

**STOPPING THE NEXT ATTACK: HOW TO KEEP
OUR CITY STREETS FROM BECOMING THE
BATTLEGROUND**

HEARING

BEFORE THE

**COMMITTEE ON HOMELAND SECURITY
HOUSE OF REPRESENTATIVES**

ONE HUNDRED FOURTEENTH CONGRESS

SECOND SESSION

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STOPPING THE NEXT ATTACK: HOW TO KEEP OUR CITY STREETS FROM BECOMING THE BATTLEGROUND

Wednesday, September 21, 2016

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC.

The committee met, pursuant to notice, at 10:19 a.m., in room 311, Cannon House Office Building, Hon. Michael T. McCaul (Chairman of the committee) presiding.

Present: Representatives Smith, King, Rogers, Duncan, Perry, Katko, Hurd, Carter, Loudermilk, McSally, Ratcliffe, Donovan, McCaul, Thompson, Jackson Lee, Langevin, Higgins, Richmond, Keating, Payne, Vela, Watson Coleman, Rice, and Torres.

Chairman McCAUL. The Committee on Homeland Security will come to order. The purpose of this hearing is to receive testimony on stopping the next attack, in keeping our city streets from becoming the battleground.

I now recognize myself for an opening statement.

This weekend, our Nation was shaken by terrorist attacks in Minnesota, New York, and New Jersey. We are thankful that no one was killed. Our thoughts and prayers go out to the injured victims and their families.

We are still searching for answers in this investigation. I appreciate your police department, Deputy Commissioner Miller, being here today to update us on this case. Sir, thank you for being here today.

Mr. MILLER. Thank you, Mr. Chairman.

Chairman McCAUL. Our hearts go out to the good people of New York.

The threat environment is as high as we have ever seen it, especially from radical Islamist extremists. Last year, this committee tracked the most home-grown jihadist plots ever in a single year in the United States, and 2016 could be even worse.

Americans are rightfully worried that our city streets are once again becoming the battleground. Fort Hood, Boston, Chattanooga, San Bernardino, Orlando. Some have said this kind of regular terrorism is the new normal. But I strongly reject that argument. Complacency is not an option. Terrorists are threatening American lives, our livelihood, and our way of life. We cannot falter with so much at stake.

That is why yesterday I released a National strategy to win the war against Islamist terror, with proposals for fighting the enemy

overseas and stopping radicalization in our communities. My strategy explains that one of our highest priorities must be to make sure our front-line defenders are better prepared to stop acts of terror. This means the police, fire, and other emergency professionals need to be able to detect suspicious activity and catch potential terrorists before it's too late. If a plot goes undetected, they must be equipped to respond quickly to prevent loss of life. We saw that play out this weekend when our first responders acted heroically to protect their fellow citizens.

So to the witnesses testifying today, I want you to know that this committee is grateful for your service to our communities and your sacrifices for our country. I also want to convey one message above all else, and that is that we have your backs. We are committed to give you the tools to fight terror. We are also committed to giving you the public support that you deserve in these challenging times.

It has been a hard year, especially for law enforcement. You have faced tough questions in the press, and you are staring down violence in our streets every day. That is why this committee has fought to protect important DHS grant funding that you rely on. In fact, later today, the House will vote on my bill to authorize an additional \$30 million in annual grants to help your communities guard against the dynamic terror threat, including active-shooter attacks, IEDs, and suicide bombers.

We have pushed Federal agencies to share intelligence with you and share it more quickly and comprehensively. We need to ensure the Federal Government properly incorporates the valuable CT information that you develop from the streets, the street intel, in the communities where you serve every day.

Today, I hope you will share with us what is working on the front lines and what is not. In particular, we want to know how we can better support you to respond to this unprecedented terror threat.

Last week, I went to the 9/11 memorial service and listened to all the nearly 3,000 names of those killed read aloud. We do this each year to remember the fallen and to honor the heroism we saw on that fateful day from first responders, from police, and everyday citizens.

Like those brave Americans we lost, our witnesses this morning have sworn an oath to protect our people. So before we start, let me just say again thank you.

[The statement of Chairman McCaul follows:]

STATEMENT OF CHAIRMAN MICHAEL T. MCCAUL

SEPTEMBER 21, 2016

This weekend, our Nation was shaken by terrorist attacks in Minnesota, New York, and New Jersey.

We are thankful no one was killed, but our thoughts and prayers go out to the injured victims and their families.

We are still searching for answers in this investigation, and I appreciate NYPD Deputy Commissioner Miller being here today to update us on the case.

The threat environment is as high as we have ever seen it, especially from radical Islamist terrorists.

Last year, this committee tracked the most home-grown jihadist plots ever in a single year in the United States. And 2016 could be even worse.

Americans are rightfully worried that our city streets are once again becoming the battleground: Fort Hood. Boston. Chattanooga. San Bernardino. Orlando.

Some have said this kind of regular terrorism is “the new normal”.

But I strongly reject that argument. Complacency is not an option.

Terrorists are threatening American lives, livelihoods, and our way of life. We cannot falter with so much at stake.

That is why yesterday I released a National strategy to win the war against Islamist terror, with proposals for fighting the enemy overseas and stopping radicalization in our communities.

My strategy explains that one of our highest priorities must be to make sure our front-line defenders are better prepared to stop acts of terror.

This means that police, fire, and other emergency professionals need to be able to detect suspicious activity and catch potential terrorists before it’s too late.

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It has been a hard year, especially for law enforcement. You have faced tough questions in the press, and you are staring down violence in our streets every day.

That is why this committee has fought to protect important DHS grant funding that you rely on.

In fact, last night the House passed my bill to authorize \$39 million in annual grants to help your communities guard against the dynamic terror threat, including active-shooter attacks, IEDs, and more.

We have pushed Federal agencies to share intelligence with you more quickly and comprehensively.

We need to ensure the Federal Government properly incorporates the valuable CT information you develop from the streets and communities where you serve every day.

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Like those brave Americans we lost, our witnesses this morning have sworn an oath to protect our people.

So before we start, let me just say again: “We thank you.”

Chairman MCCAUL. With that, the Chair now recognizes the Ranking Member, Mr. Thompson.

Mr. THOMPSON. Thank you, Mr. Chairman, and I would like to thank you for holding today’s hearing.

In light of the recent terrorist attacks in Minnesota, New Jersey, and New York, I would like to offer my sympathies to the victims and their families. I believe we all agree that terrorism and any other violence on our streets is an all-too-common occurrence. We must act boldly to stem this tide. I would like to thank the witnesses for their service.

Mr. Miller, thank you for coming to town. I know it is a very busy time for you and, obviously, you are still doing your work while you are before this committee today.

Sheriff Demings, thank you for your service. We still stand with Orlando and have not forgotten about the victims of the June terrorist attack.

Mr. Chairman, in just the past 4 months, incidents in Orlando, Dallas, Minnesota, New York, New Jersey have brought into sharp

focus the complex, diverse, and confounding nature of the lone-wolf threat. Those who are inspired to carry out such attacks do not neatly fit a single profile or espouse a single hateful or violent extremist ideology. We saw this scenario in the Orlando attack where the perpetrator espoused several conflicting ideologies and seemingly was not part of a terrorist cell.

Just this past Saturday, a lone actor, who is being investigated for possible ties to ISIL, attacked 10 people at a mall in Minnesota. Also last weekend, in New Jersey and New York, it is believed that the suspected bomber, who also shot two police officers, may have been inspired by al-Qaeda, and right now appears to have acted alone. In July, a perpetrator, who had no formal affiliation with any particular group but may have been inspired by a black separatist group, shot and killed 5 police officers in Dallas, Texas.

We know by now that our law enforcement is a target for terrorists. We also know that law enforcement's job is made more difficult by the availability of assault weapons. Earlier this month, one of our subcommittees received testimony from representatives of local law enforcement identifying the availability of guns and the lone-wolf threat as serious problems for police. In fact, I would note that one of our witnesses today, Chief Acevedo, has gone further in describing this challenge by stating that the wide-spread availability of guns in this country makes it possible for potentially dangerous persons to legally acquire weapons to cause mayhem and colossal casualties. Chief Acevedo goes on to state: Whether it is ISIS abroad or home-grown extremists, the threat exists and haunts police chiefs every day. I look forward to engaging Chief Acevedo on this point.

Even a terrorist knows that it is far easier to carry out an attack in the name of that ideology on U.S. soil with a gun than in Europe. A testimonial by one former member of ISIL published this summer underscores this point. The former terrorist explains ISIL's view on terrorist recruitment in the United States as follows: For America, it is easy to get them over the social network because Americans are dumb. They have open gun policies. We can radicalize them easily. If they have no prior record, they can buy guns. We don't need a contact man to provide guns for them.

Mr. Chairman, we have seen the scenario the former ISIL member mentioned unfold with assault weapons here in this country. We saw it in San Bernardino where perpetrators inspired by ISIL walked into a soft target and killed 14 people and injured another 22 with an assault-style weapon. Tragically, we saw it again this June in Orlando when a perpetrator walked into a nightclub and killed 49 people with an assault weapon.

Our witness, the sheriff of Orange County, immediately recognized the impact that assault weapons was having on our homeland security. As Sheriff Demings said in the aftermath of the shooting: We have to look at some of our gun laws and make a determination of what we stand for and just how prevalent some of these assault rifles are available today. Otherwise, if we don't make some modification, we are going to continue seeing some of what you see happening here now, here in Orlando.

Mr. Chairman, I wholeheartedly agree with you that radicalization and recruitment is a problem. But after 9/11, the Na-

tion made a vow not to give in to terrorism. Therefore, I will not concede that our city streets, the places where our constituents live, work, and play are at risk of becoming battlegrounds like Syria and Afghanistan. As lawmakers, we must make it more difficult for terrorists to carry out attacks on U.S. soil. Taking action to prevent terrorists from having access to assault weapons would be a good start. However, it seems that in the waning days of this Congress, there is more appetite for advancing un-American and counterproductive proposals, such as closing the borders to Muslims or ethnic profiling whole communities.

Secretary Jeh Johnson testified before this committee, noted that with the current threat picture, homeland security cannot be achieved without sensible gun control laws. It is time for us to rethink how we prevent terrorism.

With that, Mr. Chairman, I yield back.

[The statement of Ranking Member Thompson follows:]

STATEMENT OF RANKING MEMBER BENNIE G. THOMPSON

SEPTEMBER 21, 2016

In light of the recent terrorist attacks in Minnesota, New Jersey, and New York, I would like to offer my sympathies to the victims and their families. I believe we all agree that terrorism and other violence on our streets is an all-too-common occurrence. We must act more boldly to stem this tide.

In just the past 4 months, incidents in Orlando, Dallas, Minnesota, New York, and New Jersey have brought into sharp focus the complex, diverse, and confounding nature of the “lone wolf” threat. Those who are inspired to carry out such attacks do not neatly fit a single profile or espouse a single hateful or violent extremist ideology. We saw this scenario in the Orlando attack where the perpetrator espoused several conflicting ideologies and seemingly was not a part of a terrorist cell.

Just this past Saturday, a lone actor, who is being investigated for possible ties to ISIL, attacked 10 people at a mall in Minnesota. Also last weekend, in New Jersey and New York, it is believed that the suspected bomber, who also shot two police officers, may have been inspired by al-Qaeda and right now appears to have acted alone.

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In fact, I would note that one of our witnesses today, Chief Acevedo, has gone further in describing this challenge by stating that “the widespread availability of guns in this country makes it possible for potentially dangerous persons to legally acquire weapons to cause mayhem and colossal casualties”.

Chief Acevedo goes on to state “whether it’s ISIS a broad or home-grown extremists, the threat exists and haunts police chiefs every day”. I look forward to engaging Chief Acevedo on this point.

Even the terrorists know that it is far easier to carry out an attack in the name of their ideology on U.S. soil with a gun than in Europe. A testimonial by one former member of ISIL published this summer underscores this point.

The former terrorist explained ISIL’s view on terrorist recruitment in the United States as follows: “For America . . . it is easier to get them over the social network because the Americans are dumb—they have open gun policies.” “. . . [W]e can radicalize them easily and if they have no prior records they can buy guns . . . we don’t need a contact man to provide guns for them.”

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Our witness, the sheriff of Orange County, immediately recognized the impact that assault weapons were having on our homeland security. As Sheriff Demings said in the aftermath of the shooting, “we have to look at some of our gun laws and make a determination of what we stand for and just how prevalent some of these ‘assault rifles’ are available today. Otherwise, if we don’t make some modification, we are going to continue seeing some of what you see happening in now here in [Orlando]”

Mr. Chairman, I agree with you that radicalization and recruitment are a problem. But after 9/11, this Nation made a vow not to give into terrorism.

Therefore, I will not concede that our city streets—the places where our constituents live, work, and play—are at risk of becoming battlegrounds like Syria and Afghanistan. As lawmakers, we must make it more difficult for terrorists to carry out attacks on U.S. soil.

Taking action to prevent terrorists from having access to assault weapons would be a good start. However, it seems that in the waning days of this Congress, there is more appetite for advancing un-American and counter-productive proposals such as closing the borders to Muslims or ethnically profiling whole communities.

Secretary Jeh Johnson, testifying before this committee, noted that with the current threat picture, homeland security cannot be achieved without sensible gun control laws. It is time for us to rethink how we prevent terrorism.

Chairman MCCAUL. I thank the Ranking Member.

Other Members are reminded opening statements may be submitted for the record.

[The statement of Hon. Jackson Lee follows:]

STATEMENT OF HON. SHEILA JACKSON LEE

SEPTEMBER 21, 2016

Chairman McCaul and Ranking Member Thompson, thank you for holding today’s hearing entitled “Stopping the Next Attack: How to Keep Our City Streets from Becoming the Battleground.”

I want to wish Linden Police Officer Angel Padilla, a 14-year member of the force, and 12-year veteran officer Peter Hammer a full recovery from their injuries sustained during the arrest of Ahmad Khan Rahami.

My thoughts and prayers also to the 8 Minnesota victims and 29 New York victims injured during the terrorist attacks this weekend.

I would like to thank our witnesses for today’s hearing for sharing their knowledge and experience with the committee:

- Mr. John Miller, deputy commissioner, intelligence and counterterrorism, New York City Police Department;
- Chief Art Acevedo, chief of police for the city of Austin, Texas, who is testifying on behalf of the Major Cities Chiefs Association;
- Sheriff Michael J. Bouchard Oakland County Sheriffs Office, Oakland County, Michigan who is testifying on behalf of the Major County Sheriffs Association; and
- Sheriff Jerry I. Demings with the Orange County Sheriffs Office for Orange County, Florida.

It is important for the committee to hear from local law enforcement that represents our Nation’s first line of defense in the communities we represent.

They help to prevent, mitigate, and respond to as well as help recovery efforts following a terrorist’s incident as well as natural and man-made disasters.

September 11, 2016 marked the 15th anniversary of the attacks that killed 2,977 men, women, and children.

I stood on the East Front steps of the Capitol on September 11, along with 150 members of the House of Representatives and sang “God Bless America.”

As a Member of the House Committee on Homeland Security since its establishment, and Ranking Member of the Judiciary Subcommittee on Crime, Terrorism, and Homeland Security today’s hearing is of importance to me.

I want to thank and commend your work as first responders and your dedication to work in public service.

I know that each of you also know exactly where you were when the planes hit the World Trade Center Towers and the Pentagon.

This was a defining moment in modern American history, but it should not redefine who we are as Americans.

The focus of the work of this committee is to make sure that our Nation is secure from the threat of terrorism by providing guidance, oversight, and support for the work of the Department of Homeland Security (DHS), which includes the agency's support for the work that you and your members do every day to secure the Nation.

DHS has a vital mission: To secure the Nation from the many threats we face. This requires the dedication of more than 240,000 employees in jobs that range from aviation and border security to emergency response, from cybersecurity analyst to chemical facility inspector. Our duties are wide-ranging, and our goal is clear—keeping America safe.

DHS requires the cooperation and assistance of local law enforcement to accomplish its mission.

There are over 1 million firefighters in the United States, of which 750,000 are volunteers.

Local police departments have an about 556,000 full-time employees.

Sheriffs' offices reported about 291,000 full-time employees.

There are over 155,000 Nationally-registered emergency medical technicians (EMT).

Together, the Federal and local components working well together makes the case for our capacity and capability to defeat terrorist who seek to do us harm.

Recent events are an indication of what is possible when the Federal, State, and local law enforcement work together.

The purpose of today's hearing is to receive testimony from law enforcement officials regarding the evolving threats communities face.

Gun violence carnage that claimed the lives of more than 300,000 persons during the period 2005–2015, include the following:

1. On July 17, 2016, an offender shot and killed 6 police officers in Baton Rouge, LA. Three of the officers died and 3 were hospitalized.
2. On July 7, 2016, an offender shot and killed 5 police officers and wounded 11 others (9 police officers and 2 civilians) in Dallas, TX. The offender was killed by police with a remotely-guided robot loaded with an explosive. (Domestic Extremist)
3. On June 12, 2016, an armed assailant shot and killed 49 people and non-fatally wounded over 50 others in an Orlando, FL nightclub. After a 3-hour standoff with police, the assailant was killed by police. (Foreign Terrorist-Inspired Extremist)
4. On December 2, 2015, 2 offenders killed 14 people and wounded 21 others in San Bernardino, CA at a social services center. Both offenders were killed by police while resisting arrest. (Foreign Terrorist-Inspired Extremists)
5. On November 27, 2015, at a Planned Parenthood clinic, in Colorado Springs, CO, a lone offender shot and killed 3 people and wounded another 9 people with a semiautomatic rifle before surrendering to the police after a 5-hour standoff. (Domestic Extremist)
6. On July 16, 2015, in Chattanooga, TN, a lone offender killed 5 people and wounded another person at a military recruitment office and naval reserve center, before he was killed by police. (Foreign Terrorist-Inspired Extremists)
7. On June 17, 2015, in Charleston, SC, a lone offender shot and killed 9 parishioners and wounded another parishioner with .45 caliber pistol at the historic Emanuel African Methodist Episcopal Church. (Domestic Extremist)

Nearly 100 metropolitan areas have experienced mass shootings like these since 2013.

Mass shootings occur more frequently in States that do not require background checks for all gun sales, and analyses of mass shootings in the United States between 2009 and 2015 document that the majority of mass shootings occur in venues where the carrying of firearms is not restricted.

I have introduced two measures that specifically address issues of gun safety raised by the carnage over the last few years.

The first bill is H.R. 3125 "Accidental Firearms Transfers Reporting Act of 2015," which seeks to shed light on the gun purchase loophole that led to Dylan Roof's tragic possession of the firearm used to murder 9 innocent persons at Emanuel A.M.E. Church in Charleston, South Carolina, as well as the numerous other cases where a firearm was handed over to an unintended and potentially dangerous recipient.

The bill would require the director of the Federal Bureau of Investigations to report to Congress the number of firearm transfers resulting from the failure to complete a background check within 3 business days.

The FBI is further instructed to disclose and report on the procedures in place and actions taken after discovering a firearm has been transferred to a transferee who is ineligible to receive a firearm.

This bill directs the FBI to report on the erroneous transfer of firearms every 6 months to ensure internal oversight and effective monitoring to expose any other patterns or practices in need of administrative or legislative action.

I have also introduced, H.R. 5470, “Stopping Mass Killings By Violent Terrorists Act,” gives our law enforcement agencies another tool to help keep the most dangerous weapons out of the hands of home-grown terrorists.

H.R. 5470, the “Stopping Mass Killings by Violent Terrorists Act,” prohibit a firearms dealer from transferring a semiautomatic assault weapon or large capacity ammunition clips to a purchaser until the Attorney General has verified that the prospective transferee has truthfully answered new questions on the firearms background check questionnaire regarding contacts between the prospective purchaser or transferee and Federal law enforcement authorities.

Specifically, H.R. 5470 requires and provides that:

- (1) with respect too any firearm or large capacity ammunition feeding device, the Attorney General update the Background Check Questionnaire to include questions relating to the existence and nature of any contacts with Federal law enforcement agencies within the prior 24 months;
- (2) for a purchaser questionnaire, affirming the existence of contacts with Federal law enforcement agencies, that the purchase of a covered firearm cannot be consummated until affirmative approval is received by the FBI; and
- (3) with respect to any firearm or large capacity ammunition feeding device (LCAFD), any purchaser who refuses or fails to provide the information required, the Transferor (Seller) shall nevertheless submit the uncompleted questionnaire to the FBI for further review or investigation.

On average gun violence claims the lives of 90 persons each day. Since 1968, more than a million persons have died at the hand of a gun. The homicide rate in the United States is about 6.9 times higher than the combined rate in 22 other highly-developed and populous countries, despite similar non-lethal crime and violence rates.

I will add that the challenges to Homeland Security is not a matter of seeing the world as a binary choice—us against them whether we are speaking of an ethnic group or a religion.

Our fight against terrorists is long-term and evolving—they adapt as their ability to wage war on the battlefields abroad becomes more difficult.

This means that we must also adapt to effectively cut off their ability to influence those who are susceptible to their messages of violence.

We must recognize that the threats are not just from outside of the country, but also stem from domestic violent extremist groups.

It took September 11, 2001, for the world to fully understand the danger posed by al-Qaeda.

ISIS/ISIL, a new, and unfortunately, much improved version of al-Qaeda:

- sought out the Syrian conflict—where it could ferment more war and violence so that no governing order could be found;
- turned on any moderate or tolerant Muslim group engaged in conflict with Syrian government and murdered them; and
- conducted a “lightning war,” or blitzkrieg attack, into Iraq and formed the largest border disruption since World War II.

The ISIS/ISIL’s control stretches from the towns along the Syrian-Turkish border to Raqqa, in northern Syria, that once stretched across the obliterated Iraqi border into Mosul, Tikrit, and Falluja, through farming towns south of Baghdad—involving one-third of the territory of both Iraq and Syria are involved or impacted by this act of aggression.

As the tide has turned in the war against ISIS/ISIL they have focused their efforts on engaging and recruiting people to carry out violent acts in their name.

In the last year alone, ISIS has claimed responsibility for crimes, atrocities, and terroristic attacks, and deaths in Saudi Arabia, Yemen, Egypt, Beirut, Turkey, Paris, San Bernardino, California, and Orlando, Florida.

Our efforts to counter the influence of domestic and international violent extremist groups here at home we must recognize that this is not a matter of what we call the threat, but how we respond to the threat.

COUNTERING VIOLENT EXTREMISM

Countering Violent Extremism (CVE) both domestic and international in nature is a priority that the Nation and policy makers must face.

To succeed in the fight against violent extremism defined by the actions of ISIS/ISIL and Boko Haram we must use every asset available to stop the spread of the

violence they perpetrate as well as their ability to create safe havens in areas where government authority is not enforced or consistent.

The reality of the threat is no longer a matter of governments fielding armies or combatants—but the emergence of what is best described as a new form of geo-military transnational gang activity.

The affiliations of violent extremists individuals and groups are made up of loosely affiliated people who remaining independent—one individual or small group may identify with al-Qaeda today, and switch its identification to ISIL or al-Shabaab or Boko Haram depending on which group is perceived to be the strongest.

These groups require chaos to function and they attack institutions and people regardless of their religious or ethnic traditions to destabilize regions.

It is ironic and sad that the single greatest casualty group of ISIS/ISIL are Muslims—especially those who are women, children, disabled, and elderly.

There is a global refugee crisis in large part because of the upheaval in the region of the Middle East impacted by war that has lasted more than a decade because the United States made a bad decision to invade Iraq.

The repercussions of that one bad decision cannot be wiped away as easily as some would have many believe.

There are refugees who are seeking safety and the United States should be part of the nations taking in refugees.

A refugee to the United States is not the path a terrorist would take because it is hard, takes a very long time, and offers too much uncertainty regarding success.

Each applicant for asylum in the United States must:

1. register with the United Nations High Commissioner for Refugees;
2. provide background information, including what caused him or her to flee their home country (a ready means of comparing information provided by more than 1 million refugees to further verify the validity of the information provided);
3. meet 1 of 5 legal qualifications: Threat of violence based on race, religion, or faith or national origin; political beliefs; or membership in a targeted social group.
4. undergo a rigorous background check during which investigators fact-check the refugee's biography to ensure consistency with published or documented reports of events such as bombings or other violence;
5. be subjected to biometric tests conducted by the Department of Defense, in conjunction with other Federal agencies (the U.S. military has an extensive biometric database on Iraqis from its time in Iraq); and
6. sit for intensive in-person interviews, which may take months or years before they are conducted.

If, during the screening process, a person from Syria gives a response that raise red flags he or she is selected for more intense examination by U.S. intelligence agencies.

The process for those refugees from the conflict area who have entered the United States began with the High Commissioner for Refugees who referred 22,000 applicants to the United States for consideration.

The United States through its process only allowed 7,000 for further consideration for admittance and in its final decision permitted 2,000 individuals to be cleared for entrance into the country.

- The demographic breakdown of those Syrians who have been approved for refugee status to come to the United States is as follows: Children, 50%; persons over the age of 60, 25%; Combat age males, 2%.

I understand, as does the Chair and Ranking Member of this committee along with Members on both sides of the aisle that there is much more to the work that first responders do than most could imagine.

That is why I introduced H.R. 2795, the “First Responder Identification of Emergency Needs in Disaster Situations,” (FRIENDS Act), which was passed by the House.

The FRIENDS Act embodies the important and fundamental idea that we have an obligation to ensure that the first responders who protect our loved ones in emergencies, have the peace of mind that comes from knowing that their loved ones are safe while they do their duty.

The FRIENDS Act reflects stakeholder input and bipartisan collaboration with the Majority.

I am passionate about the work of those who dedicate themselves to public service.

As the Ranking Member of the Judiciary Committee's Subcommittee on Crime, Homeland Security, Terrorism and Investigations, I am working to support the work of law enforcement on the streets and neighborhoods of our Nation.

I hold in high regard the service of firefighters, law enforcement officers, emergency response technicians, nurses, emergency room doctors, and the dozens of other professionals who are the ultimate public servants.

First responders are called to serve and few outside of their ranks can understand why they do the work that they do each day—placing their lives in harm's way to save a stranger.

Law enforcement officers, fire fighters, and emergency medical technicians make our lives safer, while often at the same time putting their own lives at risk.

I am grateful for your service and look forward to your testimony.

Thank you.

Chairman MCCAUL. We are pleased to have a distinguished panel of witnesses here before us today on this topic. I want to thank all of you for being here today.

First, we have Chief Art Acevedo. He is my police chief and he is also my friend in my hometown of Austin, Texas. Next, we have Sheriff Michael Bouchard from Oakland County Sheriff's Office in Oakland County, Michigan. Next, we have Sheriff Jerry Demings from the Orange County Sheriff's Office in Orange County, Florida. Finally, Mr. John Miller, deputy commissioner for intelligence and counterterrorism at the New York City Police Department.

I want to thank all of you for being here, particularly Mr. Miller, who I know is very busy with the work and task at hand back home in New York. Thanks to all of you for being here.

I now would like to recognize Chief Acevedo for his opening statement.

**STATEMENT OF ART ACEVEDO, CHIEF OF POLICE, AUSTIN,
TEXAS**

Chief ACEVEDO. Good morning, Chairman McCaul, Ranking Member Thompson, and Members of the committee. I come here before you today as the first vice president of the Major Cities Chiefs Organization, which really represents 68 of the largest cities of the United States, and the chairman of the homeland security committee.

I want to, first of all, thank you, Mr. Chairman, and your committee for your outstanding leadership and your work in this vital area at a time when I think the threat not only continues to expand, but the consequences of terrorism are hitting our communities every day.

I can tell you that the one thing that keeps us all up is the issue of the lone wolf. We have been talking about lone wolves for several years now, but just in the last few days, we have seen the consequences of these needles in the haystack that can become radicalized. We can no longer call this an emerging threat. It is an imminent threat, it is an on-going threat, and it is a threat that we must continue to fight.

We have witnessed the horror of these lone wolves, not just this weekend, but in my own city. Although we are talking about Muslim extremists, we also have to keep in mind that we have our own home-grown extremists with very different views, including extremely left or right. They are extremists no matter which way you look at it and we can't lose sight of that.

As you recall, Mr. Chairman, about 3 years ago now, three Thanksgivings ago we had a young man by the name of Mr. McQuilliams, who was part of an extremist movement called the Phineas Priesthood, who on that Thanksgiving night went around

Austin trying to burn down the Mexican consulate with an AK-47 type of assault rifle, attacked the consulate, attacked the Federal courthouse, and attacked our headquarters, firing 108 rounds into our occupied headquarters, nearly striking one of our detectives, in the middle of the night. Fortunately, we had an American hero, a Texas hero, that was able to stop the threat with one shot. Only in Texas can a police sergeant take a shot, while he is being shot at with an AK-47 from 312 feet away, strike the suspect right in the heart, while holding two horses with one hand. I think it speaks to the professionalism of the American police officer and the courage, despite the National discussion around policing today, which I can tell you, as imperfect as it is, we still have the best Nation of cops serving.

Now, the lone wolf. We know that they are out there, we know that they are hurting us, we know that they are going to continue to hurt us; and radicalization is how they get to that point. It is important for this committee, especially for elected officials, to temper our comments and temper our broad brushes we are using to paint members of a community, of a religion, of a race, of a national origin as criminals or as terrorists. We know that individuals that feel marginalized or feel that they are not welcome end up being much more susceptible to radicalization, whether it is from a street gang or an Islamist overseas that is using social media to radicalize folks. So it is critical that we continue as police departments and sheriff's departments and as a Nation to build bridges, to make people feel welcome.

The communities that we serve, whether they are Muslim, African American, Hispanic, Asian, Christian, Jewish, they are our greatest force multipliers. They are the ones that are going to spot the suspicious behavior. They are the ones that have to feel that they are embraced and welcomed by law enforcement and by this Nation, that they can come forward.

If you look at just what happened in New York City, it was a community member that found one of the unexploded devices. It was, I believe, a member of the Sikh community, that happened to own a bar, that trusted the New York City Police Department, that felt that they are included by the New York City Police Department, embraced by the New York City Police Department, and came forward and helped the New York City Police Department capture that suspect before he can carry out more terror in our Nation.

So again, outreach is key, and we look forward to continuing to do just that for our community.

The criminal intelligence enterprise, Mr. Chairman, you know, is really important to us. We continue to work on the National level with the sheriff's departments, with their intel commanders groups to really be able to tie some of the issues that we see across the country to be able to not just disrupt but to prevent terrorism. I look forward to talking about that.

One of the areas that we really need help is the Law Enforcement Terrorism Prevention Program. There is really no National coordination, no designated official at DHS with responsibility to prepare and implement a terrorism prevention plan, and LETPP really needs to be explored and, hopefully, absolutely strengthened.

One of the biggest frustrations I have as a police chief, and I think my colleagues will share this, is as it relates to grant funding and the distribution of funds, FEMA is still not the right organization to be spearheading that. FEMA is much, much too—too much focused on response. Well, if we are responding to a terrorism attack, we have already failed the American people. We have got to have another office that understands the importance of prevention and the importance of disruption. Unfortunately, FEMA, despite our efforts as police executives to put more effort in terms of funding for prevention and disruption, continues to focus on response. My response to that is, it is too late, not only in terms of the psychological impact on this Nation and the economic impact. We failed at that point. So we really want you to look really hard at how those funds are being distributed and who is responsible for those funds being distributed.

The law enforcement leadership position at DHS, the assistant secretary of local law enforcement, was established by Congress, but the position still cannot deliver the results that I think was the vision of Congress, because it lacks authority, budget, and staffing.

We hope that you will consider remedying this organization by further directing DHS to put some teeth into that position. Fortunately, the incumbent assistant secretary of law enforcement, Heather Fong, continues to work with us. But she is able to do so because of the efforts of Deputy Secretary Mayorkas, who has played an integral role in helping her despite those challenges.

Encryption, as we have discussed, Mr. Chairman, continues to be a great challenge. I hope that we will look at having industry, when we put in a search warrant, not sit on it, not sit on it for days on end when we have seconds, hours, minutes to try to disrupt the next attack, whether it is from a person with mental illness, an Islamic radical, or some other radical. We have to have laws that make these things a priority. I can tell you that is extremely frustrating.

I want to also say that emergency communications is an ongoing priority for us at the Major Cities. I want to thank Congressman Donovan and Ranking Member Payne for your leadership in making communications a stand-alone asset at the Federal level.

Last, UASI. As you know, we were a UASI city in Austin. We are no longer UASI. The funding has really been reduced to about one-third. We hope and pray that, today, that your bill, Mr. Chairman, 5859 passes, because it will be instrumental in helping us to continue to prepare and disrupt and respond to the next threat.

Mr. Donovan, I just want to say thank you and, Chairman McCaul, for 5308, which is really doing what we should do. It is kind of like asset forfeiture from drug traffic organizations. We absolutely should take the interest from terrorist organizations and invest that interest in the safety of the American people and in the safety of our communities from everyday crime and from terrorism.

So I thank you all for your leadership, and I look forward to the discussion.

[The prepared statement of Chief Acevedo follows:]

PREPARED STATEMENT OF ART ACEVEDO

SEPTEMBER 21, 2016

Chairman McCaul, Ranking Member Thompson, and Members of the committee: The central purpose of this hearing is the paramount responsibility of the Department of Homeland Security (DHS)—to prevent a terrorist attack on the American people. The events of this week remind us that the threat is real and we must be more vigilant than ever before.

I appear before you today on behalf of law enforcement executives in every major urban area of our Nation, where each of us has taken a solemn oath to protect the communities we serve.

It is my honor to serve as the first vice president and as the chairman of the homeland security committee for Major Cities Chiefs. Major Cities Chiefs is an organization of the 68 largest cities in the Nation, representing virtually every significant target of a terrorist attack.

I come before you today as the Chief of Police in Austin, Texas and will begin by thanking my Congressman, your Chairman, for the opportunity to testify about what is on the minds of every American, “where will terrorism strike next and what measures will we take to help keep us safe?”

THE “LONE WOLF”—AN ON-GOING THREAT

Radicalized persons living in the United States can no longer be called “An Emerging Threat.” Everyone recognizes the threat of an individual or a small group of radicalized individuals, who are either acting alone or as agents, are inspired by a foreign terrorist organization. Persons vulnerable to radicalization can be easy prey and ISIS has made headway in recruiting via the internet. While we can occasionally track those who go overseas for terrorist training, we will never be able to determine how many here in the United States that succumb to internet propaganda.

We have witnessed with horror how one or two armed terrorists can prey upon the innocent public with catastrophic consequences. While the incidents over the past weekend included explosive devices, we have seen massive casualties without explosives and fully automatic weapons. The wide-spread availability of firearms in our country makes it possible for potentially dangerous persons to legally acquire weapons to cause mayhem and colossal casualties. We have witnessed this carnage in a California county office building and a Florida nightclub. Whether it’s ISIS abroad or home-grown extremists, the threat exists and haunts police chiefs every day.

COMMUNITY ENGAGEMENT—OUR BEST DEFENSE

An isolated extremist or small group of radicals are likely to be noticed during everyday community life. We must redouble our efforts to form partnerships with community leaders, especially in the Muslim community. Law enforcement executives like myself are reaching out across the Nation to establish working relationships to counter violent extremism. We commend the Appropriations Committee for establishing a grant program that is now underway at the Department of Homeland Security (DHS) to fund innovative community-based programs to counter violent extremism. Best Practices must be replicated and pilot efforts must become a wide-spread policy in every community.

Key actions to stop a “lone wolf” are less likely to come from Federal intelligence or international communication intercepts. Our defense against violent extremists is the community itself. Information is received when we have the trust of the community we serve. We may hear this information from neighbors, co-workers, and family members. We have but to look back on the events of the past few days:

- The explosive devices in New Jersey were found by members of the public who called police; and
- The suspect arrested on Monday was identified by a business owner who called police.

These current cases show what police chiefs and sheriffs already knew—nothing is more important than public awareness and public reporting. Sadly, we have seen examples where information about suspicious behavior came after the incident making it too late to prevent an attack. More must be done to encourage the public to enforce “See Something, Say Something.”

Suspicious Activity Reporting Program (SAR) was developed and piloted with Major Cities Chiefs and provides critical information to the FBI to this day. Mr. Chairman, we recommend that you consider how to strengthen this vital program.

THE CRIMINAL INTELLIGENCE ENTERPRISE (CIE)—LOCAL INTELLIGENCE OFFICERS

Major Cities Chiefs has joined with Major County Sheriffs to form a network of senior intelligence officers from every urban area, an organization without precedent in this country. Each jurisdiction has designated an intelligence commander. I am pleased to be with one of them today at the witness table, Deputy Commissioner John Miller of New York City. Working as a team, these intelligence commanders exchange information and share intelligence about threats, how to prevent attacks, and how to respond. We coordinate these efforts with the FBI JTTF in each urban area, the fusion centers, and DHS. DHS I&A has provided support to develop a system for sharing information between the intelligence commanders.

How do our local operations relate to those of the FBI and DHS? Chiefs and Sheriffs must determine how and where to deploy personnel for both prevention and response.

- If there is an attack in Europe on public transportation or intelligence that we face such a threat, who decides if there should be armed tactical teams to deter and respond at key transportation points? Local law enforcement makes that decision.
- If there is an attack in Europe at a major sporting event or intelligence that we face such a threat, who steps up surveillance and ramps up security measures at these venues? Local law enforcement makes that decision.
- If there is an attack in the public area of a European airport or intelligence that we face such a threat, who takes measures to strengthen airport security? Local law enforcement makes that decision.

While we are partners with DHS and the FBI, neither Federal agency can take the steps I have described in these examples. That's why we established the Criminal Intelligence Enterprise (CIE)—so we can collaborate on measures to protect the public from harm—the very purpose of this hearing.

LAW ENFORCEMENT TERRORISM PREVENTION—OUR COMMON PURPOSE

There is no more important and no more neglected program than LETPP—the Law Enforcement Terrorism Prevention Program. Once a hallmark of Congressional intent to prevent a terrorist attack on the homeland, LETPP has become little more than a bureaucratic requirement, Governors must “check the box” for their funding from the Federal Emergency Management System (FEMA). There is no National coordination and no designated official at DHS with responsibility to prepare and implement a terrorism prevention plan. The committee must share in the blame—because Congress has never empowered the Assistant Secretary for Law Enforcement to assume this responsibility. Worse yet, FEMA has downgraded terrorism prevention from the program established by Congress to a bureaucratic definition now call “Law Enforcement Terrorism Prevention Activities”. FEMA has renamed LETPP to LEPTA, merely “Activities”, thus confirming there is no FEMA commitment and no DHS program to coordinate local law enforcement efforts to prevent terrorism.

LAW ENFORCEMENT PROGRAMS AND FUNDING AT FEMA—AN ON-GOING MISTAKE

So long as this committee leaves FEMA in charge of law enforcement grants and programs, critical priorities will be neglected and public safety will suffer. Consider the background, mission, culture, and leadership at FEMA, and try to find anything that relates to law enforcement and terrorism prevention.

Let me offer a recent and compelling example—the funding which the Appropriations Committee has provided in response to recent terrorist attacks in Paris, San Bernardino, Brussels, and Istanbul. Termed Complex Coordinated Terrorist Attacks, this is the worst of the worst. But we heard nothing from FEMA about what has been planned and we were given no opportunity for input. The Federal agency focused on natural disasters did not have the right approach to stop terrorists. We learned that FEMA had no plans to use any of the \$50 million for law enforcement operations or prevention of a terrorist attack. Thanks to the Deputy Secretary and the Assistant Secretary for Law Enforcement, FEMA has been asked to reconsider and recast the planned program.

Neither the administration, nor DHS can correct this misplaced responsibility. Only Congress can put law enforcement programs and terrorism prevention on the right track, which is not under the direction of FEMA. We turn to this committee today and ask that you consider a new way forward where law enforcement and terrorism prevention would be extracted from beneath the FEMA bureaucracy and placed in an appropriate and prominent position at DHS—empowered to address the highest priority for us all—protection of the American people from any terrorist attack.

LAW ENFORCEMENT LEADERSHIP AT DHS

Congress established the position of assistant secretary for local law enforcement, but the vision of Congress remains unfulfilled to this date. The position you created has been unable to realize even a small fraction of the potential foreseen by Congress. The position cannot deliver needed results because it lacks authority, budget, and staffing. On behalf of every major city in America, we ask the committee to consider legislation to remedy this critical weakness in the organization of DHS. Unless Congress acts to empower this position, the assistant secretary represents a token gesture toward public safety and only a hollow shell of law enforcement at DHS. But this need not continue, with your leadership and partnership, DHS can do so much more for public safety. We implore you to legislate appropriate authority and resources for this key position at DHS.

Incumbent Assistant Secretary for Law Enforcement Heather Fong has been extremely effective because her efforts have had the strong support of Deputy Secretary Mayorkas. At the time of his nomination, the Deputy Secretary pledged to law enforcement that he would listen to us and direct needed changes at DHS. I am here to report that he has kept his word on a wide range of critical issues, including his strong support to empower the assistant secretary. Without his leadership and personal commitment on law enforcement issues, the committee would hear loud complaints indeed. So long as this committee leaves law enforcement programs buried under the FEMA bureaucracy and fails to grant authorities to the assistant secretary for law enforcement, our priorities are addressed only when directed by the deputy secretary. Mr. Chairman and Members of the committee—please know that our successes at DHS are not because of the current organizational structure—progress has been made in spite of it.

ENCRYPTION—A THREAT TO PUBLIC SAFETY

Law enforcement leaders embrace encryption and respect privacy rights. Police agencies themselves have been the victim of unlawful intrusions, cyber attacks, and the theft of sensitive data. To protect privacy and unreasonable searches, police are trained to follow strict procedures and required by law to obtain court orders when obtaining protected evidence. These established laws and procedures have served Americans well, and represent the balance between individual rights and protection of the public.

New measures designed to safeguard data security and privacy have thrown off the balance and have had an unintended result—they prevent local emergency responders from helping persons in danger and apprehending offenders who prey on the public. Both encryption technologies and proposed privacy measures have crossed over the point of balance and go to such extremes that police and sheriffs are prevented from discharging our most fundamental duty—protection of the public.

When police and sheriffs have a court-approved warrant, or there is an immediate threat of grave harm, service providers should respond with urgency, but that is not the reality we now face. Until the recent refusal by Apple to assist the FBI with a phone recovered by the San Bernardino terrorists, the public was not aware that police routinely face delay and roadblocks when attempting to obtain information from service providers and cellular device manufacturers—even when that information is needed to save lives and has been directed to be provided through a court order.

When lives are in danger and violent offenders seek to prey upon the public, the industry should not be permitted to ignore court orders—no entity is above the law and no business model purposefully crafted to thwart criminal investigations should be acceptable to this committee. We are grateful for the efforts of the Chairman to address this issue and we pledge our continuing support to restore the balance between privacy and public safety.

EMERGENCY COMMUNICATIONS—AN ON-GOING PRIORITY

We commend the committee and wish to express our appreciation for your response to our concerns about the priority of emergency communications. When 5 National associations, including the Major Cities Chiefs, expressed our grave doubts about the proposed DHS reorganization—you responded with legislation that did exactly what is needed—your reorganization bill would remove emergency communications from beneath cybersecurity and place it in the prominent position where it belongs, with a line item budget so that first responders can see the level of funding devoted to our lifeblood—emergency communications. Our grateful thanks to Con-

gressman Donovan and Ranking Member Payne for their leadership on these vital issues.

URBAN AREA SECURITY INITIATIVE (UASI)—A GREATLY DIMINISHED RESOURCE

Urban Area Security Initiative (UASI) represents the responsibility that each of you shares with a chief of police—protecting the American people from harm. Major Cities Chiefs counts every one of the UASI cities in our membership and that means we have a direct tie to the important work of this committee, but the UASI program designed to support preparedness and prevention efforts has been diminished as the threat has increased. UASI is a small shadow of what it once was. The President's budget cuts UASI to \$330 million, if you add the State Homeland Security Grant Program proposal for \$200 million, that is a total of \$550 million, just a third of the more than \$1.6 billion in 2009 and 2010. These cutbacks have severely hampered the critical efforts of fusion centers and homeland security programs in the major urban areas—at a time when they are needed more than ever before.

THE WAY FORWARD

Mr. Chairman and Members of the committee, chiefs of police and sheriffs are grateful for all you do. We look to you for leadership, we cannot accept the status quo, that is not leadership. Thanks to Chairman McCaul and the committee, today's hearing is an opportunity to take a fresh look at what can be done to strengthen the security of our homeland. From here I will go to meet with Chairman Carter to encourage the mutual efforts of your colleagues on the Appropriations Committee. We call upon you to legislate needed changes that will strengthen the partnership between law enforcement and the Department of Homeland Security. Our common bond is the safety of the public we have sworn to protect.

Chairman MCCAUL. Thank you, Chief Acevedo.
The Chair recognizes Sheriff Bouchard.

**STATEMENT OF MICHAEL J. BOUCHARD, OAKLAND COUNTY
SHERIFF'S OFFICE, OAKLAND COUNTY, MICHIGAN**

Sheriff BOUCHARD. Well, good morning, Chairman McCaul, Ranking Member Thompson, and distinguished Members of the committee. My name is Michael Bouchard. I am the sheriff of Oakland County and I have been in law enforcement for almost 30 years, and run one of the Nation's largest sheriff's offices. I will be speaking briefly, but in my actual testimony I submitted, I go into greater depths. So we will kind-of be at a 30,000 feet on this.

I am the vice president in charge of government affairs for Major County Sheriffs' Association of America, and I am testifying on their behalf. Like all of you and all of our fellow Americans, on 9/11, our world was changed dramatically. I was proud to lead a team to work at Ground Zero immediately after the attack. Over the past 15 years, our country has made great progress in our ability to prepare for, respond to, and prevent terrorist attacks.

The men and women of law enforcement work every day to ensure our individual communities and our local neighborhood streets, as the Chairman said, do not become the next battleground.

The nature of violence in America and around the world has evolved, and as the good chief mentioned, the expansion of encryption, the use of social media for mass propaganda, inspiration of lone-wolf attacks, and selective recruitment is very evident and very prevalent.

We in the law enforcement community find ourselves in a new age where criminals and terrorists enthusiastically operate beyond the confines of law through encrypted networks and applications in mobile devices. The MCSA partnered with the Major Cities Chiefs

to examine that issue at depth of going dark. I would like to submit our joint paper into the record, Mr. Chairman, following this discussion.

Chairman MCCAUL. Without objection so ordered.*

Sheriff BOUCHARD. The home-grown violent extremists are another example of the evolving dynamic threat environment facing local law enforcement. HVEs can come from a variety of backgrounds and driven by either religious or ideological factors. They present a uniquely dangerous situation for local law enforcement because they are familiar with U.S. customs and day-to-day activities.

Robust community engagement, as was mentioned by the chief, is very important and a direct way of combatting violent extremism. It requires commitment from the agency leadership to meet with leaders of diverse communities. Through dedication and consistency, those relationships become resilient.

As evidenced by recent radical Islamic terrorist attack in San Bernardino and others, the threat to public safety and National security posed by our Government's refugee and visa programs are real. When a query is conducted and no information is available from their home country, it is impossible to verify the information needed to make an informed decision on the threat level posed by an applicant.

The DHS OIG published a report on Monday that found the U.S. Citizenship and Immigration Services granted citizenship to over 800 individuals from special interest countries who had been ordered deported or removed under a different name. That is the vetting process we are talking about. The Refugee Act requires Federal Government to consult regularly with State and local governments concerning sponsorship process and the intended distribution of refugees to State and localities.

Despite this requirement, no one from the Federal Government has made any effort to consult with my county or members of our association on this issue. There has been over 1,200 refugees settled in my State, with the majority in my county, and not one phone call.

With the increased threat environment, law enforcement has been continually asked to do more with less. The President has proposed a fiscal year 2017 budget that cuts UASI funding by 45 percent. The total amount of SCAAP reimbursements received have been reduced every year.

Through executive action and not legislation the administration recalled certain 1033 military surplus equipment. On the same day as the San Bernardino terror attack, my office received an order to return an armored personnel carrier to be destroyed because it looks too militarized.

An armored vehicle pulls up every day at a bank or a grocery store to protect money and it is viewed as normal. But if law enforcement pulls up in the same vehicle at the same building to protect lives, somehow it is bad.

*The information has been retained in committee files and is also available at https://www.majorcitieschiefs.com/pdf/news/going_dark_april_2016.pdf.

In fiscal year 2016, Congress allocated \$39 million to DHS for a grant initiative specifically to help local governments prepare, prevent, and respond to complex coordinated attacks. Law enforcement stakeholders proactively offered suggestions to FEMA to address law enforcement needs, and we are quickly approaching fiscal year 2017 and no progress has been made on that issue either.

After I self-deployed at the direct request of involved agencies to Ground Zero and Hurricane Katrina, we engaged in great dialog with FEMA about how to formulate, create, equip, and train regional response teams. Where does that program stand today? I don't know. It has been 2 years we worked on that and it has completely fallen off the map.

Despite the administration claims, our borders are more secure than ever. Undocumented individuals continue to illegally enter the homeland. If we don't have border security, we do not have National security.

I would like to thank the committee and its staff for all of their work. Bipartisan and countless bills have passed this committee with the aim to secure our homeland. I would also like to thank the Chairman for his commitment and collaboration and willingness to engage us in local law enforcement. It is greatly appreciated and often not heard at other levels. I would also like to thank the committee, and I look forward to each of your questions. Thank you, sir.

[The prepared statement of Sheriff Bouchard follows:]

PREPARED STATEMENT OF MICHAEL J. BOUCHARD

SEPTEMBER 21, 2016

Chairman McCaul, Ranking Member Thompson, distinguished Members of the committee, thank you for inviting me to testify this morning on behalf of the Major County Sheriffs' Association.

I am currently serving my fourth 4-year term as Sheriff and have been in law enforcement for almost 30 years. I run one of the largest Sheriff's Offices in the country where I oversee 1,300 employees and manage an annual budget of over \$141 million dollars. We provide police, jail, and court services for over 1.2 million people and nearly 1,000 square miles. In addition to serving the people of Oakland County, I am also the vice president and chair of government affairs of the Major County Sheriffs' Association of America (MCSA). The MCSA is an association of elected Sheriffs representing our Nation's largest counties with populations of 500,000 people or more. Collectively, we serve over 100 million Americans.

I, like you, felt the world change on 9/11. I was proud to lead a team to work at Ground Zero immediately after the attack. To me, it was one of the worst days in our Nation's history and at the same time, was also one of the proudest. In the depth of that pain, suffering, and shock, we showed great support and love for each other.

Over the past 15 years, our country has made great progress in our Nation's ability to prepare for, respond to, and prevent terrorist attacks here in the United States. The men and women that make up the local law enforcement agencies in the United States are committed to this effort. We work every day, every night, and every holiday, to ensure that our individual communities and our local neighborhood streets are not the next battleground in this on-going effort. On 9/11 many selfless sacrifices were on display that day. Those kinds of selfless sacrifices have continued to this day but unfortunately, we don't see the unity or the laser focus on how we can defeat this dangerous enemy. I thank you for making it your focus.

Threat Evolution.—The nature of violence in America and around the world has evolved as has the expansion of encryption, use of social media for mass propaganda, inspiration for lone-wolf attacks and selective recruitment. It is no secret that social media has played a primary role in the unprecedented uptick of ISIS sympathizers and disciples. Through the George Washington University Program on Extremism, over 300 American and/or U.S.-based ISIS sympathizers have been

identified on-line as actively spreading propaganda.¹ Since March 2014, 85 individuals across 24 States have been charged in the United States with offenses related to ISIS and it has been reported that since the fall of 2015, roughly 250 Americans have traveled or attempted to travel to join ISIS.²

With the influence of ISIS inspiring acts of abhorrent violence, we are reaching a National crisis point. As ISIS and other terrorist groups, such as al-Shabaab, reach out to individuals within the United States, the threat of lone-wolf attacks on U.S. soil is increasing. Instead of luring radicalized Americans overseas, the Islamic State encourages actors to stay home and carry out their acts of terror on the motherland.

LE Preparedness.—Law enforcement is the first group to respond to areas in times of emergency, with the great responsibility to act quickly and effectively in times of terror and uncertainty. This was clearly shown in San Bernardino and Orlando. Securing the homeland cannot be an afterthought—law enforcement regularly and proactively prepares for the unthinkable and as the threat picture and nature of violence has evolved, so too has local law enforcement.

After the attacks in Mumbai, I contacted all the chiefs in my area of responsibility and called on us to train together on a regular basis. Further, we needed to train on the same tactics so we could respond and meld together immediately should a similar scenario develop in my AOR. We have since trained thousands of police officers. Local police are now directly responsible for responding to the changing threat matrix.

HVE.—Home-grown Violent Extremists (HVE's) are an example of the evolving and dynamic threat environment facing local law enforcement today. HVE's can come from a variety of backgrounds and can be driven by either religious or ideological factors. These individuals often become radicalized through social media or other on-line propaganda. HVE's present a uniquely dangerous situation for local law enforcement because they are often very familiar with U.S. Customs and the day-to-day activities of the community and neighborhood where they live. This makes them hard to detect, and as their path to radicalization advances, they are often able to commit their violent acts with little or no warning for local law enforcement in their community.

Over the past year or so, we have seen incidents like this unfold in Chattanooga, TN, San Bernardino, CA, and Orlando, FL.

Community Engagement.—Robust community engagement efforts are a direct way of combating violent extremism in local communities. Community engagement requires commitment at all levels in a local law enforcement agency. It requires commitment from agency leadership to reach out and meet with leaders from the diverse communities in their jurisdiction. These relationships are not built overnight, but through dedication and consistency, the relationships become resilient. Trust is built one day at a time. Trust is built one situation at a time. Furthermore, a robust community engagement effort also requires commitment from dedicated engagement units/teams. These supervisors and deputies are the faces of our law enforcement agencies in the community. They attend the events; they host law enforcement-led roundtables; they host citizen academy classes; they teach cultural awareness to other law enforcement officers; and, most importantly, over time, they become the first point of contact for family members, teachers, or coaches if they observe something that is not right.

Encryption.—Law enforcement officials' ability to lawfully access digital evidence has been severely hamstrung by technological advancements and non-technological barriers to access. We in the law enforcement community find ourselves in a new age where criminals and terrorists enthusiastically operate beyond the confines of the law through encrypted networks, applications, and mobile devices. The encrypted applications used for preplanning and coordination among the Paris attackers may have prevented the advance detection of the attacks, but the cell phone of one of the terrorists recovered outside the Bataclan theater helped investigators apprehend the ringleader of the attack, Abdelhamid Abaaoud. When law enforcement officials identified Abaaoud's cousin in the phone's call list and her location, Abaaoud was finally located.³ It was later confirmed that Abaaoud died in the detonation of a suicide bomb during the raid.

¹ <https://cchs.gwu.edu/sites/cchs.gwu.edu/files/downloads/ISIS%20in%20America%20-%20Full%20Report.pdf>.

² <https://cchs.gwu.edu/sites/cchs.gwu.edu/files/downloads/ISIS%20in%20America%20-%20Full%20Report.pdf>.

³ <http://www.nytimes.com/2016/03/20/world/europe/a-view-of-isis-evolution-in-new-details-of-paris-attacks.html>.

Refugees.—As the highest law enforcement officer in our counties, our mandate and priority is to protect our communities. The communities we serve are vibrant and encompass a myriad of nationalities, perspectives, and cultures. As a Nation of immigrants, we are sensitive to the humanitarian needs of refugees being persecuted in their home country, but it must first be weighed against protecting the homeland from those that seek to harm America.

The current administration claims Syrian refugees will be sufficiently vetted via “enhanced security screening” and the American people should not be fearful of “women and children” being allowed entry into the country. However, FBI Director Comey sat before this very committee and stated, “We can only query against that which we have collected. And so if someone has never made a ripple in the pond in Syria in a way that would get their identity or their interest reflected in our database, we can query our database until the cows come home, but there will be nothing show up because we have no record of them.”⁴

The threat to public safety and National security posed by the Federal Government’s refugee and visa programs are real, as evidenced by the recent radical Islamic terrorist attack in San Bernardino. The female attacker entered the United States in 2014 on a K-1 Visa and despite being “vetted,” the process did not uncover her intentional use of a false address in Pakistan, her contacts with other radical jihadists, or her own radical ideology—an ideology she openly expressed on her Facebook page. Consequently, she was allowed into the United States without any restrictions and was able to fly under the radar without any red flags being raised prior to the attack.

The current vetting process for refugees is entirely insufficient. When a query is conducted and no information is available from their home country to help validate the information submitted on the application, it is impossible to adequately verify all of the information needed to make an informed decision on the threat level posed by the applicant.

All refugees allowed to enter the United States should be closely monitored by the Federal Government and their personal information and resident address should be provided to local law enforcement agencies (LEA) immediately upon their placement into a community to ensure sufficient oversight and facilitate communication between Federal, State, and local LEAs. In fact, the Refugee Act (Pub. L. 92–212) specifically requires the Federal Government to consult regularly with State and local governments and private nonprofit voluntary agencies concerning the sponsorship process and the intended distribution of refugees among the States and localities.⁵ Despite this requirement, no one from the Federal Government has made any effort to consult with my county or other members in our association. There have been over 1,200 refugees settled in my State with the majority in my county which makes us the top 2 in the Nation.

Political correctness should not prevent proactive compliance protocols from being implemented and enforced on those allowed to enter the country and participate in the refugee program. ISIS has stated they intend to imbed terrorists in the refugee program and we should take them at their word. Since the vetting process is demonstrably insufficient to prevent terrorists from posing as true refugees, it should be suspended from countries of interest until such time as its process ensures not a single refugee enters the homeland under false pretenses. Consequently, the Federal Government’s plan to dramatically increase the number of refugees into America from countries of interest is extremely concerning and, in its current state, has the very real potential to compromise National security.

Prison Radicalization.—Prison radicalization and recruitment is an on-going concern. Former Director of the Bureau of Prisons, Harley Lappin, testified back in 2003 before the Senate Judiciary Subcommittee on Terrorism, Technology, and Homeland Security where he stated, “We know that inmates are particularly vulnerable to recruitment by terrorists and that we must guard against the spread of terrorism and extremist ideologies . . . In addition, our institutions work closely with the Local Joint Terrorism Task Forces (JTTF) to share information and intelligence about these inmates.”⁶ Many of our MCSA members devote both personnel and resources to these JTTFs without Federal reimbursement.

Influential radicalized inmates pose a series of complex challenges to law enforcement officials—they can encourage other prisoners, upon release, to go to specific locations in an effort to further their extremist ideologies and can urge inmates to incite violence within the facility posing a substantial risk to prison security.

⁴ <https://homeland.house.gov/press/nations-top-security-officials-concerns-on-refugee-vetting/>.

⁵ <http://uscode.house.gov/statutes/pl/96/212.pdf>.

⁶ https://www.judiciary.senate.gov/imo/media/doc/lappin_testimony_10_14_03.pdf.

Grants.—With an increased threat environment, law enforcement has continually been tasked to do more with less. Cost implications coupled with a heightened security environment is simply unsustainable. In an era of deep budget cuts and lack of Federal funding, State and local law enforcement does not have the necessary funds, and most recently access to necessary life-saving equipment.

Grant programs such as the State Homeland Security Grant Program (SHSP) and the Urban Areas Security Initiative (UASI) work to address gaps in local agencies capabilities for responding to terrorist threats. Other programs such as the Edward Byrne Memorial Justice Assistance Grant Program (JAG) have a broader focus of providing critical funding to support a range of different program areas. Over the past few fiscal years, law enforcement has seen a steady decline in Federal grant funding and most recently, President Obama’s fiscal year 2017 budget request cut UASI funds by 45 percent. The amount of monies we receive for these new and evolving threats is a trickle at best. Also, our brothers and sisters in fire service receive grants for personnel with no match. Police grants typically have at least a 25% match so the communities in the greatest need due to financial distress caused layoffs do not have the financial ability to accept the grant due to cost implications.

In 1994 the Bureau of Justice Assistance (BJA), U.S. Department of Justice began to administer the State Criminal Alien Assistance Program (SCAAP), which “provides Federal payments to States and localities that incurred correctional officer salary costs for incarcerating undocumented criminal aliens who have at least one felony or two misdemeanor convictions for violations of State or local law, and who are incarcerated for at least 4 consecutive days during the reporting period.”

Despite SCAAP program funding, it does not fully reimburse actual detention costs associated with the incarceration of illegal criminal aliens. Instead, data received by all applicant agencies is combined to determine each applicant’s relative percentage of the total SCAAP allocation.

Consequently, it is not uncommon for most agencies to receive SCAAP reimbursement of only a few percentage points of the actual costs incurred. Historically, the total amount of reimbursements received have been drastically reduced every year, especially since 2008. For example, in San Bernardino County, the SCAAP reimbursement in 2008 was \$2,324,814. In 2015, the reimbursement was reduced by over 80% to \$425,559.

Military Surplus Equipment.—The Law Enforcement Support Office (LESO) military surplus and Federal grant programs are examples of a good partnership between the Federal Government and local government entities. It is fiscally responsible and assists in equipping our Nation’s law enforcement with equipment that saves lives. In areas of our Nation that are fiscally stressed, it is potentially the only way their law enforcement officers would ever receive that type of support. The transfer of equipment from Federal inventory saves taxpayers a significant amount of money, simply because Federal surplus items have already been purchased once. In fact, many of the same items that they receive through Federal assistance programs have been used by law enforcement agencies for decades.

Through executive action and not legislation, the administration has recalled certain 1033-controlled military surplus equipment. While the ultimate goals of law enforcement remain the same: To protect the public; to solve, deter, and respond to criminal acts; and to enforce the law in a responsible and Constitutional manner, the administration has sought to inappropriately legislate through perception at the cost of public safety.

On the very same day as the San Bernardino terror attack—our Nation’s worst attack since 9/11—my office received an order to return an armored personnel carrier back to the Federal Government to be destroyed because it looked militarized. We should focus on reality not perception, and on that day America saw reality on live TV in San Bernardino and how armored vehicles protect people. An armored vehicle pulls up at a bank or grocery store every day to protect money and it’s viewed as normal. But, if law enforcement pulls up in the same vehicle at the same store to protect people it’s militarized and bad?

In San Bernardino, all items obtained through the 1033 program by the Sheriff’s Office are used solely by specialized divisions and personnel. Prior to acceptance of this equipment, it receives Board of Supervisor’s approval.

The recall of certain types of controlled equipment will undoubtedly leave America’s law enforcement less prepared and at a disadvantage to protect local communities against terror attacks and dangerous situations.

Complex Coordinated Attacks.—In fiscal year 2016 under the banner of responding to emergent threats from violent extremism, Congress allocated \$39 million dollars to the Department of Homeland Security (DHS) for a grant initiative to specifically help State and local governments prepare for, prevent, and respond to complex,

coordinated terrorist attacks with the potential for mass casualties and infrastructure damage.

LE stakeholders proactively offered suggestions to FEMA that address current LE needs related to prevention and disruption, realistic training and exercises, and training-related equipment. FEMA needs to follow Congressional intent and not appropriate the funding for non LE-focused administrative purposes. We are quickly approaching fiscal year 2017 and no progress has been made.

FEMA Regional Assets.—I self-deployed at the direct request of involved agencies to Ground Zero and Hurricane Katrina. Afterwards, we engaged in great dialogue and discussion about how to formulate and create, equip and train regional response teams that could be called up for large situations and the units deployed be expanded out to other regions as needed. Where does that program stand today? We worked on it for over 2 years and it fell off the map.

Secure the Border.—Border security remains a top priority for the MCSA. Our members are located in both Northern and Southwest border States, where the most negative outgrowths of illegal immigration—from drugs and gangs to human trafficking and exploitation and terrorist infiltrations—impact our communities on a daily basis. Despite the administration’s claim that our borders are more secure than ever before, waves of undocumented individuals continue to illegally enter the homeland. If we do not have border security, we cannot have National security.

Additionally, information sharing between Federal, State, local, and Tribal law enforcement is absolutely critical to maintaining public safety and combatting a wide variety of inter-State and international threats that impact our communities. One specific area here that we remain concerned about focuses on timely delivery of key information from the Federal level to States and locals on known criminal aliens that may reside in our communities. There is no direct access to ICE databases when a person is queried on a traffic stop or as they come into booking.

Information-sharing responsibilities are binary meaning that information should not just flow from the bottom up. Frankly, State and local law enforcement need to know critical information regarding illegal immigration, as it affects the safety of our officers and the communities they protect. MCSA has raised this issue for years going back to the 9/11 commission report component urging information sharing and we have yet to see any progress made.

I want to thank the committee and its staff for all of their hard work—countless bills have passed this committee on a bipartisan basis all with the aim to secure the homeland. National security should not be a partisan issue; we all have a vested interest. The MCSA seeks to be a positive source of ideas and I thank the Chairman for his commitment to collaboration and willingness to engage local law enforcement.



Chairman MCCAUL. Thank you, Sheriff Bouchard.

The Chair recognizes Sheriff Demings.

**STATEMENT OF JERRY L. DEMINGS, ORANGE COUNTY
SHERIFF'S OFFICE, ORANGE COUNTY, FLORIDA**

Sheriff DEMINGS. Good morning, Chairman McCaul and Ranking Member Thompson and Members of the committee. It is indeed an honor and a privilege for me to provide testimony today during this hearing to discuss ways to stop the next attack.

I am not here today to be a doomsday reporter, but I do believe that our Nation has experienced a paradigm shift in our global war on terror. I agree with the Chair and Ranking Member that we should not accept the current state of affairs as the new normal.

There have been numerous recent violent incidents on U.S. soil which indicates that terror subjects have brought the fight to our homeland. They are now focusing on soft targets in our cities and counties, which puts local law enforcement officers squarely in the crosshairs of violent extremists.

My community, the metropolitan Orlando area, experienced such an attack on June 12. Members of my agency responded to assist the Orlando Police Department in the initial response involving an active shooter. The incident remains under investigation by the FBI, but it is believed that a lone gunman killed 49 innocent people and injured another 53 persons in the Pulse nightclub incident. The incident began shortly after 2 a.m., when Omar Mateen began randomly firing at patrons of a club that catered to the LGBTQ community on a night dedicated as Latin night.

Like no other time in our history, if we are going to be successful at reducing attacks on American citizens by violent extremists, Federal, State, and local law enforcement authorities must improve our working relationships in 3 ways. No. 1, we must improve the access to information, the sharing of actionable intelligence information that can be used to identify and arrest subjects involved in plotting attacks before an attack occurs. No. 3, funding for counter-terrorism efforts, to include training and equipment, must be increased.

As it relates to information, the Department of Homeland Security, DHS, should reassess its policy on precluding State and local law enforcement agencies from having access to the ICE database that identifies individuals as being in this country illegally. Officer and public safety become a major issue in instances when law enforcement officers do criminal history checks in the field through the National Crime Information Center, NCIC, and they are not made aware of a subject's immigration status. Immigration enforcement is clearly a function of the Federal Government and sheriffs do not seek this authority. We have enough on our plates already.

Our concern is for the safety of our officers. When officers or deputies encounter someone, and the person is here illegally, that person assumes the police already know they are illegal and have the authority to arrest and deport them. Local and State law enforcement should know who they are dealing with, even if they cannot arrest for immigration violations.

As it relates to sharing information, Florida sheriffs have seen increased communication from the Department of Justice and DHS to State and local law enforcement concerning critical incidents.

Assistant Secretary Heather Fong at DHS's Office of Partner Engagement has been a driving force behind this, and most sheriffs and police chiefs have been invited to participate in conference calls following significant National and international events affecting law enforcement and public safety.

I am the current president of the Florida Sheriffs Association and give credit to DHS Secretary Johnson and FBI Director Comey for increasing communication with State and local law enforcement and for pushing facts to sheriffs directly as opposed to sheriffs receiving information from the National news media.

In order for American law enforcement to prevent, respond to, and mitigate domestic terror attacks, analytics, and training will be integral to stopping the attacks from proliferating. Central Florida has been the benefactor of numerous projects funded in previous years by the Urban Area Security Initiative, or UASI, grant program.

We have been working for the past 2 years to get DHS funding restored to our region. Primarily, Members of Congress from both the House and Senate have worked with Orlando Police Chief Mina and me in these efforts. We have petitioned DHS and FEMA to reassess the Orlando-Kissimmee-Sanford, Florida MSA and the need to strengthen and secure Central Florida from another terror attack like the Pulse nightclub incident.

The Central Florida region has been fortunate to receive approximately \$45.5 million in U.S. funding since 2004. The Orange County Sheriff's Office has managed the funds. The funding received prior to 2013 was critical to our region's ability to prevent, protect, respond to, and recover from, not only terrorism, but a broad range of other threats and hazards. We are only as good at preventing a terror attack as the quality of information we receive about that attack.

I will briefly discuss one of our most notable regional partnerships in Florida called the Central Florida Intelligence Exchange, or CFIX for short. It is located in Orlando and is only one of three fusion centers in Florida. It serves as a central repository of databases that are currently being used by the Florida Department of Law Enforcement and other Federal, State, and law enforcement agencies.

In addition to its counterterrorism focus, CFIX serves as an all-hazards fusion center, assisting agencies in the mitigation and assistance needed to recover from hazards such as hurricanes and natural disasters. CFIX assists with the investigation of crimes that possibly contain a nexus to terrorist activity or other homeland security issues. In other words, fusion centers located throughout the country are pivotal to our Nation's mission of stopping terror attacks.

Due to the lack of funding, some critical needs of our CFIX or fusion center have been lost. We have reduced a number of analysts, which could have worked to provide intelligence information that could prevent a terror attack.

Through the National Infrastructure Protection Program, we received UASI funding for a video camera surveillance project in the tourist quarter, downtown Orlando, and in areas near the University of Central Florida. Due to a loss of funding, we have not been

able to expand the project into areas around our top tourist destinations.

Prior to June 12, 2016, we held more than a dozen UASI-funded training exercises over the past 12 years. I believe the agency's responding to the Pulse incident flawlessly initiated an active-shooter response because of training paid for through historical UASI funding. You have a list of the training exercises in your material.

We train to respond, as a region, to a terror attack or other disaster. About 150 of my deputies, along with multiple other law enforcement, fire, and EMS agencies, responded to assist the Orlando Police Department during the Pulse incident. Because of the infrastructure connections in our region, it is a natural thing to have regional capability and vulnerability assessment. Regional preparedness, response and recovery efforts are also pivotal to the mission of stopping and/or reducing terror attacks.

Presently, FEMA uses the Office of Management and Budget's geographical boundaries defined in the *Federal Register* when calculating risk scores for MSAs. We believe that the boundaries of our Orlando MSA should be expanded to include the Brevard area to the east and the Volusia County MSA to the north. We realize that that is a heavy lift.

In September 2015, we began the process of lobbying the Federal Government to combine the metro Orlando MSA with Brevard and Volusia. This was broadly supported by Federal, State, and local elected officials, and numerous letters were written to the FEMA assistant administrator of grants programs, the OMB statistician, and the OMB Office of Information and Regulatory Affairs. You have a list and copies of the letters in your materials.

With attacks in places like Boston, San Bernardino, Orlando, Dallas, and other places, most recently in New York, New Jersey, and Minnesota, there is a need to have an overall increase in UASI funding across the Nation. An overall increase in UASI funding would expand DHS's ability to fund the top 100 high-risk areas from 85 percent to 90 percent or better of the areas with the most risk. Areas like Central Florida would no doubt make the list. Congressman Mica has expressed support to increase funding Nationwide.

In 2016, the Orlando MSA was 34 on the list of 100 when only 29 were funded. Local and State agencies have equipment needs and the requisite training for use of the equipment, including mobile command centers, surveillance equipment, tactical weapons, armored vehicles, and explosive ordnance detection is important.

In closing, I thank you for allowing me to speak, and I ask the committee to analyze the current MSA methodology formula and the data used in the formula to reflect current threats and vulnerabilities.

Thank you.

[The prepared statement of Sheriff Demings follows:]

PREPARED STATEMENT OF JERRY L. DEMINGS

SEPTEMBER 21, 2016

Good Morning Chairman Michael T. McCaul and Members of the committee.

It is indeed an honor and a privilege for me to provide testimony today during this hearing to discuss ways to “Stop the Next Attack: How to Keep Our City Streets from Becoming the Battleground.”

I am not here to be a doomsday reporter, but I do believe that our Nation has experienced a paradigm shift in our global war on terror. There have been numerous recent violent incidents on U.S. soil, which indicate that terror subjects have brought the fight to our homeland. My community, the Metropolitan Orlando area, experienced such an attack on June 12. Members of my agency responded to assist the Orlando Police Department in the initial response involving an active shooter. The incident remains under investigation by the FBI, but it is believed that a lone gunman killed 49 innocent people and injured another 53 persons in the Pulse Nightclub incident. The incident began shortly after 2 a.m. when Omar Mateen began randomly firing at patrons of a club that catered to the LGBTQ community on a night designated as “Latin night.” Like no other time in our history, if we are going to be successful at reducing the attacks on American citizens by violent extremists, Federal, State, and local law enforcement authorities must improve: (1) Access to information, (2) the sharing of actionable intelligence information that can be used to identify and arrest subjects involved in plotting attacks before an attack occurs, and (3) funding for counterterrorism efforts to include training and equipment.

As it relates to access to information, the Department of Homeland Security (DHS) should reassess its policy on precluding State and local law enforcement agencies from having access to the ICE database that identifies individuals as being in this country illegally. Officer and public safety become a major issue in instances when law enforcement officers do criminal history checks in the field through the National Crime Information Center (NCIC) and they are not made aware of a subject’s immigration status.

Immigration enforcement is clearly a function of the Federal Government, and sheriffs do not seek this authority. Our concern is for the safety of our officers. When officers/deputies encounter someone and the person is here illegally, that person assumes the “police” already know they are illegal and have the authority to arrest and deport them. Local and State law enforcement should know who they are dealing with even if they cannot arrest for immigration violations.

As it relates to sharing of information, Florida sheriffs have seen increased communication from the Department of Justice and DHS to State and local law enforcement concerning critical incidents. Assistant Secretary Heather Fong at DHS’ Office of Partner Engagement has been a driving force behind this and most sheriffs and police chiefs have been invited to participate in conference calls following significant National and international events affecting law enforcement and public safety. I am the current president of the Florida Sheriffs Association and give credit to DHS Secretary Johnson and FBI Director Comey for increasing communication with State and local law enforcement and for pushing facts to sheriffs directly as opposed to sheriffs receiving information from the National news media.

In order for American law enforcement to prevent, respond to, and mitigate domestic terror attacks, analytics, and training will be integral to stopping the attacks from proliferating. Central Florida has been the benefactor of numerous projects funded in previous years by the Urban Area Security Initiative (UASI) grant program. We have been working for the past 2 years to get DHS funding restored to our region. Primarily, Members of Congress from both the House and Senate have worked with Orlando Police Chief Mina and me in these efforts. We have petitioned DHS and FEMA to reassess the Orlando-Kissimmee-Sanford, Florida MSA, and the need to strengthen and secure the Central Florida region from another terror attack like the Pulse Night Club incident.

The Central Florida region has been fortunate to receive approximately \$45.5 million in UASI Funding since 2004. The Orange County Sheriff’s office has managed the funds. The funding received prior to 2013 was critical to our region’s ability to prevent, protect, respond to, and recover from not only terrorism, but a broad range of other threats and hazards. We are only as good at preventing a terror attack as the quality of information we receive about that attack.

I will briefly discuss one of our most notable regional partnerships in Florida called the Central Florida Intelligence Exchange, also known as the CFIEX Fusion Center. It is located in Orlando and is 1 of only 3 Fusion Centers in Florida. It serves as a central repository of databases that are currently being used by the Florida Department of Law Enforcement and other Federal, State, and local law enforcement agencies. In addition to its counterterrorism focus, CFIEX serves as an “all hazards” fusion center, assisting agencies in the mitigation and assistance needed to recover from hazards such as hurricanes and other natural disasters. CFIEX assists with investigation of crimes that possibly contain nexus to terrorist activity or other

homeland security issues. In other words, fusion centers located throughout the country are pivotal to our Nation's mission of "stopping terror attacks."

Due to lack of funding, some critical needs of CFIX have been lost. We have reduced the number of analysts, which could have worked to provide intelligence information that could prevent a terror attack. One example of a success story involving CFIX occurred when CFIX assisted the U.S. Marshalls, the United States Secret Service and Coast Guard in locating a disgruntled citizen who made concerning statements about the President prior to the launch of a space Shuttle Endeavor mission and numerous other instances in which they provided information with a nexus to National security.

Through the National Infrastructure Protection Program (NIPP), we received UASI Funding for a video camera surveillance project in the tourist corridor, downtown Orlando, and in areas near the University of Central Florida. Due to a loss of funding, we have not been able to expand the project into areas around our top tourist destinations.

Prior to June 12, 2016, we held more than a dozen UASI-funded training exercises over the past 12 years. I believe the agencies responding to the Pulse incident flawlessly initiated an active-shooter response because of training paid for through historical UASI funding. (You have a list of the training exercises in your material.) We train to respond as a region to a terror attack or other disaster. About 150 of my deputies along with multiple other local law enforcement, fire, and EMS agencies responded to assist the Orlando Police Department during the Pulse incident. Because of the infrastructure connections in our region, it is a natural to have a regional capability and vulnerability assessment. Regional preparedness, response, and recovery efforts are also pivotal to the mission of stopping and/or reducing terror attacks.

Presently, FEMA uses the Office of Management and Budget's (OMB) geographical boundaries defined in the *Federal Register* when calculating risk scores for MSAs. We believe that the boundaries of the Orlando-Kissimmee-Sanford MSA should be expanded to include the Brevard county area to the east and Volusia County MSA to the north.

In September 2015, we began the process of lobbying the Federal Government to combine the Metro Orlando MSA with Brevard and Volusia. This was broadly supported by Federal, State, and local elected officials and numerous letters were written to the FEMA assistant administrator of grant programs, the OMB statistician and the OMB office of Information and Regulatory Affairs. You have a list and copies of the letters in your materials. I don't have time today to get into the details of the methodology used in assigning risk, but we suggest that DHS include domestic and international visitors in the equation and not just permanent resident population in the scoring.

With attacks in places like Boston, San Bernardino, Orlando, and Dallas, there is a need to have an overall increase in UASI funding across the Nation. An overall increase in UASI funding would expand DHS's ability to fund the top 100 high-risk areas from 85% to 90% of the areas with the most risk. Areas like Central Florida would no doubt make the list. Congressman Mica has expressed support to increase funding Nation-wide. In 2016, the Orlando MSA was 34th on the list, when only 29 were funded.

Local and State agencies have equipment needs and the requisite training for use of the equipment including mobile command centers, surveillance equipment, tactical weapons, armored vehicles, and explosive ordinance detection.

In closing, thank you for allowing me to speak and I ask the committee to analyze the current MSA methodology formula and the data used in the formula to reflect current threats and vulnerabilities in Central Florida.

FEMA/HOMELAND SECURITY/REGIONAL TRAINING AND EXERCISES SINCE 2004

Training

- USAR Tech Search Course
- USAR Structural Collapse Training
- HazMat 160-Hour HazMat Tech Training
- USAR Rail Rescue at TEEEX
- USAR Wide-Area Search Course
- HazMat CBRNE Medical Tech Course
- At the Point of the Spear: Fire Service Leadership
- USAR Safety Officer Course
- Hazardous Material Tech Course
- HazMat Officer Competency Lab Course
- FLETC Internet Protocol Camera Traininig

- OnSSI Ocularies Basic Certification
- Hazmedic Course
- Hazardous Materials Incident Command
- USAR Training Props
- Intel Training
- Community Health Training
- FBI HazMat Training

Exercises

- UASI Evacuation Plan Tabletop Exercise
- UASI Brevard County Full-Scale Exercise
- UASI Osceola County Full-Scale Exercise
- UASI County Full-Scale Exercise
- UASI PRND Functional Exercise
- UASI Tabletop Exercise
- UASI NBA Functional Exercise
- UASI Community Medical Surge Tabletop Exercise
- Operation Crash & Surge Full-Scale Medical Exercise
- HazMat & USAR Plume of Doom Tabletop Exercise
- Urban Search and Rescue ADSAR Mobex Exercise
- HazMat and USAR Operation Vanishing Mosquito FSE

SUPPORT LETTERS FOR INCREASED UASI FUNDING AND REASSESSMENT OF THE ORLANDO CENTRAL FLORIDA METRO STATISTICAL AREA FOR THE RISK OF TERRORISM ATTACKS

Date	Letter
8/22/16	Letter to Congressman John Mica from Orange County Sheriff Jerry L Demings
7/28/16	Letter from Congressman John Mica to Orange County Sheriff Jerry L Demings
7/25/16	Letter to John Roth, Inspector General, DHS, from Committee on Oversight and Government Reform Chairman and Members, Jason Chaffetz, John Mica, Ron DeSantis, Elijah Cummings, Tammy Duckworth, and Stephen Lynch
6/29/16	Letter from Congressman John Mica to Orange County Sheriff Jerry L Demings
6/17/16	Letter from Congressman John Mica to Orange County Sheriff Jerry L Demings
6/15/16	Letter to Jeh Johnson, Secretary DHS from Senators Marco Rubio/Bill Nelson
1/29/16	Letter to Jeh Johnson, Secretary DHS from Congressman Alan Grayson
1/27/16	Letter to Jeh Johnson, Secretary DHS from Congressmen John Mica/Daniel Webster
11/4/15	Letter to Brian Kamoie, Assistant Administrator, FEMA Grant Programs, DHS from Orange County Sheriff Jerry L Demings
3/27/14	Letter to John Carter, Chairman, House Committee on Appropriations, DHS, from Congressman Daniel Webster
2/12/14	Letter to Jeh Johnson, Secretary DHS from Congressmen Bill Posey, Corrine Brown, Daniel Webster, Alan Grayson and John Mica

Chairman MCCAUL. Thank you, Sheriff.

The Chair recognizes Commissioner Miller for his opening statement.

STATEMENT OF JOHN MILLER, DEPUTY COMMISSIONER, INTELLIGENCE AND COUNTERTERRORISM, NEW YORK CITY POLICE DEPARTMENT

Mr. MILLER. Thank you, Mr. Chairman. Thank you for your continued help and support with our programs, as well as our New York delegation, Peter King, who we are always in close touch with, and Dan Donovan, who comes right out of the New York City law enforcement community, as does Kathleen Rice.

Good morning to the Members of the committee.

First, I would like to thank the Chairman for giving us this opportunity to talk about this. When we talked about this testimony several weeks ago, the idea was to talk about the emerging and changing threat and how we might respond to a terrorist attack. Nobody had any idea that we would be sitting here within days of an actual terrorist attack talking about how we did respond.

New York City has been the target of more than 20 terrorist attacks, including this one. Some have succeeded, but most have been prevented through the use of good intelligence and a robust counterterrorism program.

The threat we face today has grown out of a group called al-Qaeda that morphed into an international network of affiliates, one of which turned into a movement on its own called ISIL that has pioneered exploiting every advantage of globalization.

Today, while al-Qaeda operates in the shadows, occasionally sending out one-way videos to adherents, ISIL operates out of Syria using the internet and social media tools to deliver a call to arms to those who would travel to Syria and fight for ISIL, there or in Iraq, but also understanding how to leverage propaganda that includes compelling videos, two-way conversations over social media applications, both encrypted and unencrypted, an on-line magazine filled with messages extolling violence, giving useful, tactical critiques on attacks that have already happened, including the Orlando shooting, and giving instructions on how to make bombs.

These are specific custom-designed messages to urge people who could not come to Syria to fight, or Iraq, to kill Americans here. The message is hold the promise, to those who are receiving them, of valor, of belonging, of empowerment. These messages containing these false promises resonate particularly with recruits who are failing in life, living in the margins, who have low self-esteem, or feel isolated.

No city in America has been the target of as many plots and attacks as New York City. No city has paid as much in blood as we did on 9/11. In the 15 years since, no city has invested as much human capital and money in the effort to prevent, if possible, or respond, if necessary, to a terrorist attack.

We thank this committee. We thank our appropriators on other committees. We thank the Department of Homeland Security and Secretary Jeh Johnson for steadfastly continuing to support those efforts with funding. That said, the NYPD and the city of New York invest significant amounts of our own budget to support those efforts.

This year alone, the NYPD created the Critical Response Command. The CRC is a highly-trained, specially-equipped uniformed force of over 500 officers that work full-time every day as a counterterrorism force in the streets of New York City. They protect critical locations and shift between key potential terrorist targets, depending upon the intelligence we have evaluated that day in the global threat stream.

We have provided the same weapons and training to our strategic response command, the SRG, a city-wide flying squad that can be called on to assist our emergency service unit, which is a rescue-oriented but SWAT-capable unit that is our go-to first re-

sponders for any crisis. That adds up to approximately 1,800 officers with special weapons and tactics capabilities who are in the streets of the city of New York. That is unmatched by any municipal police department on the globe, as far as we know.

We have also trained over 8,000 regular patrol officers in tactics to counter the active shooter, as we have seen this trend grow over recent years. Those are the officers who are most likely, because of their proximity in number, to arrive at such a scene first.

The NYPD has also built what is widely regarded as the most sophisticated intelligence bureau outside of the Federal Government. That bureau works hand-in-hand with our Federal partners, particularly the FBI, the Joint Terrorism Task Force, and Homeland Security. Over at the JTTF in New York, we have over 100 detectives assigned inside the JTTF that are integrated and operating cross-designated as Federal law enforcement officers.

The NYPD has spent over \$300 million over the last 8 years, combined city and Federal funds, to build and maintain the DAS, or the Domain Awareness System. This combines a network of cameras across the city, over 8,000 of them, with data from our 9-1-1 call system, with license plate readers, with radiation detection sensors across the city, with law enforcement databases.

In the last year, under former Commissioner Bill Bratton, that data, which faced inwards to people like me at police headquarters, was pushed outward. It was turned outward to the people who needed the most and could use it the most, and that is the cop on the street. Every police officer in New York has access to that information from their department-issued smartphone. This phone is able to assess the DAS network.

It also means during a terrorist incident, as we saw just this week, that having 1,500 people who work full-time on counterterrorism can quickly be changed to 36,000 in the street. We are able to push law enforcement information, pictures of the suspect, information we had, to every police officer in the street who was working when we decided to go out with a picture of a suspect we had probable cause to arrest. All of that with the power of just hitting a send key.

Every element of those tools and tactics that we have discussed here today was fully exploited in the moments starting after 8:30 p.m. on Saturday night when two bombs were placed in New York City on that evening. I also have to say that the seamless cooperation between the FBI and the NYPD and our Homeland Security partners, whether that was FBI ERT, evidence response technicians, working in a post blast with our crime scene investigators, bagging and tagging the same way, sending everything to the same lab, the FBI lab at Quantico; whether it was our NYPD bomb squad detectives working side by side with their SABT, Special Agent Bomb Techs, from the FBI, our detective bureau, our intelligence bureau, the JTTF, it was a force multiplier that worked that case as if they did it every day together, because they do.

Thank you, and I will be happy to take questions.

Chairman MCCAUL. Thank you, Commissioner Miller.

I now recognize myself for questions.

I think the last time I saw you, John, we were in New York at the 9/11 ceremony. The next day, we received an intelligence brief-

ing at the intelligence unit at NYPD. Little did we know that within days, there would be a terrorist attack in the streets of New York.

I was presented a video that I wanted to share with the committee that was put together by the New York Police Department that I think really encapsulates the threat moving forward, and in many ways is prophetic in terms of what we saw happen last Saturday.

[Video shown.]

Chairman MCCAUL. Commissioner Miller, thank you for that video. We saw that, obviously, last week before the tragic events in New York Saturday.

What I was struck by is stay home and fight. It used to be come to Syria and join the fight. Are we seeing a changing, evolving message now coming out of ISIS, Syria to stay home and attack in the United States?

Mr. MILLER. I think we are. I think that the messages from Sheikh Adnani, especially the pre-Ramadan message which called on people to attack where they were, has shifted from come to Syria and fight with us on the battlefield to, as one of the messages had clearly written, it said: We love you more doing actions in their countries—referring to countries other than Syria—meaning, we would rather have you fight at home than come here and fight on the battlefield.

Chairman MCCAUL. Which concerns me from a homeland security perspective because I think, as we have some success militarily in Iraq and Syria, we are going to see the battleground coming more here to the United States.

This is a copy of Mr. Rahami's journal that was found on his person when he was taken into custody. I know you are familiar with it. He talks about the sounds of bombs will be heard in the streets. Praised Osama bin Laden as brother. Talked about Anwar al-Awlaki in Fort Hood, Texas. He talked about pressure cooker bombs and pipe bombs in the streets as they plan to run a mile. He talks about, God willing, the sound of bombs will be heard in the streets. Gun shots to your police. Death to your oppression. You continue your slaughter against the Mujahedeen. Be in Afghanistan, Iraq, Syria, Palestine. He wrote, according to his complaint—and in another section of the notebook he wrote that his guidance come from the man that you mentioned, Mr. Adnani, who was the chief ISIS spokesman and external operations chief who was killed by an air strike. He talks about killing where you are. Precisely, I think the evolving threat that we are facing.

Commissioner Miller, I have to ask you this question, was the suspect, Mr. Rahami, at any point in time under the radar? Is there anything we could have done differently to have stopped him?

Mr. MILLER. I am sure, as in after every incident, our Federal partners will go backward through this case and reevaluate that. But based on what I have seen so far as part of the investigation, he seems like many suspects who came into contact with the system at various times and was handled to the extent that the system, the law and the guidelines that we operate under, would allow them to.

Chairman MCCAUL. It is unfortunate, in many of these incidents—and we stop most of these things, as you know. But the ones that we miss, it seems like it is always after the fact that somebody comes forward and says, oh, I noticed he was radicalizing, or I saw this or that, but they fail to report it to authorities. I think that is probably what we will find out to be the case here.

Chief Acevedo, we have a bill on the floor today authorizing nearly \$40 million for grants to train in active shooting, to train in IED, to train with suicide bombers. Can you tell me how that could help your city and my city, the city of Austin, help better prepare for this type of event?

Chief ACEVEDO. Absolutely, Mr. Chairman.

As you know, that training is really key to being prepared to respond. Unfortunately, with the tightening budgets around the country, one of the first things that goes away is the training budget. So, from the perspective of the Major City Chiefs, your bill will go a long way in preparing our resources throughout the Nation and the big cities and throughout the counties.

Without it I don't think that we can prepare to the extent that we need to. Fortunately for us in Austin, we make it a priority, and so we sacrifice, but not every city has that ability. I think that, for us, we desperately need the funding.

Chairman MCCAUL. Thank you, sir.

My time has expired. The Chair now recognizes the Ranking Member.

Mr. THOMPSON. Thank you very much.

I think, from the outset, there is no question this committee is absolutely committed to keeping America as safe as it can possibly be. A hundred percent is what we strive for every day. The men and women in various departments, we salute you for that work.

One of the things we struggle with is when these incidents of the lone wolves appear. You get a lot of people after the fact trying to say, well, you should have done this, you should have done that. So now there is a discussion that, well, maybe we need to put more surveillance on individuals and, to some degree, even profile individuals.

I think, Mr. Miller, since New York is kind of the melting pot, and as a practitioner of this, especially in light of the bartender dialing 9-1-1, saying, "I think we got a problem," can you just kind of explain that kind-of engagement with those communities, what your experience has been?

Mr. MILLER. We have worked very hard to strengthen the NYPD's engagement with our partners in the Muslim community. You cannot profile the community that you also, at the same time, count on to help you in these cases. We have had many people from the Arab-American community, from the Muslim community come forward and help us in various investigations over various times.

In the context of that video, we have also kind-of sat down with a core group of our best community partners and played all the same propaganda to them, on the idea that most mainstream community leaders aren't on their computers watching these things, but we wanted to be able to expose them to the type of clever messaging and powerful propaganda that some of their young people

might be susceptible to and work with them to try and figure out, how do you counter that message and what do you use?

So this is a conversation with a community of partners that has to keep going, and you can't keep it going by separating them.

Mr. THOMPSON. Thank you very much.

A lot of my opening statement talks about the proliferation and ownership of assault weapons. Some of us have even promoted the notion of, why should you be able to buy an assault weapon, being on the terrorist watch list?

What we are trying to do is close every potential vulnerability that we know of. It has nothing to do with the Second Amendment. It is just that if you are too bad to get on a plane, then it is clear in the minds of a lot of people you ought to be too bad to own a gun, or you should have some opportunity to prove that you are not.

So, Chief Acevedo, can you kind-of comment on where that assault weapon and exotic guns come to play in your area?

Chief ACEVEDO. Yes, sir. I mean, clearly, one of the challenges we have in this Nation is the proliferation of firearms and the fact that we use the Second Amendment as an excuse to not pass common-sense laws that will help keep firearms in the hands of law-abiding Americans of sound mind.

I can tell you, coming from the State of Texas where the Second Amendment is king, I spend a lot of time talking to conservative members of our community; they are in favor of universal background checks. They are in favor of closing the gun show loophole, where we can watch people going in there and if you have the cash, cash is king, you can buy whatever you want.

We have a responsibility as a Nation, I think. As policymakers, I would urge this body, which is the only body that can get it done at a National level, to celebrate the Second Amendment by ensuring that we take steps to ensure that responsible people are gun owners and not people that will do harm to their fellow Americans and, quite frankly, as it relates to mental health, that might do harm to their fellow Americans and themselves.

So we need help. I know that the support is out there. I think that the surveys show that from the American people. At the end of the day, it is the will of the people, and I hope that this body will put the politics aside and really join the American people in being pragmatic and taking steps to keep those firearms out of the wrong hands.

Mr. THOMPSON. Thank you.

Sheriff Demings, you had 49 people killed in your county by someone with one of these weapons. But, more importantly, that individual was what we call a lone wolf, in terms of somebody who we could not really bring a nexus to somebody overseas or something like that.

Can you, in your law enforcement experience, explain what the challenge is for identifying extremists in communities, whether you are a member of the Ku Klux Klan, whether you are a member of ISIL or any other entity? How does that play into your day-to-day law enforcement experience?

Sheriff DEMINGS. Thank you for the question.

I can tell you that it is a challenge for us to identify the individuals who mean harm to our Nation. We are only as good as the information that we receive. So I believe that we have got to improve our analytical capabilities in sharing criminal intelligence information across the Federal, State, and local authorities.

We sometimes see where we operate in silos. All of these issues tend to happen in local communities. What we say to our residents is that, if you see something suspicious, we want you to tell us about it. They are often giving information to us at the local level, and we push it to the Federal level. But sometimes, once it gets there and it is analyzed, it doesn't come back in a systematic way so that we can use that actionable intelligence information in thwarting a probable terror attack.

In some cases, even as it relates to our gun laws, sometimes it doesn't make sense, what happens. I will give you an example. Just a couple of days after the Pulse nightclub incident in Orlando, there was a reporter who came to town, an international reporter from the United Kingdom, who was writing a story, and to prove his point, how easy it is to acquire an assault weapon in America, he bought one. He went to a local licensed gun dealer and was able to buy an assault weapon. He was not a U.S. citizen but at some point had been in our country and had some form of legal status at some point.

Before he returned to the United Kingdom, he brought the assault weapon that he had lawfully purchased to one of my sheriff substations, and he said, "I don't want it. I can't take it back into my country. The reason I bought it was to prove a point, how easy it is. And I am not even a U.S. citizen."

So I have said to people like Director Comey and others that, to me, that makes no sense. Because, as American citizens, if we were in the United Kingdom, we couldn't go there and buy an assault weapon, and so why should he have been allowed to buy one in our country? So somehow we have to look at those types of, I think, situations that occur.

The other thing I see gaping holes in is as it relates to mentally ill. We have a National database that is supposed to have information about individuals who have been certified through the courts to have some form of mental illness that disqualifies them from buying a firearm. But, quite frankly, the information isn't being put into the database because of this lack of, I think, understanding within the mental health community of what constitutes mental illness. So we have to improve there as a country as well.

Mr. THOMPSON. Thank you.

I yield back.

Chairman MCCAUL. The Chair recognizes the gentleman from New York, Mr. King.

Mr. KING. Thank you, Mr. Chairman.

I want to thank all the witnesses for their testimony.

Mr. Miller, again, congratulations on a very successful weekend. I know the investigation is on-going, but I was actually down on 23d Street the morning after, and what you said about the FBI and the NYPD is true. You couldn't tell one from the other, they were working so closely together.

What I would like to follow up, though—and I really wouldn't want this to get caught up in the semantics, but from the Ranking Member, if we use terms like “profiling” or whatever, there is also good police work, though.

I mean, you and I are old enough to remember—I am older than you, but—that when they were going after the mafia in New York, the FBI and the NYPD were in the Italian American community, not because they didn't trust Italian Americans; they knew that was where the threat was coming from.

Also, when they were going after the Westies, whether it was Hell's Kitchen or every bar on the west side of Manhattan, there were police undercovers, there were FBI undercovers to try to get information. I think, as an Irish American, I didn't consider that profiling. I mean, that is where the threat was coming from. It was coming from the Irish American community, certain elements of it, even though 98, 99 percent are, you know, law-abiding.

I just think, in New York, where you have a number of Muslim communities and neighborhoods, even if—and they are—the overwhelming majority are cooperating and are supportive, but if there is going to be something happening, I don't see how it is considered unconstitutional or bad police work to have undercovers, to have informers, the same as is done when you are tracking down any other type of crime where it is coming from a particular community or organization.

Mr. MILLER. We operate under the Andrew guidelines, and the Andrew guidelines specifically say that we operate on information, on behavior, on actions, but we do not place undercovers or spies or people into the community to watch people who are engaged in completely Constitutionally-protected activities, whether that is at a restaurant, a house of worship, or a meeting.

We are also not lacking for business. I think, Representative King—and there are very few in Congress who know as much about this as you do, given the time that you have spent in this field—that, in the 15 years since 9/11, through every suspicious encounter that has been reported, we have amassed a large number of names, incidents, reports. When they are filed away, as you see in the other day or in the Orlando case or—you can pick your case—there are two schools of thought on that.

One is, well, if you already knew about this person, why weren't they stopped? That is one that often doesn't consider the thresholds that we have to operate under. The other is that, if you have that many contacts with that many people over that period of time, it is increasingly likely that the next time something happens it is going to involve somebody that you knew, heard about, investigated, bumped, or otherwise checked out.

Now, that is a good thing, in that when you are assessing who to look at first and they come up in those records, it gives you a basis to go forward. Well, it is also a liability, in that people have somewhat of a misconception about our ability to put someone under surveillance, leave them there indefinitely.

You know, in the case of the New York case, these were contacts that happened in 2014 with no demonstrable thing that happened in between that time and this time. That is not—and I am not prejudging this. Somebody will go back through it with a fine-tooth

comb, because we always do. But it is not realistic to say every time someone comes on the radar you are going to be able to follow them or their friends and associates for an extended period of time while you have investigations that are on the front burner involving people who are demonstrably dangerous.

Mr. KING. Would it violate any guidelines, for instance, with Rahami—and we are assuming a hypothetical here—there were at least, I believe, two encounters with the FBI, one because of the travel, one because of the assaults against family members and his father saying he was a terrorist—for the local police to be told about that so that they would be alert to anything else they might hear?

I am not saying any warrantless search, I am not saying hounding the guy, but I am just saying for the street cop to say, “Keep your eyes and ears open on this guy” in case you hear something about him, that he would be at a different level than just the ordinary citizen walking down the street.

Mr. MILLER. Based on my understanding of our guidelines, it wouldn't. Based on my recollection of the Attorney General guidelines and the FBI's Domestic Intelligence Operations Guidelines, I don't believe it would either.

Mr. KING. OK. Thank you, Commissioner. My time is just about up. I just wanted to get that on the record because of many of the unfair allegations that have been made against the NYPD over the years from certain organizations and from the media.

Thank you for your outstanding service. Appreciate it. Thank you.

Mr. MILLER. Thank you.

I would just point out for the record that the independent inspector general of the NYPD just completed an audit of 10 years of Intelligence Bureau records and determined that 100 percent of the records they evaluated showed that there was a proper purpose and basis for every investigation and that they were carried out within those guidelines.

Mr. KING. I would just make the editorial comment that reporters got the Pulitzer Prize for talking about the abuses by the NYPD, even though they have been cleared on all those charges.

I yield back.

Chairman MCCAUL. The Chair recognizes the gentleman from New York, Mr. Higgins.

Mr. HIGGINS. Thank you, Mr. Chairman.

First, just let me say, with respect to the New York City Police Department, the literature since 9/11 has clearly established that the New York City Police Department counterterrorism intelligence is probably the most effective in all the world. It is extraordinary work that is done in counterterrorism.

Unfortunately, you never get credit for what didn't happen. What you do every day is preventing things from, in fact, happening. So it is great, great work. As I say, the terrorists only have to be lucky once; counterterrorism officials have to be lucky all the time.

But it is also worth noting here that, since 9/11/2001, a period of 15 years, 94 people were killed by Islamic terrorists; 157,000 Americans have been killed with guns. You are 3,000 times more likely to be killed by an American with a gun than a terrorist.

Every day in America, 90 people die from gun violence. In Orlando, 49 people dead, 53 people wounded—deadliest attack on U.S. soil since 9/11. One shooter, semiautomatic rifle, semiautomatic pistol, legally purchased. One shooter, 49 people dead, 53 people wounded.

Newtown, Connecticut, 26 people dead, 20 kids between the ages of 6 and 7, first- and second-graders, dead. Most had multiple wounds in them. Six adults were also killed, most of whom were diving in front of the kids to shield them from the shooter. One shooter, legally purchased guns.

Sensible gun safety, as has been mentioned here, has been rejected by this Congress despite the fact that 90 percent of the American people support sensible gun safety legislation. You know, people often invoke the Second Amendment to justify the continuation of this hell, but the Framers of our Constitution, in establishing the Second Amendment, could never have anticipated this kind of hell.

The topic today is “Stopping the Next Attack: How to Keep Our Cities from Becoming a Battleground.” Well, they are already a battleground. There is a moral contradiction. When you have, as the Ranking Member said previously, a terror watch list, these are individuals that are known to be involved, in some degree, in terroristic activity, yet at the same time they are allowed to purchase guns—semiautomatic rifles, semiautomatic pistols, the very guns that are found in all of these mass shootings.

So you can't, with any credibility, hold a hearing with the topic “Stopping the Next Attack: How to Keep Our Cities from Becoming Battlegrounds” without fundamentally addressing what most people on this panel agree with, and that is very commonsensical gun safety measures.

I would ask you, first of all, Deputy Commissioner, to respond.

Mr. MILLER. Well, I think that the broad law enforcement support for the assault weapons bill at the same time as the crime bill that was signed on the White House lawn and then expired and the conversation that came out of that for years with no change was one indicator.

Cynical people would have said, when a Member of Congress is shot down in a public place, that would change. But the conversation after the shooting of Gabby Giffords went on for about 3 weeks and faded away.

Some might have argued that when our citizens are being killed in their movie theatres, at a Batman movie, that that would have ended the discussion. Colorado passed a tough gun law, and the Governor was run out of the State after that.

Some might have said, when they kill our kindergarten children in their schools, that that would be the straw that broke the back. But we have talked about that for a while and nothing happened there either.

So, in some measure, when you consider the fact that the greatest loss of life on U.S. soil since 9/11 and the terroristic attack happened at 2 o'clock in the morning on a place off the main path, an LGBT club, on Latino night by a lone-wolf gunman, you have to ask yourself, have we figured out who we are, and do we want to change?

Chairman MCCAUL. The Chair now recognizes Mr. Rogers from Alabama.

Mr. ROGERS. Thank you, Mr. Chairman.

I thank the witnesses for being here and their participation.

I also want to commend New York. If you look at what happened with the recent investigation after this attack and previous attacks and then what happened with the London bombings and the Spain bombings, closed-circuit television was critical in the investigation and the quick apprehension of the suspects in every case. I would urge all of our major metropolitan areas to emulate New York in the placement of those closed-circuit cameras.

But I did want to ask you all, my experience has been, just as was case here in New York, that local law enforcement really has to have a good relationship with the Federal officials for everybody to be successful. What do you see as ways that we can improve communication between State and local officials and the Feds that you need to interact with? Do you get a chance to exercise regularly with them? If not, why not?

Just start with Mr. Bouchard and Mr. Demings.

Sheriff BOUCHARD. Thank you, Congressman. That is a very good question.

We do interact and work extremely well with our Federal partners, but the communication is a salient point that we have raised for a number of years. In fact, on many of the conference calls, the preamble is, "Well, you have probably heard more already about this incident in the news than we are going to talk about today."

You know, most of us, I presume, have a Top Secret clearance sitting at this table, if not at least Secret. There is a need, I think, for real-time information sharing on that capability. That is not in place.

Years ago, probably a decade ago, I suggested that they create such a platform, and an encrypted cell phone was created as such. I paid for it for my Homeland Security Division chief, myself, and we had a few of them. Lo and behold, find out they don't really work. So we no longer have a device to communicate real-time on a direct, pressing need. We almost have to go back to the days of runners, where somebody has to go—

Mr. ROGERS. You are talking more about equipment. I am talking more about personal relationships. Do you all have a chance to interact and develop personal relationships so you know Bob at the FBI or whoever is the key guy—

Sheriff BOUCHARD. Yes.

Mr. ROGERS [continuing]. You need to get in touch with? Do you have a chance to do that?

Sheriff BOUCHARD. We do. We do. We have great relationships. But when I am talking about the equipment, if there is a timely need for sharing information, there is a lag because, literally, we have to go to the same location to communicate that.

I had a meeting in my State and the sheriff from Los Angeles was there and had something unfolding that was at a Secret level, and we were looking for Coast Guard stations to get him in communication. That is a problem, when terrorists can communicate on an encrypted platform and we can't.

So the relationships are there. I would say that one of the challenges that we face, though, across the country is we build a great relationship with our SACs, and then they are moved, usually about every 2 years. They come and go very frequently. I know professional development and organizational needs are important, but it is a challenge once you develop a deep relationship. I think I have been through probably six SACs in my tenure.

Mr. ROGERS. OK.

Sheriff.

Sheriff DEMINGS. The only thing that I would add is I talked about the fact that we have a fusion center in Orlando, and, because of that fusion center, it forces us on a daily basis to work across jurisdictional lines. That is not the case in most cities around America. We only have 3 in the State of Florida when we have multiple large metropolitan areas.

So I do believe that there is a need to increase the number of fusion centers, because, again, they work on the prevention side, collecting information and data that can be used to prevent an attack. This whole conversation today is about preventing an attack, so I believe that that has to be part of the solution. It forces us to work together, and it also allows us to gather better information—actionable intelligence information, that is.

Mr. ROGERS. Chief.

Chief ACEVEDO. In terms of our relationship in Austin, we have a phenomenal relationship with our local SAC.

Mr. ROGERS. Do you have a chance to exercise with these folks?

Chief ACEVEDO. We have not exercised because funding is an issue. That is why, again, I hope that 5859 passes, so we can actually do some more exercising with them.

But in terms of information sharing, it is better today and the relationship is better today than it has ever been for my region. However, I think that that depends a lot on the SAC. Fortunately, I have a good SAC and I have had good SACs, but I also push back pretty hard when they are not sharing information. But I don't think that that is still the case Nation-wide, that it is not even across the country.

Mr. ROGERS. Thank you.

My time has expired. Thank you all for what you do for our country.

Chairman MCCAUL. The Chair recognizes Mr. Payne.

Mr. PAYNE. Thank you, Mr. Chairman.

I would like to thank the witnesses for their testimony this morning.

I also would like to recognize the 29 individuals that were injured this week and pray for their speedy recovery, and also the two brave officers in Linden, New Jersey, who engaged the culprit, Officer Hammer and Officer Padilla of the Linden Police Department, which is in my district.

Many gun safety laws are enacted at the State level. So while you might live in a State with strict gun laws, such as mine, your communities might remain vulnerable because of the lax gun laws in neighboring States. How does this patchwork approach to gun control affect your policy efforts?

Mr. Miller, if you could take a stab at that?

Mr. MILLER. We have, if not the toughest gun laws in the Nation, in New York City, certainly one of them. But none of our guns come from New York City. That has been true for many years. We have mandatory minimum sentencing. We have a rigorous permitting process. But most of our guns come from out of State.

Mr. PAYNE. The ability and the access to these assault weapons in other States really poses a great potential for acts such as we have seen over the course of the last several years. When I talk about it with my colleagues that feel that there could be a potential infringement on the Second Amendment rights, you know, getting an understanding of what we end up against in our communities is something that can be horrific, as we saw in Orlando.

Always my argument to people in law enforcement that sometimes do not see the wisdom in trying to get these weapons off of the streets is, you know, what happened in Dallas was my greatest fear, that—you know, I would try to tell them, one day, these weapons are going to return and be used against you. In Dallas we saw that happen.

That is the reason that we fight to try to make sure that these weapons are not available to people that should not have them and, really, I don't think should be available to the public. They are only going to be used against law enforcement. To think that a terrorist would have the upper hand on our law enforcement does not bode well with me.

The events of last weekend, you know, really have put the country on edge. The information we received was constantly being updated, and, you know, the situation was very fluid. I think lessons learned from Boston helped us in this situation, and it is really incredible to hear how fluid the situation has become through inter-agencies.

Can you talk about the Federal Government and how it shared relevant information with you with respect to, you know, the different law enforcement organizations involved?

Mr. MILLER. From the moment the explosion happened, I called the police commissioner and I called my FBI counterpart. In the time it took me to drive to the scene, my FBI counterparts were there. We came up with a game plan.

We received continuous information throughout that night with the development of every clue—a phone that led to a subscriber name, a fingerprint that led to an individual, devices that were connected from the New Jersey case to other devices, people who were connected to devices through physical evidence. There was nothing hidden, nothing held back, nothing too Classified.

We sat together in the same command post. Customs and Border Protection and DHS played a vital role in helping us understand who was who, through their records and contacts. I would say it was a model of cooperation.

To respond, in part, to Mr. Rogers' question, do we exercise together, we train together all the time, particularly in the active-shooter realm because it is the emerging threat with our Federal partners, but we work together every day. We eat together, we drink together. We don't sleep together yet, but that is just because we don't sleep much.

Mr. PAYNE. Well, thank you.

As I yield back, Chief Acevedo, thank you for acknowledging the hard work that Mr. Donovan and I have done in interoperability and communications for all of your departments.

I yield back.

Chairman MCCAUL. The Chair recognizes Mr. Duncan.

Mr. DUNCAN. Thank you, Mr. Chairman.

Gentlemen, the four of you all are in law enforcement. Do you all carry firearms? Not in here, but do you carry a firearm daily?

Sheriff DEMINGS. Yes.

Mr. DUNCAN. I think I am getting a head shake “yes” from everyone. There wasn’t a hand raised or a—

Chief ACEVEDO. I do on duty, but a lot of times I don’t off duty.

Mr. DUNCAN. OK. Thank you.

The Ranking Member injected gun control into this because that is the narrative of the left. For the record, he is an avid participant in the shooting sports. He is actually a great shot. I have shot competitively against him. So he exercises his Second Amendment rights.

We are here in these ivory towers of Government protected by law enforcement. There is a guy outside the door in a uniform, the Capitol Police, with a firearm to protect us.

If more gun laws were the answer, more restrictive gun laws that are affecting the Second Amendment rights of Americans, the south side of Chicago would be the safest place on Earth. You could leave your doors open, you could walk the streets at night, and you could allow your children to play in the front yard. But yet that is not the case. More gun laws are not the answer.

There are 357 million Americans—or 357 million firearms in America in the hands of law-abiding citizens. The problem we need to look at—and let me tell you about the law-abiding citizens. When seconds count, the police are just minutes away. They have the ability to draw a firearm to protect themselves, their families, their property, their neighbors, their Constitution, if necessary.

So we have had gun control injected into this debate, but let me tell you that I think the problem is gun-free zones, because we are restricting where law-abiding citizens can carry firearms. A gun-free zone, San Bernardino, State property, prohibited from having a firearm. No one in that room could protect themselves. Orlando, it was a bar. Nobody could carry a firearm in there. Charleston, South Carolina, mass shooter, gun-free zone. Columbine, Sandy Hook, they were all gun-free zones.

No one had access to a firearm, so we were counting on law enforcement to be there. Law enforcement can’t be everywhere, nor would we want you to be there. So the Second Amendment is there for us to protect ourselves and our family.

So we have had the No-fly list injected into this. There are 200,000 people on the No-fly list, 80 percent of which are foreign nationals. So the other 20 percent are United States citizens. We can look hard at them. But when you think about the No-fly list, how in the world do you get on the No-fly list and how in the world do you get off the No-fly list? Where is the due process afforded Americans under the Fifth and Sixth Amendment to know what your accusation is, what the charges are, who is accusing you, have a chance to interview witnesses, have a chance to defend yourself,

and get off that? But too many Americans are on the No-fly list and they don't even know it until they go try to fly somewhere. That is Fifth and Sixth Amendment due process rights that are guaranteed us.

So we are relying on Big Government to actually take care of us, to find these terrorists. But guess what? They missed it, America. They missed it in Orlando. That guy was suspected of terrorism. They missed it in New Jersey. Dad said, "I think my son is involved in terrorism." FBI investigated him for 2 months and said, "Oh, your son is not involved in terrorism." Dad said yesterday, "Hello?"

They missed it in Fort Hood. He had "Soldier of Allah" on his business card. There were signs and signals for Major Hasan all over. Missed it in San Bernardino, because the wife was actually—there were a lot of questions about how she even came into this country. They missed in Boston. The FBI was informed by Russia, for all intents and purposes, that somebody had been traveling over there and possibly been in contact with terrorist organizations and may have gotten some training. Missed it, and we had loss of lives.

What we continue to do is talk about gun control debate when we need to talk about the Second Amendment and the Constitutional rights, the Fifth and Sixth Amendment rights to due process. But yet we will continue to allow unfettered immigration from unvettable countries? They just granted citizenship to 858 individuals who were ordered deported or removed under another identity when, during the naturalization process, their digital fingerprint records weren't available. Just gave them citizenship.

We cannot rely on the Federal Government and this big bureaucracy to continue to try to keep us safe. We have to revert back, I believe, to the individuals, the law-abiding citizens in this country. We have to look at the gun laws that are out there now that prohibit law-abiding citizens from being able to carry firearms in areas where they could protect themselves. We need to allow school marshals and some sort of program in schools that are now gun-free zones so somebody in that school will have access to a firearm to protect our children.

You know, we will continue to allow terrorists to come in here, we will continue to attack the Constitutional rights of Americans, we will continue to have restrictive gun control laws in the State and an effort in the country. If you look at Mr. Higgins' statistics and you take out suicides, the number goes way down. If you take out criminal violence related to drugs, that number goes way down. But yet we will continue to have this debate, and we will continue to have a sit-in on the floor of Congress to shut down the process over this issue. We will continue and invite somebody who made something that looked like a bomb, brought it to school, but now it is a clock, and we invite him into the White House. It is a good thing the guy in New Jersey didn't say, "Oh, that is just a clock."

Mr. Chairman, I appreciate this hearing, but we have gotten off track from the get-go, talking about violating the Second Amendment rights of Americans, when we won't have a real conversation about the gun-free zones, the people that are on the terrorist watch list and how they get off, the No-fly list and how that might be used.

I got a novel idea. If you are on the No-fly list and you are a foreign national—80 percent are—goodbye. No-fly, goodbye. Let's get them out of the country. They are identified as terrorists, they are foreign nationals, why are we keeping them in this country?

But I don't think a single person on the terrorist watch list or the No-fly list committed any of these acts of terror that we are talking about. If I am wrong, correct me.

Gentlemen, I am going to look at you right now, and I am going to thank you for what you do to keep our citizens safe. Law enforcement in this country is under attack, but we have got your back, as the Chairman said. We appreciate the men and women in blue that are walking that thin blue line. Thank you for what you do. It is not an easy job. People in the Third congressional District of South Carolina appreciate what you do. God bless you.

I will yield back.

Chairman MCCAUL. The Chair now recognizes Mr. Richmond from Louisiana.

Mr. RICHMOND. Thank you, Mr. Chairman.

Let me just start with, people make the assertion all the time that more guns are the answer—guns in schools, guns in churches, guns in movie theatres. We have armed guards in banks, and banks get robbed every day, and people get killed in banks every day. So, to the extent that people think that is the solution, I think you are dead-wrong.

But, as we talk about law enforcement, we talk about having your back. Let me tell you what having your back means. We had a committee meeting about combating terrorist recruitment and about dispelling the propaganda that comes from ISIS, or ISIL. I simply wanted an amendment that said, why don't we target sovereign citizens? They shot me down. Well, let me tell you what sovereign citizens did in the mean time. They shot down three officers in Baton Rouge, injured another couple.

So when we start talking about having your back, it is making sure that we have the intelligence and we focus on everything. We are smart enough to do two and three things at one time—that is, to combat lone actors, to combat terrorism, to infiltrate cells and track them. But it is also to see what is the real threat to your officers and deputies on the street.

If you want to talk about your officers and your deputies, you have to talk about sovereign citizens that have killed more police officers than anybody else. But this committee doesn't want to talk about it. In fact, this committee went out of its way to ignore the issue.

Let me just tell you about Baton Rouge, as we talk about having our law enforcement's back. You had one actor, one sick individual, with a long gun. He was better armed than the police officers that responded, because his long gun, the bullets would go through our police officers' vests, and our police officers who responded responded with pistols that wouldn't go through his vest.

So the question becomes, are we funding our police departments like we should? Are we making an investment in our law enforcement in an extent to help them protect lives?

So, as we do this today—and you still have to talk about the Department of Homeland Security and this committee, combine it

with Judiciary. We had two unfortunate incidents this week where, again, an African American male was killed in an incident involving law enforcement. But we spend more time talking about whether Colin Kaepernick is standing for the National Anthem, but we don't want to talk about why he is kneeling.

So, in this committee, we are having this hearing, which is not a new hearing; we have it all the time. In Judiciary, the other committee with jurisdiction over something like this, we are talking about impeaching the IRS Director. At some point, we have to be bigger than this and we have to be focused on issues that we see.

No one is diminishing terrorist attacks, because I think there is one common goal between everybody, and that is to figure out a way to stop them. But when you start titling our hearing with "Stopping the Next Attack: How Do We Keep Our Cities from Becoming the Battleground," duh, wake up. It has been the battleground. It is a battleground on a number of fronts.

But if we are going to truly talk about how we fix it, we are going to have to put the resources so that we can share intelligence, we can arm our law enforcement. We have to make sure we have the capabilities to stop an attack before it happens. But we also have to realize the magnitude of the incident gets exaggerated if the person has an assault weapon.

So I will ask one question, and whoever wants to answer it, please have at it.

The attack in Minnesota, where 10 people were injured, tell me what that looks like if, instead of a knife, he has an AK-47 or an AR-15 with a high-capacity magazine. Does anyone want to—

Chief ACEVEDO. It looks like a lot of dead Americans that were simply shopping.

I won't even respond to Mr. Duncan, because I don't think it needs to be responded to here today. I will respect this office and this institution; I will just take the Fifth and leave it at that.

Mr. RICHMOND. Well, let me just ask this last question. Do sovereign citizens pose a real threat to your officers that answer traffic stops, serve subpoenas, and just walk around every day?

Sheriff DEMINGS. I believe sovereign citizens pose one of the most significant threats to civilian law enforcement today.

A couple of years ago, I had one of my sergeants shot. He survived. Was shot by an individual who fancied himself as a sovereign. Many of these incidents that you have referred to, in which there were lone gunmen, if you delve into their background, you will see that perhaps they, too, subscribe to the sovereign ideology.

Mr. RICHMOND. If no one else wants to answer, I will yield back. Thank you, Mr. Chairman.

Chairman MCCAUL. The Chair now recognizes Ms. McSally from Arizona.

Ms. MCSALLY. Thank you, Mr. Chairman.

As you are doing your jobs and outreach and trying to address this new threat that is metastasizing and we have individuals being radicalized on the internet to take action into their own hands, one of the things I would like to focus on is specifically the phenomenon of girls and women becoming radicalized, becoming jihadists, trying to travel to Iraq and Syria.

I held a roundtable with my colleague Kathleen Rice on this phenomenon months ago because there is a very specific dynamic going on here that we haven't seen before, where we have girls and women not just being victimized and recruited but also being hardened jihadists themselves and actually leading some of those efforts.

Just for some numbers, of the 250 Americans who have attempted to go to Syria, 1 in 6 are women. Almost a fifth of them are teenagers, but more than a third of the teenagers are girls.

So we are seeing this new phenomenon. We have seen some cases in the media: Three teenage girls from Colorado who were intercepted in Germany trying to travel over there; a 19-year-old from Minnesota who we found when she was in Syria; a Mississippi former cheerleader, honor student, whose father is a police officer and a Navy veteran, trying to plot to head over to Syria with her fiancé. This is a new phenomenon.

So do your outreach efforts in your communities have anything focusing specifically on women and girls that are becoming radicalized, or are they just part of the general efforts for outreach? Any of you who would like to answer.

Mr. MILLER. We have watched this very closely, certainly mindful of the number of travelers we have seen. As you see from the propaganda videos we have kind-of collected and put together for the Chairman, they are very sophisticated in their pitches, in their outreach. You can't ignore the San Bernardino case as an example of—

Ms. MCSALLY. Right.

Mr. MILLER [continuing]. Radicalization targeting females in the United States. We also have an active prosecution now involving two women in New York City who were planning to use pressure-cooker bombs to launch a plot that we interdicted last year in a year-and-a-half-long undercover operation.

So this is something we are very concerned with and part of our discussion with the community while we kind-of struggle with them to come up with what is the counter-narrative and who can deliver it.

Ms. MCSALLY. Right.

Anyone else want to—

Chief ACEVEDO. In Austin, Texas, a couple of years ago, we actually had a family—a husband, wife, and children—with JTTF, arrested at the Houston International on their way to Syria through Turkey.

So, for us, the key is not specifically addressing women but addressing young people through educational programs, through economic opportunities. I don't think you see too often people that are educated wanting to blow themselves up. That is the exception, not the rule. So youth programs and educational and economic opportunities is one of the things that we do in our department.

Ms. MCSALLY. Right.

What we learn now is ISIS is using a very specific and different message to recruit girls and women.

Sheriff BOUCHARD, do you have something to share?

Sheriff BOUCHARD. You are correct, and that is clearly a concern on many levels because it brings in a whole demographic that typi-

cally is less likely to be as scrutinized because so many of the bombers and terrorists in the past have been fighting-age males.

I worked on a case study in the Middle East, a suicide bomber attempt of a female. As they broke it down, they actually analyzed the psychological reasons why she was put into that position and thought it was her only thing that she could do to, I guess, feel better about herself.

So the disaffected and those that are vulnerable to a message of “this is a higher purpose, and you will be valued if you do this” are the ones, generically, I think, that we need to have more outreach and more connectivity to to look to interdict that message and bring them away from that siren call, if you will.

Ms. MCSALLY. Great. Thank you.

My second question is about, Sheriff Bouchard, you mentioned you don’t have real-time information sharing. This is a real concern to me.

We have broken down some stovepipes since 9/11 across the Federal agencies. We have done some work between Federal, State, and local, but I think we have a long way to go. Fusion centers are an important part of that, but some fusion centers are not as good as others, and it comes down to relationships.

I actually had a bill, H.R. 3503, to address improving our fusion centers and giving higher access to security clearances to you all and your teammates so that you have better information out on the front lines. It was passed unanimously in the House, being held up in the Senate right now.

But if you were in charge, what would you do to—and I only have a little bit of time, Sheriff Bouchard—break down those stovepipes? Some of it is policy, some of it is clearances, some of it is equipment. But what would you do in order to make sure you have all the information that you need?

Sheriff BOUCHARD. Well, I think you have touched on a lot of the important issues as it relates to how we better communicate, but it gets back to, you know, the methodology sometimes in an urgent situation. As I mentioned, I have a Top Secret clearance, but I don’t have an instantaneous ability to receive information without actually physically bringing us together. In this day, in terms of the technology that is available and we see used by terrorists, it is a bit frustrating to literally have to drive some place to get, you know, actionable information.

Ms. MCSALLY. Yes, that is insane, and we need to work on that together.

I know I am out of time. Does anyone else have anything to say on that issue? We can follow up.

Chief ACEVEDO. Yes, ma’am. I think it is really important that—police chiefs have gone through a background investigation presumably, have been licensed peace officers. They are known entities. I don’t think we are any threat to our Nation. Sadly, the majority of police chiefs in this country do not have a Top Secret clearance.

Ms. MCSALLY. Right.

Chief ACEVEDO. I think one of the things that we need to look at is, if there is an investigation or an issue in an area of responsibility for a police chief, we need to look at how we can provide that

information for that person who ultimately is responsible for the safety of that community outside of the clearance process.

So that is just food for thought.

Ms. MCSALLY. Absolutely.

Chief ACEVEDO. Because the truth of the matter is a lot of police chiefs are in the dark about investigations in their area of responsibility.

Ms. MCSALLY. That is something we definitely need to improve, Mr. Chairman. I yield back. Thank you.

Chairman MCCAUL. Thank you.

If I could, a quick follow-up. I know in Boston the Boston police commissioner told me that he could not even talk to his 4 police officers on the Joint Terrorism Task Force about the investigations. We have made efforts to change that. There has been talk of an MOU to change that.

Chief, has that changed?

Chief ACEVEDO. I don't have a TS clearance, and so I will just say this: That I am still the police chief in Austin, Texas, and whether my people work for the JTTF or not, they work for the people of Austin. My direction to them is that the day that they don't tell me something that we needed to know—they don't work for the Federal Government, they work for Austin, and they are withholding information at their own peril.

Fortunately, we have a pretty good relationship with our local SAC, but it still is an issue. I think the answer is that we not only have a right to know, we have a need to know, regardless of the clearance level of that investigation, for our areas of responsibility.

Chairman MCCAUL. I couldn't agree more.

I mean, Commissioner Miller, is that the state of play in New York?

Mr. MILLER. In New York, we don't have those issues. I think it is in part because, with over 100 detectives on the Joint Terrorism Task Force, there is very little information that we are not either handling ourselves or have access to.

However, understanding the discussion that occurred after Boston, Major City Chiefs, Intelligence Commanders Committee, Chuck DeWitt worked together with partners to draw up—to redraw, Mr. Chairman, the MOU about how a Joint Terrorism Task Force operates with its local partners in terms of access they are entitled to, clearance levels, computer access, and so on.

That new MOU, I believe, is in effect now. So that should bring improvement to the situation. I think we can count on Major City Chiefs to kind of anecdotally check on that to make sure it is being enforced.

Chairman MCCAUL. Let me just pledge my support to help you. I have talked to the FBI about this MOU. I know it has gone back and forth. But it just seems to me that any commissioner or police chief that has officers on the task force should—at least the chief should be briefed on those cases. You have the street intel. You have the intelligence on the streets.

The Chair now recognizes Mrs. Watson Coleman.

Mrs. WATSON COLEMAN. Thank you, Mr. Chairman.

To each of you, let me just say that I am profoundly grateful, because I can just listen to all the challenges that you are experi-

encing on so many different levels from so many different areas and how safe we are, relatively speaking. I know it is because you all are dedicated. You interact with your colleagues wherever you need to. You are smart at what you do, and you are keeping us safe. I thank you from the bottom of my heart.

I also want to recognize that the great State of New Jersey and the Linden Police Department was very helpful in addressing the situation that we encountered this weekend, working with New York. Sometimes my wonderful State gets overlooked, Mr. Chairman. We are small, but we are mighty.

The other thing I would just like to say, two things quickly, and I have one question.

No. 1 is that I can't hardly believe that more guns anywhere should be the answer to a safer community or society, school, or any other place. That is just an absolute ludicrous thought on anybody's part.

No. 2 is I think that you all have expressed in some way, shape, or form that the proliferation of illegal guns in the communities are harmful not only to the community but even to your law enforcement and that that is not the direction in which we should continue to go.

Following up on that, I wanted to highlight something with you, Chief Acevedo. In today's testimony and at a meeting with the Homeland Security Advisory Subcommittee, you stated that right-wing extremism is as much of a threat as the threat inspired by foreign terrorist organizations.

In fact, I have an article that goes back, I guess, to 2014 in which you express that as it relates to someone who was part of an association, a self-defined associate of some priesthood, some Phineas—

Chief ACEVEDO. Phineas.

Mrs. WATSON COLEMAN [continuing]. Phineas Priesthood.

Do you still believe that that is one of our greatest threats, coming from right-wing extremism? Also, do you recognize and feel that extremism even on the left is as much of a great threat? May I have your comments on that?

Chief ACEVEDO. Thank you. Absolutely. I get beat up in my great State because any time you mention right-wing anything you get beat up. But extremism, whether it is left or right, is just that, extremists.

The sovereign citizen movement in this Nation is alive and well. If you look across the landscape, you will see police officers that have been shot and killed by members of this movement.

The only reason I mentioned that in the Homeland Security Advisory Council to the Secretary and to this body is that we don't want to be myopic as we look at the threat picture and the threat domain around our country. It is not just from foreign extremists; it is alive and well in our own Nation. If you look at the totality of the victims of the threat, those right-wing extremists really do, just like left-wing extremists with bombs in the 1970's and so forth, do pose a significant threat.

Mrs. WATSON COLEMAN. So I believe that this committee has certainly given the attention to the foreign extremists. I am wondering if, from your vantage point, are there sufficient resources available

to you in support, even in grants and other funding, that help you with identifying those threats that are posed by both—by extremists who are not foreign-born extremists?

If you would all just give me yes, no and, you know, what you would like to offer, because I only have a few minutes, I would appreciate that also. Starting with you, Mr. Miller.

Mr. MILLER. The grants make no distinction as to domestic terrorism versus foreign, so they can be applied equally. So it is not an issue for us.

Chief ACEVEDO. For us, funding continues to be an issue. We were a UASI city that lost its funding, and any funding that we can get. I mean, we are down to one-third. Unfortunately, we know that there are a lot of competing interests and a lot that you all have to fund, but we need help.

The militia movement and the sovereign citizen movement is alive and well in our Nation, and I think it is an absolute threat to the safety of our communities.

Sheriff BOUCHARD. As the commissioner said, the grants and the training relates to any kind of threat. All threats, all hazards was actually some of the verbiage we worked on many years ago, so we apply that standard when we do our training.

Sheriff DEMINGS. Funding remains an issue for us as well. I believe that it is absolutely pivotal that we continue the work across the silos, if you will, to get information. So I am looking forward to it. Again, in our community, we had a home-grown violent extremist who attacked a nightclub there in Orlando.

Mrs. WATSON COLEMAN. Thank you.

As I close, it is good to know that we could use these resources on any of the areas that we have talked about. I guess the question then becomes where there is no problem because you can, is it applied appropriately?

Thank you very much. Thank you, Mr. Chairman.

Chairman MCCAUL. The Chair recognizes Mr. Carter from Georgia.

Mr. CARTER. Thank you, Mr. Chairman. I thank all of you for being here. Obviously, this is extremely important and the work that you do is extremely important. I want to preface my remarks, my questions by saying I am not trying to be adversarial or ask you to be adversarial. I am just trying to get to the root of the problem or just to improve things. Maybe there is not really a problem, but how can we improve things?

I would like to start with you, Mr. Miller. Mr. Miller, I can only imagine, being in the high-threat environment that New York City is, that you probably deal with a greater number of threats than we truly realize. I suspect that is the case. My question to you is this—and it is about communication. We all understand how incredibly important it is, particularly in this area, particularly between the Federal authorities and the local authorities. I just want to ask you, has the Department of Homeland Security supported your mission? Have they done that and especially in regards to emergency communications?

Mr. MILLER. So the Department of Homeland Security, particularly under Secretary Johnson, has been the most accessible Department of Homeland Security I've known since 9/11, having done

this job in both Los Angeles, when Art was in California, and New York City. So that is in terms of our ability to work with DHS. If we ask them for something, they work hard to get it for us.

When you are part of communications, are you talking about the passing of information or are you talking about actual interoperability?

Mr. CARTER. I am talking about everything.

Mr. MILLER. We get a steady stream of products from DHS. I am fortunate enough, and it may be because of the size and scope of New York, to have two DHS intelligence advisers assigned to the NYPD to make sure that that feed and flow is early and often.

Mr. CARTER. OK. Let me put it this way. How can we improve it? I am always, you know, telling my staff we have got to get better, we have got to get better. How can we make it better?

Mr. MILLER. I am, unfortunately, a satisfied customer. I have got nothing.

Mr. CARTER. OK. Fair enough.

Mr. MILLER. I mean, from that Department on that issue.

Mr. CARTER. Fair enough.

Mr. MILLER. I will talk about money till the cows come home, but on that issue, I am good.

Mr. CARTER. Look, I understand that. I understand it takes money, but it also takes implementation, it takes communication. It takes so much more. That is what I am trying to get to here, is the communication factor.

Mr. MILLER. I would suggest one answer to that question, which is Heather Fong, who is the assistant secretary for law enforcement was a police chief. She understands what we need, she understands how we need it, she understands what we need it for. The history of that position, before Heather and Louis Quijas, had been a long line of people who did not come from law enforcement: Assorted generals and military people and other appointees.

Mr. CARTER. Right, right. OK.

Mr. MILLER. I would urge, in the future, that for the sake of communications, that person always be a law enforcement officer.

Mr. CARTER. All right, good. I think that makes perfect sense.

Chief Acevedo—I am sorry, whatever—it is just not a popular name in south Georgia. I apologize. Nevertheless—chief of the Austin, Texas, police department, over 2,500 law enforcement officers and personnel to protect your city. Have you ever worked with the Federal Law Enforcement Training Center? Are you familiar with FLETC?

Chief ACEVEDO. Yes, sir. I have actually worked there and I have actually instructed there. It is a great facility, and I think they offer a lot of support to State, county, and local law enforcement. Yes, I have.

Mr. CARTER. Have any of the others had any experience with any of the Federal Law Enforcement Training Centers? We have got one in our district, in the first Congressional district in Glynco, Georgia. We are very proud. I have toured it, I have seen it. I have seen the work that they do. It is a great facility, a great opportunity to utilize resources. I am just wondering if you have had that experience.

Sheriff DEMINGS. We have had that experience, and I have completed training there as well as members of my staff. But going back to your question about DHS and perhaps—

Mr. CARTER. Please.

Sheriff DEMINGS [continuing]. What can be done. The metropolitan Orlando area, when we were on the list to receive UASI funding, we did so when the Secretary had the discretion to select different metropolitan areas to receive funding. He no longer has that discretion. It is rank ordered. Perhaps it would be good for the Secretary to have some discretion, particularly when you have an incident like what we had. When we are 34 on the list and only the top 29 receive funding, if the Secretary has some discretion there to fund different regions based on what has occurred most recently, I think that would assist in many ways.

We are similarly situated as Austin in that we once received funding and then it was discontinued.

Mr. CARTER. Right. Well, again, let me—

Yes? Is it OK, Mr. Chairman?

Chairman MCCAUL. Yes.

Sheriff BOUCHARD. I would like to also thank you for the question. Obviously, we have heard a bit about the real-time communications. New York is probably a little bit different because they are collocated. Even though we are part of the fusion center and I have people assigned there, it is not collocated with my headquarters. Therefore, the real-time communication gap necessitating a drive.

But there is other kinds of communication information that does not and has not for years taken place that Sheriff Demings mentioned about information coming to the deputy on the street that stops somebody. That is an officer safety issue. Even if we are not empowered, and we are not asking to be empowered, to be in charge of deportation, we should be empowered with information—

Mr. CARTER. Absolutely, absolutely.

Sheriff DEMINGS [continuing]. To let the deputy know that that person may be an additional threat to him or her on the side of a dark road for reasons that they don't even know. It goes deeper than that. I have been bringing this same topic up for over a decade.

When someone gets booked into our jails—sheriffs Nation-wide run the jails—we don't get real-time information, in most of those facilities, the status of anybody, or information as it relates to even criminality being illegally in this country.

When it comes to reimbursement for someone that is and comes from the Federal Government, it is still a phone call to find out—unless you are participating in certain programs—a phone call to find out if anybody is eligible for reimbursement, but they won't even tell you who.

Mr. CARTER. That is great.

Sheriff BOUCHARD. Unjointed.

Mr. CARTER. Thank you for your answers. That is exactly what I wanted to hear. That is exactly the kinds of things we need to be working on to get better. We always want to get better. Thank you for what you do. It is extremely important.

We want to help. That is why we had this hearing today, is to find out what you just described to us. Thank you.

Thank you, Mr. Chairman. I appreciate your indulgence.

Chairman MCCAUL. Thank you.

The Chair recognizes the gentlelady from California, who represents San Bernardino, Mrs. Torres.

Mrs. TORRES. Thank you, Mr. Chairman.

First of all, I want to thank all of you for working so hard and diligently to keep our communities safe. I know that your job is not easy and I know that you are—there are critics of the work that you do every single day, but we do appreciate everything that you do.

For Deputy Commissioner Miller, you talked about data from 9-1-1 systems in New York and how that is part of the intelligence that you have on potential terrorist members of the community. Can you explain what that entails and how is that data collected? Does it come through the 9-1-1 system? 9-1-1 dispatchers are also a part of that communication system. Can you talk to us a little bit about how that process works?

Mr. MILLER. So in the NYPD, like most police departments, the 9-1-1 system feeds into a computer-assisted dispatch system where calls are summarized on a keyboard as they come in and sent to computers in police cars over the police radios and now to these handheld devices.

As the calls come in and the call takers take them, they can stack up in a dispatcher's queue as they are received. Whereas where the officers are receiving them directly, they are going direct to this device even before they come over the radio. It has reduced our response time by a full minute and change in certain areas of the city. That is one element.

The second element is the ability to harness the power of this data as it is correlated, which is you get a 9-1-1 call of an assault in progress in an apartment, possible domestic violence. When you look at the call on the phone, instead of just what you get over the police radio, it will tell you who called, what is the callback number. If you touch that callback number, you get the complainant on the phone. You can—

Mrs. TORRES. Critical information about the location and who may live there, if it is a targeted member or someone that has been identified?

Mr. MILLER. Yes. It is more about that information than terrorist intelligence. It is a daily tool the police can use. However, in the throes of a terrorist incident, it can become vital, because now you can push information instantly, and pictures and videos, to the police.

Mrs. TORRES. How are your 9-1-1 dispatchers trained to pull this information out of your callers during the interview process?

Mr. MILLER. They go through their PCTs, police communications technicians. They go through an extensive training process of their own and an extensive vetting process in being hired about working under pressure, being able to multitask, and so on.

Mrs. TORRES. Being able to interview potential suspects and potential victims of crime, nose neighbors that may have intelligence

on what is happening next door, someone who may be potentially targeting their neighborhood, correct?

Mr. MILLER. I think an example is when we were looking for the suspect in this latest bombing. On the floor of the 9-1-1 center, every operator who was working that day was told, we are going out with this picture, you can expect a lot of potential sightings to come in. When you get those calls, ask where is the person? What are they wearing right now? Are they carrying any packages, parcels, backpacks, bags, that kind of thing, and to keep that caller on the line till you have the rest of the information. Then to transfer them to the intelligence operations desk so my detectives can get more.

Mrs. TORRES. Thank you so much. The reason why I am asking you this, if you don't know, there has been a push to reclassify 9-1-1 dispatchers by the Office of Management and Budget. I think it is a very short-sighted decision, not understanding that this is a critical position for first responders. As a former 9-1-1 dispatcher, this is a very important issue to me.

Mr. MILLER. The 9-1-1 operator/dispatcher/call taker is the very first line. It is the person who gets the call for help first.

Mrs. TORRES. So now, let's talk about the radio system. I am very concerned about the San Bernardino incident. As officers are responding and as the dispatchers are giving them directions on which way to travel and suspect information, there was no way for them to switch to an encrypted radio channel. This is really important because the suspects, had there been more than two people involved, they could have positioned themselves in a place to target the officers as they are responding.

What do you think that we need to do from that perspective?

Chief ACEVEDO. We are very fortunate in our region, is that our interoperability is absolutely where it needs to be and we have the ability to move to a unified encrypted channel. As a matter of fact, with our F1, Formula 1, event in November, DHS is going to come out and look at our inoperability. But the truth of the matter is that a lot of jurisdictions don't have that capability. It is something that needs to be worked on.

Mrs. TORRES. They don't have that capability and there is not enough funding for them to be able to purchase the radios and the systems that they need.

I have exceeded my time. Thank you. I yield back.

Chairman MCCAUL. The Chair now recognizes the gentleman from New York, Mr. Katko.

Mr. KATKO. Thank you, Mr. Chairman.

Mr. Miller, you may not remember this, but I had the pleasure of attending a briefing with Chairman McCaul and Mr. King about a year ago in New York with you and the chief and some others. I was thoroughly impressed by the professionalism and the ability to get the job done, and I just want to commend you for that.

One of my colleagues on the other side had mentioned that you don't often get credit for what you stop, but I can assure you that, were it not for your great leadership, that there would be much more problems in New York City. So I really applaud your efforts and I hope to continue.

One of the things I would like to explore and one of the things I think this committee is uniquely positioned to help you all with is something I hear again and again. That is the lack of information sharing and the lack of breaking down lines of communications on the Federal, State, and local level. I have had a bird's-eye view of this for 20 years as a Federal organized crime prosecutor, first in El Paso, then in Puerto Rico, and then in New York State in the Syracuse area. So everywhere you went, one of the biggest problems was getting the team to work together and breaking down those barriers.

Now, it seems like in New York necessity is the mother of invention. You have to break down those doors, you have to get working seamlessly. That is the only way you are going to even remotely be able to do your job.

So I would like to have—I kind-of examined what Mr. Miller's situation is, it really is the exception to the rule because everywhere else I understand is quite different.

Mr. Demings, I think you mentioned that you have to improve our analytical capabilities. You also mentioned that there is some—you were getting access to ICE databases, for example. Those are the types of things I am concerned and want to hear about.

So perhaps if you could tell me, Mr. Demings, Mr. Bouchard, and Mr. Acevedo, what is the biggest problems that you see with respect to the information sharing? One the things I see first and foremost is how long it takes to get a background check done for someone joining the task force, which is maddening, and that has got to get changed. But what else do you see that we can help work on? Then perhaps at the end we can have Mr. Miller comment on, you know, ways we can fix it.

The MOU system seems to be one of them. Maybe using the model that New York is trying to implement Nation-wide. It might be something we can help for us. But I would like to hear from Mr. Demings first, if I may.

Sheriff DEMINGS. Well, I will say that we enjoy a pretty good relationship with our Federal authorities there in the metropolitan Orlando area because of what we have there in terms of the theme parks. We have Federal agents who are embedded within our theme parks. So that forces us to communicate.

I do believe that there is still room for improvement, however. The situation I talked about earlier in which a law enforcement officer stops someone on the streets of our Nation when they do—typically, we are trained to check for—run a National check to see if the person has any type of warrants or what have you we run it within our respective States as well. But there is nothing that comes back from that National database that tells us whether or not that person that we have encountered is illegal or not. That is something that we have suggested. It is a policy within ICE that perhaps that needs to change where we want to have access to that type of real-time information.

Mr. KATKO. That is something we can definitely take a look at. My staff, I hope, is taking notes.

Yes, they are. Good.

All right. Go ahead.

Sheriff BOUCHARD. I would dovetail on that. I have asked the same question when we have had meetings with senior leadership with the Major County Sheriffs. Is it a policy issue, is it a funding issue, or is it a communication technology issue that the different systems don't communicate and integrate well? For years, we have been getting, well, it could be part of all three. So we have been asking these same questions for literally a decade at this point.

Again, you know, some folks have said, well, we don't want you to have that information about status or immigration, because it allows you to profile. I understand the only time that database is queried is when we have already stopped an individual, and even worse, when they are already in our jail and we are still not told.

So, you know, we think it is long overdue that we at least have access to the information for situational awareness and for an understanding of who we have and who is in our jail, and that is not there.

Mr. KATKO. Mr. Acevedo.

Chief ACEVEDO. I want to take it from the Criminal Intelligence Enterprise for the Major Cities Chiefs and the Major County Sheriffs. We have been working with DHS now. I have been on that body for 9 years trying to get this enterprise up and running. It is still not where it needs to be. Quite frankly, we need support for our intelligence commanders. We have 68 intelligence commanders throughout the Nation. Each one of those organizations—and that is just the Major Cities Chiefs. Then we have how many members from the sheriff's department.

We desperately need funding to support at least two meetings a year with these commanders because relationships matter. We all know that that needle in the haystack we are looking for is more than likely going to be found by a State or local or county law enforcement official. If we don't support our intelligence groups so they can build those relationships, share the information and the intelligence enterprise that is still not where it needs to be, and support that enterprise to continue to build out—we were just whispering to each other—we are going to be dead at the rate we are going. I don't mean by a terrorist attack; I think of old age.

So we want to put that on your radar, the CIE and the Intelligence Commanders Group, in finding funding. You know, \$2 million seems like a lot of money, but in the grand scheme of things, that is a drop in the bucket. DHS has the funding, but we need you all to, yourselves or the appropriations committee, to actually order them to peel off that money so we can, at the State, county, and local level, do what we need to do to keep our community safe.

Mr. KATKO. Thank you.

Mr. MILLER, now, you have a much different posture than your colleagues at the table. It is because of, I think, the fact that ground zero really is New York City for the terrorist targets. That helps break down some of the barriers. But can you share with us some of the ways in which you have been able to effectively share information with the local agencies that other jurisdictions may struggle doing?

Mr. MILLER. We engage in extensive liaison efforts, some programmatic. But as Chief Acevedo said, a lot of this is people-to-people and networking.

First, we have the SHIELD program, which has thousands of members, and it is our outreach to the private security. It is the public-private partnership where we provide them regular briefing materials, constant alerts on breaking events, and training.

Second, we have a Sentry program. That is not on the counter-terrorism side, but on the intelligence side, where we have developed a network of partnerships in the surrounding areas from New Jersey to Nassau, Suffolk County, up-State, as far as Boston, a virtual northeast corridor of law enforcement partners who we bring together at a major conference once a year and go through a series of presentations and information-sharing exercises, but we also communicate with regularly.

When something happens somewhere, we pick up the phone. We will call that place, we have a point of contact. The same thing in reverse when something happens here. Both of those are based on email platforms, cross-communications, and information that we send out.

Mr. KATKO. Thank you very much.

Before I conclude, Mr. Chairman, I just want to note for the record that I did not engage in the gun debate during my questioning.

Chairman McCAUL. We thank you for that. I think the title of the hearing was the threat that we face post-9/11.

So the Chair recognizes Ms. Jackson Lee from Houston, Texas.

Ms. JACKSON LEE. Thank you very much.

Again, let us acknowledge the work of all of you as first responders. Some of you I have had the privilege and opportunity to meet and maybe thank you personally for your work.

Let me put on the record that the United States—DHS, for example, is 240,000 employees that have a range of responsibilities from aviation to border security. I believe there are 1 million firefighters, 750,000 are volunteers; and 18,000 police departments, 556,000 full-time employees.

To Chief Acevedo, let me thank you personally. We know the great work you are doing in the State. I want to commend to the Major Chiefs, the legislation that we submitted to a number of individuals called the Law Enforcement Trust and Integrity Act. That is just a little note for myself for you to look at it, dealing with police community relations. Even that has something to do with us working together.

Let me also say that I think the record deserves the clarification on a little 12-year-old in northern Texas, if you will. That 12-year-old had a clock. I think what is important in order for us to embrace all of those who are going to help us solve this problem, we must understand where to direct our anger and questions. I want to say to the educators who saw something and said something, that is what we say in the Department of Homeland Security. But what we also want to have occur is that you balance it against the knowledge that you may have as to the individual, the family, or in this instance, a 12-year-old child. So if you knew that you had a bright 12-year-old child, you could have asked the child what is that and also see something and say something. That is how we really solve problems.

I would like to also add into the record, the “Sikh man who found bombing suspect, I did what everybody American would have [to do].” So Sikh, obviously a faith that many Americans have, and could have just as well been in Oakland, Michigan, a Muslim, could have been a store owner.

So I ask unanimous consent to put this into the record.

Chairman MCCAUL. Without objection, so ordered.

[The information follows:]

ARTICLE SUBMITTED FOR THE RECORD BY HON. SHEILA JACKSON LEE

SIKH MAN WHO FOUND BOMBING SUSPECT: ‘I DID WHAT EVERY AMERICAN WOULD HAVE DONE’

By Kait Richmond, CNN

Updated 12:46 PM ET, Tue September 20, 2016

(CNN) What Harinder Bains did isn’t unusual: He saw something suspicious and called police.

But who Harinder Bains is makes this story special.

Bains is the bar owner who led police to Ahmad Rahami, the suspect in the New York and New Jersey blasts.

While officials haven’t pinned an exact motive to the Afghanistan-born Rahami’s act, a handwritten note is said to have contained ramblings, including references to previous terrorists, such as the Boston Marathon bombers.

That’s what makes Bains actions remarkable.

Bains is a Sikh American. And every time an attack has been carried out by an Islamic extremist, Sikhs—mistaken for Muslims because of their turbans and beards—have borne the backlash. And 15 years after 9/11, Sikhs don’t feel any safer. The hate spewed toward them, as immigrants, has only spiked because of the xenophobic tenor in some quarters these days.

Which brings us to Bains—a Sikh man, an immigrant—who had a hand in stopping a suspect—another immigrant—from getting away with a crime.

“Not for nuthin’ the guy who recognized & called the police on the bomb suspect was an IMMIGRANT named Harinder Bains. IMMIGRANT=HERO!” tweeted Cecile Kazemi, echoing a sentiment repeated over and over on-line.

But talk to Bains and he’ll tell you his actions had nothing to do with his Sikh faith.

“I did what I think every American would have done,” Bains told CNN’s Chris Cuomo. “My neighbor would have done the same thing. Any Jewish, Christian, Sikh, Muslim. Anybody would have done the same thing.”

“I’m from Sikh faith,” he added. “I’ve been taught always stand up against the atrocities, any kind of persecution.”

The discovery

On Monday morning, Bains spotted Rahami sleeping in the doorway of his bar in Linden, New Jersey.

At first, Bains said he thought Rahami was a “drunk guy” wandering the streets.

“This has happened before also—somebody loitering in front of the bar. And always I go there and confront people and I yell at them. But somehow maybe [because] it was raining, I didn’t do anything. I felt bad for him.”

Later, as he was watching CNN from another business across the street, he recognized the 28-year-old as the person wanted for questioning in this weekend’s bombings.

He called 911.

“I just told them the guy looks a little suspicious and doesn’t look good to me,” Bains told “Anderson Cooper 360.”

When officers confronted him, Rahami pulled out a handgun and shot one of them.

“He shot twice and the glass splinters almost hit my store,” Bains said.

A shootout ensued, and then the world watched as cameras caught Rahami being loaded into an ambulance on a stretcher.

It was a stunning end to a two-day manhunt.

Bains insists he is not a hero.

But he is using the spotlight to promote a message of inclusion: “We will be more stronger like this if we do everything together.”

<http://www.cnn.com/2016/09/20/us/harinder-bains-sikh-faith-trnd/>

Chairman MCCAUL. Would the gentlelady yield? Commissioner Miller has a meeting with the Department of Homeland Security and has to—

Ms. JACKSON LEE. Well, can I talk quickly and get a question out to him before—

Chairman MCCAUL. Well, if you have a very quick question for him—

Ms. JACKSON LEE. Yes, before he departs.

Chairman MCCAUL [continuing]. Because he has to depart.

Ms. JACKSON LEE. Thank you, Mr. Miller. The Department of Homeland Security is important, but let me quickly say that my focus on the questioning after you leave is on intelligence. So my point to you is, give us the level of cruciality that good intelligence is coming from civilians, coming from the Muslim community, coming from neighbors, and as well coming from fusion centers or in fusion centers, and of course, JTTF, which is an investigatory arm. Level, the height—what level do you put the right intelligence at?

Mr. MILLER. I put it at the top, because having the right intelligence, the right partnerships, the right sources is the difference between having prevented 20 attacks or having had 20 attacks.

Ms. JACKSON LEE. I congratulate you on that. I will pursue my other line of questioning with the other gentlemen.

Please let me put on the record my appreciation for the service of Commissioner Bratton, who I know you had the privilege of working under and we worked with. Thank you very much for your service.

Let me go to Chief Acevedo and all the other chiefs that are here. Thank you. My focus is to get you the money, to get you the money that you need and that you have come here using your time to come up and explain to us what we need not to look backward but to look forward.

So first, Chief, tell me how effective the fusion center is in the State of Texas. Chief Acevedo. I am sorry.

Chief ACEVEDO. Thank you for that question, and great to see you. Our fusion center is absolutely key. Prior to the fusion center and the Austin Regional Intelligence Center, we really didn't have a mechanism by which, when we spotted threats or we saw something going on, to quickly act on it. I can tell you, just last week-end, a member of—a former Member of Congress received a threat and we were able to very quickly track that down because of our fusion center. Then we were smart enough to leverage our relationship with the State of Texas and the Department of Public Safety where we have actually placed our fusion center at DPS headquarters and pay them \$1 a year for the next 10 years, thank goodness. As a result, we leveraged the relationship, the assets.

Although we don't get UASI funding, when we received that funding back I believe in 2008, we enter it knowing that we as a community and as a region were going to commit it to maintaining that fusion center. We are doing so at a great cost locally because it is that important to us and our community.

Ms. JACKSON LEE. Let me ask Mr. Bouchard and Mr. Demings the same question. Do we need more resources for the fusion center? Fusion centers, because Michigan and Florida.

Sheriff BOUCHARD. Thank you, ma'am. Yes, I think Nation-wide the fusion centers are in need of resources, because while all this has been going on, certainly the country has gone through a recession and that affected all the police agencies in terms of their budgets and their personnel. I cut 165 positions during the downturn, which I still don't have back. Yet, you know, I want to have a commitment to the fusion center, but I have to fund 100 percent of it. So I have to pull someone out of our budget and out of our deployment and put them into the fusion center.

It certainly would be helpful if there was a way to, on a combined platform, if they are going to be assigned basically to a Federal joint terrorism or joint effort, that there should be some funding stream. We believe it would be helpful to——

Ms. JACKSON LEE. I agree, Chief.

Sheriff BOUCHARD. Add to the interaction and grow that. Because a lot of agencies can't afford it and even I, you know, find it challenging because we are asked to be on the JTTF, we are asked to be on identity theft with the Secret Service, we are asked to be on the fugitive with the U.S. Marshals, we are asked to be on all these different things——

Ms. JACKSON LEE. Allow me to get Mr. Demings. Thank you. I support you in that.

Mr. Demings, my sympathy to you for what your community experienced. Your experience and what you need in a fusion center to gather the intelligence that you need.

Sheriff DEMINGS. The fusion centers, again, they play a very pivotal role in our State and really as it relates to National security. Last year, we had 66.1 million visitors who came to Orange County, where I am from, and that was No. 1 in the Nation.

But with our fusion centers, while the primary focus is on counterterrorism efforts, it also has assisted in allowing us to manage natural disasters and also all crimes. So it is pivotal to preventing terror attacks but also preventing crimes from occurring in our community as well.

Ms. JACKSON LEE. Mr. Chairman, I have one last question and I——

Mr. KATKO [presiding]. It is a brief one, I hope.

Ms. JACKSON LEE. Yes, it is. Thank you, Mr. Chairman.

Mr. KATKO. OK.

Ms. JACKSON LEE. First of all, I will just make this statement. I do think getting guns off the street will help all of you, including officers, as we move toward dealing with this question of police community relations. But I offer a note about many of us who have a bill to close the gun show loophole. I have one that indicates to report any time guns are sold and you don't have the background check completed. Then also I think it's important to take note of the fact that we need to report when guns are transferred without that background check done. Guns do kill.

Let me ask this last question as how you draw your information. That is how we keep these dangerous issues from happening. Tell me how valuable it is to have relationships with diverse communities, diverse faiths. Obviously, I am going to say Muslims, but a variety of people. If you talk about right-wing attacks, how valu-

able it is to have information for you to do your job and have people willing to talk to you to do your job?

Sheriff DEMINGS. I indicated earlier that we had 66.1 million visitors. Well, they come from everywhere. So it is absolutely important for us to have relationships in the broad, diverse communities that we have. So we really focus on that. Before an incident occurs, we try to have establish relationships. We are depending on those relationships to provide the information in advance to us to perhaps assist in preventing an attack.

Ms. JACKSON LEE. Thank you.

Mr. Bouchard and then Mr. Acevedo. Thank you.

Sheriff BOUCHARD. Thank you. I think relationships are key on many levels, whether it is—we talked all threats, all hazards. Whether it is traditional crime or counterterrorism, you have to have relationships so people feel comfortable to call and tell you they see something odd. Maybe it is related to terrorism or maybe it is a drug house. They have to have that confidence in that relationship, you know. Everyone has got their own kinds of platforms, I think, to try to do that.

I launched a thing called the Sheriffs' Relations Team, SRT. We try to put together community members to be a funnel, because sometimes, people don't feel comfortable calling the police, but they may feel comfortable calling people that are on that team that can then connect to us, and also create platforms that allow anonymous information to flow to us in an uninhibited manner.

Ms. JACKSON LEE. Thank you.

Chief.

Chief ACEVEDO. Relationships absolutely are key. I spoke to this earlier, Congresswoman, whether it is the immigration debate or whatever debate, we have to stop painting people with broad brushes because it puts up fences and tears down trust. In my community, I spend a lot of time speaking in English and Spanish to my immigrant community, to my Muslim community, to all communities, that the Austin Police Department, the only ones that need to fear us are those that would do harm to members of our community. So I think that as we move forward, we have to continue to build bridges to all segments of society instead of tearing them down.

Ms. JACKSON LEE. Thank you. I yield back.

Mr. KATKO. Thank you, Ms. Jackson Lee.

The Chair now recognizes the gentleman from Texas, Mr. Ratcliffe.

Mr. RATCLIFFE. Thank you, Mr. Chairman. First, I would like to thank each of you for your service to our country and to all of our communities. I know that Deputy Commissioner Miller had to leave, and I was hoping to have an opportunity to commend and thank him and his folks for what was a truly remarkable and amazing response to the terrorist events in New York and New Jersey this past weekend and the incredible speed at which they were able to identify and apprehend the suspect, Mr. Rahami. I think that that probably saved the lives of countless Americans. Of course, we are all grateful that Officer Padilla and Investigator Hammer are both expected to make a full recovery from their injuries sustained during their heroic actions.

But these events really only underscore how every day members of our law enforcement community, your teams, say good-bye to their loved ones and then go out and put their lives on the line to protect their neighbors.

Now, unfortunately, you all are being asked to do not just the traditional jobs that we have always asked law enforcement to do, you now have to answer the call when terrorists attack. In that respect, you truly are the first line of defense in ensuring that our streets don't become battlefields. It seems to me that if we are asking you all to go to battle, then the very least that we can do is make sure that you get the type of equipment that you need to protect yourselves and to protect all of us.

Now, I will tell you, it is not very often that I get a chance to talk about a Federal program that serves a noble purpose like that, and does so effectively, efficiently, and at essentially no cost to taxpayers. Those types of Federal programs are about as rare as a \$3 bill. But the 1033 surplus program is exactly that kind of program. I think you all know that.

It is a program that allows the Department of Defense to transfer certain surplus defense equipment, which has already been paid for, and in many cases already been used to protect our troops, and to repurpose that for our State and local law enforcement to use in counterterrorism activities and counter drug activities and in emergency situations that arise in our communities all the time. That was the case anyway, until unilateral executive actions by President Obama, which cut access to that type of critical equipment that agencies like yours depend on.

In fact, many of you have had, I assume, to send back some of the equipment that you had already received from the program. Equipment like tracked armored vehicles, the kind that law enforcement officers in my district say have saved lives in crisis situations and which double as rescue vehicles in some circumstances. Because of the President's action here, some of the SWAT teams that have had the benefit of life-saving body armor and ballistic helmets won't have that benefit anymore, because they can't afford that equipment without this program.

So I think the President's actions here are, frankly, inexcusable. I think he has put the safety of your officers and his politics ahead of the public safety.

So in response to all that, earlier this year, I introduced the PLUS Act, the Protecting Lives Using Surplus Equipment Act of 2016, which would reverse the President's Executive Order and restore that program to law enforcement agencies like all of yours.

Sheriff Bouchard, I want to start with you, because I notice you mentioned it in your opening statement. I really want to get your perspective on the administration's unilateral decision to strip this type of equipment from agencies like yours. In answering that, I am interested in the policy, of course, but I am less interested in hypotheticals. I want to know how this is really affecting officers like the ones that you manage out in the real world.

Sheriff BOUCHARD. Well, thank you. Thank you for your leadership on this.

We have, I think, pretty much across the board found 1033 extremely helpful in assisting law enforcement in challenging days

and times. I think we saw real-time evidence of that in San Bernardino, the use of armored vehicles and tactical equipment to save lives.

In a real-life example, the day that was playing out, we received an order from Washington to return our tracked vehicle that day. It was loaded on a flatbed and the attempt is to blow it up. The tracked vehicles around the country are used, not just for dangerous armored situations, but there are also diverse terrain across this country: Sand and snow. Northern Michigan can get, you know, 5 feet of snow, and a tracked vehicle is the only way to get to certain situations.

I know San Bernardino found themselves with a running fugitive hunt who had killed a number of people. They had to actually borrow I think Park's CATs to be able to drive through some of the deep snow. My real-life example is we had a running gun battle that lasted almost 12 hours with an individual who had killed a police officer and barricaded himself in a house. He was firing a fully automatic weapon, not just out the windows, but through the walls and striking all the neighbors' homes. We used armored vehicles to evacuate the neighbors and to obviously protect our deployed deputies around the scene as we continued that running gun battle all night long.

Toward the end of that battle, we wanted to insert into the second story. The only way we could do that was with an armored vehicle that actually had a ramp to a second story. That armored tracked vehicle was recalled by the Federal Government. Our region no longer has the ability to have a ramp to a second story in an armored capability. So that literally was saving lives that night, and was taken and is intended to be destroyed. So that is the kind of situation we are facing.

I will just go a step further. I think most of the real problems are now coming from the rule makers. I said I am the point person on this for Major Counties Sheriffs of America and I have been in more meetings that I can count. In one of the meetings, there were 37 people in the room, two of us were full-time law enforcement.

So the people making rules actually was asked the question in one of these meetings, what caliber is 223? The people making the decisions don't know the equipment or the tactics used with this equipment, and they get to decide how and when and where we use that. I think that is a problem. They are writing rules that are rather extensive. They keep changing them. They have changed them a number of times. They haven't been formalized, but they are going to be backdated to October of last year, and we don't know what the rules are yet. At one point, it was we had to train our whole agency on a specific set of training, department-wide. Not the people that used it or were authorized to call it out, but the whole agency. So much of this is driven by perception. It is incredibly frustrating.

You know, they talk about—militarized tracked vehicles were removed because they looked too militarized, but you can still get armored vehicles with wheels. Well, that doesn't go to the tactics necessary or the terrain. I had to turn in 12 bayonets because they thought we were fixing bayonets, I guess, and charging homes. They were 12 chrome bayonets used by the honor guard at funerals.

als. So we had to go out and buy the bayonets for the honor guard that the Federal Government recalled. So much of this is driven by perception, not by the reality of use or by who is making those decisions. It is incredibly frustrating.

Mr. RATCLIFFE. Thank you, Sheriff. Based on the answer that you just gave me, would you agree with me that the President's decision to eliminate this program is jeopardizing the safety and well-being of your officers?

Sheriff BOUCHARD. I certainly would agree with that statement. In fact, I said that, after San Bernardino, the sheriff, a friend of mine, said they came prepared and America is less prepared, as we sent back our armored vehicles that same day.

Mr. RATCLIFFE. Thank you, Sheriff. I am out of time.

Chief, I saw you nodding your head in response. So I want to give you a chance to comment on this if you—

Chief ACEVEDO. I will be very brief. But whether it is a 1033 program or asset forfeiture, we need to deal with individual departments if they abuse or misuse the equipment or the assets, and not paint the entire profession and hold the entire profession accountable with a broad brush.

You remember the MRAPs? Everybody hates them. Oh, they invoke images of Iraq. And Chairman McCaul and I had a press conference in Austin where—we didn't get one for Austin because my SWAT team said it is too big for our city configuration. But I said, when you have floods, and we are a State prone to flooding, we need those MRAPs to rescue people. Not a month passed when we had some major flooding in Central Texas. Guess what the PD just south of me used? An MRAP, to rescue kids that were stuck inside an elementary school that had basically flooded all around it.

So it is not the equipment, it is—which needs to be used. So, absolutely, the 1033 and asset forfeiture, hold the departments accountable that misused the equipment, and let's not paint the entire profession with a broad brush.

Mr. RATCLIFFE. Thank you, Chief.

I yield back.

Mr. KATKO. Thank you, Mr. Ratcliffe.

I want to thank the witnesses for their valuable testimony and for the Members for their questions.

Before I conclude, I want to, first of all, thank all of you. Being in law enforcement for 20 years, when I hear what you discuss, I kind-of miss it, to be frank. But I want you to get some comfort out of this that your words are not falling on deaf ears. We have heard time and again over the last several months in other hearings about we need to do a better job of sharing information. We need to do a better job of getting State, local, and Federal agencies on the same page, especially with respect to background checks and information sharing. We are mindful of that and we are in the process of doing things about that. So your testimony does help.

The fusion center issue really bothered me. I did not realize that was such—there were so many cuts from the fusion centers. That is very troubling, given the fact in the last few years, where we are now up to over 1,000 ISIS-related investigations Nation-wide in all 50 States. It is not a time to be paring it down, it is time to be

plussing it up. We need to take a look at that and we need to find the funding to make that happen.

Last, with respect to your colloquy with Mr. Ratcliffe, we have to give you all the tools you need to make things necessary—to keep you as safe as possible and to make you do as an effective job as you possibly can. We can't do that when you start cutting things. So we have to be mindful of that. No matter what happens going forward with the election, we need to convince the administration, whomever it is, that you need to be properly supported. This is not a time for cuts. This is a time for at least maintaining what you have or plussing it up, because the American people deserve to be safe. We have to give you the tools to keep them safe.

So I commend you all for the job you do. To find that needle in the haystack every day is a brutal task. You know, I wake up every day worried about things I learned on the committee. I can't imagine what you all go through every day. So I thank you for what you do.

The Members of the committee may have some additional questions for the witnesses, and we will ask them to respond to these in writing. Pursuant to committee rule 7(e), the hearing record will be held open for 10 days.

Without objection, the committee stands adjourned. Thank you, gentlemen.

[Whereupon, at 1 p.m., the committee was adjourned.]

APPENDIX

QUESTIONS FROM RANKING MEMBER BENNIE G. THOMPSON FOR ART ACEVEDO

Question 1. This year, Texas implemented its open-carry law. Do open-carry laws, and other lax gun laws, create additional demands on police resources? How so?

Answer. Response was not received at the time of publication.

Question 2. You note in your testimony that the availability of firearms “haunts police chiefs every day.” Do you think that the increased threats posed by the proliferation of firearms deters qualified individuals from joining law enforcement or serves as an incentive to leave law enforcement?

Answer. Response was not received at the time of publication.

Question 3. Chief Acevedo, Austin no longer receives UASI funding. Can you expand on some of the capabilities you have lost or have had to pursue less ambitiously because Austin is no longer a UASI city?

Answer. Response was not received at the time of publication.

Question 4. The International Association of Chiefs of Police has previously distributed officer vulnerability tips to limit assaults against police officers while on duty. These tips ranged from officers wearing their vest, proper vest fit, physical readiness, mental readiness, situational awareness, and officers getting to know their community. How effective is this kind of guidance when police officers are essentially out-gunned by people with illegal and military-style firearms?

Answer. Response was not received at the time of publication.

QUESTIONS FROM RANKING MEMBER BENNIE G. THOMPSON FOR MICHAEL J. BOUCHARD

Question 1a. In wake of the 2015 attack at the military recruiting center in Chattanooga, Tennessee, you called on members of the military to carry concealed weapons to combat possible threats. Your department assisted in offering classes to military members to obtain a concealed carry license.

Is this still an on-going initiative by your department?

Question 1b. How much does it cost your department to perform this kind of services?

Answer. The Oakland County Sheriff’s Office was proud to offer Concealed Pistol License (CPL) classes to those who were active military. Along with that, many veterans participated in the program as well. In August 2015, we held three classes which served over 60 individuals to receive the training that is mandated in the State of Michigan for someone to receive a CPL. While we have not held any additional classes specifically for the military, we offer regular monthly CPL classes at our agency taught by our firearms instructors. Further, the Sheriff’s Office has been working with the legislature on legislation that would mandate military personnel to be on-duty at all times with a firearm at military installations. As of now, many military bases are still not equipped to face a threat as they did in Chattanooga. It is imperative that we provide our armed forces who are sworn to protect our country with the tools necessary to also protect themselves.

These classes were put on through partnerships and sponsorships from the community. The firearms instructors volunteered their time, the range was donated by a local business, and the food was donated through a local restaurant. Without these donations, it would cost us \$1,200.00 per class for the instructors, \$500+ for the facility, and another \$400+ for the food for the 8-hour class required by law.

Question 2. The International Association of Chiefs of Police has previously distributed officer vulnerability tips to limit assaults against police officers while on duty. These tips ranged from officers wearing their vest, proper vest fit, physical readiness, mental readiness, situational awareness, and officers getting to know their community. How effective is this kind of guidance when police officers are essentially out-gunned by people with illegal and military-style firearms?

Answer. Vulnerability tips can be helpful however, the fact of the matter is that the recall of certain types of controlled life-saving equipment has undoubtedly left America's law enforcement less prepared and at a disadvantage to protect local communities from active shooters, terror attacks, and dangerous situations. As noted in the August 2, 2016 COPS/LEOMF report, "Deadly Calls and Fatal Encounters," in all of examined Officer Needs Assistance calls, officers were shot as they manned perimeters when a suspect barricaded themselves, as they assisted in the search for an armed fleeing suspect, or as they attempted to rescue a wounded officer. Suspects were wielding rifles in 7 cases, and of those, 4 were ambush-style attacks. Three of the cases involved multiple officers being shot and killed. Standard soft body armor such as level III-A, worn by most patrol officers, will not stop a rifle round. The increasing use of assault-style rifles against police has given rise to the issuance of AR-style patrol rifles, body armor with hard armor plates, and ballistic helmets, to be deployed during high threat responses.¹

QUESTIONS FROM RANKING MEMBER BENNIE G. THOMPSON FOR JERRY L. DEMINGS

Question 1a. Recently, we saw two separate instances of lone-wolf actors conducting attacks on communities in Minnesota and New York City. After the devastating terrorist attack that happened in Orange County this summer, how do you go about training for and prevention of lone-wolf attacks?

Question 1b. How does the availability of guns affect the complexities involved in protecting against lone-wolf terrorist attacks?

Answer. Response was not received at the time of publication.

Question 2a. In the past, you expressed concerns about the growing number of stolen weapons within your community. Your department has been involved in a gun buyback initiative to limit the amount of guns falling into the wrong hands.

Can you tell us how this initiative has worked in your community so far?

Question 2b. How should additional agencies across the country participate in similar programs to encourage further gun safety and crime prevention?

Answer. Response was not received at the time of publication.

Question 3. According to DHS Secretary Jeh Johnson, homeland security can not be done without sensible gun control legislation. Do you agree with the Secretary?

Answer. Response was not received at the time of publication.

Question 4a. The market for illegal firearm trafficking should remain a major concern for law enforcement officials to better address. Unfortunately, in your community, as well as across the Nation, officers have been killed due to suspects' possession of illegal firearms.

How do law enforcement officials deal with individuals who are able to possess firearms via straw-buyer purchases?

Question 4b. Do these individuals pose any unique threats to those in their communities?

Answer. Response was not received at the time of publication.

Question 5. The International Association of Chiefs of Police has previously distributed officer vulnerability tips to limit assaults against police officers while on duty. These tips ranged from officers wearing their vest, proper vest fit, physical readiness, mental readiness, situational awareness, and officers getting to know their community. How effective is this kind of guidance when police officers are essentially out-gunned by people with illegal and military-style firearms?

Answer. Response was not received at the time of publication.

QUESTIONS FROM RANKING MEMBER BENNIE G. THOMPSON FOR JOHN MILLER

Question 1. Mr. Miller, as we saw after 9/11 and as we saw just this week after the Chelsea bombing, New York City is resilient. How does the NYPD foster and promote a culture of resiliency?

Answer. Response was not received at the time of publication.

Question 2. Mr. Miller, thank you for coming. In the wake of this weekend's incident in Chelsea, please tell us what type of assistance you have received from the Federal Government. Do you consider it to be sufficient?

Answer. Response was not received at the time of publication.

Question 3. Mr. Miller, in light of the recent police shootings in Dallas and the mass shootings in Orlando and San Bernardino, what type of changes has NYPD made for its officers?

Answer. Response was not received at the time of publication.

¹<http://www.nleomf.org/assets/pdfs/officer-safety/Primary-Research-Final-8-2-16.pdf>.

Question 4. The International Association of Chiefs of Police has previously distributed officer vulnerability tips to limit assaults against police officers while on duty. These tips ranged from officers wearing their vest, proper vest fit, physical readiness, mental readiness, situational awareness, and officers getting to know their community. How effective is this kind of guidance when police officers are essentially out-gunned by people with illegal and military-style firearms?

Answer. Response was not received at the time of publication.

