

FOR OFFICIAL USE ONLY
UNTIL RELEASED BY THE
HOUSE COMMITTEE ON HOMELAND SECURITY
SUBCOMMITTEE ON BORDER AND MARITIME SECURITY

Statement by
The Honorable Paul Stockton
Assistant Secretary of Defense for Homeland Defense
and Americas' Security Affairs

Before the 112th Congress
Committee on Homeland Security
Subcommittee on Border and Maritime Security
U.S. House of Representatives

November 15, 2011

INTRODUCTION

Chairman Miller, Ranking Member Cuellar, distinguished members of the Subcommittee: thank you for the opportunity to address you today on the Department of Defense's (DoD's) programs for transferring capabilities and equipment to its Federal, State, and local partners.

DoD supports the Department of Homeland Security (DHS), and other Federal partners, as part of a whole-of-government, whole-of-nation approach to both domestic security and domestic incident response. One of the pillars of the Department's Strategy for Homeland Defense and Civil Support is to promote the integrating and sharing of applicable DoD capabilities, equipment, technologies, and technical expertise with Federal, State, local, tribal, and private sector partners. This sharing arrangement strengthens the nation's ability to respond to threats and domestic emergencies. DoD continues to work closely with its interagency partners, in particular DHS, to build capacity vertically from the Federal level down to the local level, and horizontally across the Federal Government. I want to thank Congress for providing DoD with the tools that are absolutely essential to making this possible.

In accordance with Section 1401 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314), I serve as the senior DoD official responsible for coordinating "all Department of Defense efforts to identify, evaluate, deploy, and transfer to Federal, State, and local first responders technology items and equipment in support of homeland security." To this end, I established what I call the "DoD Domestic Preparedness Support Initiative." Through this program, I work closely with DHS, the Department of Justice (DOJ), and our other Federal, State, and local partners.

The Domestic Preparedness Support Initiative focuses on five approaches: acquisition programs; excess property programs; equipment loan-lease programs; expertise sharing; and the leveraging of dual-use technologies developed by DoD.

ACQUISITION PROGRAMS

DoD operates several programs to facilitate Federal, State, and local agency acquisition of equipment from DoD. For instance, in September 1968, Congress authorized DoD to sell

suitable surplus equipment to State and local law enforcement and firefighting agencies.¹ In 2010, DoD championed, and Congress passed, an expansion of this authority to include homeland security and emergency management agencies.² In November 1993, Congress authorized State and local governments to purchase law enforcement equipment suitable for counter-drug activities through DoD.³ In 2008, DoD championed, and Congress passed, an expansion of this authority to include equipment suitable for homeland security and emergency response activities.⁴ In September 1996, Congress authorized DoD to sell or donate to Federal and State law enforcement agencies excess property suitable for use by the agencies in law enforcement activities, including counter-drug and counter-terrorism activities.⁵ In October 2000, Congress authorized DoD to sell or donate to State firefighting agencies excess property suitable for use in fire and emergency medical services.⁶

At least 43 States access DoD procurement contracts through these programs, allowing law enforcement agencies to purchase weapons and ammunition; chemical and biological defense equipment (e.g., decontamination, full body protection, shelter protection, and respiration protection); aviation support equipment (e.g., aviation parts and support items); and communications and electronics equipment (e.g., early warning systems, tactical radios, and night vision goggles).

EXCESS PROPERTY PROGRAMS

DoD also operates programs to transfer excess DoD equipment to Federal, State, and local agencies. For example, as noted above, in September 1996, Congress authorized DoD to donate to Federal and State law enforcement agencies excess property suitable for use in counter-

¹ 10 U.S.C. § 2576, which was established by section 403(a) of an Act to authorize appropriations for DoD for Fiscal Year 1969 (Public Law 90-500).

² Section 1072 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383).

³ 10 U.S.C. § 381, which was established by section 1122 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103-160).

⁴ Section 885 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417).

⁵ 10 U.S.C. § 2576a, which was established by section 1033 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104-201).

⁶ 10 U.S.C. § 2576b, which was established by section 1706 of Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106-398).

drug and counter-terrorism activities.⁷ Also, as noted above, in October 2000, Congress authorized DoD to donate State firefighting agencies excess property suitable for use in firefighting activities.⁸

All 50 States and more than 17,000 Federal, State, and local agencies have received more than \$2.6 billion⁹ worth of donated excess DoD equipment for use in counter-drug and counter-terrorism activities, almost \$500 million of this in Fiscal Year 2011 alone. More than 2,200 Fire Departments and State Forestry Departments in at least 32 States have received excess DoD equipment for use in firefighting activities. From Fiscal Year 2008 to Fiscal Year 2010, these States received more than \$382 million worth of equipment, including more than 5,927 vehicles and trailers. Other donations included:

- Twenty-seven light armored vehicles (V-150s and V-300s), worth \$500,000 each, that went to 10 States (in 2007 and 2009).
- Three C-12 aircraft, worth \$4 million each, that went to California's Department of Forestry and Fire Protection (in 2008).
- Winches, hoists, and cranes; tents and tarps; guns up to .30 caliber; and field litters, worth approximately \$638,000, that went to DHS/Customs and Border Protection (CBP) (in 2010). In addition, 34 snowmobiles to patrol the border, thereby saving more than \$150,000, also went to DHS/CBP (also in 2010).
- Tactical vehicles and five helicopters, worth approximately \$5 million, that went to DHS/Immigration and Customs Enforcement (ICE).
- An excess DoD Mark II robot, originally valued at \$55,000, that went to the Ashland County Bomb Squad in Ohio.
- Through a partnership with DHS, the Department of Energy (DOE), and the Health Physics Society (the Homeland Defense Equipment Reuse (HDER) Program), excess DoD radiological detection instrumentation and other equipment, as well as no cost training and long term technical support, that went to emergency responders.

⁷ 10 U.S.C. § 2576a, which was established by section 1033 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104-201).

⁸ 10 U.S.C. § 2576b, which was established by section 1706 of Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106-398).

⁹ Original Acquisition Value.

EQUIPMENT LOAN-LEASE PROGRAMS

DoD's equipment loan-lease program provides Federal, State, and local agencies access to valuable capabilities. These agencies then have an opportunity to use, evaluate, and experiment with these capabilities in return for feedback on their effectiveness in the field. For example, DoD's Robotics Loan Pool loaned robotic systems to public safety organizations. Currently, five robots are on loan in Massachusetts and Hawaii. Over the life of this program, more than 100 government organizations, mostly State and local agencies, and 22 commercial entities participated in this program. In many cases, government organizations used this loan program to enable bomb squads to meet their certification requirements. In general, commercial entities used this program to develop new payloads for use by the military and first responders. DoD's Night Vision Loan Pool provides State law enforcement agencies with a low-cost (i.e., \$300 annually), low-maintenance alternative to purchasing night vision devices. Currently, approximately 1,231 night vision devices are on loan to 429 agencies in 48 States.

EXPERTISE SHARING

By sharing DoD's expertise with our Federal, State, and local partners we help improve their capabilities. In return, DoD can readily leverage the expertise and experience of its partners to improve DoD's capabilities. The Hazardous Devices School (HDS), a Federal Bureau of Investigation facility, which is operated by the Army's Ordnance Munitions and Electronics Maintenance School at Redstone Arsenal, Alabama, trains Federal, State, and local bomb squads. Since 1971, HDS has trained and accredited thousands of technicians, including more than 50 new bomb squads since September 11, 2011. The Domestic Preparedness Equipment Technical Assistance Program (DPETAP), which is executed by the Army's Pine Bluff Arsenal, Arkansas, provides mobile teams to provide on-site technical assistance to first responders for selecting, operating, and maintaining radiological, chemical, and biological equipment. The Interoperable Communications Technical Assistance Program (ICTAP), which is executed by the Space and Naval Warfare Systems Center (SPAWAR) Pacific, has helped more than 75 States and metropolitan areas to develop and implement regional communications plans using the Communication Asset Survey and Mapping Tool (CASM). ICTAP addresses interoperability

issues, including governance and planning, technical needs and solutions, and exercising and training.

DUAL-USE TECHNOLOGIES

DoD research and development has led to the production of many items that are now routinely used by our Federal, State, and local partners. DoD works closely with its partners to leverage potential “dual-use technologies” originally developed for military application for civilian applications. As an example, DoD assisted the U.S Coast Guard in evaluating sensors and platforms that could enhance its ability to conduct wide area surveillance to detect, identify, and track vessels of interest. Likewise, in 2003, a Predator B Unmanned Aerial Vehicle (UAV), scheduled for future delivery to DoD, operated in support of DHS/ICE Operation SAFEGUARD, a joint humanitarian/law enforcement effort along the Southwest border. Operation SAFEGUARD provided an opportunity for DoD to demonstrate UAV capabilities to border authorities and also served to highlight the policy, legal, and infrastructure issues that must be examined in tandem with technology development. These include challenges associated with the use of UAVs in controlled domestic airspace as well as the extensive infrastructure (e.g., communications, exploitation tools, and imagery analysts) required to process and exploit information collected by UAVs. In addition, in 2008, DoD developed and installed a fiber optic-based seismic acoustic sensor prototype system in the San Diego area. In 2009, DHS purchased this system and continues to support its operational evaluation by the San Diego Tunnel Task Force. Also in 2009, DoD supported DHS’s proof-of-concept demonstration for an advanced ground penetrating radar technology for use in cross-border tunnel detection. The results of this demonstration warranted continued development and testing efforts in 2010 and 2011. Furthermore, DoD and DHS are cosponsoring a “Tunnel Detection” Joint Capability Technology Demonstration (JCTD). U.S. Northern Command is the DoD proponent for this demonstration, and as the technologies mature, they are expected to be fielded for use by DoD and DHS organizations at home and abroad.

DoD’s Counterterrorism Technical Support Office (CTTSO), which oversees the interagency Technical Support Working Group (TSWG) (85 Federal agencies, including DHS, DOJ, DOE, and the Department of Health and Human Services, work together to research and

develop, test and evaluate, and deliver combating terrorism capabilities to the national interagency community rapidly¹⁰), is currently developing capabilities to detect, locate, monitor, and disrupt subterranean operations in semi-permissive and non-permissive environments to allow tactical forces to conduct operations and counter hostile and/or criminal networks. Current, CTTSO counter-tunnel projects of interest include:

- Portable Ground Penetrating Radar: battery powered, man-portable, ruggedized system to detect subterranean structures (tunnels, bunkers, and caches) to a minimum depth of 15 feet, with antenna configuration to allow for operation by one person and be employable in any terrain.
- Improved Underground Communications: a planned proof-of-concept involving multiple technology demonstrations, which is currently investigating if further funding is warranted.
- Remote Imaging and Detection of Underground Anomalies: a proven prototype that implements laser technology to identify buried objects (e.g., caches and improvised explosive devices). In Fiscal Year 2011, development of this prototype was expanded to determine if the technology is capable of detecting voids.
- Seismic-Acoustic Sensor Kit: a mobile seismic acoustic sensor system designed to detect underground activity with the intent of easy deployment and operation in a temporary environment (though permanent installation is also an option)

CONCLUSION

At the signing of the Declaration of Independence, Benjamin Franklin is reported to have said, “We must, indeed, all hang together, or assuredly we shall all hang separately.” Similarly, as we – Federal, State, and local government agencies, the public sector and the private sector, non-governmental organizations, and individual citizens – share the burden of the threats

¹⁰ The bulk of TSWG core funding is provided by DoD. Additional funding is supplied by the Department of State, while other Federal departments and agencies share the costs of selected projects.

challenging our nation, so too must we share our strengths and capabilities to r meet these challenges more effectively. If we do not, assuredly we shall all hang separately.

Chairman Miller, Ranking Member Cuellar, distinguished members of the Subcommittee: I commend you for your leadership, continued interest, efforts, and support in DoD's defense of the United States and support to civil authorities here at home. I look forward to working with you in the future.