Allen, in his role as not only the Commandant, but the Chairman of the Interdiction Committee, which is responsible to ONDCP for coordinating at the policy level the Nation's response, he chartered us to look at exactly that mission set from a land, sea, and air perspective. There is a lot of work, as you would expect, on the Southwest border and land, and what is going on at EPIC and JTF North are testaments to DOD, DHS, all of the interagency coming together. A similar situation resides at the AMOC out in Riverside, California, CBP's Air and Marine Operations Center.

Unfortunately, there is no common entity in terms of a similar view for the maritime. This past January, Admiral Allen, along with Admiral Roughead, stood up the National Maritime Intelligence Center in Suitland, Maryland. That Center is designed to bring all of the interagency together to look at the maritime borders the way we do land and air, sir.

Mr. COBLE. I thank you, gentlemen. Good to have you with us.

Mr. Chairman, I yield back.

Mr. LARSEN. Thank you.

The gentlewoman from California.

Ms. RICHARDSON. Thank you, Mr. Chairman.

Admiral, it has come to my attention that the Coast Guard does not have enough HH-65 helicopters to ensure that each large cutter deployed to interdict drugs has a helicopter interdiction tactical squadron, called the HITRON helicopter on board. What are the alternatives for acquiring or leasing an additional HITRON capacity for the Coast Guard and what are the proposed costs of buying or leasing HITRON—and I apologize if I am not pronouncing it correctly—HITRON helicopter for these interdiction operations?

Admiral JUSTICE. Yes, ma'am. What we have done with the HITRON helicopters, we were leasing those helicopters, and what we have been able to do through an acquisition success, a good news story, is we took our regular fleet of HH-65s and we reengined 102 of them. We got those helicopters upgraded and we transitioned them to the ability to use force from them. We have outfitted some of them with machine guns and sniper rifles, and now we use those aircraft to do the HITRON mission.

The challenge we have is we have got to continue to transition to get more of those helicopters outfitted so then we can use more of them down where Admiral Nimmich needs them, in the transit zones, doing this mission.

We have continued to grow our helicopter fleet. We have got some new ones that have helped us do the mission in the Washington, DC area, the rapid response mission, so that fleet has grown. And since it is the same helicopter that we do many missions with, we have the ability to balance and use them where we

are able to. We, unfortunately, had a tragic accident last year off of Hawaii, where we lost one of our helicopters, and we are looking to replace that. So that is sitting out there, but I think the goal is having our flexibility to be agile in how we use these helicopters to get as many as we can downrange to support the mission.

Ms. RICHARDSON. How much does it cost to retrofit?

Admiral JUSTICE. I would have to get that exact answer back to you. It is a few million dollars, but I can't give you the exact number, so if I could respond to that.

[Information follows:]

INSERT WILL BE ENTERED ON PAGE 45, FOLLOWING LINE 1027
The total cost to re-engine 95 HH-65C's was $355M, for an average cost of $3.74M per aircraft. The Helicopter Interdiction Squadron (HITRON) refers to a single, unique operational Air Station based in Jacksonville, FL, where ten (10) Airborne Use of Force (AUF)-configured MH-65Cs are assigned. HITRON was the first Coast Guard air unit employing the use of armed helicopters, working in conjunction with flight deck-equipped Coast Guard cutters to interdict illegal drug activity at sea.

AUF modifications have been funded for 95 of the 102 HH-65C aircraft; with 35 modifications completed to date. All AUF funded modifications will be complete by 2012.

The cost in FY09 dollars to convert an aircraft from the HH-65C configuration, which is already re-engined, to the HITRON AUF configured MH-65C (w/o weapons & ammunition) is approximately $1.17M. That cost is broken down into three separate components as detailed below.

Description	Costs per Aircraft (K)
MH-65C-A Kit [1]	$750
MH-65C-B Kit [2]	$70
Electro Optical Sensor System (ESS) [3]	$350
Total	**$1,170**

[1] A-Kit; AUF airframe modifications and upgraded communications

[2] B-Kit; airframe weapon mounts, helmet-mounted displays, and protective armor. The current operational requirement is for 27 B-kits as they can easily be moved among aircraft.

Ms. RICHARDSON. And how many do you think you need, sir, based upon what you have?

Admiral NIMMICH. Madam Representative, I still get cutters without helicopters, so the exact number the Coast Guard would need to provide the answer for the record. What I will tell you is that the conversion from the leased HITRON to using Coast Guard assets has increased the number that I have in the area. I had more ships with less helicopters in the past than I have now, but I still receive ships without helicopters, and, for the record, we will tell you what our fleet mix would need to be in order to have every ship have a helicopter on board.

[Information follows:]

INSERT WILL BE ENTERED ON PAGE 46, FOLLOWING LINE 1051

Not all underway flight deck equipped cutters (FDEC) require the Airborne Use of Force (AUF) Counter Drug (CD) capability provided by HITRON Jacksonville. On average, the Coast Guard has 17 FDEC underway, and of those, only six are in support of JIATF and AUF-CD appropriate. Helicopter Interdiction Squadron (HITRON) Jacksonville has been providing 3.0 coverage since February 2009 and is projected to reach 4.0 coverage in July 2010. Increasing HITRON JIATF coverage to 6.0 would require an additional five aircraft (includes a PDM support airframe and a training support airframe) added to our inventory.

Ms. RICHARDSON. So how many do you need?

Admiral NIMMICH. It depends on the number of ships I have at the given time, ma'am. We receive about half of the ships come with helicopters, and some of them it is not as easy to just say there is a set number. I receive medium endurance cutters which I utilize in a different way, our old 210s, I utilize them in a different way than I would our 270s or our 378s in terms of carrying ship riders that allow us to be more flexible than even with a helicopter. So we balance it in multiple ways. But we will get you a number of what it would take to have every Coast Guard cutter with a HITRON helicopter on board.

Ms. RICHARDSON. Thank you, sir.

My last question is, in December 2008, just a couple months ago, there was a report that was issued, the annual review of the Coast Guard's mission performance. This review found that there has been a trend towards providing emphasis on homeland security missions—which I happen to also serve on that Committee—while the performance of non-homeland security missions continue to fall short of performance targets. In fiscal year 2007, both drug interdiction and migrant interdiction performance goals were not met. Only one homeland security mission performance goal was not met. By comparison, only two of the six non-homeland security mission performance goals were met.

Are the Coast Guard's efforts to meet drug and migrant interdiction goals and sustain performance at an increasingly high level taking resources way from the performances of other missions? And keep in mind I only have 20 seconds left.

Admiral JUSTICE. That is a tough question. Ma'am, I will say that——

Ms. RICHARDSON. Welcome to Congress.

Admiral JUSTICE. Ma'am, the Coast Guard, across our 11 missions, we are absolutely focused on the performance of each and every one of those missions, and whether we get the X number of percent of drugs off the table—and we wish we could get more—or whether we rescue as many people as we hope we can—and we obviously wish we could get more there—or whether we can do our security mission and how well we do that—I know you hope we do that as well—we attempt and we absolutely balance as best we can the risks associated with failure and the successes that we need to have.

We appreciate that Congress, last year—excuse me, this year, in the 2009 budget, provided us 400 extra people for some non-homeland security missions. We want to thank Congress for that. Those are important and those people are going to be put to use and will help us get those stats where they need to be.

Ms. RICHARDSON. As I conclude, I would just say that I have been on this Committee now just under two years, and I think the Chairman and both sides are very supportive of you doing the excellent job that you do and you want to continue to grow to do. So this is a new day. Tell us what you need and I think you will find your requests met, hopefully. Thank you.

Admiral JUSTICE. Thank you, ma'am.

Mr. LARSEN. The gentleman from New Jersey, Mr. LoBiondo.

Mr. LOBIONDO. Thank you, Mr. Chairman. Mr. Chairman, Mr. Young was unable to be here, but, with your permission, he would like to submit questions for the record to be answered.

Mr. LARSEN. Without objection.

Mr. LOBIONDO. Thank you.

I thank you, gentlemen, for being here and for the tremendous job that you do and the Coast Guard does. Mr. Coble asked a couple questions that I had an interest in, but on your maritime patrol aircraft, we talked about the gap between the assets and what your needs are. Can you talk a little bit about how this gap is impacting the Coast Guard's intelligence and interdicting capabilities?

Admiral NIMMICH. I can give you a firsthand example, sir. Earlier this year we were flying—we had identified a go-fast that clearly had cocaine on board, the bales were obvious. While we maintained an MPA aircraft overhead in order to be able to interdict that and move an interdiction asset in place, we flew assets for almost 18 hours, vectoring in the vessel. We had a 15 minute gap because a plane had to do some minor repairs in order to get off the ground. In that 15 minute gap we lost contact with the vessel and never reacquired it again. Eighteen hours of hard flying as a result of not having enough MPA to get that overlap in a time frame that we could keep hands-on control of it, sir.

That is just one of many examples. We don't have enough MPA to search the entire area.

Admiral Justice brought up a good point: in my world, it doesn't really matter what flies, it is what sensors are on it. A year and a half ago, the Navy, along with the Coast Guard, the problems with the air wing boxes on P-3s and the challenges we have with C-13Hs, what they call red-striped, put on the ground or grounded 31 of their P-3 aircraft. Those were the P-3 aircraft with marine radars, maritime radars on them. They replaced them hour for hour with a capable aircraft hull, but the aircraft had an air-to-air radar. Reduced my capability by one-third. So it is not just the hours, it is not just the aircraft type; it is really the sensor capability it carries. And unmanned vehicles, unmanned air vehicles truly have a capability that we are going to have to take advantage of.

Mr. LOBIONDO. You answered the second part of my question there, about the capabilities of maritime patrol. I want to switch now to Ecuador. We know that the government there has formally informed the United States that it will not renew the lease. I am curious, from your perspective, how the loss of the facility will impact our counter-drug operations through your organization.

Admiral NIMMICH. The biggest challenge for me, sir, is going to be able to provide support to the aircraft that do the MPA mission. We can fly MPA aircraft, at least Homeland Security MPA aircraft, out of other locations that give me as much range, such as Pokemon in Panama City and Perrier in Peru. My problem is, when one of those aircraft has a casualty, the ability to respond to that casualty is greatly lengthened because I don't have the infrastructure and the parts in place that I have in Manta.

So we are working very heavily now at locating the right aircraft in the right place, trying to make sure our logistics systems are as

robust as possible. But it is clear that we will have some additional maintenance and logistics challenges without Manta.

Mr. LOBIONDO. Is there a way to replace the logistical support that you are going to lose?

Admiral NIMMICH. Not without another facility like that. Any commercial airport will have some logistics capability, but the ability to have hangar space, the ability to have spare parts stored there, the ability to have repair personnel husbanded there is what we are going to be challenged with. And most of the partner nations downrange are very acceptable of Coast Guard and DHS aircraft; they have become far more resistant to DOD aircraft. So my aircraft mix, we have already got a plan in place to address my aircraft mix to have the right aircraft in the right place, flying more of my Department of Defense aircraft out of Curacao and Comalapa, our other two forward operating locations, as well as Gitmo, and utilizing the tremendous infrastructure in the Guantanamo Bay area, sir.

Mr. LOBIONDO. Mr. Chairman, thank you very much.

Mr. LARSEN. Thank you, Mr. LoBiondo.

I have some questions regarding bilateral agreements. We talked about some of the gaps in assets of helicopters, as a for instance, but one of the gaps you have identified—you didn't identify it as a gap; I want to be careful how I word this, but there are some things that some of our partner nations can do and then they can't do it as well. So what level of patrols are our partner nations able to undertake and what are their interdiction levels in their countries as smugglers move to littorals?

Admiral NIMMICH. Clearly, sir, Colombia and Mexico are tremendous partners with a lot of capacity and a lot of capability, and very responsive. With the globalization of the cocaine flow, we find more and more of our European allies are bringing significant assets. Our Canadian partners are going to——

Mr. LARSEN. Are they bringing the assets into the region?

Admiral NIMMICH. Physically bringing assets. Over 13 percent of my assets are provided by foreign nationals. We are now working with the Canadians to have a 1.0 presence after this summer in the Caribbean; that is one ship permanently down there at all times. We just finished discussions with the Australians, and they are coming over to test Australian operations in the Eastern Pacific under my tactical control. I have had a Brazilian vessel under my tactical control, the first time the Brazilians have given tactical control to one of their vessels since World War II. And the Spanish are also increasing their interest, particularly with maritime patrol aircraft. The British provide Nimrods, the French provide E-2s, the Canadians provide Auroras. I have a robust international association that is only growing both in their self interest and the fact that they want to try to stop the drugs as close to the source as possible, sir.

Mr. LARSEN. Does the command and control on those assets differ by country?

Admiral NIMMICH. Clearly, it does. And we worked very hard with countries that have robust infrastructure to provide them some of the ability to do the command and control. I have sub-task groups with the Dutch in Curacao who operate their vessels, as

well as Coast Guard vessels, under different operational scenarios. I have just signed, last June, a sub-task group with the French out of Martinique. The French have a frigate permanently stationed there and, as a result of that sub-task group, we fully expect that they will permanently station a second frigate in Martinique in 2010.

Mr. LARSEN. Is this an increase in these relationships?

Admiral NIMMICH. It is an increase in relationships in terms of the amount of assets being provided. Some of the relationships are as old as JIATF itself is; the Dutch and the British have been with us from the very beginning. The French have participated, but not to the level that they are participating now. We have never had the Australians, the Brazilians before. The Canadians are now working through their judicial system to ensure that they can legally carry Coast Guard law enforcement attachments so that they are fully capable of not just doing the detection and monitoring, but switching their TAC on to Coast Guard oversight in order to do the interdiction and the apprehension. This international surge is making up for some of the lack of capability that we have.

When I say lack of capability, it is not the days. Admiral Justice and I often talk about the fact that about 60 percent of the time Coast Guard assets are not fully mission capable. That means they are out there patrolling, but they may be on engine; they may be on their emergency generator; the aircraft may not be capable of flying. While they are there and the numbers show that the days are in location, the stress on the assets are causing them to be less than fully mission capable.

Admiral JUSTICE. Sir, I will just add another piece of support of these other nations that the Coast Guard brings to the table is we have training teams we deploy down to these countries to help them maintain their law enforcement capability and to help them maintain their boats and to surge out and support the missions.

Mr. LARSEN. Are there other aspects of technical assistance you provide?

Admiral NIMMICH. Yes, sir. We provide training teams that go all the way from being able to run their small boats to how to do a case package to how do to an appropriate interdiction, as well as do port calls with our vessels and then do training with our vessels.

I just came back, yesterday I was in Trinidad and Tobago. Trinidad and Tobago is making one of the largest investments of any Caribbean island in terms of interdiction capability, interdiction capability that will not just be for Trinidad and Tobago, but for the entire Caribbean island chain. They are looking to partner with us and the U.S. Navy on how to build the skill sets to run these assets that they are buying. These assets are the equivalent of one of our 270-foot medium endurance cutters, but, yet, they haven't had an ocean-going vessel for over 10 years. So it is up to us to be able to provide the technical capability for them to make effective use of those assets.

Mr. LARSEN. Is this interest from the other countries, like, say, Australia, Spain, France, is it because they have a new will to participate or——

Admiral NIMMICH. The largest growing cocaine market in the world right now is in Spain. The price of a kilo of cocaine in Colom-

bia is about $1700. In Miami, that is $23,000. In London, that is $70,000. The capabilities of the West African countries where the drugs are moving into are absolutely nil compared to even Central America, so they are going to a more lucrative market with less capability or less likelihood that they are going to be interdicted. Our European allies are recognizing that and coming to the source and trying to stop it before it gets out of the Caribbean.

Admiral JUSTICE. To further answer your question, sir, about other support we give, on a tactical basis, when we have a vessel that the country may have picked up and needs some support in doing the boarding or doing the search, we will actually fly the Coast Guard people down into the country to do technical assistance in the boardings and help them find secret compartments, help them find sometimes very intimately hidden contraband.

Mr. LARSEN. Just a couple more questions.

I note Mr. Ehlers is here. Did you have some questions? I am not quite done.

Mr. EHLERS. Yes.

Mr. LARSEN. Okay. All right.

All this interest in the Caribbean East Pacific is great, but there is another maritime border that we have in the Country, and I want to just ask a few questions about that. I know we don't get a lot of attention paid to it in terms of certainly not migrant smuggling, but drug smuggling, certainly there is a fair amount of that going on between the U.S. and Canada, a lot of it at the land border, certainly some of it on the maritime border. Maybe, Admiral Justice, you can talk a little bit about how the operations differ, if they differ at all, on the maritime border for drug interdiction.

Admiral JUSTICE. Yes, sir. Thank you. I had the opportunity to spend some time in Bellingham and be part of our ship rider effort that we had up there with the Canadians. The challenge, of course, is the short distances, the international border, the distance, the magnitude of that border. The name of the game up there, of course, is the interoperability, the effort that we all put together toward the mission: communications planning, intel sharing. And I would submit that our people in Seattle are working all the interagency State and local, and with the Canadians through their IPED system, is the way we have to tend to business up there. We almost wish we can take an eraser and just erase that line between us and the Canadians and share our interdiction capabilities, which is kind of the road we are trying to be on. A different challenge, but one I think we are familiar with and working hard at.

Mr. LARSEN. I think perhaps one of the things that you heard up there with the smaller scale drug interdiction is that the small boats aren't equipped with thermal imaging systems that maybe larger cutters have. Can you comment on why that is and if that might be changing?

Admiral JUSTICE. Sir, that is a good point. We are replacing our 41-foot patrol boats with the RBM, built in Seattle, as a matter of fact, and world-class vessels that are both pursuit, search and rescue, heavy weather, multi-capable assets that we will look to have enhanced thermal imaging capabilities on there. So, sir, that is an accurate point that we are attempting to address.

Mr. LARSEN. Just so folks know, in 2003—and I am sure the numbers are updated—Station Billingham was responsible for seizure of about 1300 pounds of BC bud, 170 pounds of ephedrine, and about $713,000 in U.S. currency. Pales, I am sure, by the numbers here, but I noted in the staff memo that the marijuana that comes out of the growing operations in Canada actually has much more potency than the marijuana coming north out of the area, out of the Central American area. We don't know that cocaine and heroine drug smuggling problem, in terms of magnitude, but clearly the folks who work the border on the northern border, our border with Canada, both on land and sea, are doing their dead-level best up there to participate in this effort to interdict drugs, while we are doing the things we need to do on prevention, education, and treatment here in this Country.

Congressman Ehlers from Michigan?

Mr. EHLERS. Thank you, Mr. Chairman. I don't have a question so much as a lament. I deeply lament what this has done to our Country and to our young people. I often point out, when I speaking in schools and other places, that we are in a unique position, for example, in Afghanistan, where we are paying both sides of the war that is being fought. The drug money that flows from the United States to Afghanistan to buy the poppy and other drugs is diverted immediately to the Taliban, to others, and I just fail to understand how so many of our citizens can use drugs and think it is okay. And I recognize they get addicted and it is hard to break the addiction, but the entire culture that has grown up is, well, this is not so bad. You shouldn't do it and you can get hooked, but if you are careful you won't be.

I just find that intolerable and I think—although you are doing a remarkably good battle of interdiction and trying to stop it, the basic problem is still the demand is there, and it doesn't matter whether it is the U.S. or Spain or Great Britain. The demand is still there, and as long as the demand is there, the price is going to go up, outrageous prices. And I bemoan the fact or lament the fact that in many cases the children of a family suffer because a parent is spending all the available cash on drugs, instead of feeding the kids. It is just such a sorry story all the way around, and you really wonder what happens, why people go down this track. I know a lot more knowledgeable people than I have spent a lot of time on this, but it is really a national tragedy. We are losing some of our best and brightest young people this way and we are wasting huge amounts of our resources, tax money, and other ways, and it just tears at my heart to see this happening to our Country and to other countries when there is no good reason for it whatsoever.

So, having said that sermon, I will yield back. Thank you.

Mr. LARSEN. Thank you.

I have one more question, but two items of business. Admiral Nimmich, the question I have is for Admiral Justice, so why don't we excuse you at this time?

Admiral NIMMICH. Mr. Chairman, thank you very much. I appreciate the opportunity to testify today on what is truly a national and international problem that I think we have more opportunity to have a positive impact on. Thank you for your questions, sir.

Mr. LARSEN. Thank you.

Before I get to my question, I want to recognize—this may be a surprise to him—a former Member of the U.S. House of Representatives from Florida who served here for about a decade or so, Representative Louis Frey is in the audience. Representative Frey, why don't you stand and be recognized? Thanks for your service, sir.

Mr. FREY. [Remarks off microphone.]

Mr. LARSEN. Thank you, sir.

Finally, Admiral Justice, last Congress, the House did pass the Alien Smuggling and Terrorism Prevention Act of 2007 to help address the smuggling of aliens in a comprehensive manner, whether it be by sea or by land. You, I think, addressed some of these issues, but does the Administration support this comprehensive approach to alien smuggling that seeks to ensure that all smugglers can be prosecuted in the same manner, whether it is by attempting to smuggle people through the deserts in the Southwest or across the Caribbean?

Admiral JUSTICE. Sir, I will have to get that answer back to you. The new Administration is still looking at that, so let me please owe that one to you, sir.

[Information follows:]

INSERT WILL BE ENTERED ON PAGE 61, FOLLOWING LINE 1421

While the Administration would not object to the enactment of legislation addressing alien smuggling in a comprehensive manner, it is more important to the Administration that Congress ensures provisions criminalizing the act of maritime alien smuggling are specifically tailored to the setting in which that act occurs.

Congress has long recognized a statute to criminalize smuggling in the maritime setting must be uniquely tailored to the maritime environment. See, e.g., the Maritime Drug Law Enforcement Act (codified at 46 U.S.C. § 70501 *et seq.*). The Administration believes the same holds true for maritime alien smuggling. While the Administration would not object to enactment of language similar to H.R. 2399, such is not the preferred legislative remedy for maritime alien smuggling. Thus, Congress is urged to consider other legislation—measures that take into account the unique qualities of the maritime setting in which that act occurs (*e.g.,* H.R. 1440); and those that establish 20-year mandatory maximum penalty for the base offense, commensurate with like crimes committed in the maritime setting—and to either enact such legislation separately or incorporate it into any comprehensive measure to address alien smuggling.

Mr. LARSEN. Okay. Can we get a time line on when you can get back to us?

Admiral JUSTICE. I would say a week, sir.

Mr. LARSEN. Okay.

Admiral JUSTICE. Does that work, sir?

Mr. LARSEN. Okay.

Admiral JUSTICE. It can be quicker if it needs to be; we can push it.

Mr. LARSEN. You can always get it to us sooner. No problem around here.

Okay, with that, thank you very much.

Admiral JUSTICE. Sir, my pleasure. Congressman Ehlers, I have a 17 year old son at home and I have a daughter at the University of Florida, sir, and those same concerns are right at home as well, so I appreciate the chance to articulate our efforts today in front of you, sir. Thank you.

Mr. LARSEN. Appreciate it very much. This hearing has been very helpful to the Committee.

With that, we stand adjourned.

[Whereupon, at 11:20 a.m., the Subcommittee was adjourned.]

REP. COBLE - STATEMENT FOR THE RECORD

Hearing
Subcommittee on Coast Guard and Marine Transportation
Coast Guard Drug and Migrant Interdiction
March 11, 2009

Mr. Chairman,

I thank you for calling this hearing to highlight a growing concern and operational priority of the Coast Guard. The numbers speak volumes: migrant interdiction involving what the Coast Guard calls "go-fasts," instead of rundown wooden boats, have increased dramatically over the last several years. Even more alarming are the new and sophisticated ways that migrants and the smugglers who carry them are attempting to reach our borders. They do so because maritime alien smuggling has become a business, where the smugglers have gamed the system and have little to lose under the current law. The Coast Guard has to deal with smugglers on a routine basis who know they can use a lack of authority to their advantage. To add to their frustration, interdicting smugglers on the high seas can be very dangerous.

Currently, there are enormous procedural and jurisdictional hurdles that protect and actually embolden alien smugglers. Congress should act to close this loophole to deter unsafe and inhumane smuggling by sea to deliver enhanced consequences to those who flee from or lie to our Federal law enforcement officers.

In doing so, we would support the vital efforts of the Coast Guard and US Attorneys who are responsible for prosecuting maritime smuggling cases as they confront this pressing and growing maritime safety and security problem. We would also likely realize benefits in drug interdiction efforts by closing this loophole.

I thank the Chairman for calling this hearing and hope that we can work together to address this growing problem.

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DEPARTMENT OF HOMELAND SECURITY

U. S. COAST GUARD

STATEMENT OF

REAR ADMIRAL WAYNE E. JUSTICE
ASSISTANT COMMANDANT FOR CAPABILITIES

ON

COAST GUARD INTERDICTION

BEFORE THE

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

SUBCOMMITTEE ON COAST GUARD AND MARITIME TRANSPORTATION

U. S. HOUSE OF REPRESENTATIVES

MARCH 11, 2009

Good morning Mr. Chairman and distinguished members. I am honored to appear before you today to share the challenges and successes of the Coast Guard's maritime drug and migrant interdiction missions.

The U.S. Coast Guard is a military service and a branch of the armed forces of the United States at all times, and we are the only armed service given statutory responsibility and authority for direct law enforcement action. Since the founding of the Revenue Cutter Service in 1790, Congress has granted our Service expansive authority to board and inspect vessels at sea without particularized suspicion. After the Civil War, Congress removed geographic limitations on our boarding authority, directing the Service to enforce or assist in the enforcement of all applicable Federal laws on, under, and over the high seas, in addition to waters subject to the jurisdiction of the United States. This worldwide boarding authority, codified in 14 U.S.C. §§ 2 and 89, is the foundation of the Coast Guard's maritime law enforcement mission, and specifically drug and migrant interdiction. Coast Guard boarding activity is as critical to the national security and commerce of the United States today as it was in 1790. Not unlike the boarding officers of the Revenue Cutter Service over 200 years ago, today's boarding officers lead teams of two or more uniformed officers to "make inquiries, examinations, inspections, searches, seizures, and arrests upon the high seas and waters over which the United States has jurisdiction, for the prevention, detection, and suppression of violations of laws of the United States."

The influx of illegal drugs is one of America's greatest maritime-security threats. The National Drug Intelligence Center's National Drug Threat Assessment for 2009 identifies cocaine as the leading drug threat to the United States. National law enforcement and drug use surveys show that the adverse impact to the nation's communities, families, and individuals caused by the distribution and abuse of powder and crack cocaine exceeds that caused by all other drugs.[1] At the first-ever meeting of Ministers Responsible for Public Safety of the Americas, the Executive Director of the United Nations Office on Drugs and Crime (UNODC), Mr. Antonio Maria Costa, warned that the biggest threat to public safety in the Americas comes from drug trafficking and the violence perpetuated by organized crime…he correctly called drug trafficking a "hemispheric security issue."[2]

Mr. Costa correctly noted that the Americas face the world's biggest drug problem – whether we measure it in hectares of cultivation, tons of production, its market value or even by the gruesome number of people killed.[3] In the Western Hemisphere, powerful Drug Trafficking Organizations, which I'll refer to as DTOs, challenge the authority of democratic institutions, undermine the rule of law, and threaten public safety and national security. A vivid demonstration of the evil wrought by powerful DTOs is playing out in plain view along our shared border with Mexico. During 2008, over 5,000 murders in Mexico were attributed to DTO violence and many public officials, police officers, news reporters and citizens who spoke out and worked against the DTOs were targeted for kidnapping and assassination. DTO violence isn't isolated to Mexico and threatens public safety throughout the Western Hemisphere.

Tracing the movement of illicit narcotics to the U.S. demonstrates the significance of the maritime domain to DTO smuggling operations. Virtually all of the world's cocaine comes from coca leaf cultivated in Colombia, Peru and Bolivia. When we look exclusively at the Western Hemisphere during CY 2008, more than 90 percent of all cocaine moving towards the U.S. transits Central

[1] National Drug Intelligence Center, National Drug Threat Assessment 2009 – Published Dec 2008.
[2] United Nations Office on Drugs and Crime, UNODC warns of "hemispheric threat of drugs" to the Americas. 9 Oct 2008
[3] Ibid

America and Mexico, which helps explain the power and relevance of Mexican DTOs and the violence currently playing out along our Southern Border. Of this total flow, nearly 90 percent of the cocaine moves via maritime routes. The Eastern Pacific and Western Caribbean serve as the principal maritime threat vectors, followed by the Central and Eastern Caribbean vectors. Non-commercial maritime conveyances such as go-fast vessels, self-propelled semi-submersibles (SPSS) and fishing vessels are the drug smuggling conveyances of choice. Go-fasts and SPSSs account for approximately 50 percent and 30 percent respectively of the maritime movement of cocaine towards the United States.

The Coast Guard, in cooperation with our partners in DHS, plays a pivotal role implementing the U.S. government's strategy for disrupting the market for illicit drugs. The Coast Guard is the lead federal agency for maritime drug interdiction in the transit zone, which covers a six million square mile area that includes the Caribbean, Gulf of Mexico and Eastern Pacific. To put this in perspective, the transit zone is roughly the size of the continental United States. The Coast Guard strives to reduce the supply of drugs by denying smugglers the use of maritime routes and conveyances, principally from South American source countries. To cover these large maritime areas, the Coast Guard uses C-130 long-range maritime patrol aircraft and our largest cutters which carry helicopters, small boats, and boarding teams. We support our Coast Guard cutters and airplanes through partnerships with other federal and foreign law enforcement agencies within the region, and various intelligence and information sources.

Though the Coast Guard is the lead federal agency for maritime drug interdiction in the Eastern Pacific and Caribbean transit zone, we could not do our job without the tremendous interagency and international cooperation which comes together at Joint Interagency Task Force South (JIATF South) which includes components from the Department of Defense (DoD), the Department of Homeland Security (DHS), Department of Justice (DOJ), and the National Security Agency (NSA). JIATF South is responsible for directing Department of Defense and interagency detection, monitoring, and sorting of air and maritime drug smuggling events, fusing intelligence and law enforcement information, and planning and conducting flexible operations that enable the U.S. Coast Guard to interdict and disrupt drug smuggling events throughout the transit zone. Every department and agency with a drug interdiction responsibility and role in the transit zone participates in making JIATF South an extremely effective and efficient operation for the detection and monitoring of suspect vessels and aircraft. JIATF-South also utilizes foreign liaison officers from 11 different countries to facilitate transnational cooperative counterdrug efforts.

A typical case can start with JIATF South receiving actionable law enforcement information from the DEA. This prompts the deployment of a CBP P-3 or Coast Guard C-130 that subsequently detects and monitors a foreign flagged suspect vessel until JIATF South can sortie a Coast Guard cutter or U.S. Navy or allied surface ship with an embarked Law Enforcement Detachment (LEDET) to intercept. When the ship arrives on scene with the suspect vessel, this marks the transition from the detection and monitoring phase to the interdiction and apprehension phase which results in a shift of tactical control from JIATF South to the Eleventh Coast Guard District for operations in the Eastern Pacific or the Seventh Coast Guard District for operations in the Caribbean. For a foreign flag vessel, the Coast Guard tactical commander implements a bilateral agreement or arrangement in force with the vessel's flag state to confirm registry and to stop, board and search the vessel for drugs. If drugs are found, jurisdiction and disposition over the vessel, drugs and crew are coordinated with the State Department, DOJ, and the flag state. Every day this process plays out with amazing effectiveness and efficiency.

The interdiction of a drug smuggling vessel isn't the end of the story. Another significant contributor to the Coast Guard's counterdrug successes are Organized Crime Drug Enforcement Task Forces (OCDETF) such as Operation Panama Express (PANEX). These task forces are multi-agency organized crime investigations focused on dismantling drug trafficking organizations. An OCDETF collects and analyzes vital law enforcement data, and disseminates information to other partners such as JIATF South for action. In particular, PANEX South and North along with the Caribbean Corridor OCDETF have provided information leading to Coast Guard cocaine removals at sea of over 600 metric tons, and the successful prosecution of over 1,300 smugglers since 1996. The effective delivery of consequences through criminal prosecutions opens gateways to new information that facilitate investigations that generate new intelligence that feed back into successful operations. The Coast Guard has experienced recent record-setting years of illicit drug removals in the transit zone that can be directly attributed to law enforcement information and intelligence gleaned from OCDETF investigations. JIATF-South and Panama Express are models of cooperation among U.S. and cooperating nation military, law enforcement, and intelligence communities and demonstrates the tremendous increases in effectiveness and efficiency such creative collaboration can bring.

When JIATF South gets us along side a suspect vessel, the Coast Guard requires a broad mix of interdiction tools to counter the many tactics and techniques employed by DTOs. Ion scan detection devices capable of detecting trace amounts of narcotics help narrow the search to a specific location on board a vessel. Fiber optic cameras peer into spaces that are otherwise inaccessible to Coast Guard personnel. Testing protocols developed with the assistance of DEA chemists enable boarding personnel to detect the presence of cocaine that has been concealed in water, fuel and other liquids, and fuel neutralization cartridges prevent gasoline from being used to refuel smuggling vessels. These tools and the associated skills necessary to properly employ them are common to Coast Guard cutters. Coast Guard LEDETs embarked in U.S. Navy, Royal Navy and Netherlands surface ships not only allow these ships to be used in counterdrug interdiction operations under Coast Guard tactical control, but they also enhance their overall mission performance through the use of these tools.

Another great example of Coast Guard adaptability is the development and expansion of armed counterdrug helicopter capabilities that can disable go-fast vessels that fail to comply with Coast Guard orders to stop. The Coast Guard operates a squadron of newly armed MH-65C helicopters with specially trained crews equipped with precision fire weapons that have been tremendously effective at interdicting elusive, high speed go-fast vessels. The Coast Guard has expanded this capability in recent years to U.S. Navy and Royal Navy deployers. Coast Guard LEDET personnel fly in Royal Navy armed helicopters to provide the necessary authority for the British gunners to fire warning shots and disabling fire against suspect go-fast vessels with no indicia of nationality. When embarked in U.S. Navy helicopters, LEDET personnel serve as both precision marksmen and controllers bringing this unique capability to U.S. Navy combatants engaged in counterdrug operations. By expanding this capability beyond Coast Guard platforms, we have significantly enhanced the combined forces' ability to effectively respond to the go-fast threat.

The overwhelming success of the Airborne-Use-of-Force (AUF) program has resulted in DTOs avoiding the most direct deepwater routes between departure points and arrival destinations. The result has been a change in the primary smuggling routes to the Central America littorals where smugglers attempt to evade U.S. patrol efforts by operating in the territorial sea of partner nations. The Coast Guard has actively targeted this trend through a series of 27 maritime bilateral counterdrug agreements and arrangements with partner nations that include all or some of the following provisions: shipboarding and shiprider agreements; pursuit, entry and over-flight of the

territorial sea; order to land for aircraft; and operation center information exchange protocols. Though these agreements vary from one partner nation to another, they all enable timely information sharing that facilitate coordinated interdiction operations on the high seas and within a partner nation's territorial sea. Our newest arrangement which was signed this past December with Mexico marks a significant expansion in our counterdrug cooperation and collaboration which is already paying dividends. Just last month, using the recently approved operation center information exchange protocols, the Coast Guard was able to confirm the registry of a Mexican flagged fishing vessel that was suspected of drug trafficking and in less than an hour obtained permission from the government of Mexico to board the vessel on the high seas. As a direct result of this cooperation, the Coast Guard boarding personnel located nearly seven metric tons of cocaine concealed within a hidden compartment and detained five Mexican nationals for transfer to Mexican officials for prosecution. This is just one example of the frequent and routine interaction that plays out between the Coast Guard and partner nation forces throughout the Eastern Pacific and Caribbean Sea.

Congress also plays a critical role supporting Coast Guard efforts by providing legislation to combat illicit drug smuggling. In addition to the boarding authority granted in 14 U.S.C. §§ 2 and 89 that I mentioned earlier, the Maritime Drug Law Enforcement Act has proven to be a powerful tool for prosecuting drug smugglers in U.S. courts that were interdicted far from our shores. Most recently, Congress' rapid action to pass the Drug Trafficking Vessel Interdiction Act provided another powerful tool to counter difficult to detect self-propelled SPSS vessels transporting multi-ton loads of cocaine bound for the United States. Since the passage of this Act on September 13, 2008, the Coast Guard has interdicted five SPSS vessels carrying an estimated 25 metric tons of cocaine toward the United States. Thanks to this new law, U.S. Attorneys are now able to prosecute suspected smugglers even if the vessel is successfully scuttled and no contraband evidence is recovered. The Coast Guard has developed special tactics, techniques and procedures to collect evidence sufficient to support domestic prosecution and, when appropriate, to seize SPSS vessels that fail to scuttle. Drug smugglers will no longer be able to sink their vessels to escape U.S. prosecution. This legislation also protects Coast Guard men and women from having to take unnecessary risks to collect contraband evidence while the vessel is sinking. The Coast Guard greatly appreciates the work of Congress in passing this vital legislation.

I am immensely proud of our interdiction efforts and the superior performance of Coast Guard men and women. However, in recent years, Coast Guard personnel have been saddled with significant maintenance challenges associated with maintaining an aging deepwater fleet of major cutters and C-130 aircraft that are increasingly experiencing lost operational days and degraded readiness due to unscheduled maintenance and casualty repair. For example, Coast Guard major cutters experience mission degrading casualties that affect 65 percent of their operational deployment time. Significant structural deficiencies resulting from advanced age have resulted in considerable unplanned maintenance onboard several cutters, including the Coast Guard cutters DALLAS and GALLATIN that prompted cancellation of several patrols and the loss of 149 operational days to counterdrug operations.

The Coast Guard is modernizing how it provides maintenance and logistics support through a comprehensive reorganization that will centralize key functions under the Deputy Commandant for Mission Support (CG-DCMS) at Coast Guard Headquarters. CG-DCMS will oversee human resources management, acquisition, contracting policy and execution, engineering, and logistics support of operating forces and shore infrastructure, as well as the information systems utilized to carry out operations. This consolidation will enable more effective acquisition governance and asset management/oversight, standardize maintenance processes, ensure strict configuration

control across the enterprise, and provide single-point accountability for life-cycle management of assets and human resource management. This modernization initiative is critical to sustaining our existing capital plant, while the Coast Guard implements the 25-year Deepwater recapitalization program that will provide the cutters, aircraft, sensors, intelligence collection and communications capabilities necessary to address adaptive DTOs operating in an expansive maritime domain.

Illegal drugs are not the only maritime threat to our national security moving via maritime means. Every year, thousands of people try to enter this country illegally via maritime routes, many utilizing organized smuggling operations and often in dangerously overloaded, unseaworthy, or otherwise unsafe craft. This flow of undocumented migrants in boats onto America's shores is both a threat to human life and violates U.S. and international laws. The Coast Guard supports and carries out the Administration's policy of safe, orderly, and legal migration. In this regard, Coast Guard migrant interdiction operations are as much humanitarian efforts as they are law enforcement actions. In fact, many of the migrant interdiction cases handled by the Coast Guard begin as search and rescue missions, usually on the high seas rather than in U.S. coastal waters.

While most maritime illegal migrants come from Haiti, the Dominican Republic and Cuba, the Coast Guard has interdicted undocumented migrants of various nationalities throughout the Western Hemisphere. Since 1980, the Coast Guard has interdicted over 350,000 illegal migrants at sea, including around 180,000 Cuban and Haitian migrants during mass migrations in 1980 and 1994. The normal flow of illegal migrants can change dramatically from one year to the next, dependent upon a variety of push and pull socio-economic and political factors related to individual countries. For example, between 2005 and 2007 the number of illegal migrants departing Cuba increased to levels not experienced in a decade, averaging almost 6,800 migrants per year. Numbers then dropped significantly to just under 3,700 migrants over the last 12 months. The Coast Guard has consistently interdicted approximately 40 percent of those attempting to enter the country illegally from Cuba each year. Similarly, people illegally trying to enter the country from the Dominican Republic represented the largest nationality group coming to the U.S. between 2004 and 2006, averaging over 8,600 migrants per year entering Puerto Rico across the Mona Passage (the 60 mile expanse of water that separates the east coast of the Dominican Republic from the west coast of Puerto Rico), but dropped precipitously since then to only 1,485 migrants last year.

Through constant presence, the Coast Guard has been able to interdict around 50 percent of those attempting to use the Mona Passage route. The numbers of illegal migrants attempting to enter the U.S. from Haiti, on the other hand, is subject to large individual spikes and valleys, yet over the long term tends to be fairly steady. From 2005 through 2008, the number of illegal Haitian migrants averaged nearly 3,900 per year with little variance in total numbers each year. Yet in just the first four months of FY 2009, 3,119 Haitian migrants have attempted to enter the U.S. illegally via maritime means, with more than 1,800 departing in January. The Coast Guard Intelligence Enterprise believes this spike may be due to the combination of devastating hurricane damage last summer combined with unsubstantiated rumors in Haiti that the new U.S. Administration may be more lenient in their handling of illegal migration. While the average Coast Guard interdiction rates for Haitians is only 45 percent, nearly all illegal Haitian migrants are stopped before reaching the U.S., often by Bahamian law enforcement personnel, assisted by the Coast Guard, through our Comprehensive Maritime Agreement with the Bahamas, which provides the means for direct maritime law enforcement cooperation between our two nations. The Coast Guard maintains a persistent presence of deepwater cutters and aircraft in the Florida Straits, Windward Passage and Mona Passage to deter illegal immigration and conduct interdiction operations. Frequent pulse

operations with these assets provide critical capacity to respond during periods of heightened migrant flow.

Successful illegal migration penalizes those who follow the established legal processes to migrate to the United States, prevents proper safeguards, and can potentially cost U.S. taxpayers billions of dollars each year. Accordingly, our charge per Executive Order 12807 is to interdict undocumented aliens as far from U.S. shores as possible and return them to their countries of nationality or origin. Swift repatriation deters many intending migrants, and minimizes costly disposition processes arising from illegal entry into the United States. Protection from persecution or torture is also an important concern. During the course of migrant interdictions, Coast Guard crews may encounter migrants seeking protection from persecution or torture. U.S. Citizenship and Immigration Services and the Department of State (Bureau of Population, Refugees, and Migration) are the agencies responsible for processing potential protection cases arising from interdictions at sea in compliance with relevant Executive Orders.

The Department of Homeland Security recognized the critical importance of being ready fora maritime mass migration, such as occurred in 1994 coming almost simultaneously from Cuba and Haiti, and developed Operation Plan Vigilant Sentry (OVS) in 2004, and updated it in 2007. OVS is a comprehensive DHS contingency plan for a unified response to a mass migration event in the Caribbean. This plan's success depends upon full interagency cooperation and coordination, including assistance from the state of Florida and local agencies. To carry out the provisions of OVS, the Department created Homeland Security Task Force – Southeast (HSTF-SE), with the Commander of the Seventh Coast Guard District as its Director, and the Chief Patrol Agent at the U.S. Border Patrol Sector in Miami as the Deputy. HSTF-SE is a standing organization with personnel assigned but not actively filling their positions during normal operations. However when there are indications that a mass migration is imminent, DHS personnel and other HSTF-SE partners can fully man and execute within 24 hours.

We also have a bridging concept plan called Operation Epic Response (OER), which involves a ratcheting up of DHS actions to deter a mass migration. Department of Homeland Security personnel routinely exercise both OVS and OER, and have used the HSTF-SE organization for actual operations to ensure its real-world success. While no one can ever say that we are fully ready for any possible contingency, I can say with a great deal of confidence that all DHS components and partner agencies are cooperating fully and are ready to deter and respond to a mass migration, if necessary.

Just as we do in drug interdiction, we rely on technological innovation and partnerships with other agencies and countries within the region to counter alien smuggling. In Coast Guard Sector San Juan, the effective interdiction of smuggling vessels in the Mona Passage between Puerto Rico and the Dominican Republic, combined with robust interagency support for prosecution and the deployment of a mobile biometrics capability on 110-foot patrol boats, has proven extremely effective in reducing the flow of illegal migration in that vector by over 75% since 2006. Demonstrating the value of consequence delivery through prosecution following interdictions, the referral of 236 cases of criminal aliens identified at sea through mobile biometrics, including 40 aggravated felons, and 90 aliens attempting to illegally re-enter the U.S. after deportation, seems to have stemmed the flow in what was the single largest migrant smuggling vector before biometrics-based prosecutions began. This initiative would not have been possible without the full partnership of US-VISIT, Customs and Border Protection, Immigration and Customs Enforcement, the U.S. Attorney's Office in San Juan, the State Department, the Dominican Republic Navy, and others.

Like drug traffickers, migrant smugglers have also profited from technological innovations, particularly high-speed, multi-engine go-fast boats. Go-fast smuggling vessels have replaced rafts and rusticas as the preferred mode of transportation due to their increased probability of success. We estimate that the rate of success for a raft or rustica is never better than 50 percent and generally 25 percent or lower. By comparison, the rate of success for a go-fast vessel operated by a smuggling organization is estimated at 70 percent. Smuggling via go-fast vessels is a multimillion dollar human smuggling enterprise that brings thousands of undocumented aliens to the U.S. at prices of up to $10,000 a head. To address this threat, the Coast Guard deployed high speed and extremely maneuverable special purpose craft with crews trained in employing warning shots and disabling fire against smuggling vessels. The deployment of this capability significantly improved our effectiveness in compelling smuggling vessels to comply with orders to stop.

Despite our many successes, Coast Guard migrant interdiction operations have also been negatively impacted in recent years by readiness challenges associate with our ageing platforms. To address surges in migrant activity, the Coast Guard instituted numerous mitigation strategies. Examples include multi-crewing on board medium endurance cutters and patrol boats to boost operational hours, and forward deploying patrol boats and aids to navigation cutters to the Seventh Coast Guard District from the Gulf Coast and other East Coast Districts. Even with these mitigation efforts, the Coast Guard is challenged to maintain a reasonable force laydown elsewhere while responding to the recent surge in Haitian migrant flow. We are making the necessary adjustments to our force lay down to ensure that we are always properly positioned to respond to a mass migration and will continue to work closely with U.S. Country Teams to quickly react to changes on the ground.

As we look to the future, we're anticipating that DHS' secure border initiative coupled with Mexico's law enforcement efforts will pressure drug and human smuggling organizations to move their operations offshore. In San Diego, we may be seeing the first signs of an increase in maritime smuggling activity. We are leveraging the Coast Guard Joint Harbor Operations Center in San Diego and existing law enforcement task forces to improve information and intelligence sharing. We are integrating planning and undertaking joint operations with our federal, state, local and Mexican partners and are well positioned to address a surge in illicit maritime smuggling activity should that occur.

Whether operating thousands of miles down range off South and Central America, or operating in our nation's littorals, the Coast Guard is playing a critical border security role countering a broad range of illicit activities in established smuggling routes throughout the maritime domain.

While I have focused on the interdiction of drugs and migrants, they are but two of the eleven missions the Coast Guard conducts daily for the safety and security of the American public. Day and night, in good weather and bad, 24-hours a day and 365 days a year, for over 218 years, our young men and women are on watch, ever-vigilant, always ready, actively seeking those who would do harm to our great nation, and rescuing mariners in distress. It is our unique authorities, capabilities, competencies and partnerships, foreign and domestic, which enable the Coast Guard along with our fellow DHS components, to consistently and effectively enforce maritime laws, interdict smugglers, and protect American shipping.

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

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UNTIL RELEASE BY THE COMMITTEE ON COAST GUARD AND MARITIME TRANSPORTATION

WRITTEN STATEMENT OF

RADM JOSEPH NIMMICH

DIRECTOR

JOINT INTERAGENCY TASK FORCE SOUTH

BEFORE THE

SUBCOMMITTEE ON COAST GUARD AND MARITME TRANSPORTATION
(REGARDING COAST GUARD DRUG AND MIGRANT INTERDICTION)

11 MARCH 2009

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UNTIL RELEASE BY THE SUBCOMMITTEE ON COAST GUARD AND MARITIME TRANSPORTATION

Introduction

Mr. Chairman, thank you for the opportunity to appear before your subcommittee. Illicit trafficking encompasses the full spectrum of threats to National Security, presenting a formidable challenge for our future as well as our partner nations. Today we are faced with a highly mobile asymmetric threat with the advantage of many years of experience smuggling illicit contraband throughout the region, and now globally presenting a truly transnational threat. In order to move people and cargo toward U.S. and international markets, well resourced illicit traffickers exploit the vast air, land and maritime domains. Utilizing both legitimate and illegitimate methods of conveyance, traffickers have established an agile and viable infrastructure for transporting large quantities of illicit cargo not only to the United States and Europe, but increasingly through Africa and Asia.

Illicit cargo - drugs, weapons, money, technology – and people - migrants, criminals, and terrorists - travel to the U.S. Southern and Northern borders, as well as to our partner nations around the world. The patterns, tactics, techniques and procedures employed by drug traffickers are often the same methodologies used by anyone wanting to move illicit people and/or cargo – including terrorists. All make use of similar routes and methods of conveyance, and all build and sustain required logistics, communications, and command and control infrastructures to support their enterprises.

JIATF SOUTH has broad legal authorities to conduct detection and monitoring (D&M) operations against this illicit trafficking. The highest priorities are nationally nominated targets of interest (e.g., weapons of mass destruction and special interest alien HVT's). The next tier down comprises the broad spectrum of transnational threats. According to the United Nations,

the illicit trafficking trade approaches over $33 billion for the combined human smuggling, illegal arms, and blood diamond trade.[1] All this pales in comparison to the illicit drug trade, estimated by the U.N. at over $320 billion.[2] Furthermore, as stated by Admiral Jim Stavridis, U.S. Southern Command commander in his 2008 Posture Statement, "we estimate that several thousand people will die in the United States this year due to cocaine-related events that can be traced to illicit drugs from the region." As illicit drugs move towards global markets the money from these drug transactions returns to the source region, creating instability within our partner countries. The drug and terrorism nexus grows each day with terrorist organizations finding easy profits from illicit drug trafficking as another form of "fund raising" to support terrorist activities. For these reasons the principal focus on a daily basis is combating the illicit drug trade. Our focused strategy is needed to: save the thousands of American and our partner nation friends who die from drug-related issues each year; prevent the destabilization created from illicit drug trafficking; prevent the money from these drug transactions from returning to the source region; and eliminate the drug and terrorism nexus.

Joint Interagency Task Force South is a National Task Force

JIATF South is uniquely postured to address the increasingly complex nature of this threat. JIATF South was originally created to specifically address the "supply" of south to north flow of drugs towards the United States from South America. Our roots go back to 1989 when the Department of Defense was congressionally directed as "the lead federal agency" for the detection and monitoring of drug trafficking events in support of law enforcement. Over time, additional, but appropriate, missions and functions were added to the command's

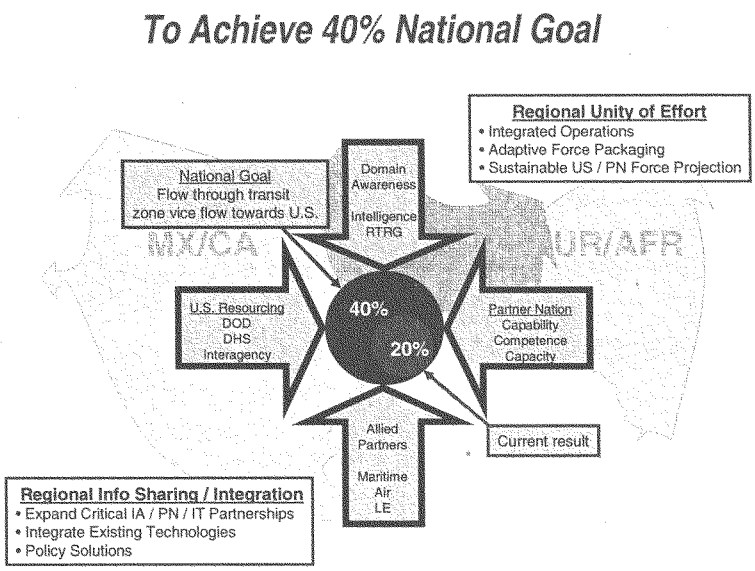
[1] Insert citation.
[2] Insert citation.

responsibilities. In the last ten years, especially since 9/11, the command has grown its operational perspective to become more inclusive with the demands of the changing security environment. Today, JIATF South conducts interagency operations against illicit trafficking by highly mobile asymmetric threats originating or transiting its Joint Operating Area through detection and monitoring of illicit air and maritime targets, intelligence fusion, multi-sensor correlation and information sharing to facilitate interdiction and apprehension, along with partner nations, in support of national security and regional stability. Last month, JIATF South celebrated its 20th anniversary. It has taken 20 years to evolve to where we are today, an international, interagency organization that is specifically charged to reduce the south to north flow of illicit trafficking, by focusing on the primary flow of large multi-ton conveyances of cocaine, all executed with unity of command under a single director.

The National Interdiction Command and Control Plan (NICCP) created JIATF South as a "national task force" and not a departmental or agency task force. This fundamental premise has been reaffirmed by the interagency community through several updated iterations of the NICCP, the latest being dated 1 September 2005. The most compelling strength that makes JIATF South successful today is our focused, integrated team optimally designed against the asymmetric, ever-changing threat of illicit trafficking. Our integrated interagency and international team has 13 liaison officers from 11 different countries as well as representatives from five distinct law enforcement entities, six U.S. intelligence agencies and personnel from all the uniformed services to include the Reserves and National Guard. Today, as a national task force, JIATF South matches the capabilities of its diverse personnel, agencies and countries with their respective authorities creating mutually supporting efforts against challenging security threats.

Towards a National Goal

Recently, the National Drug Control Strategy set an aggressive national goal of interdicting 40 percent of the cocaine flow through the transit zone towards the U.S.[3] For JIATF South this strategy focuses on the primary flow of illicit drugs transiting from the source zone through the transit zone, in hopes of disrupting the traffickers business model and forcing them out of illicit activity. The flow of illicit contraband respects no national borders or artificial boundaries such as Areas of Focus (AOF), or Joint Operating Areas (JOA) which brings forth a demand for a holistic approach against illicit drug trafficking.



Within today's constrained resource environment, attainment of this 40% goal can only be achieved through an overarching strategy, one with four distinct strategic pillars. First, the

cornerstone of JIATF South remains the synergistic integration of interagency resources on DOD's backbone of critical infrastructure and unique capabilities. This integration into one team clearly enhances each agency's performance and effectiveness.

Given the global nature of this threat, our Allied Partners are a critical second component. Our European allies especially recognize this with the specific need to attack this threat cooperatively in a collaborative fashion at its origin, not allowing its movement to other continents' shores. Western hemispheric partners with capable resources are being engaged and integrated as well as our traditional European allies into one international, interagency team.

Third, many hemispheric Partner Nations share our concern for this security threat and willingly contribute to our collective fight, despite severe disadvantages. We must build cooperative Partner Nation capability, competence and capacity in order for them to take control of their littoral waters and territories. Illicit traffickers today take advantage of ungoverned space, thus negating our technological and cooperative superiority.

Lastly, and perhaps the most important pillar given its potential return on investment, we must continue to develop complete domain awareness through exploitation of real time technological tools and better intelligence across the board. The first challenge is to build the complete common operational picture through the integration of not only U.S. information but partner nations and private sector as well, building the haystack, then refining the methodologies to identify and remove irrelevant information and predictable occurrences to find the "needle" in the haystack. This will allow us to act on the most valuable target solution as resources and assets continue to become scarce. Success is dependent upon optimizing the employment of what we will have.

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[3] Office of the President, *National Drug Control Strategy*, at 40, February 2007.

JIATF South employs the guidance, doctrine, and policies from National, Interagency, Combatant Commander and Partner Nation engagement strategies to find complementary avenues to focus efforts and to build on each others' strengths to eliminate weaknesses. Effective disruption of illicit trafficking in each corridor requires timely intelligence and information, operational capability, and cooperative engagement among partners.

Drug Trafficking Organizations

Drug trafficking organizations and the drug traffickers themselves pose a wide-ranging threat to our country. Their illicit activities include the production and movement of drugs and often include the movement of arms for terrorists - which are paid for by the profit from or the exchange for drugs. Drug trafficking organizations are usually a close-knit group, often involving family members and are exceptionally difficult to penetrate. They are well funded; in fact, the United Nations Office on Drugs and Crime (UNODC) World Drug Report 2005 estimates that the illicit drug trade constitutes 14% of global agricultural exports and represents the life blood for millions of low-income farmers around the planet. The size of the world's illicit drug industry is equivalent to 0.9% of the world's Gross Domestic Product or higher than the GDP of 88% of the countries in the world. Between marijuana and hashish, the global cannabis market alone is valued at $142 billion, followed by cocaine at $71 billion, and opiates at $65 billion. With funds of this magnitude, they can afford to buy the latest technology, develop new concealment methods, employing changing conveyances and modalities, and exert strong political influence.

While there is considerable interagency and international discussion on just how much cocaine is produced each year, all agree that cocaine is still moved in quantities far in excess of

what our respective law enforcement agencies interdict. Drug traffickers will not only collectively attempt to meet current demand but will also attempt to expand their markets.

Drug Movement in the Transit Zone

The Joint Interagency Task Force South challenges drug traffickers in the air and on the high seas 24 hours a day, 7 days a week in defense of America's borders and support of our partner nations. We are relentless and committed. Our goal is to put drug traffickers at risk of interdiction and arrest each and every step of their journey. We work very hard in constant support of law enforcement to ensure this all occurs seamlessly with the least amount of resources. Through better intelligence and expanded interagency and international partnerships, JIATF South has been able to support unprecedented cocaine disruptions for the last six years with 2006 being a record all time high of approximately 256 metric tons. And while our seizures for the first two months of 2009 indicate that we are currently poised to beat our 2006 record, we remain challenged by swift, adaptive trafficker reactions to increased losses and the effectiveness of our operations.

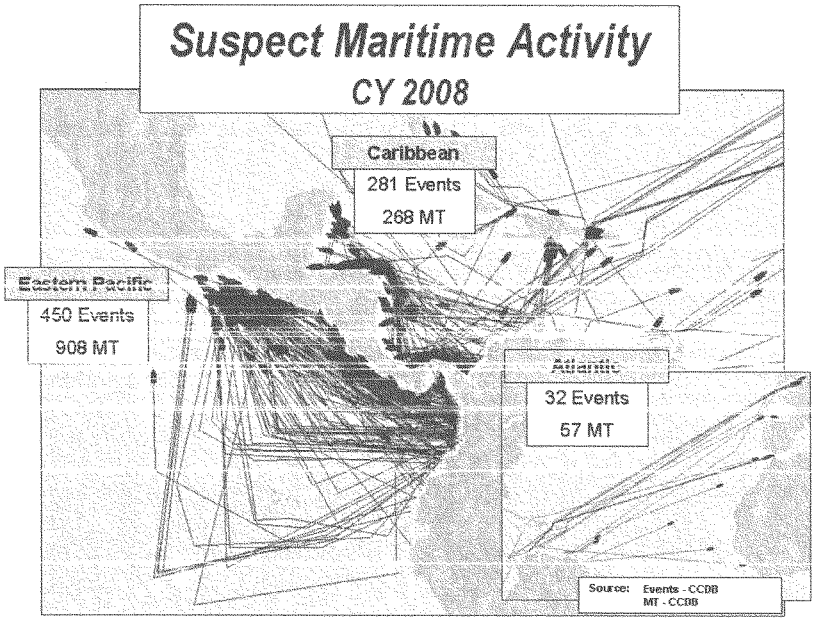
Our cocaine movement forecast for calendar year 2009 utilizes a demand based methodology which takes into consideration international consumption, seizures, disruptions, and intelligence. JIATF South projects 80% of cocaine will transit via maritime methods of conveyance with 20% by air. The Mexico/Central American Corridor which includes the waters of the Eastern Pacific and Western Caribbean is expected to remain the predominant threat vector possibly accounting for 67% of all cocaine departing South America. JIATF South foresees the remainder of cocaine entering the transit zone to be near evenly distributed between the Caribbean (15%) and Atlantic (18%) threat vectors.

Looking back, during CY 2008, the interagency identified cocaine smuggling events totaling over 1200 metric tons. This amount far exceeds the amount actually disrupted in the transit zone - approximately 228 metric tons. Of this transit zone disruption total, JIATF South directly supported the disruption of 173 metric tons. Put another way, JIATF South supported 76% of all non-commercial, transit zone primary flow cocaine disruptions. Viewing the disruptions through a wider lens, JIATF South supported 41% of the worldwide total.

Maritime Drug Movement in the Transit Zone

Illicit commercial and non-commercial maritime activity is estimated to account for nearly 80% of all drug movement departing from South America. From 2007-2008, maritime traffickers continued to show innovation and flexibility. Maritime traffickers increased predilection for go fasts (+13%), while concurrently shifting their routes closer to the littoral waters of Central America. Historically, the northern portion of Central America and Mexico was the initial destination of drug events in the Mexico/CENTAM corridor. In contrast, in 2008, approximately 136 or roughly 33% of all known go-fast events staged through either Panama or Costa Rica prior to continuing en route Mexico and Northern Central America. Additionally, average go-fast load sizes dropped 10% in both the Western Caribbean and Eastern Pacific in consonance with trafficker's diversification to minimize exposure to larger losses. Perhaps the most dramatic demonstration of trafficker's adaptability is their increased reliance on the use of Self Propelled Semi Submersibles (SPSS) - that have grown exponentially since the first maritime interdiction in 2006. In 2008, JIATF South supported the interdiction of 11 SPSS's seizing 24 metric tons of cocaine and accounting for additional at sea disruptions (scuttles) estimated at 45 metric tons. In the first two months of 2009, JIATF South supported another

four maritime SPSS interdictions, totaling approximately 21 metric tons. We project over 60 SPSS events for CY 2009 with an estimated cargo capacity of 330 metric tons of cocaine.

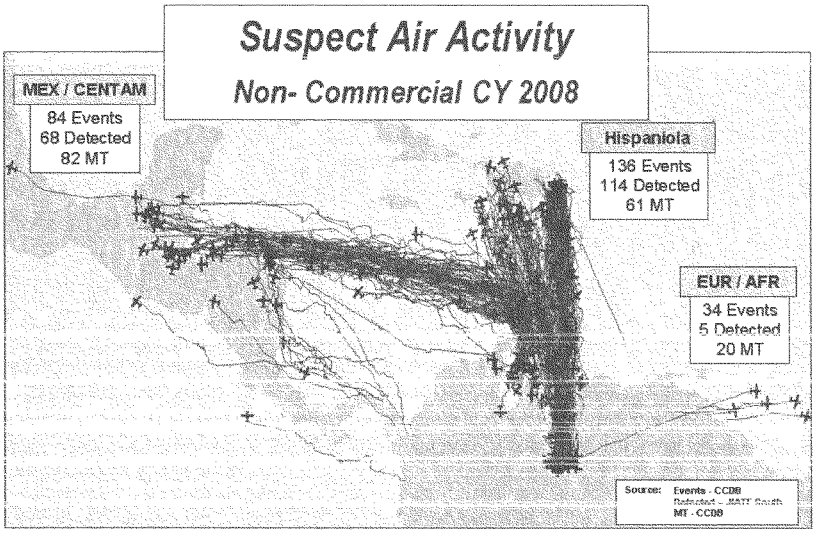


Note: Of the known maritime events, 62% are Go-Fasts, 15% are Motor Vessels, 10% are SPSS, 7% are Fishing Vessels, and 6% are Other (sail boats, private yachts, etc). Of the total maritime flow (Metric Tons – MT) observed in CCDB, 56% are Go-Fasts, 33% are SPSS, 9% are Fishing Vessels, and 2% are Containers.

Air Drug Movement in the Transit Zone

Illicit commercial and non-commercial air activity comprises approximately 20% of the drug movement departing South America. The large majority of known activity departs from

Venezuela en-route three primary destinations of the border regions of Guatemala/Mexico, the island of Hispaniola and Africa. In 2008, of the 254 suspect air events, 33% were destined to Mexico/Central America, 54% were destined to Hispaniola, and 13% were destined for Africa. Although we see more events flying into Hispaniola, the actual quantity or flow of cocaine in the Mexico/Central America corridor is greater and accounts for 50% (82 MT) of the total air flow (164 MT), primarily due to larger aircraft and load sizes. Of note, Mexico/Central America accounts for 50%, Hispaniola 37%, and Africa 13% of the total air flow of cocaine. We estimate that more events are occurring across the Atlantic; however, lack of radar coverage and better intelligence limit our visibility on this expanding African air corridor. Traffickers have been noted using a range of general aviation aircraft, from small single engine Cessna's to high performance Gulf Stream's. Recent noted patterns of activity reflect air traffickers diversifying to new and historical destinations in Central America (Honduras) and Hispaniola (Haiti re-emergence).



The Air and Maritime event slides highlight the suspected primary flow of cocaine. The level of knowledge of the secondary flow - how the traffickers continue to move the cocaine subsequent to making initial landfall - is not well known.

We face unique challenges in both the international and territorial water and air domains. Within the maritime realm, we have more options with expanded authorities and agreements. Conversely, in the air, there are very few agreements in place. We are proactively working with key partner nations to expand their endgame capability, capacities and competencies (examples: CENTRAL SKIES in Central America, SOVEREIGN SKIES in the Dominican Republic) - enabling them to interdict illicit air trafficking and regain air sovereignty.

Interagency and International Personnel

The personnel structure of the JIATF South Team is unique and the major contributor to our successes. We are as much international as we are interagency in composition. We have representatives from the Air Forces of Canada, Colombia, Ecuador and El Salvador; the Navies of Canada, Colombia, France, Mexico, Netherlands, Peru and the United Kingdom; a representative from the Argentinean Gendarmerie, Brazilian Federal Police, British Serious Organized Crime Agency and an officer from the Spanish Guardia Civil. JIATF South anticipates receiving additional representatives this year from the Brazilian Navy, Dominican Republic Air Force, and French Gendarmerie. Overtures have also been made to Trinidad and Tobago along with the Regional Security System.

We have representatives from all Services of Department of Defense; Homeland Security provides U.S. Coast Guard, Customs and Border Protection, and Immigration and Customs Enforcement personnel; and Drug Enforcement Administration and Federal Bureau of Investigation personnel represent the Justice Department contribution. One of our newest additions is a soon to arrive political advisor from the State Department. Additionally, intelligence agencies; NSA, DIA, CIA, NGA, and the NRO have operational analysis personnel embedded in the JIATF South team. An invaluable component is the DOD civilians and contract personnel - all subject matter experts that provide the continuity and backbone for our efforts. This broad spectrum of skill sets come together with one common objective: supporting our detection and monitoring mission against illicit trafficking. It is important to note that the interagency has personnel here not only in senior liaison officer positions, but also in positions that are fully integrated into the staff and empowered to make decisions to execute our detection and monitoring mission in support of law enforcement. To cite a few examples, the U.S. Coast

Guard provides the Director; the Vice Director is from CBP, our Deputy Director for Intelligence is from DEA and our Deputy Director for Operations is from Customs and Border Protection, and our 24x7 watch floor is manned with DOD, USCG and CBP personnel. This is the integrated team pillar where military capabilities support law enforcement authorities to produce successful interdictions.

Detection Shortfalls

DOD and the interagency and international community have made tremendous efforts to provide the resources we need. The international partners have also worked hard to provide D&M resources. One of the best examples is the Colombian Navy. While having the smallest portion of the Colombian Defense budget, as a service they continue to have the highest seizures rates. Significant Colombian Navy initiatives include warning and disabling fire from helicopters, two frigates under JIATF SOUTH tactical control, and integration of new interceptor boats into coordinated operations. Many other examples abound, from the no-notice joint interdiction of an SPSS with the Mexican navy to routine Dominican Republic and Nicaragua end game cooperation. British, Dutch and French support remains robust, with increasing support from Canada. Again, these highlight the strengths of our partnership and increased capacity pillars.

Intelligence

Intelligence is the crown jewel of our national task force. All-source intelligence fusion and analysis drives our operations and scheme of maneuver. Our most critical inputs come from U.S. and Partner Nation law enforcement. This information is fused with all-source intelligence,

analyzed and sanitized as necessary, then aggressively disseminated to our tactical forces - U.S. and our allies.

It is of particular importance to note the extraordinary contribution of the JIATF South Tactical Analysis Teams (TAT's). Located in many of the U.S. Embassies, TAT personnel work closely with the Drug Enforcement Agents and the country team to develop tactically actionable information. TAT's are lean, typically composed of two members and are currently deployed to 21 countries in our JOA. The U.S. Country Teams recognize the extraordinary value of TAT's and the demand for them is always very high. In the near term we are expanding existing TAT support to two locations in Europe and are working to establish future sites in Africa. Funding constraints will dictate how quickly additional TATs can be deployed to address changing threat vectors.

Another program that has paid extraordinary dividends is Panama Express (PANEX). Operating from two locations in Florida, PANEX South and North focus on the Eastern Pacific and Western Caribbean respectively. Each has representatives from FBI, DEA, ICE and USCG to also develop actionable intelligence. The information from PANEX has been fundamental to JIATF South's continued disruption successes. Together, over the past eight years of their existence, the PANEX's have contributed to over 1300 arrests and 450 metric tons of cocaine seized.

However, as the key pillar to our strategy for success, continued intelligence improvement is an absolute necessity, from real time exploitation of all sensor data and information to complete domain awareness. Without this improvement, the Allied partnerships and increased Partner Nation capacities will not be optimized.

What we expect for the remainder of 2009 and the beginning of 2010

Traffickers operating in the EPAC and the Western Caribbean are making rapid changes to their modus operandi. We believe this will continue as traffickers always adjust to our disruption successes. When their deep Eastern Pacific fishing vessel routes were disrupted in 2005 and 2006, they quickly shifted to SPSS's and go-fasts in the littorals. They will move again, especially as the Merida initiatives bring success.

Closing

Our target set spans the full spectrum of national and international security, presenting a formidable transnational challenge for U.S. and allied nations. We fight a common enemy that threatens democratic governments, terrorizes populations, impedes economic development and creates regional instability. The counterdrug mission cannot be viewed in isolation of the global war on terror as the patterns, tactics, and techniques employed by drug traffickers are the same as the methodologies used by anyone wanting to move illicit people or cargo— including terrorists.

Our operational successes indicate an increasing level of trafficker sophistication and innovation as they rapidly employ readily available cutting edge technologies, improvise their tactics, and shift seamlessly between modes of communications and methods of conveyance. Our global success is dependent upon our collective capability to be more innovative, more adaptive, and more agile than our adversaries.

In spite of our challenges we continue to be successful for two primary reasons. First, JIATF South is a dynamic and evolutionary organization, one continuously adapting itself to evolving target sets. The second is the national and international unity of effort found within our

command that spans geographical and functional boundaries bringing with it operational efficiencies and critical intelligence.

Question#:	1
Topic:	smuggling
Hearing:	Coast Guard Drug and Migrant Interdiction
Primary:	The Honorable Elijah E. Cummings
Committee:	TRANSPORTATION (HOUSE)

Question: Last Congress, the House passed the Alien Smuggling and Terrorism Prevention Act of 2007, H.R. 2399, to help address the smuggling of aliens in a comprehensive manner whether it be by sea or by land. Does the Administration support this comprehensive approach to alien smuggling that seeks to ensure that all smugglers can be prosecuted in the same manner, whether for attempting to smuggle people through the deserts in the Southwest or across the Caribbean?

Answer: Through enactment of the Maritime Drug Law Enforcement Act (codified at 46 U.S.C. 70501 et seq.), Congress recognized that efforts to criminalize drug smuggling in the maritime setting are assisted by legislation that is uniquely tailored to the maritime environment. The Administration generally supports the enactment of legislation addressing alien smuggling in a comprehensive manner. We have some concerns regarding certain provisions contained in H.R. 2399 specifically. The Administration recognizes, however, that maritime smuggling presents unique challenges, and we would wish to work with Congress in exploring whether enforcement efforts would be assisted by additional tools.

Question#:	2
Topic:	goals
Hearing:	Coast Guard Drug and Migrant Interdiction
Primary:	The Honorable Elijah E. Cummings
Committee:	TRANSPORTATION (HOUSE)

Question: According to the National Drug Control Strategy 2009 Annual Report released by the Bush Administration shortly before it left office, the 2008 interdiction goal was 25 percent of the illegal drugs estimated to have been moved in the previous year. According to the Strategy, the interdiction goal is to reach 40 percent in fiscal year 2014.

Who sets the removal rate goal for the Coast Guard, how is it calculated, and how does it relate to the national removal goal?

Is a national interdiction goal of 40 percent realistic ¿ and what additional resources will the Coast Guard need to support the accomplishment of this goal?

Answer: In accordance with OMB guidelines, the Coast Guard sets outyear performance targets that are designed to be ambitious, yet achievable. Based on outyear estimates, the removal rate targets are calculated as the ratio of estimated Coast Guard removals to the non-commercial maritime movement of cocaine towards the United States.

The Coast Guard's removal rate directly supports the national removal goal set by ONDCP. The national removal goal encompasses all agencies and all modes of transportation, including land, maritime and air movements, but does not assign responsibility for any specific level of performance to any agency. As the lead maritime agency for drug interdiction, the Coast Guard's removal rate targets are restricted to the maritime domain. More than 85 percent of the cocaine headed towards the U.S. travels via non-commercial maritime means. Therefore, any increase in the Coast Guard's cocaine removal rate will result in a similar increase in the national removal rate. The Coast Guard accounts for roughly half of the national cocaine removals each year.

The Coast Guard is participating in the Transit Zone Performance Gap Analysis (PGA), which was tasked by the U.S. Interdiction Coordinator (USIC) to determine the asset requirements to reach the national goal of 40 percent. The Coast Guard's recapitalization program is critical to providing the cutters, aircraft, sensors, intelligence collection and communications capabilities necessary to address adaptive Drug Trafficking Organizations operating in an expansive maritime domain.

Question#:	3
Topic:	meth
Hearing:	Coast Guard Drug and Migrant Interdiction
Primary:	The Honorable Elijah E. Cummings
Committee:	TRANSPORTATION (HOUSE)

Question: Has the Coast Guard interdicted methamphetamines or meth-related equipment and supplies? If so, what have been the trends with regard to the interdiction of such drugs and equipment?

ANSWER: The Coast Guard has not interdicted any methamphetamines, meth-related equipment, or supplies since at least 2004.

Question#:	4
Topic:	success rate
Hearing:	Coast Guard Drug and Migrant Interdiction
Primary:	The Honorable Elijah E. Cummings
Committee:	TRANSPORTATION (HOUSE)

Question: Data provided by the Coast Guard indicate that the estimated rate of success for migrants attempting to enter the U.S. on go-fast vessels is approximately 85 percent. Why is this and what can be done to increase our success in interdicting go-fasts used to smuggle migrants?

Answer: The challenge of detecting, sorting, identifying and responding to a smuggling event with an asset capable of interdicting the suspect vessel in a large ocean area is immense. The challenge is intensified by limited advance warning and narrow windows of opportunities to respond. Complicating Coast Guard interdiction efforts is the establishment of Cuban smuggling networks that employ go-fast vessels to transport illegal migrants to the United States. The Coast Guard Intelligence Coordination Center (ICC) reports that maritime events involving a go-fast vessel increased from 28 percent in Fiscal Year 2005 to nearly 75 percent Fiscal Year 2008. The rate of success for a go-fast vessel is estimated at 85 percent compared to a raft or rustica, which is never better than 50 percent and is generally 25 percent or lower. The use of these fast-moving vessels has significantly reduced Coast Guard detection and interdiction opportunities, contributing to the success of this tactic and the market for its employment. Cuban smuggling is now a multi-million-dollar enterprise that brings thousands of Cubans to the United States at a price of up to $10,000 a migrant.

Actions Taken:

- The Coast Guard maintains a routine air and surface maritime patrol presence in the Florida Straits, Windward Passage, and Mona Passage to deter, detect, and interdict vessels suspected of being engaged in illicit activities, including migrant smuggling.
- Using the DHS Homeland Security Task Force-Southeast infrastructure, the Coast Guard led the successful joint law enforcement Operation Southeast Watch, which focused on smuggling in the Florida Straits and other threat vectors in the region from July 17th through November 30th, 2008. As a result of this operation, the Coast Guard interdicted 49 smuggling vessels carrying 416 Cubans. Other DHS components apprehended 399 migrants and seized 11 vehicles and 21 vessels. Conducting joint operations is an excellent way to increase interdictions and deter migrants from transiting these known vectors.
- In cooperation with US-VISIT, CBP, ICE, and DOJ, the Coast Guard first deployed a mobile biometrics capability in the Mona Passage in November 2006 to identify and facilitate prosecution of suspect smugglers, recidivist aliens, and

Question#:	4
Topic:	success rate
Hearing:	Coast Guard Drug and Migrant Interdiction
Primary:	The Honorable Elijah E. Cummings
Committee:	TRANSPORTATION (HOUSE)

other felons. The use of biometrics in the region has played a key role in reducing the Dominican Republic migrant flow by nearly 65 percent over the last two years.

- In March 2008, the Coast Guard began utilizing mobile biometrics in the Florida Straits to identify and prosecute smugglers resulting in 110 indictments of Cuban migrant smugglers in the following ten months. This was a significant increase when compared to just 60 indictments during all of Fiscal Year 2007. The use of biometrics enabling effective prosecutions is very likely a significant contributing factor to the recent 70 percent decrease in Cuban migrant maritime flow in the Florida Straits.
- Conducting active and high-profile patrols and surveillance in known and emerging migrant smuggling vectors is useful both to deter and to interdict migrant smuggling events at sea, but is resource-intensive. DHS continues to surge assets as available and appropriate to meet this challenge. DHS and DOS also use strategic messaging and external communications to deter potential migrants from taking to the seas. Successful prosecutions of migrant smugglers coupled with meaningful penalties helps to dissuade other smugglers.
- The USCG will continue to bolster its detection and interdiction resources through its acquisition program. The following assets are proving to be particularly effective in combating smuggling events:
    - Special Purpose Craft – 18 new Law Enforcement boats have been procured and deployed to the Florida Keys and Miami.
    - Major cutters have been outfitted with over-the-horizon cutter boats (CB-OTHs) enabling them to interdict go-fast vessels when favorably positioned.
    - Aviation assets equipped with night vision and infrared sensors are very effective at detecting and tracking go-fast vessels as well as the traditional yolas, rafts, and rusticas used by migrants who cannot afford the expense of a go-fast smuggling venture.

Question#:	5
Topic:	district
Hearing:	Coast Guard Drug and Migrant Interdiction
Primary:	The Honorable Don Young
Committee:	TRANSPORTATION (HOUSE)

Question: What Coast Guard District faces the greatest threat of drugs, firearms, and human trafficking being smuggled into the U.S.? What Coast Guard facilities do we have in that area?

Answer: Eastern Pacific Ocean. These drugs are typically smuggled into the United States across the U.S.-Mexico land border after arriving in Central America or southern Mexico via non-commercial maritime conveyances. In FY 2008, an estimated 992 metric tons of cocaine departed South America en route to the United States via non-commercial maritime conveyance in the Eastern Pacific Ocean. Coast Guard District Eleven deepwater assets conduct most of the interdictions in the Eastern Pacific Ocean. It is rare for these illegal drugs to flow directly into the District Eleven land areas via maritime means.

Most trafficking in illegal firearms is moving from the United States into Mexico, and there is no evidence of trafficking by maritime means. The Coast Guard has not seized any weapons caches in more than two decades. As with drugs, firearms move almost exclusively via the U.S.-Mexico land border. The Coast Guard has patrol boats and small boats at Sector San Diego and Station South Padre Island, as well as aircraft at Air Station San Diego and Corpus Christi that patrol in the vicinity of the maritime borders with Mexico.

Human trafficking differs drastically from migrant smuggling. Human trafficking is the recruitment, transportation, harboring, or receipt of people for the purposes of slavery, forced labor (including bonded labor or debt bondage), and servitude. In migrant smuggling, people voluntarily request smuggler's service for a fee and there may be no deception involved in the (illegal) agreement. On arrival at their destination, the smuggled person is usually free.

In cases involving human trafficking, however, the trafficking victim is enslaved or the terms of their debt bondage are highly exploitative. The Coast Guard very rarely encounters human trafficking and handles these cases appropriately when suspected. As a matter of routine, the Coast Guard works with the interagency through the Human Smuggling and Trafficking Center. Human trafficking cases are equally likely to be encountered in any of the Coast Guard's districts. Conversely, the Coast Guard encounters maritime migrant smugglers on a near daily basis. The vast majority of migrant smuggling cases occur in the Seventh District area of responsibility with the most being Cubans coming across the Florida Straits into southern Florida. Trends in migration are dynamic and often change. The Coast Guard uses a robust force laydown made up of major cutters,

Question#:	5
Topic:	district
Hearing:	Coast Guard Drug and Migrant Interdiction
Primary:	The Honorable Don Young
Committee:	TRANSPORTATION (HOUSE)

patrol boats, aircraft, and sector small boats to interdict migrant smugglers. Sectors, Stations, and aircraft facilities are strategically placed throughout southern Florida and the Florida Keys including Sector Miami, Sector Key West, Station Marathon, Station Islamorada, and Air Station Miami.

Question#:	6
Topic:	aviation
Hearing:	Coast Guard Drug and Migrant Interdiction
Primary:	The Honorable Don Young
Committee:	TRANSPORTATION (HOUSE)

Question: Do you have the necessary aviation assets in Miami, Florida, to counter this threat? Do the available aviation resource hours meet the required resource hours defined in the Post 9/11 Mission Gap Analysis?

What are the aviation assets in Miami specially how many of each asset?

How many hours are provided by these specific assets?

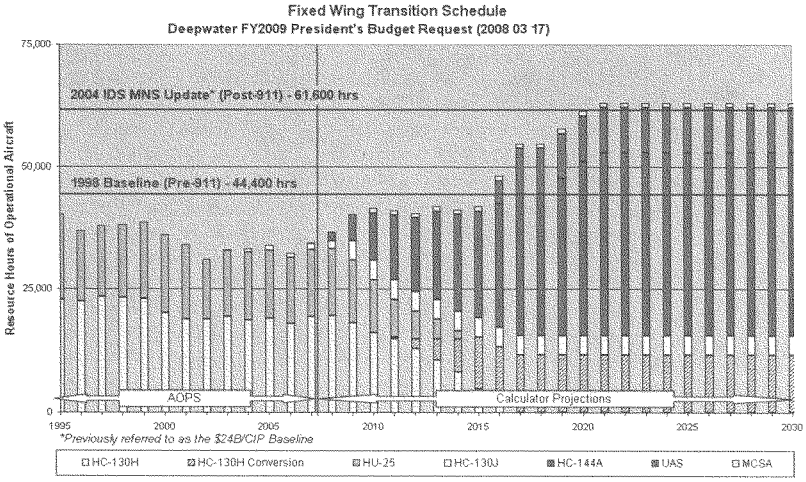
Answer: The aviation assets in Florida provide coverage of the adjacent waters and detect, monitor and respond to potential maritime threats, including those posed by migrants attempting to enter the United States illegally via maritime conveyance. The Coast Guard currently has five HH-65C helicopters based in Miami, FL, which will be transitioned and upgraded to five MH-65C helicopters in May/June 2009. These assets provide 645 flight hours each, per year, for a total of 3225 flight hours annually. There are also six HU-25D jets based in Miami, FL that currently fly 800 flight hours each per year, for a total of 4800 flight hours annually.

The aviation resources in Miami do not provide full coverage as defined in the Post 9-11 Mission Gap Analysis. The six HU-25D jets in Miami will be replaced with seven HC-144A aircraft. This Coast Guard required resource hours will be available upon delivery of the seventh HC-144A aircraft to Miami. Full operational capability is projected for 2015.

Question#:	7
Topic:	gap
Hearing:	Coast Guard Drug and Migrant Interdiction
Primary:	The Honorable Don Young
Committee:	TRANSPORTATION (HOUSE)

Question: Congress has repeatedly expressed its concern about the maritime patrol aircraft resource hour gap. The gap directly relates to the number of flight hours and the USCGs ability to carry out drug and migrant interdiction missions. Please provide us with an update as to how you are closing the gap.

Answer: Acquisition of HC-144A Ocean Sentry aircraft, operational employment of HC-130J Hercules aircraft, improvement of HC-130H sensors, and joint Coast Guard/CBP employment of CBP-owned Unmanned Aerial Systems in the maritime domain are projected to improve the MPA gap as depicted below.



Note 1: Hours reflect contribution of the covert, multi-sensor, surveillance aircraft (MCSA) as part of the Deepwater System. The MCSA is not part of the Deepwater acquisition, but its potential contribution to maritime domain awareness is reflected in this graph.
Note 2: UAS contributions are shown for graphic purposes using the UAS acquisition schedule from the Deepwater FY2008 Enacted Implementation Plan (2007 12 17). The UAS pre-acquisition activites/alternatives study will further inform this area.

Question#:	7
Topic:	gap
Hearing:	Coast Guard Drug and Migrant Interdiction
Primary:	The Honorable Don Young
Committee:	TRANSPORTATION (HOUSE)

Question#:	8
Topic:	funds
Hearing:	Coast Guard Drug and Migrant Interdiction
Primary:	The Honorable Don Young
Committee:	TRANSPORTATION (HOUSE)

Question: In the 2009 Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, Congress has appropriated $5 million in operating expenses to help address the aviation mission hour gap. The Coast Guard was specifically directed to provide a plan no later than 60 days after the date of enactment of this Act on how this funding will be allocated.¿ How are the funds being used?

ANSWER: The Coast Guard's spend plan is below.

U.S. Department of Homeland Security
Washington, DC 20528

Homeland Security

JAN 2 8 2009

The Honorable David Price
Chairman
Subcommittee on Homeland Security
Committee on Appropriations
House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The Fiscal Year (FY) 2009 Department of Homeland Security Appropriations Act (P.L. 110-329) provides $5 million to help address the Coast Guard aviation mission hour gap and requires a report describing how the funds will be allocated. This letter responds to the Congressional requirement.

The funds will address the aviation mission hour gap by augmenting Maritime Patrol Aircraft (MPA) capacity, supporting MPA force package deployments and increasing the efficacy of airborne surveillance. It will allocate an additional 500 annual HC-130H flight hours among critical air stations, providing immediate relief with the MPA flight hour gap. Concurrently, this funding will also enable continued forward deployment of MPA force packages to the Caribbean, Eastern Pacific and Arctic areas of responsibility, increasing surveillance and multi-mission presence.

Additionally, the Department plans to further enhance operational effectiveness of the HC-130H fleet by designating an HC-130H aircraft, which is scheduled to be retired in FY 2009, as a "Project Support" aircraft. This aircraft (CGNR 1504) and 250 annual flight hours will be used to prototype critical mission enhancement initiatives associated with night vision goggles, surface search radar and avionics modernization. This test platform will operate at Aviation Logistics Center Elizabeth City and eliminate the requirement to divert other operational airframes for this prototype work. It is anticipated that this endeavor will be complete in 2012, at which point the utility of CGNR 1504 will be evaluated against fleet-wide HC-130H capacity requirements and a decision made regarding retirement or retention in an operational status.

Finally, this initiative supports computer-based training, on-site instruction and the procurement of an emulator training device for four HC-130H air stations and the Basic Air Navigator's Course School for the new Selex Surface Search Radar. The computer-based training and emulator allow for the completion of complex training scenarios in a compressed, yet safe environment, resulting in a shorter training timeline for HC-130 aircrews.

Question#:	8
Topic:	funds
Hearing:	Coast Guard Drug and Migrant Interdiction
Primary:	The Honorable Don Young
Committee:	TRANSPORTATION (HOUSE)

The following table is a Project Program and Activity breakdown:

PPA Breakdown - Aviation Mission Hour Gap	**Total** (Dollars in Thousand)
PPA I: Military Personnel (15 FTP, 8 FTE)	
Military Pay and Allowances	424
Military Health Care	55
Permanent Change of Station	86
PPA III: Training and Recruiting	
Training and Education	310
Recruiting and Training Centers	203
PPA IV: Operating Funds and Unit Level Maintenance	
Atlantic Area	50
7th District	98
11th District	25
14th District	26
17th District	65
Headquarters Directorates	1,489
Other Activities	1,
PPA V: Centrally Managed Accounts	
Central Accounts	55
PPA VI: Depot Level Maintenance	
Aircraft Maintenance	2,113
	5,000

An identical letter has been sent to the Ranking Member of the House Subcommittee on Homeland Security Appropriations, as well as to the Chairman and Ranking Member of the Senate Subcommittee on Homeland Security Appropriations. Should you have any questions, please contact me at (202) 447-3400.

Sincerely,

Elaine C. Duke
Under Secretary for Management

Question#:	9
Topic:	HC-144
Hearing:	Coast Guard Drug and Migrant Interdiction
Primary:	The Honorable Don Young
Committee:	TRANSPORTATION (HOUSE)

Question: What is the current status of the delivery of the HC-144?
How many have passed DT&E?

How many have passed OT&E?

Have the delays (integration) with the mission systems pallet been resolved?

How many mission systems pallets have been delivered?

ANSWER: Seven HC-144A *Ocean Sentry* maritime patrol aircraft have been delivered to the Coast Guard, as of March 20, 2009. An eighth HC-144A aircraft should be delivered in April 2009. Three more aircraft are on contract with expected deliveries by the end of Calendar Year 2010.

Three Mission System Pallets (MSPs) have been delivered. Nine more MSPs are on contract with expected deliveries by the fall of 2010.

Developmental Test and Evaluation (DT&E), conducted for the purpose of verifying aircraft and MSP compliance with the technical specifications, was completed for the aircraft and Mission System Pallets (MSPs) in March 2008. DT&E is only required to be conducted on the first aircraft and MSP. All subsequent aircraft and MSPs are accepted after being subject to rigorous inspections by the Coast Guard Technical Authority.

An Operational Assessment (OA) was completed by Commander, Operational Test and Evaluation Forces (COMOPTEVFOR) in November 2008 at Coast Guard Aviation Training Center (ATC) Mobile, Alabama using three fully integrated aircraft and MSPs. The purpose of the OA was to assess the performance of the aircraft in meeting critical Coast Guard missions. COMOPTEVFOR plans to complete the OA report by April 2009. Follow-on OT&E to assess the operational suitability and operational effectiveness of the aircraft will be accomplished in 2011 once Coast Guard Air Station Miami has received five of the seven HC-144A aircraft that will ultimately be assigned there.

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