

# Transcript of House Homeland Security Subcommittee on Border and Maritime Security Hearing on Border Protection Issues

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Hearing Held on March 15, 2011

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MILLER:

If I can turn my mike on, we'll get it going on here this morning. It's still early. I'd like to call the committee to order.

And, certainly, I -- first of all, let me just thank all of our witnesses sincerely, every one of you, for taking time today to -- to, and provide the testimony that you're going to be providing to the committee and answering our questions very forthrightly. And we are sincerely appreciative of that.

And I want to say, certainly, that the men and women of the Customs and Border Protection Agency have our nation's gratitude so very, very much for all of the work that they do and they perform to keep our -- our nation safe.

And, certainly, General Salazar, we had a chance to chat before we opened the hearing. We appreciate so much all the work that the -- the men and women in the National Guard all across our country, engaged in theater. I mentioned to you my husband spent many, many years in the -- in the Air National Guard, a (inaudible), but we are very appreciative of the work that they do everywhere and work that they are doing to -- to work so closely with CBP in securing our nation's border today. We'll be interested in hearing about that.

Our first hearing, actually, examined the concept of operational control of the border. We tried to define what operational control is and the matrix that we are utilizing to determine what operational control is of both the southern border and the northern border and, I think, the difference between what the American people commonly think when they hear the term "operational control" and then what the Border Patrol means when they say "effective control."

This hearing determines and tries to build on that discussion by examining the three main pillars of that allow Border Patrol agents to be effective. And that, of course, is a combination of personnel, infrastructure and technology. And I think we certainly need all three to be successful in securing our borders.

Since the year 2004 we've invested literally billions of dollars in every one of these categories, all three of the categories. But we want to look at how they work in concert to enable our agents to be effective. And today we're going to look at the level of agents that we have in the field, the amount of fencing that we have, infrastructure, and perhaps certainly one of the most critical elements, and that's how we're utilizing technology as well along our borders.

That Secure Border Initiative Net, SBInet, as everybody calls it, was designed to be one of the solutions, technology solutions to help secure the southwest border. It's been used as well on the northern border, but after a number of years of missteps and we didn't get what we wanted to out of the SBInet, and as well we expended over \$1 billion, the secretary of Homeland Security, Janet Napolitano, decided to cancel this program after the completion of an analysis of alternatives, which determined that SBInet was just not economically feasible.

And so the logical question is, and one of the things that I hope we get to today, is what's the follow-on? What is the follow-on to SBInet? If not SBInet, then what is next if, you know, we can't put enough agents on the border?

We can't put up enough fence to provide the level of security on the very vast southwest, and certainly the northern border, that's required to protect our sovereignty and to meet the demands of the American people, so technology

has to become a force multiplier, a force multiplier to support the incredible efforts, again, of our brave border agents.

In fact, I think that's what the Border Patrol envisions, utilizing technologies to reduce the workload, to make them more effective for the men and women in the field as well as to enhance their effectiveness in identifying, apprehending, whether it's drug smugglers or illegal immigrants, who might only seek economic opportunity, but as well potential terrorists and others, who would seek to cross the border illegally.

The Department of Homeland Security's analysis of alternatives, which formed a new technology plan for the State of Arizona, consists of a combination of remote video surveillance systems, mobile surveillance systems, unattended ground sensors and other types of technology. And the backbone of the Arizona plan actually consists of integrated fixed towers, which look very similar to the original design of SBInet.

However, it now appears that the technology plan for the entire southwest border currently being prepared will not be ready until July instead of March, as we had originally hoped.

I am concerned about the lack of a comprehensive technology plan as well for the northern border, which does not appear to be something that CBP is considering at this time. And I just would once again, and I always say that I am totally cognizant and very sensitive to all of the challenges that are happening on the southern border of our nation, but I -- I like to remind folks we actually have two borders, so the northern border as well. And both of them need to be secured.

To fund this new technology plan, the president's FY 2012 budget included 242 million in the border security fencing infrastructure and technology account, which would be used to deploy the first three of five total, as I understand it, integrated fixed towers systems deployment to Border Patrol stations, areas of responsibility in Arizona.

Unmanned aerial systems are another critical tool employed by CBP air and marine, which gives the agents the ability to loiter over an area for long periods of time, making this platform ideal for the surveillance missions required by the Border Patrol. As well, I am a very strong supporter of using UAVs -- I know my colleague, Mr. Cuellar, is as well -- and, you know, which have proven to be so effective in theater in Iraq and Afghanistan to scale a vast expanse of the borders.

Infrastructure is also critically important to our success in gaining control of the border. Like technology, it's not a solution by itself, but provides what the Border Patrol calls persistent incidents, which either pushes illegal crossers into more remote areas or gives Border Patrol agents more time to respond.

That I think we'll be asking the question. Do we need more fencing, or is 350 miles of pedestrian fence and 299 miles of vehicle fence along the southwest border adequate? Again, that's -- these are some of the questions that the committee is seeking to have answered today.

And finally, the National Guard has been surged to the border several times since 2006, performed a variety of missions. However, I'm very concerned that the National Guardsmen and -women are possibly constrained by DOD regulations. We don't want it to be an exercise in good optics, obviously, to say that we're sending all these National Guard troops to the border, but then limiting their ability to actually do the job that they have been trained to do and -- and are able to do so effectively and so well.

So we just want to certainly make sure that we're -- the Congress is assisting and enabling the National Guard to be able to do the job that they need to do along the border.

And, of course, I'd point out that each and every mile of border is different. I'm certainly cognizant again of the fact that it will take a combination of technology, personnel and infrastructure to secure the border. There's no one-size-fits-all solution for a border as vast and different, certainly, as ours.

And again, I want to welcome all of the witnesses. I look forward to all of your testimony today.

And at this time the chair would recognize the ranking member, Mr. Cuellar.

CUELLAR:

Thank you very much, Madam Chair.

And I want to thank the witnesses for being here with us.

I think we both agree that we're -- we're at a very important stage in our nation's efforts to secure our borders. As border security threats are continuing to evolve and our country is facing new challenges that demand new resolutions, we must be at the forefront of all measures to secure and protect our homeland, including our many points of entry and exit on the northern and southern border.

At our northern and southern borders, we've taken critical steps to interdict the flow of illegal weapons, people, drugs and cash, but more work needs to be done. Chairwoman Miller and I both represent districts along our nation's border, and I know we have several issues of mutual interest.

Communities along our nation's border and coastal areas face a unique exposure to threats that concern all of us. In the 28th District of Texas, which I represent, we have firsthand knowledge of all the challenges along the southern border and the importance of providing the tools necessary to enhance border security.

I believe strongly that technology and personnel play vital roles in securing America's borders. DHS has increased its efforts in recent years to enhance border security, and we, both Democrats and Republicans, have provided the resources necessary to help us just do that.

Since 2007 Congress has continued to increase border security funding. As a result CBP now has over 20,000 Border Patrol agents, more than 20,000 CBP officers at ports of entry and pre-clearing stations, and over 1,000 air marine pilots and vessel operators. Throughout the work of this committee, Congress has also provided funding to enable DHS to deploy technology in their security effort.

I'm particularly interested in receiving an update on CBP's use of unmanned aerial systems and how this technology will be utilized in the future in securing the borders. We must continue to mitigate border threats by deploying a combination of manpower, technology and resources to enhance our strategy for securing our borders. I'm interested in hearing from our witnesses about how they believe we can achieve this important goal.

However, I do not -- I do want to remind everyone here that our discussion about border security, we cannot continue to overlook the importance of our land ports of entry, which -- which plays a vital role in combating the flow of illegal weapons, drugs, cash, human smuggling, while facilitating legitimate trade and travel.

CBP reports that on a typical day officers at the ports of entry process 956,000-plus passengers and pedestrians and 64,000-plus trucks, rail and sea containers. We cannot achieve effective control of our borders if we do not provide the needed resources to the ports of entry to enhance security and facilitate commerce.

Madam Chairwoman, I look forward to continue to work with you on this issue.

And I also thank the witnesses for joining us today.

Thank you.

MILLER:

Thank you very much.

Other members of the committee are reminded that opening statements may be submitted for the record. And we are again pleased to have a very distinguished panel of witnesses before us today on this important topic. And I think what I'll do is read your -- your bios, and then we can just go on to the questions.

First of all, Chief Michael Fisher, who has been before this committee before and appreciate him coming back, was named chief of the U.S. Border Patrol in May of last year. Chief Fisher started his duty along the southwest border in 1987 in Arizona.

He successfully completed the selection process for the Border Patrol tactical unit in 1990 and was later selected as field operations supervisor for the tactical unit assigned to El Paso, Texas, for four years. Following this, he served as the deputy chief patrol agent in the Detroit sector and as an assistant chief patrol agent in Tucson, Arizona.

Mark Borkowski became the assistant commissioner for the Office of Technology Innovation and Acquisition with U.S. Customs and Border Protection of the Department of Homeland Security in July 2012 -- excuse me, 2010. He is responsible for ensuring technology efforts are properly focused on mission and well integrated across CBP and for strengthening effectiveness in acquisition and program management.

Prior to his appointment as assistant commissioner, Mr. Borkowski was the executive director of the Secure Border Initiative program executive office and was responsible for the implementation of SBI at the U.S. Customs and Border Protection.

Michael Kostelnik is the assistant commissioner, U.S. Customs and Border Protection Office of Air and Marine. Office of Air and Marine is the world's largest aviation and maritime law enforcement organization. The Office of Air and Marine is also the most experienced operator of unmanned aerial vehicle systems -- unmanned aerial systems in the homeland security mission -- missions on the world stage.

The mission of the Office of Air and Marine is to protect the American people and the nation's critical infrastructure through the coordinated use of integrated air and marine forces to detect, interdict and prevent acts of terrorism and the unlawful movement of people, illegal drugs and other contraband toward or cross the borders of the United States.

General Kostelnik spent more than 32 years on active military duty with the U.S. Air Force, serving as a fighter pilot flying F-4 and F-15 aircraft.

Major General Salazar assumed the duties as the adjutant general, Arizona National Guard, on -- in December of 2008 and concurrently serves as the director of the Arizona Department of Emergency in Military Affairs. Major General Salazar has worked as a full-time member of the Arizona National Guard for the past 18 years, received his commission from the Officer Candidate School at Fort Benning, Georgia, in '83.

His military assignments include several command assignments, Arizona Joint Counter Narcotics Task Force, senior military adviser with the Multinational Security Transition Command Iraq, and deputy chief of staff operations for the Arizona Army National Guard.

As the commanding general for the Arizona National Guard, his duties and responsibilities include managing the day-to-day activities of the Arizona Army National Guard, Air National Guard joint programs in the emergency management division.

And Richard Stana is the director of homeland security and justice issues at the U.S. Government Accountability Office. During his nearly 35-year career with GAO, he served in headquarters, field, overseas offices and has directed reviews on a wide variety of complex military and domestic issues. Most recently, he directed GAO's work relating to immigration and border security issues.

So again, gentlemen, the committee welcomes all of you this morning.

At this point the chair will recognize Mr. Borkowski, who will testify on behalf of the department's witnesses.

**BORKOWSKI:**

Thank you, Madam Chairwoman.

Chairwoman Miller, Ranking Member Cuellar, distinguished members of the committee, on behalf of the Department of Homeland Security, thank you for this invitation to testify. I will be joined by my colleague, Major General Kostelnik, who was our assistant commissioner for the Office of Air and Marine, and Chief Fisher from the Border Patrol, but I will give one statement for all of us. We have submitted a detailed written statement, and I will summarize that on -- on all of our behalf.

First of all, I think as you -- as you characterize it, Madam Chairwoman, Ranking Member Cuellar, Customs and Border Protection is the agency responsible for security at our borders, or very close to the border. And that is the mission that we perform. We are -- the men and women of Customs and Border Protection are very proud of that mission, are very dedicated to that mission.

As you also noted, we have over the last several years significantly increase the resources applied to that mission. Ranking Member Cuellar, you mentioned the 20,700 Border Patrol agents, for example, which is more than twice what we had in 2004. Congresswoman -- Madam Chairwoman Miller mentioned the 649 miles of fence, combined pedestrian and vehicle.

In addition to that we've -- in addition to resources we've applied a lot of effort in doing things more smart -- for example, collaboration. Many of you are probably familiar with the -- the Coalition on Transnational Terrorism, which includes 60 stakeholders, including our government, the Mexican government, federal, state, local, tribal stakeholders.

We've -- we've created a joint force command in Arizona so that within the CBP we now have a field commander -- not in Washington, but in the field -- who can make decisions about the use of CBP resources. So we've applied resources. We've changed our ways of doing business. We believe that those have already shown effects.

One of the ways we measure that is by apprehensions. And I think most of you are aware that over the last two years, apprehensions on the southwest border have decreased by a very significant 36 percent and in fact are only a third of what they used to be years ago at their peak.

Apprehensions, we believe, are a measure of the activity on the border. They do measure the flow, so we are quite clear that that also indicates that the flow of traffic between the ports of entry has declined.

Last year we seized \$147 million of currency both between and that the ports of entry. That's a 34 percent increase from the previous year. We seized 4.1 million pounds of narcotics. So we think we've been increasingly effective.

Now, notice I said that carefully -- "increasingly effective." That does not mean we are completely done with the mission. It does not mean we are where we would like to be. We recognize we have more work to do.

One of the ways we think we get to that, as you've both alluded, is with the application of technology. And you have suggested what the role of technology might be. And I believe we're focused at this point between the ports of entry, but you've also noted, I think quite appropriately, that there's technology at the ports of entry, above and below the ports of entry, and the border.

But for the purpose of this discussion, let's start with technology between the ports of entry. And I think we're all familiar with the Secured Border Initiative Network program, the SBInet program, which was at one point intended to be the backbone of our technology. As you also suggested, we've had a series of problem with that. It is much behind schedule, much over cost, and we have lost confidence in the SBInet program.

The secretary conducted an assessment of that program and has concluded it does not make sense to continue it. In fact, the SBInet program, the whole concept of a backbone, seems inappropriate. What seems more appropriate is a tailored mix of technologies that are currently available to the border.

The secretary conducted the assessment with, among other things, an analysis of alternatives. And you're going to hear a lot, I think, about analysis of alternatives. It is a certain term of art.

One thing, I think, we need to be clear about is an analysis of alternatives is not in and of itself conclusive or determinative. It has uncertainties, but it is a very disciplined, structured process which frames decisions. The decisions themselves are not from the analysis of alternatives. They're from the decision-makers to receive the analysis of alternatives. And in that case, this is the Border Patrol.

So the Border Patrol decisions about technology and how it should be procured and used on the southwest border were advised by this analysis of alternatives, but were actually made by that Border Patrol. And I think it's important that we understand that as we go forward.

I should note, and I think you're aware, that GAO has been with us for the past several months, reviewing this. That review is not complete, and I understand we'll -- we'll talk about the status of it, but the work continues. We still have some differences in -- in what our understandings of this are, although we have philosophical agreement on what an AOA is and how it ought to be used. But there's more work to be done.

And I would just point out that we are in the process of making a bit of sausage, but in the end I'm certain that it'll be a sausage that's tasty and worthy, but we're not there yet, and I just think it's important to highlight that.

A couple of other things -- we should recognize the northern border. And I know in particular, Madam Chairwoman, you're very familiar with the activities on the northern border, the deployment of agents, the beginning of the application of technology along the St. Clair River, along the Niagara River, the deployment of mobile surveillance systems. And we are very much looking forward to joining you next week for the formal opening of the new operational integration center.

One thing I would point out about the northern border is that we believe is a much different environment. And I know that Chief Fisher is prepared to talk to you about that, but the way we look at the northern border ought to be different from the way we look at the southwest border. And we look forward to pursuing that discussion as we go forward.

With that, thank you. We look forward to your questions.

MILLER:

Thank you very much, Mr. Borkowski.

The chair now recognizes General Salazar for his testimony.

General?

SALAZAR:

Good morning, Chairwoman Miller, Ranking Member Cuellar, members of the subcommittee. I have the privilege of being appointed as the adjutant general by my governor, and I appear here this morning representing the 7,500 men and women in the Arizona National Guard as the adjutant general.

As everyone knows, the Arizona National Guard has a dual mission, state and federal mission, but what I'm here for this morning is to discuss another mission, which is the support that we provide our law enforcement agencies in the State of Arizona through two different missions, as you mentioned, Chairwoman Miller, as well as the Joint Counter Narcotics Task Force, which I'll talk about briefly.

The National Guard -- the National Guard (inaudible) program was created in 1989. It authorizes up to 4,000 National Guard men and women to serve in support of law enforcement agencies. In Arizona that program is called the Joint Counter Narco Terrorism Task Force, which is a mouthful and will be referred to as JCNTF.

Since 1989 JCNTF has continued to provide mission support to law- enforcement, providing a variety of different types of missions, which I will discuss briefly. We currently support over 30 law enforcement agencies and fusion centers, and we perform primarily linguist support, investigative analyst support, communications support, and the air and ground reconnaissance observation mission.

In JCNTF the governor does have the ability to -- to conform the state plan and prioritize the mission sets. And in this case our governor has -- has directly -- has directed that I shift as many resources available to form what we call the ground reconnaissance mission, and she considers that a high-value mission, and we'll continue to do so as the resources become available.

Madam Chairwoman Miller, you mentioned Operation Jump Start. That was the first presidential declared operation in -- in 2006, 2008. In that particular mission there was -- there were 6,000 National Guard personnel authorized the first year, 3,000 the second year. And of that we received 40 percent of the workforce, and so we -- we had a substantial number of National Guard personnel rotating through the State of Arizona for two years in support of the mission sets that were dictated by the Department of Homeland Security.

The primary missions that were provided there were entry identification teams, which are personnel on -- on a high ground, basically, using different types of technology. There's always some type of technology with these entry identification teams, providing the eyes and ears for Border Patrol and communicating what we see through those agents as we see them.

These operations are always going for 24 hours, seven days a week nonstop, and we rotate our soldiers and airmen through those positions. In addition to the entry identification teams in Operation Jump Start, there was quite a bit of maintenance and engineering and aviation support as well.

A second mission, which is the mission that we're currently performing, is called Operation Phalanx. This was authorized by the president in July of last year, with operations beginning on 1 October of last year. And that mission is scheduled to end this June with operations basically ceasing the first or second week of June because of the funding.

The funding for Operation Phalanx was initially a program for 135 million, and that number has been subsequently reduced to 110 million. And that authorized 1,200 National Guard personnel for the four southwest border states.

And again, because of the prioritization, Arizona received in this case 46 percent of those forces, which equates to 560 personnel that we have had on the borders supporting Customs and Border Patrol, performing primarily entry

identification teams, eyes and ears of 24 hours a day, seven days a week, along with a variety of different entry identification positions in near proximity to the Arizona- Mexican border.

In addition to the entry identification teams, there is a small handful that provide camera support as well as intelligence analysis. But Operation Phalanx, the number one priority is entry identification team observation again.

As the adjutant general, I'm extremely proud of the support and demonstrated professionalism members of our National Guard provide law enforcement through the enduring -- and during mission of the counter drug support program, Operation Jump Start, and Operation Phalanx.

The unique skill sets that the military brings to bear in support of law enforcement agencies is a force multiplier and enhances the operational capabilities of the law enforcement agencies we are supporting.

Rather than short-term missions like Operation Jump Start and Operation Phalanx, an argument can be made that the military support to law enforcement would be better served by increasing a sustained National Guard JCNTF program. This argument was reinforced in March of 2009 and again in April of 2010 by the governor of Arizona, when she formally requested additional aviation and an increase in JCNTF of the president and the secretary of defense.

I appreciate the opportunity to be here this morning, and I'm here today to invite your questions and comments. Thank you.

MILLER:

Thank you very much, General.

At this time I recognize Mr. Stana for his testimony.

STANA:

Thank you, Chairwoman Miller and Mr. Cuellar, for the opportunity to testify at this morning's hearing.

After over four years and \$1 billion, Secretary Napolitano in January ended the SBInet program as originally conceived, because it just isn't meet cost effectiveness and viability standards. In its place the alternative southwest border technology program is one which I believe, Chairwoman Miller, you described in your opening statement and Mr. Borkowski will probably describe in greater detail in his question and answer period.

But it consists of RBSs, MSSs, underground sensors, handheld devices, and integrated fixed towers, which look an awful lot like the towers, or will probably look an awful lot like the towers, in the SBInet program.

For fiscal year 2011 DHS plans to use \$185 million of funds to begin the process of getting the non-towered technology buys done. And this would be the RBSs, MSSs, underground sensors, handheld devices and so on. For fiscal year '12 in the president's budget, CBP has requested \$242 million to fund the first three of five planned integrated fixed tower buys, OK, the first three sectors.

The -- the fourth and fifth will be downstream. There will be a total of five for a total cost of about \$570 million. So all told, we're planning on spending about \$755 million in Arizona alone and would essentially leave a gap of about 62 miles on the Tohona O'odham nation, where none of this technology is likely to be fielded.

If funding is approved, the integrated fixed tower deployments in Arizona will likely begin in March 2013 and will likely be finished by 2015 or maybe early 2016. And then the process goes down the border until about 2021 or 2026, depending on which estimate we use. The whole border will be covered by the new technology deployment program.

Our work is ongoing. We're doing the work for this committee and this subcommittee, and I'd like to just share a few preliminary observations.

First, just to clarify things, the decision to cancel the SBInet program pertained to the now obsolete SBInet system. It did not pertain to the concept, or the underlying concept, of using fixed towers with cameras, radars that feed into a COP. That is likely still on the table, although it might not have the same configuration that the current system has.

Secondly, the contract was not canceled with Boeing, but rather its use will be limited to operation and maintenance on TUS-1 and AJO- 1 and maybe some other tactical infrastructure needs. But the -- the contract itself is still in place.

The second main point I'd like to make is that SBInet capabilities are still in place and working in the TUS-1 and AJO-1 areas. Reports that we've had from the Border Patrol indicate that it's useful. It provides continuous surveillance and enhances the safety of the agents, because they can recognize threats that are close by and take appropriate action.

CBP plans to add a laser target finder, which now is available on MSS units to the SBInet towers, which the agents say they would find completely useful, and -- and they'd like to have them.

The third point is -- is the technology deployments in Arizona were to be informed by an analysis of alternatives, or an AOA, that analyzed the cost-effectiveness of fixed, mobile, handheld and aerial components and a Border Patrol operational assessment, which Mr. Borkowski mentioned, to determine the appropriate mix of these technologies along the border.

Now, our work to date, which is not yet finished, has raised a number of questions regarding the technology deployment plans. First, it's not clear how DHS used the AOA and other inputs to inform the Border Patrol's operational assessments to determine the appropriate mix of technology plans for Arizona.

The AOAs did not show a clear-cut cost-effective technology alternative for any of the analysis areas, and Border Patrol judgment was very key in the final assessment. We have not been given access to the documents yet that would allow us to determine whether the appropriate judgments were exercised in arriving at the mix of technology to be fielded in the different sectors of Arizona. And that's the key shortcoming at this point in our ability to analyze for you to what this new technology laydown really means.

The second thing, and I'd like to -- to turn attention to the AOA itself, and that is -- is they did it rather quickly. It was limited in scope. It didn't consider a combination of technologies. It didn't consider certain technology solutions such as MSS units.

It didn't consider a baseline solution, nor does it consider the possibility of reducing Border Patrol assets and what additional strain there might be or need for technology solutions. So that is a -- a shortfall of the AOA. Subsequent AOAs may consider those things.

Another point I'd like to make is the Army Test and Evaluation Command was to independently assess the SBInet Block 1 capability to evaluate effectiveness and suitability. The results were not completed for the Border Patrol's technical analysis, the operational analysis which prescribed the laydown of different technology components, nor was it available for the secretary's decision on whether to continue SBInet.

Moreover, if we are going to use a fixed tower system similar to that deployed in SBInet, the results of the ATEC review would be very informative for the people making these kinds of judgments.

I can answer other questions, you know, at the appropriate time, but in closing I'd just like to say that the new alternative southwest border technology plan is the fourth generation of camera tower and other technology systems that we've -- we've seen in the last 10 to 15 years or so.

The first three have not met with complete success, I think, to be kind. And I think this time we ought to get it right with proper planning and proper analysis and judgment exercised. Thank you very much.

MILLER:

I thank all the witnesses for their testimony today.

And I would just make an observation at the beginning of my questioning here. I'll turn to myself, recognize myself to begin my five minutes of questioning. You know, this committee was formed, actually, after 9/11, and we have several pictures on -- on the walls here of the Trade towers. We all remember that horrific day on 9/11.

And subsequently, the Congress formed this committee in a -- in a very challenging environment, trying to bring together under an umbrella various portions of different agencies, et cetera, et cetera. And as we think about homeland security, a big part of that, of course, would be securing our borders.

And I only mention that's why I always go back to the northern border, because we have such -- we have similar challenges, but unique challenges on both borders. On the northern border, without quantifying it, certainly it's known that we have four to five times as many hits on the TIDEs list along the northern border as what we have on the southern border -- so, as I say, a different type of challenge.

But along the southern border, it seems to me that -- that the complexion and the dynamics of what is happening on the southern border is changing and has changed rather dramatically, particularly in the last several years, where perhaps before it was overwhelmingly illegal immigrants coming here for economic opportunity, et cetera. Now you have the spillover of the drug cartels.

To the extent that -- I don't need to over -- be alarmist here, but certainly it does seem to be almost a war zone situation in some areas. And I would look for clarification on that.

But I mentioned the beginning of this committee, because I'm not sure at what point the Department of Homeland Security and this Congress thinks about intermingling some of the budgetary requests from the Department of Defense in the Department of Homeland Security.

One of the things that we try to do after 9/11 was share resources in the Operation and Integration Center, and I'd like to get to that at some point, that we're going to be opening next week as a great example of that of all the various agencies, all the stakeholders sharing information, analyzing data, intel, et cetera, and getting it out into the hands of our stakeholders.

But, you know, we think about border security in theater, in Afghanistan, et cetera, and then we have our own border on the southern border that we're having all of these challenges with. And so I have a question for Major Salazar.

And I, and I think most people, were very, very enthusiastic about the president when he requested the National Guard along the border. I've been there. I've seen some of the things the border -- the Guard is doing, from putting up some of the fence to various things that's been happening with our men and women and our guardsmen along the border there.

I'm disappointed that the funding is going to run out in June. And that's one of the things, I think, this Congress and this committee will be looking to think about what we really need to do with the National Guard. And I'm just wondering if you could flesh out a bit for us, first of all, the construct of the guardsmen and - women who are there.

I'm not quite clear where they're all from, how they cycle through, the two weeks, four weeks, and various states that they're coming from. And I ask that question in the context do you think it would behoove the federal government to mission the Guard in the various states to have border security as a part of their mission, where all states would participate in this type of thing?

And -- and a follow-on to that question, one of the things, certainly in theater, that happens -- I'll tell you a bullet doesn't know if you're inactive duty or you're a guardsman. And that is so along our border as well, as you seek to be a force multiplier, I think, for the proud men and women in Customs and Border Patrol.

And do you think that the Customs and Border Patrol is armed properly? Do you think, for instance, a Stryker brigade would be advantageous along the southern border and really utilizing various types of armaments that we do use in theater to secure that border against these drug cartels?

I know it's sort of a long question, but I'm just trying to understand how the Guard is being utilized, how we can most effectively utilize the guard as we go forward, and perhaps other units of the military.

SALAZAR:

Chairwoman Miller, I'll try to get all aspects of your answers there. Just as a point of order, we have not been -- we, being the Arizona National Guard have not been building any fences since Operation Jump Start, which ended in 2008.

Like all these missions that we do in the National Guard, we do not dictate the mission sets that we provide. The Department of Homeland Security has always prioritized the mission sets. And for Operation Phalanx and the counter drug program, the JCNTF program, neither of those operations have any kind of engineer or fence work that's part of their mission sets.

As for the question about how we -- we organize, in Operation Phalanx, for example, we received what's called 502(f) Title 32 funding. And every person that's on the program is on the program for an extended period. They're on active duty orders serving the National Guard.

The one disadvantage with the type of funding we received for Operation Phalanx, which was the same type of funding we received for Operation Jump Start, is that those individuals that are serving on Operation Phalanx are not allowed to go to drill and perform the weekend drills. So when we have soldiers or airmen that volunteer for this mission, they do not -- no longer participate in their unit of assignment, which is a readiness issue.

The difference between that and JCNTF, because of the type of Title 32 Section 112 funding, does authorize those soldiers and airmen to continue participating in their unit, maintaining their readiness, both individually as well as the unit. So from that standpoint, there is a significant difference.

Having experienced Operation Jump Start, which is where we had units rotate through from all over the -- the country, as opposed to Operation Phalanx, which is the current mission, where it's all -- all being supported by Arizona National Guard personnel, financially it's an extremely more expensive operation to be rotating units through as opposed to the current mission of just using Arizona National Guard organic units.

Given the size and scope of the mission set, yes, we're pretty comfortable being able to field up to 500, 600 Arizona National Guard personnel on the border.

MILLER:

My time has expired, but just so I understand. So in Arizona the National Guard that's in Arizona, for instance, is only the Arizona National Guard. There's no other state National Guardsmen or -women there.

SALAZAR:

Yes, ma'am. That's true. The 560 personnel that are currently serving on Operation Phalanx are all full-time National Guard, and they're all Arizona National Guardsmen.

MILLER:

Do you know if that is true in Texas as well? It would be just the Texas National Guard?

SALAZAR:

For Operation Phalanx, I am -- I do know that Texas, New Mexico, Arizona, California are all supporting that mission with organic National Guardsmen in that specific state. Operation Jump Start was significantly larger, and we were the one state that required outside support from other states.

MILLER:

Well, I -- I appreciate that answer, because it does seem to me that other states should be assisting with this, because if you take that amount -- I don't know what percentage that is -- out of the Guard -- Guards in the -- in the respective states, but that would definitely be a readiness issue for that particular state, where you're -- you've got sort of the big burden of the border protection, where you're protecting the border for the entire country.

That may be something that this committee and this Congress wants to -- to look at. So I appreciate that.

And I'm -- I'm over my time. We think we'll have a second round of questions, but at this time I turn to my ranking member, Mr. Cuellar.

CUELLAR:

Thank you very much, Madam Chair.

In August 2010 we passed H.R. 6080, the 2010 emergency border security supplemental appropriation, which provided \$600 million to strengthen border security and to help reduce violence along the southwest border. This funding allowed for the hiring of 1,000 new Border Patrol agents to be assigned to the southwest border.

In order for us to provide our legislative oversight and to ensure that we appropriately are allocating resources to the areas that needed -- need the most assistance, I've asked CBP where these new border patrol agents would be assigned.

And I'm going to ask my -- if they -- if they can put the chart up on the screen.

Members, I'm going to give you a -- a handout in a few minutes also that shows what's up there on the screen. Tucson, which is already the largest CBP sector with 3,361 agents in FY '10, will receive 500 new agents. El Paso, which is the second largest sector with 2,718 pages, will receive 187 new agents, which is the second largest allocation. The San Diego area, which is the third largest sector with 2,588 agents and the Rio Grande Valley, which is the fourth largest with 2,418, each will receive 150 new agents.

The remaining sectors, Laredo, Del Rio, El Centro, Yuma, Marfa, the fifth, sixth, seventh, eighth and ninth sector, respectively, in the number of agents assigned, none of these sectors will receive any of the new Border Patrols out of this plus-up.

I've also asked for statistics regarding the number of agents already assigned to each sector prior to this plus-up and the number of apprehensions that each sector made in the fiscal year 2010.

Mr. Fisher, you and I have talked, and when I asked you for the factors to be used, you used apprehensions. Then later, when I asked you to explain why those numbers were allocated, you came up with some other vague threat, risk, other, without being able to define does.

A few minutes ago Mr. Borkowski, you also said that CBP uses apprehensions to measure how effective they've been with the enforcement of -- of border apprehensions.

In fact, Mr. Fisher, when I asked you to provide me the factors, the only thing you gave me, members, was apprehensions. And you all should get a copy of the handouts of this one to see what each sector gets in apprehensions.

CBP provided the statistics for the creation of the graph that I've displayed overhead, and I put this graph, which lists all the Border Patrol sectors along the southwest border, shows the ratio as to how many undocumented persons were apprehended per Border Patrol agent assigned to sectors in fiscal year 2010.

I've listed the sectors in order, starting with the highest apprehension rates to the lowest. For example, Tucson, members, is the one at the -- at the left side, which is the apprehensions is the one in the blue. The red is the additional numbers that each sector is supposed to be getting. Those are done by 10s. And then the lowest is El Paso, which has the lowest amount of apprehensions, but gets the largest -- the second largest number of officers.

So I've -- I've listed the sectors in order, starting with the highest apprehension rates to the lowest. For example, Tucson, as I mentioned, has a ratio of 62.3 apprehensions per Border Patrol agent. El Paso has the lowest ratio of 4.4 apprehensions per Border Patrol in FY '10. El Centro, which has the second largest -- or second highest apprehension rate at 26.8, yet this sector is not receiving any new Border Patrol agents.

Chief Fisher, I want to give you the benefit of the doubt. I don't think these decisions -- these allocations are political, but to an outside observer, it might sure look that way. It would look as the amount allocated for El Centro was moved to El Paso. In fact, if you look at the red, I think that red should be where the second largest is. And maybe you made a mistake on that, but it looks like that allocation is wrong.

I -- I don't know -- I don't see Ms. Loretta here, but I'm sure that her or Dan Lungren from California and any other folks would question as to why the second highest apprehension rate per agent is not receiving any agents, while the lowest sector that has the lowest rate of apprehension is getting the second allocation of new agents of 187 under the supplemental. Can you explain that?

FISHER:

Congressman, I would be happy to. As a matter fact, I want to make sure that I'm clear, because I'm -- I am not explaining myself clearly as it relates to staffing.

It is true that apprehensions are a factor that we take into consideration for a number of things, not the least of which is staffing levels. It is inaccurate to suggest that it's the only thing that we take into consideration, for instance, the supplemental that you had mentioned.

Of those 1,000 Border Patrol agents for the supplemental, 500 of those agents will be going to the Tucson area. That's permanent full-time equivalents. The other 500 will be dispersed among four corridors along the southwest border to make up what's called the mobile response teams.

Now, although they are assigned to a sector, because we have to assign them to those areas, the corridor concept in those four locations are consistent with which we have identified areas along the southwest border to be able to manage risk both in terms of the threat, which is the intent and capability of all those seeking to do harm into this country, and to identify threat along the southern border in particular in terms of volume of activity.

We also take into consideration vulnerability, which makes up that threat picture. So it is true that...

CUELLAR:

Mr. Fisher, I'm sorry, but let me interrupt.

FISHER:

Please.

CUELLAR:

Apprehension, number one. Give me in a concrete manner what the second factor is.

FISHER:

The second factor would be effectiveness, which by our definition is the proportion of apprehensions subsequent to a detected entry. In other words, of those individuals that we detect coming between the ports of entry, we want to proportionately increase the amount of arrests that we make along the southwest border. That is one additional...

CUELLAR:

Third factor?

FISHER:

The third factor would be intelligence in terms of what is happening along our border both respect to any potential violence within that corridor, transnational criminal organizations operating in that area, and any associated -- to give you a third and a fourth, any associated crimes related to smuggling or other crimes within the border communities that are taking place along the southwest border.

CUELLAR:

The last time, I think -- I don't know if it was Mr. Duncan or somebody had asked you the question about the definition, operational definition, and you were using something different from what we had put in 2006. And part of that definition talks about enforcing the border, that is, you know, the -- the intrusions into the U.S., which means apprehensions.

So are you coming up with other factors beyond that definition that we put in statute in 2006?

FISHER:

No, sir, not at all. Matter fact, I believe Congressman Duncan was referring to the 2006 Fence Act, whereby operational control was defined by the prevention of all illegal activity. I'm just suggesting the manner in which we do that is not inconsistent. It's a little bit more sophisticated in terms of staffing models.

CUELLAR:

Well, I'm -- I don't know what you mean by more sophisticated, but given the benefit of doubt so we'll understand what you mean, again, apprehensions -- and I just want to have a sense, but I met with you, I've talked to your staff, and we still have no idea what you're talking about, with all due respect.

Apprehensions is one. And Mr. Borkowski said that's the main measure to look at stopping people about coming into the U.S. What's the other one -- threat?

FISHER:

Well, Congressman, first, I'd like to clarify it wasn't my intent to -- to be either condescending or in using the word "sophistication" to -- to allude to the fact that -- that this particular committee wouldn't understand it. I was suggesting in terms of how we do our staffing models, we have -- have matured the way that we look at it, and we look at things just...

CUELLAR:

Mr. Fisher, let me ask you, why don't you put that in writing and send that to us in a very succinct way? Because this is the second time I've sat down with you, and I still don't understand. I've been doing this probably not as long as you, but I think I have a working understanding. Could you provide that to the -- to the committee?

And -- and if I can just -- just ask one question, the emergency supplemental was signed into law in August 2010. The funds were available immediately. How many Border Patrol agents have you hired under the emergency funding? Because in talking to the homeland appropriators, they said that you still haven't given them answer as to how many you've hired. And I understand it takes, what, 18 months. Where are you exactly on hiring under that emergency process?

FISHER:

Congressman, I'll have to get back specifically for the question...

CUELLAR:

Whoa, whoa, whoa. You don't understand how many people -- you as the chief don't understand how many people you've hired at this time?

FISHER:

No, I can -- we have over 20,000 Border Patrol agents right now.

CUELLAR:

No, no, no. How many -- under the -- under the supplemental bill that we -- that we passed last August in 2010, you were supposed to hire 1,000, because there was an emergency. How many -- the funds were available immediately. How many Border Patrol agents have you hired under the emergency funding?

FISHER:

I don't know specifically under that specific appropriations, but we've hired (inaudible)...

CUELLAR:

Mr. -- Mr. Chief -- Chief Fisher, you're saying that as the chief of the Border Patrol, an emergency bill that got passed in August of 2010, you're telling me that you don't know how many people you've hired under that emergency? It didn't happen last month. It happened August of 2010.

FISHER:

Under the specific appropriations, because those numbers would be different depending upon when we started hiring in October, both in terms of backfilling the attrition positions and onwards to our goal this fiscal year of hiring 21,370, I don't know specifically against the emergency appropriations how much of that total that we've done thus far, but I would be able to follow up and get you that answer, sir.

CUELLAR:

Yes, I'm -- first question, I still don't understand you. Second question, I still don't understand your -- your question.

Madam Chair, I know you've been very indulgent.

But I would like to ask you to give us that information also as to how many people under the emergency bill that we passed in August of 2010, 1,000 people, and we -- they were supposed to be so the National Guard can come in. The National Guard will be stepping out, and Border Patrol is supposed to be coming in.

I'm -- I'm surprised that you don't know how many people you've hired under that, how many have been interviewed, background investigations, how many have been sent to the BPP Academy. I would ask you to please submit that in writing to the committee.

Thank you, Madam Chair.

MILLER:

At this time I would also look for unanimous consent to have Mr. Green join our questioning of the witnesses today. And without objection, that will be so ordered.

I would just comment to Mr. Green you've been to several of our committee hearings, and we -- we would invite -- I think there's a vacancy. We'd certainly invite you to -- to join us, because you are a very, very active participant and -- and very interested in these issues, and we're appreciative of that.

GREEN:

Thank you, Madam Chair. I gratefully -- I accept your comments. Thank you.

MILLER:

At this time that chair would recognize Mr. McCaul of Texas.

MCCAUL:

Thank you, Madam Chair.

And, Chief Fisher, I would also be interested in your answer to Ranking Member Cuellar's question, if you could forward that to my office as well that answer.

FISHER:

I will, sir.

MCCAUL:

I -- I appreciate that.

Mr. Borkowski, it's good to see you again. I want to allude back to, I guess, it was about a year ago. You and I and Congressman Cuellar were down in Laredo on the Mexican border and ended up at midnight, like something out of a movie, with this equipment from the Department of Defense. And I think you and -- and I and Congressman Cuellar were very impressed with this tech knowledge you.

Can you give me an update on the deployment of this technology and what your plans are to use it?

BORKOWSKI:

Yes, thank you. And I also recall that session.

In fact, if you were to look at the new Arizona technology plan in total, it includes elements called agent portable surveillance systems, APSSs, which are tripod-mounted, long-range, infrared sensors. Those are among the things that we looked at there.

So we are in fact in this plan intending to procure those as part of the Arizona deployment. We're in fact procuring them through an Army vehicle. So, yes, we did take advantage of what we learned from that. We did incorporate it into the operational assessment the Border Patrol did, and we do intend to procure those systems.

MCCAUL:

I'm very glad to hear that. I -- I look forward to its deployment across the entire southwest border, including my State of Texas. We have 1,200 miles with Mexico.

And, Mr. Stana, you mentioned that 755 million in Arizona alone for technology. What does that leave for the rest of the southwest border?

STANA:

Well, I guess that depends on what the Congress appropriates...

MCCAUL:

Yes.

STANA:

... but that's what the -- this expenditure is envisioned in just Arizona alone.

MCCAUL:

OK. And -- and, you know, again, Congressman Cuellar alluded to the -- the politics of the situation. It just seems like Arizona's getting all the attention, and Texas is not. And I just want to impress that upon you that -- and I understand the apprehensions are very high in the Tucson sector, but we do have a large, you know, 1,200 miles that we share. And I think, you know, our state should be given that attention as well.

Mr. Stana, you mentioned that this would not be completed, the technology piece on the border would not be completed until 2021 or as long as 2026. Is that correct?

STANA:

That's our understanding. They're starting with Arizona, and they'll go to neighboring sectors, but by the time this sequential process is finished with the AOA's and the judgments made by the Border Patrol and the fielding of the technology, it would be 2021 to 2026 before the last southwest border sector would be (inaudible). Then to the northern border.

MCCAUL:

OK. That's a long time, and that's -- you're talking 10 to 15 years. It took us a decade to put a man on the moon, and yet we're talking about camera surveillance, you know, that kind of stuff, that technology that, quite honestly, the Department of Defense has -- has already manufactured through R&D at taxpayer expense.

I don't understand why -- why this takes so long. And you have a crisis going on down there. Everyone knows it. And we -- we know how dangerous it is in Mexico, and we know how dangerous it is at the border. Why can't we ramp up this process? Why can't we expedite it? And what can we in the Congress do to send that message to the administration that we need to do this faster?

Mr. Borkowski?

BORKOWSKI:

Yes, sir. Certainly, we could buy more, and we could put them wherever we need to. And in fact, the -- the plan, one of the differences in the new plan is that it actually has the flexibility to adapt as the threat evolves. So it's very much focused on Arizona, because, as you noted, that's where we have over 200,000 apprehensions compared to the rest of the border.

We do expect things to evolve, and we actually have funding in the budget in the president's request for what we call emergent requirements. Among other things, that is to deal with what we see as a result of tightening up Arizona.

In addition, the systems we are buying our systems that the military has provided. There are a whole set of these things. The integrated fixed towers -- there are such systems already existing by the military. So we can buy them. The question is where do we put the first ones and why do we put them there.

However, we will that allow us to respond. If there is a movement of traffic somewhere else that requires us to deploy somewhere else, we can shift our plan to adapt to that...

MCCAUL:

And I appreciate that. I hope we can do it more expeditiously. If I have to go home and tell my constituents it's not going to be until 2026 that this border is secure, they're -- they're not going to accept that message. And -- and I think they're right in -- in not accepting that.

Lastly, on the question of the National Guard, General, your deployment will end in June is my understanding. What is -- what's the plan?

SALAZAR:

Congressman, we -- we're not the -- those that create the plans. Basically, unless there's additional funding, the mission's going to end. This is the Operation Phalanx mission. The counter drug program, that's still continuing. We have about 140 personnel there continuing doing that mission, which we've been doing for over 20 years in support of law enforcement.

MCCAUL:

So it -- it's over. The National Guard will be removed from the board as of June.

SALAZAR:

For Operation Phalanx, yes, sir.

MCCAUL:

So -- and I was always concerned that, you know, your -- your hands are tied. You're in a support role, not operational down there to begin with, and I understand Posse Comitatus and the concerns there, but, you know, they weren't doing what they're trained to do, essentially.

I talked to my governor about it. He said, you know, eventually, the Guard's backing is a bit of a Band-Aid. We need a permanent force down there. We talk about technology. You need the response piece as well, the -- the manpower to respond.

Mr. Borkowski, what are we going to do about the transition as the -- the Guard deploys out of the region?

BORKOWSKI:

Well, I -- I think I would offer that to the chief. I could give you my perspective, but the chief is the operation no expert there. Would that be something that...

MCCAUL:

Chief, do you have a response?

FISHER:

Yes, Congressman. As a matter fact, along Texas and across the other three states as well, the majority of the National Guard are providing what's called entry identification teams. It's a lookout post, observation post, where National Guardsmen and -women are put up on a high point with optics, daytime/nighttime capabilities, to inform the Border Patrol agents where the activity is.

Those missions and that requirement will remain, and Border Patrol agents will be doing those, if those EIT sites are still required.

MCCAUL:

Well, it seems like there's going to be a big gap missing as the Guard pulls out, and I think I'd like to see a very thoughtful plan as to how to replace them.

So with that, I yield back, Madam Chair.

MILLER:

The chair now recognizes the gentleman from Michigan, Mr. Clarke.

CLARKE:

Thank you, Chairwoman Miller.

And, you know, even though the southern border is -- has a lot more documented illegal crossings than the northern border, Chairman Miller, properly cited, the northern border faces unique challenges.

I've got two questions. One is essentially how do we increase northern border control? Secondly, what are the tailored mix of technologies, the likely existing technologies that we could deploy to better secure that border?

But just before I go and pose the questions, I just want to note that -- that the Detroit border sector contains 10 percent of the nation's border miles, approximately 863 of those miles, yet only four of them are under operational control, at least by CBP.

Ranking Member Cuellar raised the issue that for me still begs the question on what is operational control, especially as a new member, since Congress 2006 stated that it means preventing all unlawful entries, but yet in the national border patrol strategy, I believe at least in 2004, indicated that the objective was to stop those penetrations in the high priority areas.

But even still, the GAO back in 2010 indicated that when it interviewed certain border sector offices, including Detroit, which is the area that I represent, those offices indicated that additional resources were needed to better secure the border.

This question is to anybody with CBP. What are the steps that you are currently taking to address those identified needs, either through more effective partnerships or through additional resources? And then I've got a question regarding technology after that.

FISHER:

Congressman, I'll take that answer to that question, if that's OK. And you are correct. As a matter fact, when I proudly served two years in Detroit, a huge difference in terms of the threat and vulnerability that I was experienced on -- on the southern border. That 860 miles that you -- you talk about is water border, so it provides a very unique challenge to how we approach that particular threat.

What's interesting also is I don't believe that in order to -- to minimize the risk in an area like the Detroit or State of Michigan, that we would want to overwhelm with Border Patrol agents alone. Certainly, the infrastructure and technology or the infrastructure and fence, for instance, wouldn't be applicable.

And then so the question is to what extent do we need technology, if in fact the threat as defined was the same on the southern border, which I don't believe it is. For instance, there's, I don't think, enough camera poles that we would be able to put a long even more so than the 860 miles, if you take into consideration all the inlets, all the rivers and those crossing points.

So the -- the approach for -- for Detroit in particular, and certainly along the northern border, and as we start our sustainment strategy along the southern border in the out years, is really going to be predicated on three things. It's going to be information and intelligence, which is really going to be a key indicator on what that threat is and how we can minimize the risk.

The second thing is going to be the integration. As you aptly noted, operational integration, our ability to work with a joint terrorism task force, the border enforcement security task forces for ICE, for instance, working with our state and local partners as force multipliers, that has in our history and will continue in the future to be a key indicator on our ability to not only know what's coming at us, but certainly to -- to build the operational plans as a -- as a law enforcement force, not just the Border Patrol, but within the community against those particular threats.

CLARKE:

Thank you, Chief.

Just to pick up on that, and this is for anybody in CBP, the chief outlined the differences with the -- with the northern border. Much of the border is right in the middle of a body of water. Other areas are right -- are in the middle of forest.

What are the tailored mix of technologies that you'd use to better secure that area, must using your term of art, Assistant Commissioner Borkowski? But this is to anyone that could address that.

BORKOWSKI:

Well, let me start, but I -- I would also like to suggest we should hear from General Kostelnik, because his air and marine is a big part of the technology solution here.

But there are a number of technologies along rivers and such. We do have radars, we do have cameras, and we've started to deploy some of those. Within wooded areas that's a little trickier, because radars and cameras don't help you. But there are a number of sensors that we can use to detect activity.

So for us the focus is on recognizing whether or not a vulnerability is being exploited so we can respond to that knowledge. It's not dealing with hundreds of thousands of people trying to come across the border, which is a significant difference. It is identifying where there is an issue so that the resources we have can be properly focused on it. That's how we would use technology, and we are investigating those kinds of systems.

With that, I think it's probably important for General Kostelnik to talk about how we use the air and marine assets.

KOSTELNIK:

Well, I could just add that over the last five years, while there's been a lot of visible focus on the southwest border, in the long lead areas that are very difficult to acquire high-end equipment, aviation in particular and maritime to a lesser extent, the agency actually has been investing heavily in -- in the northern border.

Over the last six years we stood up five new air branches, Detroit obviously one of the big ones up there, but air branches all across the northern border to lay in aircraft and aviation support to support our officers and agents on the ground.

In the maritime, this committee has actually been part of the plus-up in the maritime environment, and we've added significant number of marine branches not only in the Great Lakes, but in other areas across the northern tier and accordingly, because we have actually a faster lead time on acquisitions, have fielded the very capable new generation of SAFE boats.

You probably have seen these. Both we and the U.S. Coast Guard operate these things. They're sealed aluminum hull vessels. We operate the 33 and 38-foot boats on the Great Lakes. These are boats that are capable of 60 miles on

the water, three manned armed crew. We're carrying not only Border Patrol agents on these boats as crew, but also office of field operation customs type doing port inspections.

And, of course, with the UAVs it's a very more problematic approach with the issues we have with COAs and -- and problems with civilian aviation traffic, but we've made a tremendous amount of progress in the UAV program in the northern tier as well, having fully deployed an operational two aircraft in North Dakota and having recently this past year, since we last briefed the committee, acquired additional COA airspace.

We can now fly from Minnesota all the way across the northern tier to the west to Spokane, Washington, and, of course, two years ago developed and -- and do have the COAs for operational work on the eastern side of the Great Lakes, having flown and deployed to Fort Drum, partnered with the 10th Mountain Ranger Division there, partnered with the Air National Guard in Syracuse.

We've flown the St. Lawrence Seaway. We've flown Lake Ontario. And while we do not have dedicated UAVs or COAs active for the Great Lakes proper, including Detroit, we do have as a matter of record, you know, emergency COAs available to us from the FAA such that should there be a national high-end contingency event anywhere along the northern border, we could get the necessary COAs from the FAA for a national security event in one day.

And we do have the asset not only from the northern tier asset, but the ability to distribute a system to fly and operate aircraft from any of our four operational launch and recovery sites.

So while we continue to explore with new technology like the OIC we're going to open next week and other types of activities that A.C. Borkowski has talked about in terms of the land investment, integrating these airborne assets, which are very difficult to acquire, take time to get, a lot of that infrastructure is in place.

And efforts like the OIC, through much quicker development opportunities through OIT software and computers, is starting to tie those aircraft, those boats not only to the COPs with the command and control infrastructures, but also through developments that we're applying in the southwest border that equally apply to bringing the agents into that connectivity.

Today we can see live streaming video from our Predators to handheld devices that would fit in your hand -- probably your BlackBerry, you know, in the next few weeks. I mean, that's how far technology has come.

So I'd ask you just take a fair and balanced view that we've not lost our focus on the northern border. We've been working it behind the scenes for a long period of time, and much of the technological investments in particular that we invest in the southwest border we can quickly apply to the northern border, and that's always part of the plan.

MILLER:

Thank you very much.

The chair at this time recognizes Mr. Quayle of Arizona.

QUAYLE:

Thank you, Madam Chair.

Chief Fisher, I have a question. It's starting in June we're going to have a drawdown of the 1,200 National Guard troops from the southwest border in Arizona. That's a little over 530. At the same time we have -- we recently canceled SBInet, so a lot of the technological force multipliers that would have been in place -- hopefully, would

have been in place -- are now gone, and they won't be in place till I would -- it's probably 2013, I think, at the earliest, and maybe not until 2015 in Arizona, which is my home state.

My only concern is how our -- what's the Border Patrol going to do to kind of bridge that gap between the drawdown of the National Guard troops and the implementation of the force multiplier via technology, which we don't know when that's going to be actually implemented?

FISHER:

Yes, Congressman. I can tell you from the time that we stood up the National Guard deployments in Arizona and across the southwest border, but in particular Arizona, to the drawdown, which will be complete by June time period, we have increased both in terms of permanent Border Patrol agents and detailed Border Patrol agents into Arizona.

So the capacity that we've built in the State of Arizona in terms of Border Patrol agents capability and for technology is at or exceeding what -- what the -- the Guard has right now in terms of those resources. So I don't necessarily think there's going to be a huge gap.

In other words those entry identification teams will not go unguarded, if you will. Border Patrol agents, if the operation still requires it, will be manning those. It just won't be the National Guard.

QUAYLE:

OK. Thank you.

Now, Mr. Stana, I saw in your testimony you discussed how DHS has ended the SBInet program, but not its contracts or key technology capabilities. What has DHS actually ended?

STANA:

Well, what it's ended is the concept of moving forward with the SBInet capability, which is a camera day and night, radar on top of a tower that feeds into a COP that has the possibility of certain other inputs as the primary vehicle for using technology to be the force multiplier you -- you mentioned.

It now is going with a more tailored approach sector by sector, almost station within sector by station, to see which kinds of technology is most appropriate for a certain area, a certain terrain, a certain threat.

What our problem is to date is that we haven't seen the documents -- we hope to see them soon -- but we haven't seen the documents yet that translate their view of what the alternatives are and the cost effectiveness of these alternatives into operational assessments and budget and planning. That's a black hole for us at this time, so I cannot say today that I totally agree with the laid down that they've prescribed.

QUAYLE:

So you can't even say if there are significant differences between the new technology laydown plan and -- and what...

STANA:

Well, there are differences in the mix of technologies used, but I think one of the messages I bring to you today is -- is that if you think that ending SBInet means you won't be seeing towers on the southwest border with cameras and radars on top of them that feeds into a COP somewhere in the station house, no, that's -- that's probably going to be in the next generation. The question is, is that going to be the main technology fielding.

QUAYLE:

So do you think it's going to be the same technology, just different contractor? Or and -- and figure out...

STANA:

Well, it -- it could be. I mean, there's only so many ways you can configure camera, radar on top of a tower with a COP. And I know that, for example, the contractor that currently does SBInet is likely to compete again or throw its hat in the ring again. Whether it's selected again or not is -- is hard to say at this time.

But, yes, I mean, there's only so many of these things out there and -- and fielded, and there's only so many to select from. And in fact, if you look at the -- the RFI, the request for information that -- that CBP is putting out. It looks very similar to the kinds of documents we saw when SBInet was beginning in terms of the desired capabilities.

QUAYLE:

OK. Thank you.

And, General Salazar, first of all, thank you for -- for your service and what you do. I was just wondering do -- have you seen or do you have any concerns yourself from the drawdown that will occur starting in June? First of all, what is the effect then from your standpoint of being able to secure various areas, especially in the Tucson sector, with the deployment of the National Guard troops? And do you see any negative effect on the drawdown coming up starting in June?

SALAZAR:

Congressman, I'm not in the position to be able to -- to answer the question on what would be the effect. That's really more of a question for law enforcement and for my -- one or the other members of the panel here.

As far as the impact on the National Guard, you know, it boils down to a job, to be honest. Many individuals that, you know, volunteered to perform this mission are going to be out of a job. So those individuals will either go back to their civilian employment, if they had it, or they'll be continuing looking for a job or deploying or doing whatever is needed to put food on the table for their families.

The impact on the National Guard from a readiness standpoint, there is none, because we still had the requirement for the federal and state mission. It's more of a personal impact on those individuals that no longer will have employment, because they're off orders in June.

QUAYLE:

Thank you very much.

MILLER:

The chair now recognizes the gentleman from New York, Mr. Higgins.

HIGGINS:

Thank you, Madam Chair.

In recent years Congress has provided very significant increases for Border Patrol agents, border fencing and technology projects such as SBInet. The GAO report is quite critical that Customs and Border Protection received over \$1 billion for the SBInet program with little to show for it due to technology and integration problems.

Mr. Borkowski, I appreciate very much your emphasis on the distinction between the southwest border and that of the northern border. As part of the Northern border project of SBInet, remote video surveillance systems were deployed along the Niagara River in the Buffalo sector and in the Detroit sector.

This technology was chosen because of the unique operational area, which consists of coastal maritime Lake Erie, riverine Niagara River, Irving, Buffalo, and rural environments. How effective has this particular system been in securing the northern border against illegal border activity?

BORKOWSKI:

The -- the feedback, Congressman, that we've gotten from the Border Patrol, which would be the one who -- who would make the assessment, has been very positive. We now have technology in areas where it has not in the past existed.

Now, there have in the past been RVSS, remote video surveillance systems, and those are day and night cameras that are remotely controlled on towers. There have been some of those in Buffalo. This filled in some gaps in Buffalo.

We're also using, frankly, the -- these are systems. We have about 250 of these deployed along the southwest border. And, of course, the environment -- I was raised in Buffalo and Rochester -- it gets much colder they are. We had problems with lenses freezing over, those kinds of things.

So part of this was to -- to take a look at how well they actually held up in that environment. They do seem to hold up very well. They went up actually very quickly, very cost effectively, and the feedback that we got back from the Border Patrol has been very positive in what that's allowed them to do in terms of seeing what's going on.

I would like to make one point of clarification, if I could. When we talk about SBInet and how much money has gone to SBInet, we've had trouble with the definition of the term "SBInet." I -- I don't call what we put up in Buffalo or Detroit SBInet. The system we were putting in Arizona is SBInet, and we have been kind of loose with terminology in the past.

It's important, because the 1.5 billion that the GAO talks about includes almost a billion for the SBInet in Arizona. But the rest of it is for things like the northern border -- mobile surveillance systems, tactical communications. And just to be clear, we try to make a distinction between those -- among those technologies.

HIGGINS:

OK.

Add for both Mr. Borkowski and Chief Fisher, the GAO report found that only 69 miles of the 4,000-mile border is currently considered under effective control. Thirty-eight of those effective control miles are in the Buffalo sector.

Mr. Fisher, in your testimony you emphasized the importance of strong partnerships with the federal, state, local and tribal agencies, as well as the Canadian government, to protect the border and expand intelligence and information sharing.

I recently visited the Border Enhancement Security Task Force, BEST, in Buffalo, where they discussed their role in securing the border. Their partnerships have allowed them to make 284 arrests, 95 indictments, 44 convictions, and the seizure of approximately 7,200 pounds of controlled substances, 2.3 million in U.S. currency, 49 firearms, 38 vehicles, since the inception of the program in March 2008.

However, the recent GAO report referenced that numerous partners have cited challenges relative to undermining the full capability of the program. Can you help us understand that a little bit better?

FISHER:

Yes, Congressman, I'll try. I mean, one of the things when -- when you look at operational control as -- as defined and applied and you look at the northern border, I mean, one of the -- the deficits the northern border chiefs had over the years is because predominantly the definitions were predicated on technology, they were predicated on fence.

And we realized that in the northern border in particular, a lot of the personnel enhancements and the fence not only were not going to go proportionately to the northern border, but in a lot of those areas it didn't make sense to put fence along the northern border. And so what we asked the chiefs to do at the time is take into consideration the relationships and the operational coordination that you're -- that you're doing.

What we're doing right now is trying to figure out how do we quantify that in terms of whether it's op con miles or a greater sense of situational awareness, because at the end of the day, what we really want to know about is that information and intelligence. Of those individuals that are intending to come into this country on the northern border, do they have the capability? And by what means would they try to come across the northern border, both in terms of location and -- and techniques, tactics and procedures?

That's a little bit different model than taking a look at the sensor fence applications or camera systems across a broad desert area. So we're trying to get better modeling to try to put a little bit of fidelity in terms of how we assess that -- again, and assess the risk not necessarily in terms of linear border miles, because it's a different operational environment with a different threat as defined.

HIGGINS:

I think my time's expired. Thank you, Madam Chair.

MILLER:

Thank you very much.

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

DUNCAN:

Thank you, Madam Chairman.

And Mr. McCaul asked for some answers to the questions from Chief Fisher. If your office could make sure that -- I think it would be beneficial to everyone, but I'd like to have a copy of that as well. Thank you.

Chief Fisher, I want to say thank you for taking the opportunity to meet with me recently as I try to understand your ongoing mission at the southern border.

As you know, from South Carolina we're a long ways from both the northern and the southern border, but it is an interest to the folks back home when it comes to immigration and illegal immigration and -- and this situation with Hezbollah being in bed with the cartel in Mexico and -- and implications that -- that may have for years to come. So I know you've got quite a challenge and continue to learn more and more at each hearing that we have.

I want to address my questions today to General Kostelnik.

I understand that UAVs are supposed to be a force multiplier that could basically remain in the air much longer than normal planes and require much fewer assets. The employment of UAVs has been touted as a way to, I guess, stimulate and expand the surveillance gaps affecting the remote sections of the border.

However, during Secretary Napolitano's SBInet review, it was determined that UAVs were not suitable to patrol large swathes of border such as those along the Arizona-Mexico border. These systems require ground control station and satellite link, and costs have increased from \$4.6 million to \$10.5 million.

Can you just -- can you clarify what missions UAVs are best equipped for and provide insight as to why UAVs were not chosen as an alternative to SBInet?

KOSTELNIK:

Well, thank you, Congressman. I'll be happy to elaborate on that. And in fact, I'm not sure what exactly those costs are relative to, but we actually have been operating UAVs along the southwest border for more than six years now, first with the Border Patrol proper and then with U.S. Customs and Border Patrol -- Border Protection.

Today we have three operational aircrafts sited at Sierra Vista. We have one operational aircraft at NAS Corpus Christi. We have COA airspace to fly from the State of Louisiana to the State of -- to the State of California. So that's a lot of airspace to fly.

And -- and basically, although the UAS is not a panacea, it does have a very unique characteristic that manned aircraft just cannot have. In fact, we operate 26 different kinds of aircraft in -- in homeland security. And the Predators and the Guardians supply a very unique capability. They're very small, so in many circumstances can't be seen. That's an advantage over the larger airplanes.

We don't carry crew, so there's man-related equipment on the aircraft, so therefore, you can put all your payload into sensor technologies and equipment. And -- and because of the combination of the technologies, we can fly these aircraft for 20 hours.

So you're in South Carolina. Our commission -- not only are we concerned with the southwest border and the northern border, we're also now concerned with the littorals, which would cover the coast of South Carolina. In fact, back in their hurricanes three years ago, we actually put the UAVs in to work. We flew across your state, the complete coastal environment, taking high imagery synthetic aperture radar cuts of all the coastal infrastructure.

And given the things that are going on in Japan, I mean, this is another opportunity to highlight the uniqueness of what UAVs can bring to bear. In that instance we now have a track record of all the coastal environment from the isthmus of Florida all the way to Dover, Delaware. Those were taken as a matter of record with the -- with the Predator mission during the hurricane, a 23-hour flight -- or 2,300-mile flight, a 20-hour mission.

Today, if we were to have a nuclear event like is going on in Japan right now, I mean, the inability to fly manned aircraft over those sites to understand what's going on, you know, gives a unique opportunity for UAVs. If we had UAVs deployed, the Predators over there, we could actually put the UAV over the top of any of those reactors.

At the end of the day, you know, for 20 hours, it would give unprecedented situational awareness -- slow-motion video, able to take high definition radar cuts of all the physical infrastructure, great for comparison. That would be a wonderful capability to have for emergency response.

So not only are the Predators -- we're flying nightly. We flew -- we have four operational sites. Last night we had weather at two sites, but we did fly and extended mission in the Caribbean out of our site at the Cape. That would be the aircraft that would support issues in South Carolina all the way up the eastern seaboard.

DUNCAN:

General...

KOSTELNIK:

We also flew operational missions out of -- out of Sierra Vista along the Arizona border. So not only are they ongoing force multipliers for the agents and troops on the ground, but they are unique capabilities in unique circumstances.

DUNCAN:

General, I think we all appreciate that -- the capability UAV, and I appreciate that you all are using those on the northern and the southern border and over my state at times, and definitely over Japan, what a -- what a tragedy.

But my understanding is that UAVs are not flying for 20 hours. The FAA is limiting those. Can you touch on that for me?

KOSTELNIK:

Well, there really isn't an FAA limit. I mean, we've had this debate. There -- there are clearly operational issues with flight in the national airspace, but -- but clearly with the COAs that we have in the northern tier, the COAs we have all across the southern tier and the isthmus of Florida, we have more airspace today than we can fly.

And our constraints over the flying hours -- a Predator Guardian can fly 20 hours. That's -- that's our mission capability. But to do that...

DUNCAN:

How many hours are they averaging, would you say?

KOSTELNIK:

Well, our missions, some of the higher missions are 15 or 16 hours. A good many of the missions are 10 hours. Some of the training missions, depending on the circumstances, are shorter. We're not flying to the full potential, not because of aircraft or airspace limitations, but because we're still building the force. We're still growing the crews.

To fly a 20-hour mission actually takes three sets of crews, two operational, because a crew has to fly the aircraft when it's up and away, and a third crew to land. So you have to launch the crew someplace, have two crews from the distribute area, which we do, that fly it, and then have a crew to recover.

So really, although they're unmanned, it's not as -- there is plenty of manpower...

DUNCAN:

How many -- how many people are on a crew?

KOSTELNIK:

Well, we fly the aircraft on most operation missions with a two-man crew. One pilot flies the aircraft, and one pilot operates the sensor.

DUNCAN:

The Air Force requires 119 people per UAV, based on the data that I was given.

KOSTELNIK:

Well -- well, when you look at the...

DUNCAN:

119 and two is a big difference.

KOSTELNIK:

No, no, it's -- when you honestly get into it, I mean, yes, there are more people involved if you need them or want them, but you get more benefit from it. So the kind of people that are involved in those, OK, so we have a control set. It just takes two to operate the aircraft.

But taking the data takes more people. In our instance on occasions we'll have a Border Patrol agent or an office of field ops in the control set, or we might have a lawyer with us or other local law enforcement because of the mission. That gives us more people involved in the mission that you can log to that, but also more capability.

The data that comes out of our aircraft is now sent to processing, exportation and dissemination cells. This is another distributed infrastructure. We have two of those, one at the AMOC in Riverside, one at North Dakota. And in that you have your analysts.

That's another five people, full-time, that are in there to tell the sensor operator where to look and the pilot where to fly. And they do real-time data reduction, and they're talking to other intel specialists distributed throughout the system.

And as we've stood up the new joint command in Arizona, those people and with the warfighters are taking that information and working on that. So when you look at it, you might have on one of our given missions, because of all this distributed interest, there could be 50 people involved. But, you know, if it was unmanned aircraft feeding the same data set infrastructure, it would be the same number.

DUNCAN:

I would be curious to find out...

MILLER:

Thank you. The chair is trying to be lenient with the time, but we're way off our time here, and I want to make sure everybody has an opportunity to question.

The chair would now recognize the gentlelady from Texas, Ms. Lee.

JACKSON LEE:

I thank the chairman -- chairwoman and the ranking member.

Let me thank everyone who is here for their service.

And I want to thank Ranking Member Cuellar for raising some, I think, crucial issues that I'd like to -- to address.

First of all, I want to put on the table, Chief Fisher, that the continuing resolution proposed has listed \$500 million in cuts to CBP's budget, and that would occur in 2011, meaning that you have obligations, and it would occur at that time -- if you could keep that question on your mind.

If I could have Mr. Kostelnik to keep on his mind a question on the impact of these cuts would have on ports. I come from a city with a large port. Those are vulnerable. It's a vulnerable area there, and I'm very interested in that.

But let me just comment, and if you would include your comments to me on this statement. I remember being able to go to Mexico and have dinner with friends, dinner with families, and then come back. Over the last couple of months, we've seen teenagers leave El Paso and are shot dead. We've seen our ICE agents attacked, one tragically losing his life.

I think we are, frankly, at the worst point that I've ever seen, and I do not suggest the worst point I've ever seen under this administration. I think it has been steadily deteriorating, not with any respect for the hard work that our men and women are doing on the border. I think it has been challenging, whether it's on President Reagan's border, President Bush I's border, President Bush II's border, Clinton's border, Carter's border, or our present president.

My question, then, is as you answer the question about the \$500 million in cuts, are we ever going to get control? How much more can our friends in Mexico to? Obviously, local officials are killed, prosecutors are killed, law enforcement are killed. The drug violence is an epidemic and out of control.

So this is not a commentary on the individual work that is going on, but it really is asking for a truthful assessment of what is needed, how this cut will impact.

And I will go to you just very quickly and thank you, Major Salazar, for your work. And you made a good point that you follow orders. Could I just ask you, however, would it be helpful if this Congress decided to continue the mission of the National Guard?

SALAZAR:

Congresswoman, you know, I am here as the adjutant general and -- and to -- to basically echo the comments of my governor, who has been very vocal about the fact that she believes that there should be an increased presence of National Guard supporting law enforcement.

It's never been anything but supporting law enforcement because of the unique skill sets that we bring. We're talking about a lot of technology, communications, radar, sensors, Predators. The National Guard, the military personnel, the men and women in our Guard have those skill sets, and we can bring that skill set to support law enforcement.

JACKSON LEE:

So it is -- it is not a wartime skill set. It's you're going to be supportive of a civilian force. Is that correct?

SALAZAR:

Yes, ma'am.

JACKSON LEE:

So -- so...

SALAZAR:

We -- we use those skill sets to do the mission that law enforcement's doing on the border.

JACKSON LEE:

So in the cutting, not providing funding, states on the border like yours, I assume if I had my major hear from Texas, they might say the same thing.

SALAZAR:

Yes, ma'am. I think we will echo the -- the concerns of our governors in that we need to do more to secure the border. And if that means utilizing the National Guard skill sets to enhance the current operations of law in force, I would agree with that.

JACKSON LEE:

Chief Fisher, would you answer the question about the \$500 million cut and the -- the conditions at the border with the drug violence?

FISHER:

Yes, Congresswoman, I will. Matter fact, with respect to the cuts, we're -- we're continuing even what we started last year and when I became the chief and made to take a look at contingency plans and efficiencies within -- within the workforce. And CBP continues that effort today.

But in terms of what we're seeing in Mexico as it relates...

JACKSON LEE:

What did you say about the cuts? I didn't hear you.

FISHER:

I beg your pardon. I said in terms of the cuts, what we are doing and continue to do this year is taking a look at efficiencies in the event that we had any cuts in our budget in terms of discretionary funds, how we do that within the Border Patrol in terms of...

JACKSON LEE:

But you would be in essence looking to cut what you might need. You would be in essence leaving programs out.

FISHER:

Well, in some cases we may, depending upon if they still meet our operational priorities. And what it does...

JACKSON LEE:

Do you have \$500 million to cut out of a budget that deals with horrific drug violence and the cartels and the murderous activities that are going on? Do you have that amount to cut?

FISHER:

Well, what we're doing, Congresswoman, is taking a look at all the cuts in different increments to be able to see what the offsets are going to be. For instance, if we identify some cuts within our operations in terms of deployment, there's going to be an impact to that. And what we do is we minimize that impact across our borders and try to minimize any impact that...

JACKSON LEE:

Well, then, you'd be belt-tightening, and there would be some programs that will be sacrificed.

FISHER:

That is correct.

JACKSON LEE:

All right.

Mr. Kostelnik, if you forgive me for pronunciation, but the same question to you and tied into our ports.

KOSTELNIK:

We're, as you know, a force provider for the Border Patrol. So we provide the maritime units along the ports. And, obviously, we have air -- multiple air branches in Texas.

So 2011 was not a good year for us in terms of re-capitalization anyway, but we do have follow-on acquisition that's ongoing for new maritime vessels that would be unaffected by the continuing resolution and those expected cuts.

For us it would likely manifest itself at some point into reduction in flight hours or on the water hours, and...

JACKSON LEE:

So there would be an impact on homeland security.

KOSTELNIK:

Depending on the level of the cuts and timing, yes, there certainly...

JACKSON LEE:

Well, if -- if -- first of all, we all believe in belt-tightening. I think the question is whether or not homeland security is a place to belt-tighten or be efficient. And so the question is ports across America would be impacted. You'd have to pull back on some of the resources or the utilization of that. Is that correct?

KOSTELNIK:

Well, I think at some point, depending on the level of cuts, there would have to be a reduction in float and flight hours from air and marine.

JACKSON LEE:

Well...

MILLER:

Thank you very much. Again, the chair is trying to be lenient with the time, but I want to make sure everyone has an opportunity to question.

And at this time the chair would recognize the gentleman from Texas, Mr. Green.

GREEN:

Well, thank you, Madam Chair. I especially thank you for the unanimous consent request. And like you and other members of the committee, I believe that border security transcends politics, and we should do what we can to work together to make sure that we secure all of our borders.

I want to thank the persons who are here today. You -- you are doing a great service for our country, and it's most appreciated. And because you do such a great service for the country, as one American I want you to know that I'm concerned about the safety -- the safety of our -- our men and women, who work along the border.

I'm concerned about the border. Don't get me wrong. That's -- that's of paramount importance -- all borders, but also the safety of the men and women who work along the border and all -- as well as those who work on the other side of the border.

You know of the incident that has occurred, and my concern is whether or not our personnel on the other side of the border, whether they are secure enough to work in that environment and not be able to protect themselves with proper armaments. Do you need it -- do they need to -- to have weapons? I have an opinion, but I'd like to hear from the experts as to what we should do to make sure that they can protect themselves.

Chief Fisher, if you would, do our agents on the other side of the border need the ability to protect themselves? I understand that they are guests, and they're in the host country, but what -- what about their safety?

FISHER:

Yes, Congressman. First, thank you for -- for your concern, and I share your concern with any U.S. person that is in Mexico.

But in particular the Border Patrol doesn't have that many Border Patrol agents that are assigned in Mexico. Matter of fact, the overwhelming majority are assigned at the embassy, so the answer to your question would really depend on -- on what their function is and -- and what -- what they're actually doing.

And so for those individuals working at the embassy and force protection provided, we are doing everything we can in terms of getting risk -- risk assessments and threat assessments, working with NORTHCOM, for instance, and

working with our CBP attache in Mexico City, to constantly evaluate that and make recommendations to us. And all those will be taken into consideration in the near term.

GREEN:

Thank you.

Would you like -- anyone else like to respond?

Let me move to another topic. We obviously will do our proactive prevention, and that's the best way, I think, to -- to help ourselves with this border protection, as opposed to reactive apprehension.

I do want to talk to Mr. Stana -- I seem to have lost -- Mr. Stana, you about a concern. Our staff -- and I -- and I salute them, the staff personnel, for what they are able to do -- they -- they literally take -- sift through the sands of information and find pearls of wisdom. And they've accorded me one pearl of wisdom that I'd like to share with you.

It reads that "GAO has also noted that CBP currently does not have the ability to detect illegal activity across most of the northern border." That's a fairly significant statement. Will you please elaborate on what that actually means?

STANA:

Yes, Mr. Green. In fact, that observation was made in connection with the report on the northern border security that we just finished last fall. And I know the chairwoman's well aware of that report.

The -- the number of miles on the northern border that is under operational control is about 2 percent. And that is mainly because unlike the southwest border, where you have maybe 19,000, 20,000 Border Patrol agents covering 1,900 miles, you've got maybe 2,000 agents covering 4,000 miles -- wide open spaces, no tactical infrastructure, very little of the air assets, you know, in comparison to other locations.

The radar capabilities for detecting low flying aircraft aren't what the Border Patrol would like them to be. So there are many risks, many vulnerabilities. And this has been documented not only in our reports, but in reports that have been done by CBP and others.

It is -- you know, the threat is different. And as has been pointed out by other members of the panel, you can't expect that Border Patrol or any other single organization to do it alone, or you would be beefing up the -- the size of the Border Patrol or any other organization tremendously. But it's incumbent on the organizations up there to coordinate and cooperate with the resources that they have.

GREEN:

I think it appropriate that someone have an opportunity to respond. Who would like to respond?

KOSTELNIK:

I'll respond to some of that, because clearly the -- the terrain and the geography is very different. And while there is a large amount of expansive space and -- and fewer agents, it really is a different environment.

And -- and along a lot of it, particularly out in the western part, there's no infrastructure on either side of the border to really to support this kind of activity. So I think there is some, you know, some merit in the case that there's a lot that we don't know that's going on.

And certainly, we have a different threat base. There's a different flow, whether it's weapons or cash or illegal substance of some kind. And so, really, I think, again built on growing our technology and growing our capability, as we've slowly been doing on the air piece and now we're starting to do on both the water and the land piece, we are starting to deal with some of these unknowns.

We worked closely with the Guard over the years to put in ground- based radar to improve our look-up. We're slowly adding more capability with look-down with the UAVs. We're aggressively partnering, as we always have, with our northern neighbors on intel functions to target our activities where there is need. But there's still a lot of unknowns, and those are the kinds of things that we're going to have to track.

But behind the scenes in the areas that we think are highest risk, we're employing our best effort in terms of people, our best effort in terms of technology and supporting infrastructure with aircraft or maritime. And clearly, in the area of the Great Lakes, where there's more population, there's more activity and therefore more risk.

I think you're seeing, you know, a concerted focus by the vestiges of the old SBI, some of the new things that we're doing like the OIC, what we've put specifically to boats, what we've put in the new AW-139 helicopters. We're increasingly going to grow those capabilities.

The world's an uncertain place. We have a broad area to cover. And again, I mentioned that we still have the littoral. And with all of the pirating activity that's going on on the world stage, there's not a lot of protected infrastructure on the sides of the country -- on both sides.

And our new commissioner has come and looked at that, and we're starting to focus on thinking about how do you protect the littoral part of the country as well. We've seen now fully submersible submarines that can sortie out of Colombia with more than 3,000-mile range. They can land north of where most of our border protective infrastructure is.

So the world has become more complex, and it's a matter of prioritization, where you put your assets and what are your national priorities. And the help, in a way, is the growth in IT infrastructure and...

GREEN:

My time has expired. Thank you.

Thank you, Madam Chair.

MILLER:

Thank the gentleman.

We're going to go to a second round of questions here. I know that those members that are remaining have lots of other questions as well, so we wanted to -- to do so. And I think this is just an excellent panel that we have here today really getting to a lot of our questions. We appreciate all of that.

I'm going to go back to -- well, first of all, let me talk about the budget. For instance, it's been mentioned about the \$500 million on the CR. That is primarily the SBInet that Secretary Napolitano has said is not necessary anymore. So it really is -- that's principally what that -- that figure is.

But, you know, budgets really are a reflection of the -- the Congress reflecting the will of the American people, I think. And I think it is clear that the will of the American people is to secure our borders. They certainly have that will. They had the political will. And I think it's for the Congress to demonstrate the political will that the American people have, and that's really what this hearing is trying to get at today.

And so one of my earlier questions was about the -- the potential to co-mingle some of the budgetary issues between the Department of Homeland Security as well as the Department of Defense.

And I'm going to go back to my question again, and perhaps to Chief Fisher and to Major Salazar as well, about the utilization of the -- not only the National Guard, but whether or not, because of what's happening on the southern border, which seems to be a complexion that is now changing to the dynamic that is very similar to a war zone situation with the overspill of the drug cartels into our country, how we not only secure our border, but to keep this kind of -- of that kind of element out of America.

I wonder if it's something that we should be looking at as actually using, as I say, perhaps a Stryker brigade. You know, a Stryker brigade, my understanding, for instance, that the guardsmen, I think, maybe only Pennsylvania is currently training and has a Stryker brigade, but it would be something perhaps that this Congress should look at.

If you have a Marine Stryker brigade on the other side of that border, I think those drug cartels are going to think twice about coming across that. That is not, believe me, any slap on what's happening with the Customs and Border Patrol at all. You -- you do a wonderful, fabulous job. But I think we need to beef it up.

And so I'm -- I'm thinking in those terms. I mean, we are talking about UAVs, which is a off-the-shelf technology, has had great impact in theater, and we're looking at other kinds of technology.

One of the things that this committee is going to be looking at as well is other types of, in addition to the UAVs, the land systems, robotic land systems, again, that we have had excellent success with in theater. And the terrain in Afghanistan certainly is rougher in most cases than what we have on the southern or northern border, so if it can be utilized there, again, it's the taxpayers have already paid for this fantastic technology, and I think it has application for homeland security as well.

So I would just throw that out in regards to a Stryker brigade or other beefing up of military along the southern border to either Chief Fisher or Major Salazar, if either one of you would like to comment on your thoughts on that.

FISHER:

Chairwoman, thank you very much. I'll go first, and the general, if he chooses to respond as well.

We have been working with Department of Defense for the last 20 years or so both in terms of the counter drug missions under Title 10, Title 32, and we -- we continue to work with the Department of Defense, and through our primary point of entry is NORTHCOM.

And we identify to NORTHCOM by way of Joint Task Force North in El Paso, Texas, our operational requirements on a yearly basis. Matter fact, we're just starting to do that on a quarterly basis now so that we can have a lot more mobile and -- and flexible deployments on that. And so we welcome any continued opportunity to work with the Department of Defense under a border security mission.

MILLER:

General, again, I'm pretty certain that you -- I'm not sure whether or not your -- your Guard's -- your Guard's men and women have had the opportunity to train on a Stryker brigade, but if you're familiar with the Stryker, I mean, I

think it has application for a homeland security type of mission because of the ability for it to run on just regular roads -- and everything else. I think it just has that type of application, but your comments on that.

SALAZAR:

Yes, ma'am. Excuse me.

I -- I guess, just to be honest, it would -- it would have to come down to do we feel that using a Stryker brigade would be a demonstrated use of force. Is that going to have an impact? Because when you talk about specifically capabilities of what we can provide to law enforcement, we could provide the same type of observation and reconnaissance with -- with a much smaller package like the entry identification teams that we're doing now.

A Stryker brigade, in my opinion, would probably be a little bit -- a little bit too much, unless the use of force is -- is the -- the objective, which I wouldn't have -- I wouldn't be able to analyze or provide any kind of input if that's really an effective use of a Stryker brigade.

MILLER:

I appreciate that. I think you can see from the questions of our -- our committee here that there is great consternation about the -- the runoff -- and the runout in June of the National Guard along the border. So I'm sure we're going to be talking amongst ourselves about -- about that.

SALAZAR:

Yes, ma'am. And -- and if we are talking fiscal responsibility here, and so we can, in my personal opinion and from experience in Arizona, you would get a lot more bang for the buck using the funds to enhance entry identification team type support as opposed to the huge cost of bringing in a Stryker brigade.

MILLER:

I appreciate that.

General Kostelnik, in regards to the UAVs, and I think you've answered most of my questions, but I was wondering a bit about the -- the UAVs around the northern border in regards to the type of drones that you're using there, et cetera.

Is there any problem with weatherization on those drones? It might be a simple question, but I -- I wonder about that sometimes. Do you have de-icing? And do you run into any particular weather problems with the type of equipment that you're using there?

KOSTELNIK:

Well, you may recall that last year -- I mean, a couple of years ago, we actually put the Predator for the first time into the climatic lab down at Eglin Air Force Base, first time any of the family series had ever been there. And to their credit, the Army put in a Warrior at the same time, so we actually understand a fair amount about the aircraft.

It does not have a de-icing system. Most aircraft don't. Most manned aircraft have anti-icing systems, but there are many scenarios where manned aircraft have trouble in icing, so you fly out of it. The Predator is very much the same.

We've been up now operational for, I think, three years in North Dakota. There are days, clearly, in certain forecasts when we can't fly. It's not a panacea. It's limited, but there are the same limitations on manned aircraft. But most of the time icing is not an issue. I mean, we can fly clearly in winter weather. Those aircraft have flown in -28 degree weather routinely, but they have the same limitations as manned aircraft do.

MILLER:

And, General, you also mentioned about the CAOs. I would just mention to you in addition to Homeland Security, I also sit on the Transportation Infrastructure Committee, and we have -- our committee has just passed out the reauthorization for the FAA, which the House will be taking up, I think, next week -- excuse me, in two weeks.

But at any rate, one of that we put in there is a plan to expedite, actually, the CAOs for -- for various agencies and try to develop a plan quicker because of some of the problems that we are well aware of that you are facing. And again, I understand the agency, FAA, and their mission may be different than -- than ours, but we are all Americans first and foremost, and we need to be integrating some of these areas.

And I'll just mention the Detroit sector in particular. At Selfridge Air National Guard Base, we've been -- we thought in '10 that we were going to get a ground mission for UAVs, and I don't know where that is now. And in the Detroit metropolitan area, because of the size of that out, they're talking about moving it -- the ground mission -- somewhere else, because the FAA won't give you the CAO on that, so if you have any comment on that.

KOSTELNIK:

Well, I mean, flight of the national airspace and the COAs are really all about, you know, managing risk. And the system you fly has a lot to do with it, and that's why we chose the Predator B. It's the safest of all of the UAVs out there. You know, we lost our first aircraft back in 2006, but we've had really no major accidents since then. All of our aircraft are, you know, kind of operational.

But when you get into the metro areas, where there's a lot of commercial traffic, you know, that's where the FAA is most concerned. They like to have more studies. They like to have more information. They're very careful of who they authorize to fly in the national airspace, because there's such a wide variety of risk associated with the aircraft, a very small handheld UAV like model airplanes all the way up to the Global Hawk and everything, you know, kind of in between.

But -- but I think we've given as a matter of national security the FAA, you know, the best model, the best platform and -- and the best mission requirements pool, you know, to further the policy of what aircraft should be allowed to fly. And I think, quite frankly, we've made a lot of progress.

And with the brackets that we've had in upstate New York and the experience we've had in North Dakota and the progress we've made out west, I believe the Great Lakes, you know, is going to come.

But we're still growing pilots. We don't have enough pilots for the aircraft we currently have. There's clearly a lot of significant focus going on in the southwest border, and we have a lot of national contingency response. So I think is going to come, but it's still going to take some time.

As far as the ground controls, you know, it's just a matter of getting the GCSs. And while it's easier to get the aircraft on contract, it's much more problematic to get the ground control stations as fast as we get the aircraft.

So although we're funded for added ground control stations as well as Predators this next year, we'll get the two Predators that this committee helped us get delivered this calendar year, one in October and one in December, but we won't get the GCS for another year after that. And so that kind of delays where and when we can fly things on the ground.

MILLER:

Thank you.

And my next question -- I'm giving myself a little bit of extra time here -- and I -- I do have to mention about the Operational Integration Center, which is on the northern -- at the Great Lakes branch of the northern border wing there. And we're very excited to have that grand opening next week.

I've had an opportunity to tour that facility several times as it's been under construction, and just as recently as several weeks ago. I think it is going to be a critical component, an excellent component of a complete total force concept along the northern and the southern border. And certainly it's a pilot there, but it could be utilized at either border.

And one of the things that we learned from 9/11 and the 9/11 Commission recommendation, which in my office I keep telling my staff this is not shelfware. We need to look at this often and remind ourselves that some of their key recommendations was, again, how we had to move from the need to know to the need to share.

And the Operational Integration Center, just for the committee to understand, is again, it's essentially all of the various stakeholders in that sector, including our counterparts, our Canadian counterparts, state police, local first responders, air and marine, the Customs and Border Patrol, the Coast Guard -- I'm sure I'm missing a few, but everybody who has a stake in the entire thing -- and then analyzing all of this data properly.

And to the very best of our ability, again, so that you put something -- there's no second for information, good information, in all of your businesses, good information and intel -- and getting that information out into the hands, ultimately, of the men and women who are on the front lines so that they can utilize that kind of information to be so much more effective.

So I'm very, very enthusiastic about the OIC. And I don't know if you have any comment about -- either of you -- how you might see that unfolding.

FISHER:

Yes, we do share your enthusiasm, Congresswoman, and look forward to the implementation and getting that information used for operational effectiveness. Thank you.

MILLER:

Mr. Borkowski?

BORKOWSKI:

Just to add to that, we're very excited about it for several reasons. One of them is that that Operational Integration Center was designed with the unique nature of the northern border in mind. It is also true that we expect to gain

some lessons for the rest of the border, but as Chief Fisher and General Kostelnik have indicated, a lot of the effectiveness on the northern border is based on that sharing.

The second thing I would point out is that the way we designed and developed the Operational Integration Center represented a change from how we designed, say, SBInet and some of our past history, as did the deployment of the RVSS. It was a much more structured acquisition process. It was a much more detailed relationship with our operational users. And the result was to produce something a lot -- with a lot less problems than we had with the SBInet.

I don't want to -- so -- so there's something learned there about how to buy things, that -- that I don't want to pretend that our processes are all mature, because they're not. Many of our processes are still very rudimentary -- even our analysis of alternatives, sound but rudimentary compared to DOD.

But I think what you're seeing with the OIC and with some of the other things that we have started to build processes for is the effectiveness of those processes. I don't want to say we're all the way there, but we are starting to show the results of some of that discipline.

MILLER:

Thank you very much.

At this time I recognize the ranking member, Mr. Cuellar.

CUELLAR:

Thank you, Madam Chair.

Chief Fisher, the new CR, H.R. Resolution 48 that I believe we're going to vote on this afternoon, will cut \$107 million for construction of Border Patrol facilities. These funds were for replacements of existing Border Patrol facilities in four states, including Texas, Washington, Maine and New York.

I believe the ones in Texas -- one of them was in Freer. I'm not -- I don't represent that area, but I just passed it just about two days ago on Sunday, so I'm very familiar with that station. If there was a need shown to upgrade these facilities, why weren't these projects moved up forward last year? If it was so important, why are we letting go of this money?

FISHER:

Congressman, I will tell you as we look at all facilities within the Border Patrol and our deployments, we take a look at interior stations, for instance, and we look at deployments, if we're going to be increasing staffing or attriting down staffing in different locations.

All of that was taken into consideration when we make the recommendations on which Border Patrol stations or facilities -- some cases, if we're going to be doing co-location, it would just make sense to do that as opposed to continuing building, either adding to pre-existing facilities or adding new facilities. And that's all the process that we went into to make our recommendations to the department.

CUELLAR:

So therefore -- and again, I speak of Freer, because I'm familiar with that, and I've -- I don't know if you would like to work there, but I'm sure the men and women that work there would like to have a better place. And if you're in a small rural area, I think the folks in a small rural area would appreciate a better place.

So when did this change from a priority to a non-priority so you can let go of this unobligated \$107 million that we're going to be voting on this afternoon to cut?

FISHER:

Well, the specific time on the priority, Congressman, I'd have to get back to you on that. But I do share your -- your interest. And -- and certainly, the men and women of the United States Border Patrol require adequate facilities, because we're asking them, you know, quite honestly, to protect this country. And -- and we're focused on that as well.

CUELLAR:

Can you put that in writing and again share it to all the committee?

FISHER:

Yes, sir.

CUELLAR:

Second thing is let's talk about administrative costs at Border Patrol headquarters. How many agents do you have at headquarters?

FISHER:

Approximately 230.

CUELLAR:

OK. Can you afford, without affecting your mission there at headquarters, to move some of those to -- to the border, where there's been an emergency declared?

FISHER:

We have in some -- in some instances, Congressman, yes.

CUELLAR:

Could you put it -- put it down in writing? Well, let me ask you this. How many do you think you can afford leaving from headquarters and allow them to go down to the border?

I'd rather have -- it's like in the state, when I was in the state government, there was always a concern about the superintendent's office having this overhead, administrative costs, putting more for the teachers in the classroom. This is the same type of logic that I'm using. How many folks can you let go from headquarters and send them back to -- to the border, where they can provide security at the border?

FISHER:

We will provide you that report, sir.

CUELLAR:

OK. Do you have any idea right now?

FISHER:

I -- I do not.

CUELLAR:

OK. Could you let go of some?

FISHER:

I beg your pardon?

CUELLAR:

Could you move some to the border?

FISHER:

I don't know at this point.

CUELLAR:

OK. As the chief of the Border Patrol, I've asked you several questions today, and you have not been able to answer at least three of them.

FISHER:

Well, Congressman, I will -- I will tell you specifically when -- you know, with 230 Border Patrol agents in our headquarters, that was an increase from 34 as we were transitioning to the Department of Homeland Security.

One I receive requests from the field in terms of increased staffing levels, there's a whole host of things that are taken into consideration, and I've got a very competent staff that informs me on their judgment on what the impacts are going to be whenever you moved any Border Patrol agent. And I expect that will be the process of this case as well.

CUELLAR:

OK. Will you specifically let us know if you can move any of your Border Patrol agents who are at headquarters, without affecting the mission there, down to the border, where I believe they were -- where they were supposed to have been going to?

Let me ask you this. Under the supplemental bill that you don't have the answer as to how many you've hired so far, is there any intention to have any of those people go up to headquarters?

FISHER:

Not at this point, sir.

CUELLAR:

Not at this point.

FISHER:

Not to increase our authorized levels of headquarters.

CUELLAR:

OK. And again, if you can put that in writing and share with the subcommittee.

This is a general question. According to the -- to a recent GAO report, CBP had, I believe it was \$639.4 million, Mr. Stana, on our obligated balance, and it's a customs user fee account as a result of excess collections from the temporary fee increase and elimination of North America Free Trade Agreement country exemption from January 1st of 1944 to September 30th, 1997.

I think GAO first identified these unused funds in 2008. Bottom line is we got \$639 million there -- there in a bank account. Is that correct, Mr. Stana?

STANA:

Yes, that's my understanding.

CUELLAR:

OK.

Gentleman, if you had \$639 million sitting in an account, why have we not moved it? And I can understand probably the answers will be, well, are we authorized to use this money or not? If not, has any brought that to our attention? I'm sure that Chairman Miller, myself could find a lot of ways to use this money to help border both at the northern or at the southern border.

Mr. Kostelnik, we'd be happy to get you more UAVs. I'm a big supporter, and I like the job that you're doing.

Same thing, Mr. Borkowski.

I'm -- I'm just saying is there a way that we can move this money? Because if you talk to border sheriffs, they'll say, "Hey, we'll take a share of this." If we talked to Homeland, instead of giving money back, we'd love to take that. What can we do to help you, in other words, to get this \$639 million unobligated balance, if it's still there?

BORKOWSKI:

Congressman Cuellar, we can give you much more detail, but we do have some legislative proposals about how to use those fees. In the past there have been times where we've been able to move some of that, but it's important to understand that in large measure those funds from our officers, we are -- we have to project the cost of those officers, we have to project the cash flow. And right now we're looking at a deficit, not a surplus.

So we'll give you the detail, but it's -- it's -- in the past when we've had surpluses that we thought would be continuing surpluses, we have sometimes been able to -- to move those funds to other purposes. Right now we're very concerned about paying the salaries of our existing officers. And we'll get you some more detail on that.

CUELLAR:

Yes, I've got to close, but can you just get us and work with Mr. Stana as to -- they are unobligated \$639 million. Give us some suggestions how we can help you, at least the one-time purchases like equipment?

Thank you very much, Madam Chair.

MILLER:

Thank you very much.

Any last questions?

We'll go to the gentleman from South Carolina, Mr. Duncan.

DUNCAN:

Thank you, Madam Chairman.

Just a follow-up, General. Out of the 10,000 new Border Patrol agents and 20,770 plus or minus agents, how many of those are involved in the UAV program? This is a follow-up to our question earlier, General.

KOSTELNIK:

Well, it's a -- it's a complex answer. I mean, we've only hired, you know, dedicated 24 new UAV pilots. During this same time period of that growth, our total pilot force has increased from a force of about 535 in 2005 to a force of about 850 today.

What we do is we're dual qualifying our pilots who fly manned aircraft to also fly the unmanned. It reduces risk on the unmanned side. It's more of a popular mission, because flying UAVs isn't a popular mission for most of the pilots. They'd rather fly really aircraft.

And so actually we have probably about 60 pilots either dedicated or dual qualified that are flying in some part of our mission, and it's still not enough. We're growing more. We're training pilots not only for the up and away flying with the launch and recovery as we speak.

It's -- it's the biggest shortfall in all of the UAV community. Not only us, but Department of Defense has the same issue. There's not enough pilots actually to fly the airborne equipment that we have.

DUNCAN:

Well, that segues into including staff maintenance cost -- staff and maintenance cost. What is the cost per flight hour for the UAV versus the Custom Border Protection's manned aviation assets?

KOSTELNIK:

Well, you know, that's a good question. Again, it's complex in how you put it, but I asked our head budget guys, because I thought I'd probably get that question today, because it's kind of the assent that they're expensive. And the reality is while not, you know, cheap, they're not really expensive compared to the manned thing.

So in the newest aircraft we have the Guardian, which is a Predator with a sea view radar. It does a comparable mission to our P-3s. So a P-3, for example, with a nine-man crew, that's the aircraft that if you bought it new today, it would probably cost you about \$80 million. And it costs us around \$7,000 per flight hour to fly that aircraft.

The Predator, you know, costs us about \$20 million total for the total system -- actually about 18 million, aircraft, satellite time, the ground control station, everything you need, and it costs us a little over \$3,000 to about \$3,500 an hour to operate the Predator.

Now, if you looked at an aircraft in between, like the MEA, which is a King Air light twin engine aircraft with similar capability, that aircraft costs about \$20 million. In fact, we have five of them up in Hagerstown, Maryland. We get the first multi-role enforcement aircraft this summer. It costs us about \$20 million for the aircraft. It's a similar mission as the Predator, only it's manned, but it can only fly about six hours. And it costs us just about the same, about \$4,000 an hour to operate.

So the operational costs are really about the same. And, of course, getting to your point earlier about the flight time, it's a very important piece of aviation, because the bulk of the cost, if you look at the whole cost, not just the flying our cost, but the whole operational cost for a system, it's heavily driven by the launch and recovery pieces. That's where you burn up tires, you know, you expend your extra fuel in the high speed.

So much of the cost to operate an aircraft, that actually is in the launch and recover phase. So oddly enough, the longer you can fly an aircraft, the more cost effective it's going to be. So if we had the pilots, we would certainly be flying our Predators for 20 hours they are capable of, and we would get a much better full loaded operational cost of the system.

DUNCAN:

We've got some airframes that are -- are, you know, 20 years old. I mean, you get a lot of -- you spread that cost out over a lot of years on a regular aircraft. Is that similar in a UAV? I mean, technology's changing. Are you going to be able to get the 20 years out of an airframe UAV?

KOSTELNIK:

Well, you know, it's actually you have to go back to the history, because originally back in 1994 these were kind of conceived as high-risk throwaway items in a combat zone. The original Predators cost about \$2 million apiece and were considered, you know, you'd lose a lot of them in combat.

Today the Guardian and the Predators are much more sophisticated, but they're still plastic airplanes. They're still built with unique and novel technologies that are fairly easy to repair. Over the last five years, launch and recover, and particularly landing, has been a problem not only for us, but all of the services. And we've had several landing incidents, where the aircraft, or piece of it, was damaged.

And for very small amounts of money, we've been back, because it is basically a plastic aircraft and a fairly simple engine to go back and make repair on all those aircraft. There's not a lot of data on the long-term service life of Predators, because they were never intended for that.

But now as the services, the big services and the DOD, have procured more of these and are going to procure even more over a long period of time, there will come a time when service life becomes an issue. But because of the composites these aircraft are designed to, replacing wings, replacing tails, they're going to be much easier and much cheaper to accomplish than the classic, you know, metal type aircraft.

So I think the story in the long run is going to be a good one just because of the construction technique. And the reality is the strength and the long-term viability of these things are going to be driven by the sensors that you carry. So we're not only flying the sensors that the DOD is, but we're looking at new technologies for radiation sensors, for supporting groups on the ground with systems like beta, which will help detect moving things. And I think these aircraft are going to be around for a long time.

And, of course, in our manned aircraft fleet, we have aircraft still in service today that are approaching 40 years old. So if you keep them safe and modernize them, they'll still be the best value for the service.

DUNCAN:

I appreciate that. We're spending a lot of money on technology and other things, and I think a lot of times simpler is better. I keep going back to what the folks in South Carolina think we should do, and that's concrete still and barbed wire, and maybe think of a simple approach.

Thank you, Madam Chairman, further leniency.

MILLER:

Thank you very much.

And again, I want to thank all of the witnesses. I think this has been an excellent hearing. We certainly have had, I think, very good questions on both sides and excellent answers as well. And I just appreciate all of your service to

the nation. And certainly as you represent the men and women in Customs and Border Patrol and Air and Marine and National Guard, GAO as well, we -- we thank you so very, very much for all of you appearing here today.

And the hearing record will be held open for 10 days. If any committee members have any additional questions that they would like to ask, we'll try to get them responded to as well.

Without objection, this subcommittee stands adjourned.