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Committee on Homeland Security's Subcommittee on Counterterrorism
and Intelligence

“Beyond Borders”

Chairman Meehan, Ranking Member Higgins, and members of the Committee: I am Daniel J. Neaverth Jr. Commissioner of the Erie County Department of Emergency Services. Thank you for the opportunity to testify and submit testimony for the record regarding cross border initiatives, collaborative homeland security efforts and intelligence sharing.

The Buffalo, Erie and Niagara Urban Area Security Initiative (UASI) under the leadership of its three co-chairs, facilitate the direction of our Homeland Security efforts consistent with Presidential Directives. Homeland Security efforts in our community feature numerous partners and key stake holders. Local, county, state and federal agencies routinely gather for discussions on best practices, intelligence updates and training initiatives.

Even before the tragic events of September 11th 2001, the first response agencies of Western New York have worked in a collaborative environment to train, equip and respond as a region. We count among these partners the Niagara Region of Canada. Our International Joint Commission (IJC) has resulted in the Cross Border Contingency Plan, a historic first of its kind agreement in North America. The signatures' on this document represent a common goal between the Niagara Region of Canada including all of their municipal entities, the City of Buffalo, and the Counties of Niagara and Erie. The primary focus of the agreement, expedite appropriate resources in times of crisis regardless of the imaginary lines we define as borders. A secondary benefit is a regularly scheduled grass roots dialogue between international partners often missed at the federal level.

These efforts have resulted in maximizing collective talents regardless of jurisdiction. This project has lead to cross border exercises, planning events, and facilitation of our Canadian counterparts in Homeland Security trainings previously limited to U.S. citizens. One particular

effort that I take great pride in has been the cross training of personnel in the Incident Command System and hazardous materials. This partnership has resulted in timely notifications during incidents and more recently, investment in a common emergency management platform known as Disaster Lan or DLAN.

As for intelligence gathering I requested that one of our partner agencies, update me on the current cross border initiatives. I hope you appreciate the fact that my department doesn't have as our key mission an intelligence component but that we are kept in the loop and updated on key issues and concerns several times per week. My inquiry was directed to investigator, Fred Andriaccio, Troop A Counter-Terrorism Unit.

Investigator Andriaccio commented that his group is "actively involved in several cross border Intelligence and Information sharing initiatives including the Canadian American Law Enforcement Organization (CALEO), a monthly meeting that brings together numerous LE agencies from both sides of the border, meeting one month in Canada, the next in the U.S. WE also sponsor a very well attended educational training summit each year, this year it was in Buffalo, NY. The purpose is to network with agencies from across the border, as well as our own Law Enforcement partners, sharing intelligence information and educational training initiatives.

Another group is the Integrated Border Enforcement Teams (IBET) of which our Partnership Purpose and Goal is increasing the effectiveness of the Smart Border Action Plan signed by the US

Attorney General and the Canadian Solicitor General in December 2001. The IBET GIS Work Group was formed to support IBET's mission of securing the US/Canadian border by facilitating partnerships such as the Land Use/Land Cover (LULC). The LULC data and the partnerships developed through this project will support a joint Common Operational Picture (COP) that involves multiple law enforcement agencies.

In our New York State Police Counterterrorism Unit, we hold Counterterrorism Zone meetings, and the Canadian Law Enforcement and Emergency Response agencies are always invited.”

I attended the 2012 Counterterrorism Conference, held at the First Niagara Center in Downtown Buffalo. There was excellent attendance by our Canadian brothers and sisters in law enforcement and emergency responders. I would like to thank Investigator Andriaccio and note that my request for updates on his cross border projects and his prompt reply, should serve to reinforce the cooperation that exists among all of our agencies.

Some of our key Homeland Security Funded initiatives include, a 400 MHz interoperable platform allowing all fire agencies in Erie County to communicate with each other on a common spectrum. Our mobile operations command vehicles serve as a regional resource allowing numerous agencies in and out of Erie County the tools to more efficiently manage command and control during prolonged incidents and planned events. Currently our 911 system is being updated. This

critical upgrade will enhance all public safety answering points in the county with more accurate dispatch information. Funds have been dedicated to improve surveillance, detection update all hazard plans, plus equipment and train our first responder on the latest tactics.

Your Homeland Security funding efforts have allowed us to create the Western District Incident Management Team (IMT). This team consists of Federal Emergency Management Agency (FEMA) trained personnel from a 10 county region of Western New York. The team when requested responds to disasters within the state, assisting local, county and state agencies with emergency management, incident command solutions and incident action plan development. The team has already deployed to several disasters, including last year's devastating floods following Hurricane Irene, the 2010 Gowanda, New York floods and closer to home the crash of Flight 3407.

The list of accomplishments is impressive, the partnerships, priceless. Of concern however is the reduction of funded Urban Area Security groups. Many of these projects have reoccurring maintenance costs, calibration issues and personnel budget lines tied directly to the life of the grant. The co-chairs of the BEN region fully appreciate the current economic environment and the realization that everyone needs to share in reductions. We question the decision to depart from the established

threat and critical infrastructure based criteria. A short drive from this facility you will find our international crossings, the economic arteries of North America. You will also find the engine that powers the Northeast.

An area in need of better collaboration on the federal level involves the approval of Federal Communication Commission (FCC) licenses for first response agencies bordering Canada. Currently an agency, in addition to the traditional FCC application, must wait for cross border approval so as to avoid potential interference. Whereas I fully appreciate the need for communication channels to be vetted, the time frame for acceptance is excessive. Often times, despite a clear demonstration of negative interference, licenses are denied. Erie County applied for 400 MHz approval to activate our MED channels early in 2011. We have yet to receive approval. The end result, a key component of our county wide system designed to assist in ambulance tracking, mass casualty tactical operations and hospital status, remains silent.

With millions of Homeland Security dollars being dedicated to interoperable projects and tighter and tighter spend down time tables, it's imperative that constructive dialogue begin on rectifying this cross border public safety issue.

The FCC has been extremely accommodating and federal agencies on both sides of the border are aware, however this needs to be front and center on everyone's radar. It's a large border with thousands of agencies seeking a more efficient means of approval. Improvements in our ability to detect, deter, and respond shouldn't be negatively impacted by a lack of dialogue.

Chairman Meehan, Ranking Member Higgins, and members of the Subcommittee, let me conclude by reiterating my appreciation for the opportunity to provide testimony today. The first responders of Western New York have repeatedly answered the call. They faced the man made horrors of Ground Zero with our brothers and sisters in New York and the wrath of Mother Nature. Sustained funding for equipping and training of these individuals is critical to that mission. I thank you for your time and look forward to answering any questions.