

**FEDERAL LAW ENFORCEMENT TRAINING CENTERS:  
PREPARING AMERICA'S LAW ENFORCEMENT TO  
PROTECT THE HOMELAND**

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**HEARING**  
BEFORE THE  
SUBCOMMITTEE ON  
OVERSIGHT, MANAGEMENT,  
AND ACCOUNTABILITY  
OF THE  
COMMITTEE ON HOMELAND SECURITY  
HOUSE OF REPRESENTATIVES  
ONE HUNDRED SIXTEENTH CONGRESS  
FIRST SESSION  
MAY 16, 2019  
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CENTERS: PREPARING AMERICA'S LAW EN-  
FORCEMENT TO PROTECT THE HOMELAND**

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**Thursday, May 16, 2019**

U.S. HOUSE OF REPRESENTATIVES,  
COMMITTEE ON HOMELAND SECURITY,  
SUBCOMMITTEE ON OVERSIGHT, MANAGEMENT,  
AND ACCOUNTABILITY,  
*Washington, DC.*

The subcommittee met, pursuant to notice, at 10:03 a.m., in room 310, Cannon House Office Building, Hon. Xochitl Torres Small [Chairwoman of the subcommittee] presiding.

Present: Representatives Torres Small, Barragán, Crenshaw, and Higgins.

Ms. TORRES SMALL. The Subcommittee on Oversight, Management, and Accountability will come to order.

The subcommittee is meeting today to receive testimony on “Federal Law Enforcement Training Centers, Preparing America’s Law Enforcement to Protect the Homeland.”

Good morning. I want to thank our witnesses for being here today. The Nation is currently honoring its law enforcement officers as part of the National Police Week. I would like to take a moment to thank those individuals who risk their lives to protect their country and local communities. I also honor those in law enforcement who have lost their lives in the line of duty.

In conjunction with Police Week, today, we have the opportunity to hear about the Federal Law Enforcement Training Centers, or FLETC, the component responsible for training more than 70,000 law enforcement officers and agents annually.

I am proud to say that one of FLETC’s facilities is located in my home district, in Artesia, New Mexico. Artesia is home to the Basic Training Academy for the United States Border Patrol. It is also the training site for the Federal Air Marshal Service, Federal Flight Deck Officers, and the Bureau of Indian Affairs Indian Police Academy. All in all, about 4,000 law enforcement officers are trained in Artesia every single year.

I recently had the opportunity to visit the Artesia facility and witnessed first-hand the full extent of work that goes into keeping that training facility running. Whether the training occurs in Artesia or at one of FLETC’s many other sites across the country, it is critical that FLETC provide this training efficiently, safely, and, most importantly, in a manner that effectively prepares trainees for the real-life challenges they will encounter in the field.

The Department of Homeland Security's Office of Inspector General, OIG, recently described in a November 2018 report some of the challenges FLETC faces related to a lack of resources and its dependence on partner organizations.

For example, while FLETC's largest facility in Glynco, Georgia, has an annual capacity to house more than 20,000 students, it still houses thousands at off-site hotels. Some of those trainees have been housed at hotels up to 74 miles away from the center.

While this results in costs that are 3 to 4 times more than on-site housing, it also has nonmonetary impacts. For example, one FLETC partner told the Government Accountability Office that its new hires who are housed off-site did not have the same opportunity to acclimate to agency culture.

Additionally, FLETC depends heavily on the partner organizations that use its training facilities. For example, its partners are required to provide or pay for some of the instructors that run FLETC's training programs. Some of those partners rely on short-term temporary duty rotations that come at a far greater expense than multi-year rotations that also provide more consistent instruction for trainees.

Despite these challenges, I am encouraged to learn that FLETC has recently developed a strategic plan laying out a vision for the component's future. I look forward to hearing about how FLETC intends to implement its strategic plan to work more closely with its partners to ensure that its training courses meet the needs of the Department of Homeland Security and all other partner organizations.

I also look forward to hearing about possible solutions to some of the challenges FLETC faces and the ways in which this committee and Congress as a whole might assist in doing that.

Training at both the beginning of one's career and as one continues to learn new skills and hone old ones is a critical piece in the career of law enforcement, and I am confident that we can work together to ensure FLETC is providing the best possible training for the law enforcement community.

Again, thank you to all of the witnesses for being here, and I look forward to your testimony.

The Chair now recognizes the Ranking Member of the subcommittee, the gentleman from Texas, Mr. Crenshaw, for an opening statement.

[The statement of Chairwoman Torres Small follows:]

STATEMENT OF CHAIRWOMAN XOCHITL TORRES SMALL

MAY 16, 2019

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Training, both at the beginning of one's career and as one continues to learn new skills and hone old ones, is a critical piece in the career of a law enforcement. I am confident that we can work together to ensure that FLETC is providing the best possible training for the law enforcement community.

Mr. CRENSHAW. Thank you, Chairwoman.

Thank you to our witnesses for being here.

Thank you for holding this hearing.

I am pleased we are doing this to examine how the Federal Law Enforcement Training Center, FLETC, provides training and resources to Federal, State, and local law enforcement. It is a very timely hearing, as it is Police Week. This week we will honor all of the men and women in law enforcement and pay our respects to the police officers who have made the ultimate sacrifice in the line of duty.

I am especially grateful because I understand first-hand what it is like to open a door and not know what is on the other side. All of us who went overseas to serve were able to do so because our law enforcement officers stayed here and served us day in and day out, keeping our families and our communities and our country safe.

According to the FBI, 106 law enforcement officers were killed in the line of duty in 2018. Line-of-duty deaths were frequently during investigations of a crime or while making an arrest. As we seek to reduce the number of deaths in the line of duty, we must recognize the important role training and research can play. Researchers look for trends relating to officers' injuries and deaths while on duty. Data analysis of these trends can result in changes to agency policies, practices, and training objectives for law enforcement.

FLETC is one agency that is always looking for ways to improve officer training. It also conducts research to establish best practices.

Since its founding in Georgia in 1975, FLETC has adapted to respond to the ever-changing threat environment and provide the best training possible.

In the wake of 9/11, FLETC was moved to the Department of Homeland Security and has continued to expand its training opportunities to serve more law enforcement agencies. In 2018, FLETC trained more than 73,000 officers through over 800 training programs.

FLETC provides basic training for agents and officers across the Federal Government and provides training on specific issues, such as firearms, driving, investigations, and legal issues.

FLETC also offers specialized training courses on things such as active-shooter threat training, commercial vehicle counterterrorism training, internet investigations training, and tactical medical training for first responders. Recently, FLETC has developed a pilot program for training in human trafficking. I want to briefly discuss the importance of the last two.

After the early experiences in Iraq and Afghanistan, the U.S. military began prioritizing tactical medicine. Knowing how to pack a gunshot wound, how and where to apply a tourniquet, and how to open an airway have been vital to saving countless lives on the battlefield. These skills are indispensable for saving lives at home as well.

FLETC's partnership with the Blue Campaign to combat human trafficking is something I care deeply about. We should do everything we can to eradicate this abhorrent form of modern slavery.

My district in the Houston area is all too familiar with this horrific practice. There is no place in this world and we must make sure we are doing everything we can to make human trafficking a thing of the past.

FLETC also offers train-the-trainer programs that act as a force multiplier to increase the reach of FLETC and train as many officers as possible.

FLETC's State, Local, and Tribal Division provide opportunities for low-cost and no-cost training at its campuses around the country. These programs support the development of specialized law enforcement knowledge and skills. Additionally, FLETC sponsors training at other locations around the Nation, most of which are provided at no cost for those at the State, local, and Tribal law enforcement officers.

FLETC clearly has its work cut out for it by trying to provide training for the Federal Government and being a resource for State, local, and Tribal law enforcement as well. The Executive Order issued by President Trump to increase CBP and ICE officers to address the crisis at the border will require a large number of additional officers to be trained by FLETC. I am hopeful FLETC can rise to the challenge, and I am hopeful Congress will provide it the resources it needs to do so.

I look forward to hearing from our witnesses today on the training opportunities FLETC provides law enforcement and ways FLETC can improve its training opportunities and the ways that Congress can assist.

I yield back.

Thank you, Chairwoman.



[The statement of Ranking Member Crenshaw follows:]

STATEMENT OF RANKING MEMBER DAN CRENSHAW

MAY 16, 2019

Thank you, Chairwoman Torres Small. And thank you to our witnesses for being here today.

I am pleased we are holding this hearing today to examine how the Federal Law Enforcement Training Center, FLETC, provides training and resources for Federal, State, and local law enforcement. This is a very timely hearing as it is National Police Week. This week, we honor all the men and women in law enforcement and pay our respects to police officers who made the ultimate sacrifice in the line of duty.

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I look forward to hearing from our witnesses today on the training opportunities FLETC provides law enforcement, ways FLETC can improve its training opportunities, and the ways we in Congress can assist.

I yield back the balance of my time.

Ms. TORRES SMALL. Other Members of the committee are reminded that, under the committee rules, opening statements may be submitted for the record.

[The statement of Chairman Thompson follows:]

STATEMENT OF CHAIRMAN BENNIE G. THOMPSON

MAY 16, 2019

As it is National Police Week, I would like to take a moment to thank those law enforcement officers who serve this country and State and local communities and also honor those in law enforcement who have made the ultimate sacrifice.

The Federal Law Enforcement Training Centers, or FLETC, are a critical component of the Department of Homeland Security (DHS) and serve an important function for our Nation's law enforcement community at large. FLETC prepares the Federal law enforcement community to safeguard the American people, with more than 70,000 students receiving training at FLETC annually.

FLETC has grown over the years to include a number of facilities. If you are a new law enforcement officer joining the United States Border Patrol or the Federal Air Marshal Service, you will attend basic training at FLETC's facility in Chairwoman Torres Small's district in Artesia, New Mexico. A new recruit joining ICE Enforcement and Removal Operations or Homeland Security Investigations will attend basic training at FLETC's headquarters in Glynco, Georgia. And if you are a law enforcement officer in the National Capital Region, you will likely attend refresher and advanced training at FLETC's facility nearby in Maryland. Overall, FLETC oversees training for approximately 100 law enforcement organizations.

Needless to say, it is critical that FLETC conduct training in a manner that will prepare law enforcement trainees for the challenges they will face in the field. As the country's threat landscape evolves, FLETC must adapt so that its trainings meet the specific needs of its partners. On this front, I am encouraged that FLETC recently produced a Strategic Plan that highlights the need for coordination with its partners in designing, developing, and evaluating its training programs.

Despite the best of intentions, FLETC faces coordination challenges with its partners and a lack of resources. Some of these challenges were identified in a November 2018 DHS Office of Inspector General (OIG) report. For example, scheduling for approximately 100 partner organizations at 700 sites is a heavy lift and depends greatly on FLETC's partners' ability to accurately predict their training needs for the upcoming year. Given the limited resources and on-going demand for training, partners compete for use of the same training facilities. According to the OIG, FLETC has identified at least 8 facilities that exceed their capacity. In those cases, partners occasionally have to use back-up sites that lack the same capabilities or training features. For example, one back-up site does not have a stairwell, which precludes training on navigating such a setting. The OIG also noted that back-up sites may be less safe. In one such case, a warehouse at the Artesia facility was damaged by a vehicle in 2009 and was not repaired until after the OIG identified safety risks in 2017.

This raises concerns about whether FLETC has practices in place and resources necessary to ensure that its infrastructure is properly maintained. Indeed, maintenance and repair of FLETC's infrastructure is critical to its success. But during hiring surges, it becomes more challenging for FLETC to complete this work.

If Customs and Border Protection succeeds in its proposed hiring surge, the Department must have a plan to ensure FLETC does not get overwhelmed by additional trainees, exacerbating existing scheduling and infrastructure challenges. I look forward to hearing more from the acting inspector general on the challenges FLETC faces and opportunities for improvement. I also look forward to hearing from FLETC on the steps it is taking to deliver its training in an efficient and safe manner and to ensure that law enforcement officers are receiving the best possible training to address the challenges they will face in the field.

Ms. TORRES SMALL. I welcome our panel of witnesses and thank you all for joining us today.

Our first witness is Mr. Thomas J. Walters, who serves as the director of the Federal Law Enforcement Training Centers. Director Walters oversees all operations related to the development and delivery of law enforcement training for more than 95 Federal part-

ner organizations. Before joining FLETC, he had a distinguished 30-year career with U.S. Customs and Border Protection.

Next, we have Mr. John V. Kelly, who serves as the Department's acting inspector general. Mr. Kelly joined the Office of Inspector General in 2008 and was appointed deputy inspector general in 2016. Prior to joining the OIG, he served as the assistant director of forensic audits and special investigations at the Government Accountability Office.

I am going to briefly yield to Ranking Member Crenshaw to introduce the minority's witness, Captain Greg Davis.

Mr. CRENSHAW. Thank you, Madam Chairwoman.

I have the pleasure of introducing Texas Department of Public Safety Captain Greg Davis. Captain Davis has a long and distinguished career of public service spanning 3 decades. He began his career in the U.S. Marine Corps as a Military Policeman before serving in law enforcement at the Department of Veterans Affairs, the Texas Attorney General's Office, University of Texas at Austin, and now, for the past 17 years, with the Texas Department of Public Safety.

I am very grateful to Captain Davis that he has come here to testify today. I know how hard it is to leave Texas when you don't have to.

Thank you for coming, Captain Davis. We really owe you a debt of gratitude for your service and look forward to your testimony.

Ms. TORRES SMALL. Not as hard as it is to leave New Mexico, but—without objection, the witnesses' full statements will be inserted in the record.

I now ask each witness to summarize his or her statements for 5 minutes, beginning with Director Walters.

**STATEMENT OF THOMAS J. WALTERS, DIRECTOR, FEDERAL LAW ENFORCEMENT TRAINING CENTERS, U.S. DEPARTMENT OF HOMELAND SECURITY**

Mr. WALTERS. Thank you, Madam Chairwoman Torres Small, Ranking Member Crenshaw, committee Members. Greetings to all.

We—that is, all of us at the—in the Federal law enforcement community really thank you for holding this hearing. I believe it has been some 5 years or so since this—Federal Law Enforcement Training Centers had the opportunity to testify in an open hearing before Congress.

As we know and you have observed, law enforcement training often runs in the background behind law enforcement operations, and that is altogether righteous and good and proper. But just as recruiting and hiring are important to law enforcement, so is training. That is my ambition today, to convey to you an understanding of our training strategy and our training operations at the Federal Law Enforcement Training Center, FLETC, and give you a sense of what authorities and responsibilities our community members reserve to themselves and what authorities and responsibilities the community members share.

I understand that the focus of today's hearing is the organizations within the Department of Homeland Security that contribute staff, students, and resources to the community effort to train law enforcement professionals.

For context, though, I note that every Cabinet-level department in the Executive branch, as well as organizations within the Judicial and Legislative branches of Government, rely on the Federal Law Enforcement Training Center for some or all of their training. They all contribute some level of staff, students, and resources to the community effort.

Our community is grateful for the support of this Congress and every Congress since 1970 that have supported FLETC's training goals with appropriations, advice, oversight, authorizing language, and official visits to our facilities.

My first association with the Federal Law Enforcement Training Center came as a young Border Patrol agent and instructor in 1978. I want to make sure for the record, that is 1978, not 1878.

I have worked as part of the FLETC community a half a dozen times in my 40-year Government career and since October 2017 as its director.

FLETC is nearly 50. FLETC is and always has been a technical training school for law enforcement professionals.

FLETC is part of DHS. As noted in our authorizing legislation, FLETC is led by a director and reports to the Secretary of Homeland Security.

Our history began in 1970. In 1970, the Federal law enforcement leaders of the day commissioned FLETC to do two simple things: To bring consistency to Federal law enforcement training and to provide the means to develop and deliver that training.

While the concept is simple, the execution of that concept is often challenging, and never more so than today.

Most of our training businesses is conducted for the benefit of the Department of Homeland Security organizations. That is about 70 percent of our workload. However, more than 90 Federal agencies and many State and local organizations rely on FLETC for some of their training.

For example, the Capitol Police, that effectively provide security here in the Capitol, also trained at FLETC, even though they are part of the Legislative branch.

FLETC and its participating organizations team up to train upwards, as you both have observed, 70,000 students every year. We operate 4 training delivery sites occupying 3,300 acres in New Mexico, South Carolina, Maryland, and Georgia.

You all have my written testimony and a copy of our strategic plan, but allow me to set some additional context. When I came on as the director in October 2017, I looked around the Federal Law Enforcement Training Center, and I found a lot more of the 1970's and a lot less of the year 2017 than I thought was appropriate.

So, at FLETC, we reexamined our strategic direction, refreshed our strategic plan, and moved from where we were in 1970 to where we ought to be in the year 2022. We developed and won approval for the strategic plan you see before you today.

FLETC is an institution with a terrific past and tremendous potential for the future. While grateful for the trust that Congress has placed in us—and I invite the Members of this subcommittee and their staff to visit our sites to see what our community does each day.

FLETC's staff, many of whom are or were members of the organizations they train, identify profoundly with the outcome of their work. No one is more committed than they are to preparing those entrusted to their care for the demanding, often dangerous, challenges of the operating environment.

I have every confidence, though, with the strategy to give direction to the energy, focus, and imagination of the staff, you can be certain that FLETC will get the job done.

Thank you, and I will do my best to answer your questions.  
[The prepared statement of Mr. Walters follows:]

PREPARED STATEMENT OF THOMAS J. WALTERS

MAY 16, 2019

INTRODUCTION

Good morning Chairwoman Torres-Small, Ranking Member Crenshaw, and Members of the subcommittee. It is an honor to be here today with my colleagues from the Department of Homeland Security (DHS), Office of the Inspector General, and the Texas Department of Public Safety. I am particularly gratified to appear before this subcommittee during National Police Week, as law enforcement professionals converge on our Nation's Capital from around the country and the world to collectively honor those who have made the ultimate sacrifice for our Nation and its people.

FLETC OVERVIEW

In just 1 year, the Federal Law Enforcement Training Centers (FLETC) will reach the 50th anniversary of its establishment by Congress.

The FLETC of today is not the FLETC of 1970, yet throughout these 5 decades we have remained faithful to the two complementary strategic goals envisioned by our founders. First, Congress intended for FLETC to establish consistency and constancy in the content and delivery of Federal law enforcement training. Second, our founders envisioned that FLETC would leverage the advantages of a centrally managed, universally accessible training infrastructure. Today, we are on a strategic path to our future as the Nation's enterprise resource for Federal law enforcement training. I have been privileged to serve as the director of this institution since October 2017.

I would like to acknowledge and thank Congress for its long-standing support of FLETC's mission. FLETC is a technical school that prepares Federal law enforcement personnel to be effective in their operating environments. Since our establishment, we have developed an unsurpassed expertise in the art and science of developing law enforcement training. We deliver training in subjects integral to the performance of law enforcement functions across the Federal Government, such as firearms, driving, tactics, investigations, and legal training. We assist participating organizations from throughout the Federal Government in providing training unique to their missions at FLETC training sites.

Each day, tens of thousands of Federal law enforcement personnel anticipate, prevent, and respond to events that threaten our Nation's people, property, and institutions. Throughout the homeland and abroad, U.S. agents, officers, investigators, inspectors, and screeners assess, plan, patrol, inspect, examine, apprehend, investigate, interview, and perform thousands of other specialized tasks essential to fulfilling their agencies' missions. Much of the Federal law enforcement community relies on FLETC to prepare their enforcement personnel for these responsibilities.

Headquartered in Glynco, Georgia, FLETC and its Federal participating organizations annually train upwards of 70,000 students at 4 training delivery sites occupying 3,300 acres in New Mexico, South Carolina, Maryland, and Georgia.

A typical day will find FLETC and participating agency staff actively engaged in delivering, exercising, and evaluating the transfer of critical law enforcement knowledge and skills for 3,000 students, most of whom are in-residence at a FLETC training delivery point.

In addition to basic training, FLETC leverages the expertise of its training partners and stakeholders to offer the most comprehensive inventory of specialized and advanced training programs in law enforcement.

State, local, and Tribal law enforcement personnel are an integral part of the homeland security community. As a resource to them, FLETC provides specialized

and advanced training at its training sites and exports training programs to State, local, and Tribal agencies throughout the country.

FLETC is also a resource for U.S. Federal law enforcement agencies with an international mission. FLETC participates in the International Law Enforcement Academies' (ILEA) programs in Botswana, El Salvador, Thailand, Hungary, Ghana, and New Mexico. FLETC brings a unique value to the international missions of the U.S. law enforcement community through its support for the ILEA program. Through our participation, FLETC builds critical capacity of our fellow agencies' operational counterparts and strengthens law enforcement networks that help defeat criminal organizations before their enterprise reaches our shores. Additionally, we provide law enforcement training and support capacity-building activities overseas on a reimbursable basis with the U.S. Department of State, host individual international law enforcement personnel at FLETC's domestic training sites, and engage with international stakeholders in research and the exchange of best practices and subject-matter expertise.

#### FLETC'S STRATEGIC FRAMEWORK: PRODUCER, RESOURCE, STEWARD

Last week, FLETC was proud to share with each Member of the subcommittee a copy of our 2018–2022 Strategic Plan, which establishes a foundation for our future. We refreshed our mission statement to read as follows: “FLETC, through strategic partnerships, prepares the Federal law enforcement community to safeguard the American people, our homeland, and our values.”

We envision FLETC as a National resource for law enforcement training and commit to a course of continuous cooperation and collaboration with our clients, while balancing the equities of all stakeholders in administering FLETC's training programs.

Our mission assigns three enterprise-level law enforcement training activities to FLETC—producer, resource, and steward. We produce training and associated expertise to meet the operational needs of our Federal participating organizations; we are a resource for the State, local, Tribal, private, and international law enforcement communities; and we are the Federal Government's steward for Federal basic training resources. This three-fold framework provides us with clear parameters regarding our purpose.

#### FLETC AS A PRODUCER

FLETC produces what we have come to refer to as “STRIPES”: Law enforcement training systems, trainings, research, infrastructure, products, expertise, and services. Together, these elements contribute to developing the essential competencies our students need to be effective in their agencies' operating environments. The value of what we produce is measured by how well our students perform in those environments as assessed by our participating organizations.

We use a Systems Approach to Training (SAT). This is a six-phase methodology for developing and revising training that includes analysis, design, development, implementation, evaluation, and revision/review. Within this framework, we follow an Instructional Systems Design (ISD) process that allows flexibility and movement back and forth between the defined phases of the SAT. After 50 years of evolution, FLETC is expert at the ISD process, and our clients can be assured that the training they receive at FLETC has been subject to rigorous development processes.

These processes provide the thoroughness and exactitude we need to adhere to the principles of formal accreditation of our training through the Federal Law Enforcement Training Accreditation Board (FLETA). FLETA is an organization independent from FLETC that guides Federal law enforcement organizations in building effective, academically rigorous, defensible, responsive, cost-controlled, Federal law enforcement training. The 17-year old institution created and maintains a set of standards for academy and program accreditation that ensure agencies establish effective processes for academy and training program administration, academy/training staff, training development, training delivery, and the distance learning processes.

As long as I am director, I will champion FLETC's participation in formal accreditation, and I will encourage agency training components to participate as well. Formal accreditation assigns rigor to our training processes, ensures we are good stewards of the resources entrusted to us, and safeguards the use of analysis rather than opinion in training review and development. FLETC adheres to accreditation principles not because they are a requirement, but because it is the right thing to do and results in the best product for our clients. The practitioners we serve work in a world where bullets fly, arrests are made, and lives can change quickly. The formal processes we at FLETC have dedicated ourselves to as we write, review, and

modify training curriculum ensure that the training we produce reflects the quality this profession requires.

#### FLETC AS A RESOURCE

FLETC produces the full range of training and training services for the Federal law enforcement community. To the extent we are able, we provide access to what we produce to the State, local, Tribal, private, and international law enforcement communities.

FLETC is a powerful resource for the hundreds of thousands of State, local, and Tribal law enforcement officers who patrol and serve our communities. Because we cannot possibly deliver the training we produce to all of our brothers and sisters at the State and local levels, we take an approach that allows us to have the most impact in the most pressing topics of the day. Law enforcement's response to mass shootings is an example.

Our Nation has witnessed horrific mass shootings over the past decade in places our children and neighbors should feel safe. FLETC collaborates with its law enforcement partners on developing training for law enforcement professionals responding to those events. Since 2014, FLETC has trained more than 14,000 State, local, and Tribal law enforcement personnel in active threat and tactical medical response, including more than 5,000 trainers who in turn bring the training they received to those in their departments and communities. We focus our energies and resources on a force-multiplying approach: We prioritize training law enforcement trainers to train other law enforcement trainers. This approach has the potential for quickly and effectively sharing the law enforcement knowledge, skills, techniques, and tactics that have proven effective in managing emerging threats.

The active threat and tactical medical training we have delivered throughout the Nation has made a difference, as told to us by graduates who have shared their testimonials of using their training to save lives in incidents ranging from vehicular accidents to mass shootings. For example:

“On November 20, 2014, a lone gunman opened fire at the Florida State University (FSU) library in Tallahassee, Florida, which was packed with 300 to 400 students studying for final exams. Three students were wounded, but responding officers quickly engaged the gunman and stopped the threat. An FSU police officer who attended an export session of FLETC's Active-Shooter Threat Instructor Training Program at the University of Central Florida later provided active-shooter training to FSU and local police, one of whom shot the library gunman and prevented any further violence. The FLETC graduate contacted his FLETC instructor and credited the training he received and subsequently taught to other officers with saving lives during the event. He also stated that FLETC's sharing of the DHS-produced 'Run, Hide, Fight' video prevented further casualties. He had used the video to train all students and staff at FSU prior to the shooting incident. Students in the library remembered this training and fortified their positions, denying the attacker access to target-rich environments.”

FLETC is an impactful resource for our State, local, and Tribal law enforcement partners in preparing them to join the fight against human trafficking. FLETC has worked closely with the U.S. Department of Homeland Security's (DHS) Blue Campaign efforts since its inception in 2010, partnering with operational components to create courses and videos to train law enforcement on how to recognize the horrific crimes of human trafficking. Today, FLETC's basic law enforcement training programs include human trafficking awareness training, and every FLETC basic student views a human trafficking awareness training video developed in collaboration with the Blue Campaign. Since 2012, FLETC has joined with the Department's Office of Legislative Affairs to provide human trafficking awareness education to Members of Congress and their staffs, including participating in a number of field awareness events and roundtables to help spread awareness about this important topic.

Next week at FLETC's Charleston location, we will pilot the FLETC Human Trafficking Awareness Training Program, a 2-day program that will provide Federal, State, local, and Tribal law enforcement agencies with an in-depth understanding of indicators of human trafficking that law enforcement officers may encounter while conducting their agencies' missions. The law enforcement professionals participating in the program will return to their communities, prepared to share what they have learned with their own officers, their law enforcement partners, and other key community stakeholders.

## FLETC AS A STEWARD

Since 1970, Congress has appropriated funds for FLETC's operations, and further codified our authorized activities and responsibilities in 2016. Our new Strategic Plan honors this nearly 50-year-old charge for FLETC to be a responsible steward of the resources entrusted to us and enables us to responsibly align resources in accordance with the missions and priorities of the law enforcement community.

FLETC is the U.S. Government's executive agent for the Federal resources allocated for the basic training of the law enforcement personnel of FLETC's Federal participating organizations. Our stakeholders rely on us to provide quality, cost-controlled training products in every variation of the Federal budget environment. FLETC works collaboratively with our participating organizations to formulate annual hiring requirements and to adjust the execution of those plans every quarter of the fiscal year.

FLETC's formulation and execution of training relies upon a triangle of inter-related factors—time, quality, and resources. In this triangle, our staff and the participating organization agree that the nature of law enforcement allows for no reduction in the quality of training FLETC produces and delivers. The remaining two elements, time and resources, are inversely proportional to one another. We can deliver training in a shorter time period if given more resources. Conversely, we can deliver the same training with fewer resources if given a longer period of time to do so. Responsible stewardship requires careful consideration of this triangle as we aim to optimize our training capacity to accommodate the hiring needs of our participating organizations. Our implementation of required training is scalable, depending on trainee throughput and time line decisions.

FLETC will not sacrifice the quality of the training new officers and agents receive. The development of any training program required to meet training needs will be based upon best practices in education and training, grounded in learning theory, research-based, built on experiential learning principles, and proven before deployment. As a steward, we uphold the quality of the training we produce, and balance the competing interests of time and resources to produce what our participating organizations need to meet the requirements of their operating environments. As our participating organizations hire new law enforcement officers and agents, we will be prepared to train them.

## CLOSING

FLETC is an institution with tremendous potential. We are grateful for the trust the Congress has placed in us, and I invite the Members of this subcommittee and their staffs to visit any of our sites to see first-hand what we do each day. FLETC's staff, many of whom are or were members of the organizations they train, identify profoundly with the outcome of their work. No one is more committed than they to preparing those entrusted to their care for the demanding and often dangerous challenges of the operating environment. With a strategy to give direction to the energy, focus, and imagination of our staff, this Nation can be certain FLETC and its partners will continue to work hard to train those who protect our homeland.

Thank you. I would be pleased to answer any questions at this time.

Ms. TORRES SMALL. Thank you for your testimony.

I now recognize Mr. Kelly to summarize his statement for 5 minutes.

**STATEMENT OF JOHN V. KELLY, ACTING INSPECTOR  
GENERAL, U.S. DEPARTMENT OF HOMELAND SECURITY**

Mr. KELLY. Chairwoman Torres Small, Ranking Member Crenshaw, and Members of the subcommittee, thank you for inviting me to testify about the training challenges at the Federal Law Enforcement Training Centers.

FLETC provides all phases of training to more than 90 Federal law enforcement agencies, as well as State, local, Tribal, and international law enforcement agencies.

In January 2017, the President issued Executive Orders directing DHS to hire an additional 5,000 Border Patrol agents and 10,000 immigration officers. FLETC faces significant challenges to train the 15,000 agents and officers DHS was directed to hire.



Those challenges include funding limitations, impacted improvements to housing and training venues or facilities, training venues and housing—housing needs need improvement, and instructor programs need consistency.

First, an increase in the number of students at FLETC will exacerbate existing funding challenges. Following the issuance of the Executive Orders, FLETC, Border Patrol, and ICE developed training plans and strategies to meet the hiring surge. However, funding limitations hampered FLETC's efforts to construct dormitories, offices, and training venues that support ICE and Border Patrol training.

Second, FLETC's existing training venues need improvement. Border Patrol training venues do not accommodate revisions to the curriculum. This forces Border Patrol instructors to use workarounds that lack realism.

For example, Border Patrol wanted to use a checkpoint venue that had a real bus terminal and use coach-style buses that actually cross the border. However, funding was not available for that venue. Therefore, Border Patrol uses yellow school buses and have trainees pretend to search imaginary storage compartments and imaginary bathrooms. This is a significant diminishment of the training value.

Also, on-site housing was not always available. In fiscal year 2017, FLETC had to house 4,000—I am sorry—6,400 trainees at off-site lodging locations at a cost of over \$5 million. For fiscal year 2018, FLETC told us it housed 9,200 trainees at off-site lodging locations, costing more than \$11 million.

Some of the off-site lodging was located up to 74 miles away from the training facilities, requiring individuals to commute roughly 2½ hours a day.

Finally, Border Patrol, ICE Enforcement and Removal Operations, and ICE Homeland Security Investigations managed their instructor programs differently. This difference is most pronounced with ICE Homeland Security Investigations. Border Patrol and ICE ERO generally rotate instructors every 3 to 5 years. However, ICE Homeland Security Investigations relies heavily on rotating instructors every 4 months.

Rotating instructors every 4 months is ineffective. Component training officials generally agree it takes a minimum of 6 to 9 months for instructors to become qualified. Four-month rotations do not ensure consistency in training and safety of instructions, which could lead to training degradation.

Reliance on temporary duty instructors also is expensive. Using temporary duty instructors costs nearly double the amount to locate instructors for 3 to 5 years.

In summary, prior to the Executive Orders, DHS directed—DHS was directed to hire the 15,000 agents and officers. FLETC's training venues and housing capacity were already overextended. Without corrective actions, trainees will be less prepared, potentially hindering them from achieving their mission and increasing safety risks to themselves, other law enforcement officers, and anyone within their enforcement authority.

I am pleased that the under secretary of management and the FLETC director concurred with our recommendations and has al-

ready implemented some of those recommendations and is working on correcting those other recommendations.

I am also pleased that FLETC received about \$50 million in fiscal year 2019 for construction and improvements. This funding should assist the agency address housing and training facility shortfalls.

Madam Chairwoman, this concludes my testimony. I will be happy to answer questions from you or other Members of the subcommittee.

[The prepared statement of Mr. Kelly follows:]

PREPARED STATEMENT OF JOHN V. KELLY

MAY 16, 2019

WHY WE DID THIS

On January 25, 2017, the President issued two Executive Orders directing the Department of Homeland Security to hire an additional 15,000 law enforcement officers. We conducted the audit discussed in this testimony to determine whether the Department and its components—specifically FLETC, Border Patrol, and ICE—have the training strategies and capabilities in place to train 15,000 new agents and officers.

WHAT WE RECOMMEND

We made three recommendations to improve training and coordination within the Department.

WHAT WE FOUND

The Federal Law Enforcement Training Centers (FLETC), U.S. Border Patrol (Border Patrol), and U.S. Immigration and Customs Enforcement (ICE) have each developed hiring surge training plans and strategies. However, we found challenges exist due to uncertain funding commitments and overextended throughput capacity, particularly as they affect training resource projections and expansion capabilities to meet hiring goals. We also identified crosscutting concerns with current training venue and housing conditions that will likely become more serious with increased demand.

Additionally, the three components apply a different approach to managing and implementing their instructor programs. This impacts the effectiveness and cost of instructors, as well as the application of best practices.

If these combined challenges and conditions continue, they may impede consistency and lead to a degradation in training and standards. As a result, trainees will be less prepared for their assigned field environment, potentially impeding mission achievability and increasing safety risk to themselves, other law enforcement officers, and anyone within their enforcement authority. Coordination among FLETC, Border Patrol, and ICE is critical to the effective expansion of capabilities for law enforcement training that meets the Executive Orders' requirements, but at the same time works within the limits of the funds granted.

DHS RESPONSE

The Department concurred with the three recommendations and has begun implementing corrective actions.

Chairwoman Torres Small, Ranking Member Crenshaw, and Members of the subcommittee, thank you for inviting me to testify today about training challenges we recently identified at the Federal Law Enforcement Training Centers (FLETC).

FLETC provides basic, advanced, specialized, and in-service requalification training for personnel from more than 90 Federal law enforcement agencies, as well as State, local, Tribal, and international law enforcement agencies. Its training curriculum covers numerous areas, such as use of force, active threat response, defensive tactics, firearms, terrorism, first response, interviewing and investigations, and Constitutional law. FLETC owns and operates three residential centers in the United States located in Artesia, New Mexico; Charleston, South Carolina; and Glynco, Georgia, and one nonresidential center in Cheltenham, Maryland. Our most recent FLETC-related audit work focused on the basic training provided to per-

sonnel from U.S. Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection (CBP) at the FLETC facilities in Glynco and Artesia.

In January 2017, the President issued two Executive Orders (EO) directing the Department of Homeland Security (DHS) to hire an additional 5,000 Border Patrol agents and 10,000 Immigration officers. On February 20, 2017, the DHS Secretary issued implementing memorandums in support of the EOs, directing U.S. Border Patrol (Border Patrol) and ICE to ensure consistency in training and standards while taking immediate action to begin the hiring surge. In a December 2017 management alert and a November 2018 report, we identified challenges FLETC faced in its ability to successfully train the 15,000 agents and officers the Department was directed to hire.<sup>1</sup> In my testimony today, I will focus on these challenges, as well as the progress FLETC has made in addressing our report recommendations for corrective action.

#### FUNDING LIMITATIONS IMPACT TRAINING

Following the issuance of the EOs in January 2017, FLETC, Border Patrol, and ICE developed training plans and strategies and assessed their capability to meet hiring surge projections; however, funding limitations delayed their implementation. For example, funding limitations hampered FLETC's efforts to construct necessary dormitories, offices, and training venues, such as modular classrooms, a transportation checkpoint, a non-lethal training ammunition shoot house, and other tactical training venues, to support ICE and CBP training. Once FLETC receives funding, components must still consider significant lead time for the design and construction of new training facilities. Numerous other factors, such as weather, market conditions (e.g., supply/demand of available labor and materials), and a construction project's acquisition strategy, can also affect projected time frames. Delays in funding can also affect DHS components' ability to promptly obtain the resources needed to construct facilities and may extend overall lead times for instructor availability.

An increase in the number of students (increased student throughput) exacerbates already existing challenges to instructor availability. ICE Homeland Security Investigations (HSI) instructors said there are already instances in which they do not have the required number of instructors for a course, which forces instructors to divide the trainees into groups. For example, due to the limited number of instructors, the instructors said they might split a Defensive Tactics class of 24 students into 2 groups of 12 each. This means only half the class is trained at a time, which results in reduced overall training time devoted to each group of students.

#### TRAINING VENUES AND HOUSING NEED IMPROVEMENT

Existing training venues at FLETC need improvement—most notably the FLETC Artesia Training Center campus. Based on CBP's review of research by several external organizations, Border Patrol revised its training curriculum and identified areas to enhance training, emphasizing performance-based scenarios. However, because of the lack of funding, CBP has not been able to provide funding to FLETC to construct most of the training venues needed to accommodate its curriculum revisions. Lacking settings for performance-based scenarios, Border Patrol instructors must employ "workarounds" that lack realism.

For example, for checkpoint training, Border Patrol Academy officials planned to use a training venue with a real-life terminal environment to provide, among other things, realistic training using coach-style buses. However, CBP was not able to construct the planned checkpoint training venue. As a result, Border Patrol used yellow school buses, which meant trainees had to pretend to search imaginary storage compartments and bathrooms. This significantly diminished the potential training value of using fully equipped coach-style buses.

In addition, Border Patrol officials redesigned a Use of Force Simulator, which included enhanced 300-degree training, providing real-world scenarios from almost any direction—thereby increasing critical thinking and judgment in use of force scenarios. The simulator also included programmable scenarios to address targeted problem areas and photos from actual patrol areas. However, CBP was not able to construct a venue for the redesigned simulator. Without this venue, trainees must rely on a workaround one-dimensional training scenario, which does not expose trainees to enhanced risk mitigation techniques, critical thinking skills, and total situational awareness during use of force exercises.

<sup>1</sup>Management Alert—Safety Issue at FLETC Artesia Warehouse, OIG-18-31, December 8, 2017; and DHS Training Needs for Hiring 15,000 Border Patrol Agents and Immigration Officers, OIG-19-07, November 26, 2018.

According to a senior Border Patrol Academy official, “the workarounds were intended as a short-term fix and are not meant to be a permanent part of the training program.” As a result of using these workarounds training venues, Border Patrol agents and officers are less prepared for the field environment.

In addition, because of strong competition with other Federal, State, and local law enforcement organizations that train at FLETC, Border Patrol and ICE did not always have access to “preferred” training venues at FLETC. A preferred training venue provides more realistic scenarios in urban and residential settings, which include multi-floor and multi-room designs. “Backup” venues lack varied structures and features, which allow more realistic and effective training.

Increased law enforcement training demands, coupled with insufficient funding to construct new venues, led to scheduling challenges and affected the availability of FLETC’s preferred training venues. For example, the Glynco campus contains Danis City, a preferred training venue with suburban houses, shops, a police station, and other buildings for trainees to conduct realistic law enforcement training. When that facility is occupied, training must take place at the one-level backup venue. This venue lacks stairwells, which precludes training in tactics to navigate such settings.

In a December 2017 management alert, we notified the FLETC Director about a potentially unsafe secondary training venue. Specifically, during an August 2017 site visit to the FLETC Artesia Training Center campus, we identified a potential safety issue at a warehouse the Border Patrol Academy had been using to train new hires on search and conveyance. In 2009, a vehicle from an adjacent driving course ran off the course and struck the warehouse, leaving a hole in the metal siding and damaging a supporting column and its attached roof beam. Despite the accident report noting the damage, FLETC and Border Patrol continued to use the building for training. Continuing to use the warehouse for training and other purposes without an independent engineering or structural safety evaluation increases the safety risks for trainees and staff. In response to our site visit and alert recommendations, FLETC promptly implemented safety precautions on the driving course, discontinued use of the questionable warehouse, and commissioned an engineering study on the warehouse structure. In May 2018, upon completion of the study, FLETC demolished the warehouse.

As we also reported in November 2018, in fiscal year 2017, on-site housing was not available for all trainees in Glynco. The lack of availability was due to high student demand coupled with damage to FLETC dormitories caused by Hurricanes Matthew in 2016 and Irma in 2017. In fiscal year 2017, FLETC in Glynco reported it exceeded its on-site lodging capacity of 22,912 students and had to house students in off-site lodging—transporting 6,413 students up to 74 miles away. FLETC projected that in fiscal year 2018 it would have a student population of 33,803. Based on its dormitory capacity at the time, in that fiscal year, FLETC would have to house approximately 11,000 students in off-site lodging.

FLETC estimated it spent approximately \$5.6 million for off-site lodging in fiscal year 2017 and, at the time of our report, projected that this figure would exceed \$10 million in fiscal year 2018 based on overall demand. Off-site lodging also has a non-financial impact of reducing student access to other trainees and limiting opportunities to build camaraderie. We followed up with FLETC for the actual off-site lodging costs and, according to FLETC, they reported spending \$11 million for 9,200 students for off-site lodging during fiscal year 2018.

As a result of our audit findings, we recommended that the DHS under secretary of management, in collaboration with FLETC, Border Patrol, and ICE, develop and implement a comprehensive plan to identify, prioritize, and complete training venue and facility improvements, and also outline a strategy to address housing needs cost efficiently.

#### INSTRUCTOR PROGRAMS AND POLICIES MANAGED AND IMPLEMENTED DIFFERENTLY

During our audit, we also found that FLETC, Border Patrol, ICE Enforcement, and Removal Operations (ERO), and ICE HSI all applied different approaches to managing and implementing their instructor programs. Although FLETC, CBP, and ICE ERO have instructor rotation policies, HSI’s lack of policy and heavy reliance on short-term, temporary instructors is both expensive and ineffective for ensuring consistent, safe training.

Specifically, CBP and ERO have policies and generally use 3–5-year rotations, but the HSI training academy does not have an instructor rotation policy. Instead, to fulfill instruction requirements, HSI relies heavily on temporary duty instructors who rotate through FLETC in Glynco, GA, every 4 months. In fiscal year 2019, HSI projected it would need 176 temporary duty instructors. Using temporary duty instructors on 4-month rotations is ineffective because it does not ensure consistent

and safe instruction. This approach could also lead to training degradation as component training officials generally agree it takes a minimum of 6–9 months for instructors to become qualified.

Reliance on temporary duty instructors is expensive—each 4-month temporary duty assignment costs approximately \$32,000 in travel and per diem expenses. We compared the costs for a rotational assignment with the cost for a temporary duty assignment. We found that, on average, given travel and per diem expenses for a 3–5-year period, assigning temporary duty instructors costs nearly double the amount to relocate an instructor for a rotational (3–5-year) assignment.

Specifically, the costs range from \$150,000–\$200,000 for a rotational assignment compared to about \$300,000–\$480,000 for temporary duty assignments.

We recommended that the Under Secretary of Management collaborate with DHS officials to develop and implement standards and procedures to address: (1) Optimal designations and durations for instructors assigned to FLETC and component training academies; (2) HSI's need for an established rotation policy; and (3) best practices for securing and retaining qualified instructors while ensuring consistent training.

#### CONCLUSION

Prior to the President issuing two EOs directing CBP and ICE to hire 15,000 additional agents and officers, FLETC's training venues and housing capacity were already overextended. FLETC will need to accommodate the anticipated Department hiring surge, as well as the expected increase in demand from other Federal, State, and local partner organizations. Although DHS has hiring surge training plans and strategies, it remains challenged by uncertain funding commitments and training conditions. For these reasons, we recommended that the FLETC Director convene training officials from Border Patrol, ICE, and other appropriate partner organizations to inform and help FLETC finalize a strategic plan for fiscal years 2019–2022. We recommended that the group work together to ensure FLETC can accommodate increases in demand and minimize disruption to law enforcement agency hiring and training plans.

Without corrective action, the challenges we identified in our November 2018 report could lead to inconsistency and degradation in training and standards. As a result, trainees would be less prepared for their assigned field environment, potentially hindering them from achieving their mission and increasing safety risks to themselves, other law enforcement officers, and anyone within their enforcement authority. In light of the events at the Southwest Border, law enforcement must receive quality training so they can continue to fulfill their critical National security responsibilities safely and effectively. I am pleased to report that the DHS under secretary for management and the FLETC director concurred with our recommendations and have begun implementing corrective actions. I am also pleased that FLETC received \$50 million in Procurement, Construction, and Improvements funding in its fiscal year 2019 appropriations. This funding should assist the agency as it begins to prioritize its plans for additional housing and training facilities.

Madam Chairwoman, this concludes my testimony. I am happy to answer any questions you or other Members of the subcommittee may have.

Ms. TORRES SMALL. Thank you, Mr. Kelly.

I now recognize Captain Davis to summarize his statement for 5 minutes.

#### **STATEMENT OF GREG DAVIS, DPS ACADEMY TRAINING COORDINATOR, TEXAS DEPARTMENT OF PUBLIC SAFETY**

Captain DAVIS. Thank you for this opportunity to share.

Throughout several years, the Federal Law Enforcement Training Center has played an integral role in the development of training platforms for the Texas Department of Public Safety.

Commissioned personnel of the Texas DPS Education, Training, and Research Division have invested FLETC's training curriculum and diverse training opportunities nurturing our continuing efforts to provide our personnel with training of sound, relevant, and credentialed programming designed by FLETC, particularly in the areas of arrest control tactics, physical fitness testing and assessment, and vehicle emergency operations.

Our agency has sent personnel to FLETC installations in Glynco and Artesia. We have also taken advantage of FLETC's export program to bring training to headquarters in Austin, Texas, on several occasions.

During the last 14 years, professionally, I have attended and completed the following FLETC-accredited programs: The Law Enforcement Physical Fitness Testing Coordinator Training Program, the Law Enforcement Control Tactics Instructor Training Program, all of which are accredited by the Federal Law Enforcement Training Accreditation, which is why DPS continues to send and take part in FLETC training.

These programs have led to significant, impactful changes within DPS training platforms which currently embed within the Trooper Training Academy and the in-service incumbent commission personnel.

One of the significant and impactful platforms is the TXDPS Physical Fitness Testing and Assessment Model. This new, award-winning fitness testing model is sweeping across the State and Nation and Canada. The foundations within the FLETC's Law Enforcement Fitness Coordinator Training Program inspired the evolution of this platform. As a result, we have been able to lower our risk of injury to all populations, to include boots on the ground, and garner support from risk management, legal, and EEO and ADA.

In addition, upon request, we have continued to share presentations of our model with the following entities: The International Chiefs of Police Association, the State Police and Provincial Academy Directors, Law Enforcement Management Institute of Texas, which governs the Texas Law Enforcement Police Chief and Command Staff Leadership Series.

Another impactful platform that FLETC has provided as a foundation is our Arrest Control Tactics Program. Our agency adopted the FLETC Law Enforcement Control Tactics Instructor Training Program and fully implemented in both our academy and incumbent personnel.

Injuries are a significant point of concern for all agencies across the United States, and FLETC has always done a very, very good job with looking at ways to administer techniques and applications that lower the risk of injuries to the populations so that training is efficient.

Efforts by agencies to reduce the risk of injury, again, is the utmost focus. FLETC efforts to provide agencies at the State and local with training curriculums based on medical, tactical, legal, risk management, peer-reviewed, and relevant research is critical through the law enforcement training infrastructure.

Of equal value and extreme appreciation from the State and local is the level of professionalism that proliferates through FLETC's administrative support personnel, staff, instructor cadre, and leadership. The environment this team creates is conducive to a healthy learning experience and a valuable relationship year after year.

Future. In recognition of the IACP 21st Century Recommendations for Law Enforcement Agencies, the sixth pillar of officer safety, wellness, and health, as well as de-escalation directives, we would like FLETC, for the State and local, to continue its tradition

of excellence in training by continuing to build programs and curriculums that nurture these recommendations and directives.

Thank you for this opportunity to share. I am open to questions and issues.

[The prepared statement of Mr. Davis follows:]

PREPARED STATEMENT OF GREG DAVIS

MAY 16, 2019

Throughout several years, the Federal Law Enforcement Training Center has played an integral role in the development of training platforms for the Texas Department of Public Safety (TXDPS). Commissioned personnel of the TXDPS Education Training Research Division have invested in FLETC's training curriculum and diverse training opportunities nurturing our continued efforts to ensure we are developing sound, relevant, and credentialed programming. Particularly, in the area of Arrest Control Tactics, Physical Fitness Testing/Assessment, and Vehicle Operations.

Our agency has sent personnel to FLETC installations in Glencoe and Artesia. We have also taken advantage of FLETC's export program to bring training to our HQs in Austin, Texas. During the last 14 years, professionally, I have attended and completed the following FLETC accredited programs: Law Enforcement Fitness Coordinator Program (LEFCTP-001B-2010), and the Law Enforcement Control Tactics Instructor Training Program (2005 & 2016). The *Federal Law Enforcement Training Accreditation* accredits these programs, which is why DPS continues to utilize training offered by FLETC. These programs have led to significant impactful changes within DPS training platforms, which, currently, imbed within the Trooper Trainee (academy) and in-service (incumbent) training.

One of these significant and impactful platforms is the TXDPS Physical Fitness Testing and Assessment Model. This new award-winning fitness testing model is sweeping across the State of Texas, Nation, and Canada. The foundations within the FLETC's Law Enforcement Fitness Coordinator Training Program inspired the evolution for this platform. As a result, we have been able to lower our risk of injury to all populations (academy/incumbent) and garner support from risk management, legal, and EEO/ADA. In addition, upon request, we continue to share presentations of our model with the following entities: The International Chiefs of Police Association S&P, State Police and Provincial Academy Directors, Law Enforcement Management Institute of Texas (LEMITE) (Texas Law Enforcement Police Chief and Command Staff Leadership Series).

Another impactful platform is our Arrest Control Tactics Training. Our agency adopted the FLETC Law Enforcement Control Tactics Instructor Training Program and fully implemented in both our academy and incumbent training. In addition, this FLETC curriculum has, also, lowered our risk of injury to our personnel both academy and incumbent. Injuries are a significant point of concern for agencies across the United States. Efforts by agencies to reduce the risk of injury is of the utmost focus. FLETC affords to provide agencies of the State and local with training curriculums based on medical, tactical, legal, risk management, peer-reviewed, and relevant research is critical to the law enforcement-training infrastructure.

Of equal value and appreciation from the State and local is the level of professionalism that proliferates through FLETC's administrative support personnel, staff, instructor cadre and leadership. The environment this team creates is conducive to a healthy learning experience and a valuable relationship year after year.

Future:

In recognition of the IACP 21st Century Recommendations for Law Enforcement Agencies—6th Pillar: Office Safety, Wellness, and Health; as well as de-escalation directives, I would like FLETC—State and Local—to continue its tradition of excellence in training by continuing to build programs and curriculums that nurture these recommendations and directives.

Ms. TORRES SMALL. Thank you, Mr. Davis.

I thank all the witnesses for their testimony.

I will remind each Member that he or she will have 5 minutes to question the panel.

I will now recognize myself for questions.

In recent years, migrants crossing our Southern Border have shifted from largely single adult male population to more families

and unaccompanied children. While FLETC is not responsible for Border Patrol curriculum, you do have a vital coordination role.

How have FLETC's training programs, particularly for Customs and Border Protection and Immigration and Customs Enforcement, adapted to the changing dynamic at the border, if at all?

Mr. Walters.

Mr. WALTERS. Thank you for the question.

The organizations themselves have some authority and responsibility to develop the training. Once they develop, they find a need and describe the need to us, as we have a good record of providing the resources necessary for that. So, as Border Patrol moved from a 66-day program recently to a 117-day program, they found to the need for increased scenario-based training to fill that need—to fill that requirement. So they presented that to us as an issue, and we helped them design the facilities that we are building on their behalf to do that kind of thing.

So, as far as the structure goes of the curriculum, you are right. Border Patrol has a lot of responsibility for identifying what the training need is. They have a very robust officer training development over in CBP, or at least it was when I left it. I am sure it is very good now. But they developed the training points, and we facilitate that training after that. We work very closely with them. We meet with them at Artesia, which is the home for the Border Patrol Academy, on almost a daily basis to resolve issues and make the training better.

Ms. TORRES SMALL. Mr. Walters, do you have any specific examples of that scenario-based training that has been added to address these changing circumstances?

Mr. WALTERS. Yes. In fact, the Border Patrol found the need, because we now have sections of border wall that we didn't used to have. They built models for that on the Artesia facility. We helped organize that and get that done. They built the training venues around that so that the officers in training are able to work in a realistic environment to help embed that training in their process.

Ms. TORRES SMALL. I understand the border wall addition. I think the question is more about the changing population that is presenting along the border.

Do you have any examples of how the changing population—scenarios address the changing population?

Mr. WALTERS. I don't know that the Border Patrol has tasked us to develop anything about the changing population. I know that they have adjusted their internal training course—

Ms. TORRES SMALL. That is fine. I want to move on. I appreciate it, and I appreciate what you are doing there.

Mr. Walters, every year FLETC undertakes the immense challenge of scheduling training for about 100 partners at 700 facilities for upward of 70,000 students.

What impact do funding and hiring uncertainties have on your ability to schedule training courses for the year ahead?

Mr. WALTERS. Of course, I am not alone in the Federal Government about the uncertainties of the Federal budget. But it does have an impact on us that is perhaps a little bit different from many, because I have to ask my organizations that participate



about 18 months in advance how many they think they are going to train.

So, for me, they have to predict themselves what the Federal budget outcomes are going to be. So I get about a 75 percent accuracy on projections. The other way to look at that, and the way I have to look at it, is I have a 25 percent error factor when I am calculating what my investment should be in training, infrastructure, and just the—bringing enough staff on to manage the issues.

So that is basically our issue. But the good side of it is we reexamine our training schedule on a quarterly basis, and we make adjustments throughout the year. We are not—we don't set it in the beginning of the year and then never change. We change on a quarterly basis or more often where it is necessary.

Ms. TORRES SMALL. In the last time I have, has FLETC been able to accommodate all training requests made by DHS components or by partner organizations?

Mr. WALTERS. Yes, we have, over time and recently as well. We are pretty proud that we have been able to cope. We have a lot of different strategies to make sure that we get the training done.

We never sacrifice quality, but we do have to work with the other two parts of that iron triangle of resources and time.

Ms. TORRES SMALL. Thank you. I will yield the remaining amount of my time.

Now I am going to recognize the Ranking Member of the subcommittee, the gentleman from Texas, Mr. Crenshaw, for questions.

Mr. CRENSHAW. The place that is very hard to leave.

Thank you, Chairwoman Torres Small.

Thank you all for being here again.

Mr. Walters, will you go over in summary how the recommendations from the OIG's office are being implemented now?

Mr. WALTERS. Yes. Thank you.

That was really good work by the Office of the Inspector General. They have done some things for the organization with their study that I could not do for myself as part of the Federal Law Enforcement Training Center.

First off was the dormitory situation. So what we have done is do hurricane repair. A lot of rooms were damaged by the hurricanes that came through. For the shorter term, we actually did double bunking to reduce—to maximize the on-base housing and minimize the amount of time that students have to be off-base. We are fortunate enough with a lot of support to get \$19 million for a new dormitory in Glynco.

Now, the other part of that is we got about \$21 million for tactical venues. When I say "tactical venues," I am talking about realistic environments where investigators would operate, so we call it a raid house, a place they would go and do their business in a raid house, in a warehouse, and those kinds of things.

We also got \$2.1 million for a training venue, Tactical Awareness Center in Artesia, New Mexico.

So those are the kinds of things we did to address those two pieces of the OIG report.

Mr. CRENSHAW. I appreciate that.

On the issue of these 4-month rotations, has the question come up of whether to make this a permanent billet? I think you mentioned 3 to 5 years would be a normal rotational billet. Why is that so difficult to implement for some of these agencies?

Mr. WALTERS. Well, for our part, at the Federal Law Enforcement Training Center, we set out an expectation. That expectation is memorialized in a memorandum of agreement.

In fact, most agencies have a policy that says they will provide training as—instructors as requested on a 3–5-year rotation. However, with my background—and I think my friend from the Department of Public Safety in Texas would agree—that for the agencies themselves, their dynamic works like this. They have sort-of the imperative of the midnight shift, I will call it.

Every investment and training is a 1-to-1 subtraction from operations. So they are reluctant to invest long-term, again with the uncertainties of the Federal budget, to put 100 instructors, let's say, at the Federal Law Enforcement Training Center for 3–5-year rotations, when the uncertainty of the budget may be that they don't get the training. Now they have got the people there, but they don't have the training.

So that is sort-of the dynamic for our friends in the operating environment.

Mr. CRENSHAW. But they are still losing the people there anyway because they are still sending somebody there for 4 months. What we have all come to the conclusion of is it is rather ineffective because they are just getting their feet under them, figuring out how to be trainers, and then they are gone. So, I mean, you are still losing that personnel anyway.

So it is just a bit confusing to me why we wouldn't do—this is effectively what the military does. We say: You are going to be a trainer for 2 years. Done, that is it, and that is the life you chose, so there you go. It would seem to me that would be a better model and much more cost-effective for the law enforcement as well. But I understand there are internal dynamics; it is a different type of job.

But we will move on. I believe we will do another round, so we will have lots more questions.

But I want to ask you about how these courses are evaluated, the effectiveness of these courses, and do they change often based on feedback and changing needs and how often is that?

Mr. WALTERS. That is a great question. So part of our process is to have the curriculum conference review on a regular basis, which is a set piece where we reevaluate for long-term changes in the training programs. That is not just the Federal Law Enforcement Training Center; that is all of the participating organizations do that.

On a quarterly basis, we look at more short-term changes that are required and identify those changes, nominate those. The agencies can nominate those. The Federal Law Enforcement Training Center can nominate those changes. Frequently, they come in the form of things like a court decision or brand-new equipment that shows up that our adversaries might use against us, those kinds of things.

But each agency has the option to insert a piece of training at their discretion instantly, if not sooner, depending on what their need is.

So that process is pretty responsive to the organizations.

Mr. CRENSHAW. I am out of time.

Ms. TORRES SMALL. Thank you.

The Chair recognizes for 5 minutes the gentleman from Louisiana, Mr. Higgins.

Mr. HIGGINS. Thank you, Madam Chairwoman.

Gentlemen, thank you for your service.

Inspector General Kelly, the additional 15,000 professional law enforcement officers, 5,000 Custom and Border Protection, 10,000 ICE, let's refer to that as a hiring surge, shall we? So we can move on.

One of the large questions of this subcommittee is regarding budgeting and if you have enough money in the budget. This is a focus. We have to be protectors of the people's treasure and good stewards of the money that is harvested from working Americans to pay for Federal services, including this hiring surge.

The President's 2020 budget request, almost \$351 million for FLETC, is that sufficient to address the housing and structural issues within the facilities?

Mr. KELLY. I believe the answer to that is yes.

Mr. HIGGINS. OK. That was a direct answer and fast, so I will take it as solid.

Director Walters, the inspector general referred to some training challenges and venues. So, while we are talking about the people's treasure and expenditures, I was a cop for a long time, SWAT cop for 12 years, went through a lot of training scenarios.

You mentioned real-life terminal environment. The inspector general mentioned in his testimony, real-life terminal environment venue that the Border Patrol Academy was unable to produce, and they ended up using yellow school buses for, I guess, linear assault training and search and et cetera.

Where did these yellow buses come from, and why couldn't you get charter buses? What is the variant in expense there? You say you were unable to use fully equipped coach-style buses. Why not? If you had yellow buses, why could you not procure no-longer-in-service charter buses for training scenario purposes?

Mr. WALTERS. In fact, for that particular—you are right that the reality—the reality-based training scenarios are like the environment is an important ingredient for them to learn how to operate in their environment.

When the Border Patrol went from a 66-day program to a 117-day program and they invested a lot more in scenario-based training, they made the active decision to go forward with what they had rather than wait for the resources. Sometimes, as you know, if you wait for—

Mr. HIGGINS. They already had school buses?

Mr. WALTERS. We had school buses. We had been using them—

Mr. HIGGINS. Generally no-longer-in-service vehicles that they are parked, how many of them did they have there?

Mr. WALTERS. I would have to get back to you on the exact number, but I have seen at least 6—6 to 8.

Mr. HIGGINS. Six, 8, 10, that would be normal for a large training facility like that. It just seems to me, again, regarding being good stewards of the people's treasure that if you can purchase a yellow bus that is no longer in service, you could purchase a charter bus for realistic scenario training.

To build a venue, I am not sure what that means. Can you clarify? Because it seems to me that the venue would be a large parking lot, and I am pretty sure you have that in your training facilities.

Mr. WALTERS. Indeed, we do have a large parking lot, and we have some of that covered.

Just to clarify, in the last couple of months, we did acquire a coach-style bus for the Border Patrol, set it up, got it air-conditioned—

Mr. HIGGINS. Excellent.

Mr. WALTERS [continuing]. And it is now in use.

Mr. HIGGINS. OK.

Mr. WALTERS. What the Border Patrol had envisioned—

Mr. HIGGINS. These are common-sense questions that the American people deserve to know, and respectfully I ask these questions.

Regarding the 300-degree training, this is—and you referred to that you were not able to build a venue to install that 300-degree training and that they had to use workarounds with one-dimensional training; that is similar to the old firearm trainings scenario, FATS system and what the screen is, and you are talking about having screens that surround the agent for more realistic training?

Mr. WALTERS. That is exactly what they had in mind.

Mr. HIGGINS. Do you have the software and the screens?

Mr. WALTERS. No, we do not.

Mr. HIGGINS. Do not. So that would be a large expense. But you have the room to install it?

Mr. WALTERS. Yes, sir. That would be—

Mr. HIGGINS. Does the President's budget give you sufficient money to get that done? Because that is important; current generation training is invaluable for a young officer coming out of academy.

Mr. WALTERS. All of those pieces that were identified in the OIG report are being addressed. Some are already funded; some are requested.

Mr. HIGGINS. OK.

Madam Chairwoman, thank you. My time has expired. Perhaps, we will have a second round.

Ms. TORRES SMALL. Yes. I think let's go ahead and do a second round. Thank you.

So I will recognize myself again for questions.

I want to circle back to instructors. I really appreciate the conversation that all of you were having with Mr. Crenshaw.

FLETC's largest partners, U.S. Border Patrol, ICE Enforcement and Removal Operation, and ICE Homeland Security Investigations, all have different approaches to managing and implementing their programs for providing instructors for FLETC. We have discussed this a bit. Specifically Mr. Kelly and Mr. Walters have discussed the impact in terms of quality of training.

How has this impacted the cost-effectiveness of training?

Mr. WALTERS. For instructors, as you observe, are probably the single most important factor in the learning that the student retains. Everything else is involved. But that is the single most important piece.

So, for the instructors, we try and get—an instructor takes about a year to develop. You take a subject-matter expert, goes through all of the learning processes, including learning how to manage the—master the content, the training content, the training delivery methods, to manage the classroom itself. So it takes a year for them to be a useful instructor to be a positive impact.

So what—the cost savings there is—the most economical factor is to bring them on to the Federal Law Enforcement Training Center, let us develop them, and then keep them there for 3 to 5 years. That is the most cost-effective.

Ms. TORRES SMALL. Mr. Kelly, do you have anything to add?

Mr. KELLY. Yes. I think the most expensive aspect of what you are talking about is the per diem and travel expenses associated with bringing people in for roughly 4 to 5 months. That is a lot more expensive than stationing someone to live down there for 3 to 5 years.

As Director Walters mentioned, the stability of the training is not going to be the same when you have someone cycling through for a short period of time.

Really the overall component doesn't get an opportunity to develop that trainer to be a better leader, because they will actually benefit from actually spending some time as a trainer, as opposed to not getting that leadership experience.

Ms. TORRES SMALL. Thank you.

Mr. Walters, do partners consult with FLETC when making revisions to their training programs, including decisions about instructors?

Mr. WALTERS. The partners consult with us on the content of training programs. We have a memorandum of agreement with all of our participating organizations that defines our expectations, sort-of a contract between us on providing instructors. Sometimes they honor it faithfully, and sometimes they are unable to do that.

Ms. TORRES SMALL. Thank you.

I just want to go back to the surge in hiring and the potential impacts. I appreciate your comments, Mr. Walters, in addressing that.

I wanted to follow up, Mr. Kelly, to see if you had any comments about a potential—the impact the hiring surge would have on FLETC's ability to schedule training courses to accommodate all trainees.

Mr. KELLY. The surge is exacerbating existing problems. Right now, without the additional hiring, FLETC is having a difficult time making sure that they have the realistic type of training opportunities to provide the trainees, the students.

That is going to get worse before it gets better. It is going to take lead time for FLETC to design the facilities and then have them constructed. These things are not going to go up overnight. So it is going to be a while before they actually are going to be at full swing.

Ms. TORRES SMALL. I really appreciated the comments that Mr. Crenshaw had about the training on active shooting. I was able to witness a training that was somewhat different, but it was a medical training that a Border Patrol agent had with—a Border Patrol agent that had been fallen and had been shot and the medical training that was provided to him. So we definitely see the value of this in the field and the importance of having that training.

I wanted to ask if FLETC officers receive any other types of medical care training for individuals encountered by law enforcement officers or the officers themselves.

Mr. WALTERS. Yes, we do. At least in our basic programs, we have some of the basic first responder kind of care, CPR and those kinds of issues.

But what Mr. Crenshaw and others are referring to is our active—our tactical medical training. As you observed and when we spoke the other day, the military has had this training for a long time. It is in terrific demand. It is really needed, and it is one of our most requested subject matters. So we are spreading the good word on that, and it has been very useful.

A week doesn't go by where I don't get some kind of notification from the field of: Thank you for the training that you delivered; the outcome would have been different if I had not had this training.

So I think we are on the right track there.

Ms. TORRES SMALL. Thank you.

Now I will recognize for 5 minutes, the Ranking Member, the gentleman from Texas, Mr. Crenshaw.

Mr. CRENSHAW. Madam Chairwoman.

I am going to continue on that line of thought, the tactical medical training. I will move to Mr. Davis.

First, I want to ask you, though, what—actually let's stick with the medical training.

Speaking before, you mentioned Texas leading the way on its own with a similar tactical medical training, I think you called it—well, I will let me you explain, because you know exactly what I am talking about. What was the acronym you all used? Explain very briefly how Texas pioneered this and got it down to the lowest level.

Captain DAVIS. Yes, sir.

So the program that you are referring to is the Tactical Emergency Casualty Care Program. It was implemented in August 2015. What brought about that issue and provided recommendations and guidance was from the Committee of the Tactical Emergency Casualty Care and from the military.

So this program and this course that was developed and then put out to the field, we have trained nearly 3,000 commissioned personnel since 2015. We have had 130 interventions with this application and saving 60 lives, including the lives of 3 State troopers.

Of the 40 life-saving awards presented over the last 2 years, 14 are troopers using the Tactical Emergency Casualty Care application. We have trained numerous agencies throughout the State, but I do not have any numbers on their saves.

Mr. CRENSHAW. That is OK. I think this is enormously important, and it came to my attention, you know, just over a year ago, that not all law enforcement around the country even carry a tour-

niquet with them. This is mind-blowing to somebody from the SEAL teams and from the military or from the Marine Corps. It is imperative that we get this down to the lowest level. So, in Texas, Texas did this on its own.

FLETC seems to me like a very good partner on something like this. Perhaps now that you all know each other, you know, we could take Texas' model and offer that to other States to implement as well.

Losing somebody to a gunshot wound unnecessarily is pretty heartbreaking, you know. With the technology and training we have these days, that should never happen. So I appreciate FLETC—obviously having the right training at FLETC. But getting this down to the local level is enormously important, and not just for police officers but security guards, I mean, the people who might be there first. This takes—you know, you might only have seconds.

Mr. Davis, do you want to speak briefly about the physical fitness testing and assessment programs and why that is so important for law enforcement? You had mentioned to me some very concerning numbers about life expectancy for law enforcement officers.

Captain DAVIS. Yes, sir. So according to the International Association of Chiefs of Police, CALEA, Centers for Disease Control, various opinions and surveys, what we see going across the United States at the present moment in time is an unfortunate reality. OK?

So we have situations where we have law enforcement as being recorded as the third most obese profession in the United States. That is a concern.

Second, according to Dr. Jonathan Sheinberg, who sits on the DOJ task force dealing with officer safety, wellness, and health—he is a cardiologist/police officer, so he gets the best of both worlds—we have an unfortunate report that currently the mortality rate for law enforcement officers in this country is 57 years of age.

According to Centers for Disease Control, the average mortality rate for the male in this country is 79 and women are 82. So the question is, do we have a problem with a mortality rate of 57 years of age for law enforcement? The answer is yes.

Mr. CRENSHAW. We do. You get that training from FLETC—

Captain DAVIS. Yes, sir. The foundation and inspiration—

Mr. CRENSHAW [continuing]. And bring it back to the lower level.

Captain DAVIS. Yes, sir, the inspiration of the foundation for the Physical Fitness Testing and Assessment Model that we developed at Texas did come from the Law Enforcement Physical Fitness Training Coordinator Program.

Mr. CRENSHAW. OK.

Captain DAVIS. It was an inspiration to me to launch a program dealing with VO2 signs and applying a roller, removing impact from a testing model to keep our people safe during testing. That was one of major concerns of all law enforcement agencies across—

Mr. CRENSHAW. I am sorry. I would like to move on to this next one.

What additional—one last question. What additional programs would you like to see FLETC offer? What demand do you see from the State and local level that you would like to see at FLETC and be able to send your officers to?

Captain DAVIS. Absolutely. As mentioned in my statement, the investment and the continued tradition of excellence, developing medical and tactical legal research to back the sixth pillar of the 21st Century Recommendations of officer safety, health, and wellness and de-escalation directives.

Mr. CRENSHAW. De-escalation. Thank you.

Madam Chairwoman.

Ms. TORRES SMALL. Since we are on the second round, I am going to go to our new arrival.

Mr. HIGGINS. Please.

Ms. TORRES SMALL. So the Chair will recognize the Congresswoman from California, Ms. Barragán.

Ms. BARRAGÁN. Thank you.

Gentlemen, I apologize for being late. I am running from a mark-up at my other committee hearing.

These questions are for, I believe, Mr. Kelly.

Mr. Kelly, are you familiar with the Adelanto facility in California?

Mr. KELLY. Yes, I am. We issued a report on that.

Ms. BARRAGÁN. Who does the training for the officers that are in that facility?

Mr. KELLY. I do not believe that that is a Federal facility, but I will get back to you on that.

Ms. BARRAGÁN. Well, who is responsible for that facility? It is an ICE facility, right?

Mr. KELLY. It is—ICE contracts out for a lot of facilities. I will have to get back to you as to who actually owns that facility.

Ms. BARRAGÁN. OK. But there is oversight of that facility, and that oversight is done by the inspector general?

Mr. KELLY. The oversight of the facilities is supposed to be done by ICE. We provide oversight to make sure that ICE and the components are actually doing their job. On the Adelanto facility, we said that they were not doing a very good job there and it was—they had a lot of problems there.

Ms. BARRAGÁN. I guess what I am trying to get at is, who is accountable? Who is responsible for when something goes wrong there?

Mr. KELLY. Ultimately, if it is an ICE facility, ICE-contracted or ICE-owned facility, ultimately, ICE is responsible for making sure that they comply with standards. We have reported that ICE does not do a very good job in ensuring that contractors comply with those standards.

Ms. BARRAGÁN. So what can be done when the contractors are not complying with the standards?

Mr. KELLY. They can be penalized, and we have reported that ICE has not been penalizing the contractors for not complying with standards.

Ms. BARRAGÁN. Do we set up training requirements for these private contractors on what they should be trained on?



Mr. KELLY. I will have to get back to you on that, but I do not think that ICE—ICE gives them the standards that they are supposed to comply with. Now, whether or not they are complying with it, ICE has inspectors, but as I mentioned before, we have determined or we have reported that ICE does not do a very good job in ensuring that people comply with the standards. So it is not surprising when we go out and do unannounced inspections, we find a lot of deficiencies.

Ms. BARRAGAN. Right. Well, just this week, this report, this testimony came out from a gentleman named Darwin Altunez Ramos. Mr. Ramos happens to be—here is a photo of him—happens to be a gentleman that I slept on the concrete outside on the floor at the Otay Mesa port of entry until officers there processed him as he presented himself for asylum. We were on a patch of U.S. soil.

[The information follows:]



Ms. BARRAGÁN. His testimony now—and he is there—are the conditions there are terrible. He is being targeted. He is being verbally abused. He is being—lots of things are happening. People are screaming in his face. They are calling him terrible names. This is something I saw first-hand actually when I was at that port of entry where you had officers, CBP officers, talking bad about migrants right in front of them, saying basically things like they were criminals. The reports that we are hearing from people at that facility is they are not treated like humans.

I know that you have done a report on this in May 2018 that outlines just some of the horrible stuff happening there, of people not getting access to medical care, of the nooses that are there and the contractors there thinking it is not really a big deal to address it.

I am interested, really, in finding out who is responsible. I mean, we are here talking about training and making sure our officers are trained properly. We should not be able to say that, oh, because it is a private contractor, we are not responsible for the training of those contractors and making sure that they are treating people with dignity and humanely.

Can anybody on this panel tell me? Is there any training at all of any of our officers on making sure that people, migrants, are treated humanely, like people instead of like animals, which is what we are seeing happening in certain instances at the Southern Border? Can anybody tell me if there is any kind of training for dignity and treating people like humans?

Mr. WALTERS. I will offer to address part of that, at least. You know, our basic officers for the training that the Federal Law Enforcement Training Center provides that we own, we have a pretty strong core in there of ethics, courtesy, appropriate behavior, standards of conduct, human rights, cross-cultural communications.

For all the organizations, I know that DHS, my home organization, has a code of conduct. I know that CBP, my old organization, has a code of conduct. I know that ICE has a code of conduct. In each one of those codes of conduct, they emphasize acting properly, acting as a responsible law enforcement officer caring for the people.

So I know that is embedded in our training in many different ways, but to the direct answer to your question, do we have something directly on that specific subject that is offered as an 8-hour block, no, we don't. But it is embedded in our training.

Ms. BARRAGÁN. Thank you.

I yield back.

Ms. TORRES SMALL. Thank you.

The Chair recognizes for 5 minutes the gentleman from Louisiana, Mr. Higgins.

Mr. HIGGINS. Inspector General Kelly, the Federal Law Enforcement Training Centers have to handle training 15,000 additional American men and women, the training surges, we agree to refer to it as. To me, it is cause for the training cadre at the training level, at the facilities, they need to be allowed to make command decisions and adjustments. They have to have the flexibility that they need to get the job done, to get the training curriculum completed, and to graduate their cadets.

One of the OIG reports apparently stopped the use of a warehouse as a training venue, referred to a damaged warehouse that posed unacceptable risks to trainees and instructors. What kind of damage?

Mr. KELLY. Well, I believe you are talking about the warehouse that was at Artesia?

Mr. HIGGINS. Yes, sir. In Artesia.

Mr. KELLY. In which an automobile on a track close by to that, roughly 35 yards away from the track, went out of control and crashed into the building.

Mr. HIGGINS. How large is this warehouse?

Mr. KELLY. It is a fairly good-sized—I can't give you the actual square footage of the warehouse, but it was a good-sized warehouse.

Mr. HIGGINS. So in what way—there was some damage to the exterior, to the steel? Was the structural integrity of the building in question?

Mr. KELLY. It appeared to be structural damage. It did hit a beam that was supporting the roof. One of our recommendations was to go out and get an engineering study to find out whether or not that facility—what was the structural damage associated with it.

Mr. HIGGINS. What sort of vehicle crashed into this large warehouse?

Mr. KELLY. I believe it was a police cruiser.

Mr. HIGGINS. A what?

Mr. KELLY. A police cruiser.

Mr. HIGGINS. A patrol unit?

Mr. KELLY. Yes.

Mr. HIGGINS. A regular unit?

Mr. KELLY. Yes.

Mr. HIGGINS. It wasn't an bulldozer.

Mr. KELLY. No. No. It was an automobile that someone—

Mr. HIGGINS. So the training cadre had made decisions to use this warehouse for training, for simulation training, or what?

Mr. KELLY. Well, it is a little bit more complicated than that. The accident—

Mr. HIGGINS. Were there classrooms in there, or were they—

Mr. KELLY. No. It was a warehouse.

Mr. HIGGINS. Was this a large vacant warehouse?

Mr. KELLY. It was a large vacant warehouse. The accident occurred, I believe, in 2009, and they didn't start using it for a training facility until 2016.

Mr. HIGGINS. Exactly. This is the sort-of—this is to the heart of my question here, good sir. Respectfully I ask, of course, we don't want cadets or our training cadre exposed to unnecessary risk. There is already risk associated with a 4-month training block of instruction. It is incredibly challenging and difficult, and there are inherent risks and dangers.

But it seems to me that if we are going to get 15,000 men and women trained in this training surge, the training cadre needs to be able to make simple decisions. If you have a 10,000-square foot warehouse, you know, stay away from the part that got hit by a car. In the mean time, we are conducting our training.

So do you envision this type of restriction from the OIG as impacting FLETC's ability to train these 15,000 men and women, and should they not have more flexibility at the training cadre command level to make common-sense decisions? I will leave you to answer that, good sir.

Mr. KELLY. FLETC has been very responsive to our recommendations. All of the recommendations that we have made, they have either actually fully implemented are or in the process of implementing them. So I think our relationship—

Mr. HIGGINS. Let me ask Mr. Walters—not to cut you off, and thank you for clarifying that, Inspector General.

Mr. Walters, wouldn't the training cadre on the ground be able to—you are talking about complying with OIG recommendations. Of course, you pretty much have to if it involves some sort of a safety assessment, but wouldn't your training cadre on the ground have made that decision before they started using this facility to train scenarios in?

Mr. WALTERS. We could have done better in deciding to use that warehouse. What we didn't realize is that it had some structural damage. The damage that was apparent was not structural in nature, as far as we could tell, so it sat unused from 2009 until Border Patrol requested to use it.

Mr. HIGGINS. OK. Well, just in my remaining few seconds, yes or no, does your training cadre have the flexibility it needs to get the job done?

Mr. WALTERS. Yes. I think we do, sir.

Mr. HIGGINS. Thank you, sir.

Madam Chairwoman, thank you. My time has expired.

Ms. TORRES SMALL. Thank you, Mr. Higgins.

If folks are interested, we will do one more round. OK. Appreciate you. Thank you. I won't use the whole 5 minutes, but I will recognize myself for questions.

Mr. Walters, the last thing you said was really enlightening to me. You said sometimes the partners consult about decisions made on instructors, and sometimes they aren't able to. Is there anything that we can do in Congress to support this necessary consultation with FLETC on instructors?

Mr. WALTERS. I believe there are some things that can be done. I think the organizations themselves agree that providing instructors the proper way and the proper amount of time and having them fully prepared is the right thing to do. Our Memorandums of Agreement we have with all the different organizations also agree.

What would be helpful is for all of the—not just to pick on the DHS components, but if you are going to train at the Federal Law Enforcement Training Center, it would be beneficial to have all of your programs and your academy accredited with an independent accrediting body.

We do that at the Federal Law Enforcement Training Center. We don't certify ourselves. We work through the Federal Law Enforcement Training Accreditation Board, which is independent. We house them, and we provide some support as we would other participating organizations, but they are independent. That helps lend discipline to the process.

What it really does is focus the organizations on honoring their own training policies. It makes their decisions to do or not to do accountable. Who made the decision? When did they make it? Why did they make it? It doesn't constrain them in any way, but it makes them accountable, and I think that is a good thing.

Ms. TORRES SMALL. Thank you, Mr. Walters.

Mr. Davis, I saw you nodding your head in agreement. Would you be willing to comment on that?

Captain DAVIS. That is one of the reasons why we seek out training from FLETC is because of the accreditation. It is so critical because you don't see it across the United States on this level. So, to have the Federal Law Enforcement Training Accreditation there to help with influencing policy and making sound decisions regarding policy and language, we want to seek consistency and continuity across the board so we are functionally operational.

Ms. TORRES SMALL. Thank you, Mr. Davis.

Mr. Kelly, are there any partners with FLETC that you have currently identified as models for the way they utilize instructors and specifically instructor time?

Mr. KELLY. I think the report would indicate that CBP does a pretty good job, and ICE ERO does a better job between the two ICE components, and so I think that would be the better one. I think we still have some significant problems with his, who cycles their instructors every 4 months. That does not seem to be either cost-effective or provide good training.

Ms. TORRES SMALL. Thank you.

I will yield the rest of my time and recognize Mr. Crenshaw, the gentleman from Texas.

Mr. CRENSHAW. Thank you, Madam Chairwoman.

I want to go to you, Mr. Walters. With so many partners and so many local and State law enforcement agencies that would want to utilize FLETC training, how do you prioritize which agencies will receive training at any given time? How long is the wait list?

Mr. WALTERS. We have a wait list at the far end for lower-priority training, but our highest priority is always basic training. We have some sub-units of that.

The set of basic training programs I run, not surprisingly, I prioritize those programs, not because I own them but because all our participating organizations, many of them use those as a core for their follow-on schools. Next would be the agency basic programs, and after that, we do center advanced training programs.

Mr. CRENSHAW. What I am trying to get at is so, if the Department of Public Safety in Texas is trying to get into one of your courses, how easy is it for them?

Maybe, Mr. Davis, you can answer that really quick, and then I will come back. Get an idea of what the demand is out there, and is it even close to possible to fill it?

Captain DAVIS. During the last 14 years, when the courses have come up, we put in for it, and we have been very successful in getting it, so we haven't had any—too much delay.

Mr. CRENSHAW. OK.

Mr. WALTERS. So, if I can add on to that. We have 800,000 State and locals out there that could benefit from some or part of our training. What we are trying to do is maximize our access—their

access to our Federal programs. We develop the training for the Feds, and we make them available to everyone else in the United States if we can.

So we are going to a new model of train the trainers to expand our outreach to them. I think it is a great model for Texas and every other place, expand their access to that.

Mr. CRENSHAW. I want to move on to human trafficking training. I know FLETC has started to develop this kind of training and encouraging officers or training officers with the ability to note potential human trafficking victims and prevent that. Can you talk a little bit about that, and then, Mr. Davis, after Mr. Walters, will you talk about how Texas does it as well?

Mr. WALTERS. So human trafficking. It has a cross-transnational component, but that is not the only component. We deal with it in two ways. We prepare our law enforcement officers to do their law enforcement job when they recognize human trafficking, but the other part of that is for the general public, especially other public officials, some law enforcement and others that just work in the community to recognize the signs that human trafficking is taking place and who to call. It is fairly simple, but it is an effective program. We get a lot of response on it. It is in demand and properly so.

Mr. CRENSHAW. We are talking a 2-day program, I believe? It is not very long.

Mr. WALTERS. We have a program that we are running next week, a pilot program in our Charleston, South Carolina, facility, and we will pilot that again at a local site, and then we will expand it out Nation-wide.

Mr. CRENSHAW. Mr. Davis, would you like to expand on that, on how Texas DPS trains its officers to recognize this? I mean, I was on the border for a day not just too long ago: 14 kids were with adults that were not their parents. So it is very obvious that our asylum process is abused and used, and it is well-known that a child can be taken as basically your ticket across the border. How do we figure out who is who?

Captain DAVIS. As far as the Texas Department of Public Safety, that particular concept is one of high priority in our agency. That training begins at the trooper training level, and it consistently is reinforced once they are out of the academy, well into the field in their in-service programs. So that is why we are very effective at doing that operation, but it is one of our major priorities.

Mr. CRENSHAW. OK. Thank you. I just want to emphasize again how important that part is. Houston, where my district is, is a hub for human trafficking. We are not proud of that fact, and so we are thankful to law enforcement for doing everything it can to train officers to be able to observe and detect and deter and prevent it, so thank you.

I yield.

Ms. TORRES SMALL. Thank you.

The Chair recognizes for 5 minutes the gentlewoman from California, Ms. Barragán.

Ms. BARRAGÁN. So I want to follow up on the initial line of questioning. I think in the first line, we established there is no training for officers on treating people with dignity and respect and as hu-

mans, and it is kind-of sad that we even have to have this conversation, that there should be that training. But after the human rights violations we see happening at some of these facilities, I think it is critical.

I am curious if anybody on the panel, just by a yes or no question, are officers trained, and specifically I want to know about CBP officers and ICE officers. Are either of those officers trained that migrants coming over applying for asylum are to be treated as criminals, or are they—you know, criminals are generally treated to be punished. What I am trying to get at is, are they trained to punish, or are they trained in a different manner, say, because they are only in civil detention just to be treated like they are detainees and not criminals? Anybody on the panel? It doesn't have to be a long answer. Are they trained to punish?

Mr. WALTERS. They are definitely not trained to punish. Now, I can talk about the Federal Law Enforcement Training Center's basic training programs.

Ms. BARRAGÁN. Well, I am interested in just ICE and CBP because I have some more questions I want to get to.

Mr. WALTERS. Well, they would be the proper place for that, to ask that question about the specifics because they have a huge responsibility and authority to develop that kind of training and develop the culture for their organizations.

Ms. BARRAGÁN. Mr. Kelly, would you say that the detainees at Adelanto are people that should be punished?

Mr. KELLY. The answer to that is no. Most of them are there civilly, so they are not supposed to be punished.

Ms. BARRAGÁN. OK. Then what I want to do is I want to read some scenarios, and I want to know where in the training that might be addressed so that this doesn't happen, and so where in the training this might happen.

So let's say you have a detainee in ICE, and they are placed into disciplinary segregation, but there is no disciplinary hearing panel, which is actually what is required before placing a detainee in segregation. Now, when that doesn't happen, the detainee's right to due process is violated.

Where in the training that is provided to officers do they get on making sure that they get that hearing before violating their due process rights? Anybody know? Mr. Kelly?

Mr. KELLY. We have reported that as being a significant problem.

Ms. BARRAGÁN. Right. What I am asking is what part of the training does an officer get? Where is that in the training so that they are told of the rules so they are not doing this? I know it is happening, and your own report says it is happening, which is a huge concern for me. So what I am trying to figure out, where in the training does that happen that an officer knows hey, by the way, this is a no-no. You can't do this.

Mr. KELLY. That answer probably should be at either CBP or ICE, the entity that is actually performing it.

Ms. BARRAGÁN. But is there any training—are you aware of any training that is being provided to any of our officers on that?

Mr. KELLY. I am not aware, but I don't think I would ordinarily be aware of exactly what specific type of training they receive.

Ms. BARRAGÁN. OK. So here is another scenario. We have a disabled detainee who is basically being placed in disciplinary segregation, and this disabled detainee is in a wheelchair and is taken into his cell, and he is left there for 9 days. The detainee never leaves his wheelchair to sleep in a bed or brush his teeth. Medical staff simply walks by, and they rubber stamp that they have evaluated him as required by the ICE standards. Obviously, this is wrong, and this is happening as is indicated in the inspector general's report.

Anybody know in the training where officers are being told that this also is wrong and shouldn't be happening? Nobody. OK.

Well, let's go to this other scenario. Detainees are in disciplinary segregation, and they are improperly handcuffed and shackled. According to the inspector general's report, that is not supposed to be happening either. Does anybody know in the training of officers where they are told that that is not supposed to be happening? OK. Nobody. Nobody knows.

The last thing I want to just end with real quickly is there have been reports, video evidence reports, of ICE officers stopping people in their cars and asking for papers, asking for a number of things. I am aware of the rules that, within 100 miles of a border, you are allowed to do that. But some of these videos are indicating that officers, that they do not really have the right to harass and continue to detain people and asking for papers.

Does anybody know what part of the training that Federal officers received, either ICE or CBP, on when they can ask for papers and continue to harass and lie to people into making them try to provide something?

Mr. WALTERS. Let me try and address that. From my CBP experience, I spent a lot of time there, I know that the use of—the interaction with citizenry and the rules behind that, what the immigration laws allow, the court decisions on that are taught very robustly, I guess would be a phrase, in the basic training program for CBP for sure. I assume ICE as well, but that is just an assumption on my part. My experience at CBP, when I left in 2014, they were teaching it, and I assume that they still are.

Ms. TORRES SMALL. I apologize. The gentlewoman's time has expired.

Ms. BARRAGÁN. Great. Thank you.

Ms. TORRES SMALL. I thank the witness for their valuable testimony and the Members for their questions. The Members of the subcommittee may have additional questions for the witnesses, and we ask that you respond expeditiously in writing to those questions.

Without objection, the committee record shall be kept open for 10 days.

Hearing no further business, the subcommittee stands adjourned. [Whereupon, at 11:19 a.m., the subcommittee was adjourned.]



## APPENDIX

QUESTIONS FROM CHAIRWOMAN XOCHITL TORRES SMALL FOR THOMAS J. WALTERS

*Question 1a.* According to a November 2018 Office of Inspector General (OIG) report, the Federal Law Enforcement Training Centers (FLETC) identified at least 8 facilities that have exceeded their capacity.

Is that number still accurate? Are there any additional facilities that face capacity issues?

Answer. The number is still accurate, and there are no additional facilities facing capacity issues.

*Question 1b.* How frequently are partners competing for the same facility at the same time?

Answer. When FLETC plans its schedule on a quarterly basis, between 10 percent and 50 percent of scheduled classes have one or more facilities conflicts. FLETC resolves these by using agencies' second and third choice venues. In the very rare instances when a third choice is not available, FLETC will reschedule training to occur on a weekend when venues are available.

*Question 1c.* When that occurs, how does FLETC decide which partner gets to use the desired facility and which has to use a back-up site?

Answer. FLETC has a directive that prescribes an order of priority for scheduling facilities based on program categories, with basic programs receiving first priority. When FLETC develops training programs, subject-matter experts and agency representatives identify first-, second-, and third-tier venues that will enable programs to run effectively. When two partners request the same venue, FLETC works with the agencies within the parameters of program prioritization established by directive to identify alternatives that will effectively meet all training needs. In rare instances when participating organizations are vying for the exact same venue for the same program type, FLETC would convene all stakeholders to develop a solution that meets everyone's needs, including potentially adjusting training schedules to accommodate preferences where feasible.

*Question 2.* What are FLETC's policies and processes for ensuring facilities are well-maintained so that instruction takes place in a safe environment?

Answer. FLETC adheres to the Federal Law Enforcement Training Accreditation (FLETA) standards, which include both Academy and Program Standards intended to ensure safe facilities. These standards address establishing environmental, fire, and safety guidelines for training facilities; providing academy and training staff with written information and orientation on safety rules/regulations and procedures; developing programs with appropriate safeguards; and providing students with fire and emergency procedures and safety rules and regulations for in-person training.

FLETC takes the specific steps described below to ensure its facilities are well-maintained and that instruction occurs in a safe environment.

Safe Facilities:

- FLETC's 4 training sites (Glynco, Georgia; Charleston, South Carolina; Artesia, New Mexico; and Cheltenham, Maryland) have in-house Safety and Occupational Health Specialists who conduct annual safety inspections of all FLETC buildings and training venues. FLETC also conducts inspections as issues arise and/or as reported by FLETC, Participating Organization (PO), or contractor staff who occupy FLETC-owned facilities.
- FLETC Glynco has a standing safety committee that meets on a quarterly basis. Committee membership consists of FLETC training and support personnel, as well as PO representatives. At committee meetings, participants discuss old and new business, and the committee facilitates FLETC addressing items of concern. The committee encourages input from all participants, and monitors and tracks trends.

Well-Maintained Facilities:

FLETC develops all new construction and renovation projects in accordance with design standards that reflect up-to-date building codes, the most significant of which are:

- International Building Code, which is based on the protection of public health, safety, and welfare and encourages the use of new and smarter technologies;
- Leadership in Energy and Environmental Design (LEED) Silver certification, which ensures environmentally-friendly buildings through the use of energy and resource efficiencies;
- National Fire Protection Association (NFPA) Life Safety Code, which prescribes building construction methods based on protecting building occupants from the effects of fire and related hazards;
- Instruction 119-02-004 “DHS Design, Engineering, and Construction Guide,” which provides a consistent approach toward the execution of construction and renovation projects funded by FLETC or POs involving FLETC real property; and,
- Architectural Barriers Act Accessibility Standard (ABAAS), which provides requirements for accessibility to sites, facilities, building, and elements by individuals with disabilities.
- FLETC maintains its facilities through a mixture of in-house and contract support, coupled with periodic, recurring inspections of all facilities.
- The FLETC Building Management Program, codified in FLETC Directive/Manual 119-03, Building Management Program, prescribes communication across the FLETC community to ensure a safe and productive work environment exists. Occupants of each FLETC building are required to designate a Building Manager who provides critical insight, feedback, and support for the efficient stewardship of FLETC facilities and serves as the liaison with the assigned maintenance mechanic.
- FLETC uses a computerized maintenance management system (CMMS) for the logging, tracking, and reporting of all requests for maintenance and repairs, for both recurring and non-recurring maintenance needs. FLETC also uses the CMMS to monitor and document all preventative maintenance tasks for building systems equipment.
- Each FLETC training delivery point makes available a local phone number for use by site personnel to report issues requiring immediate attention.

*Question 3.* Over the past 2 fiscal years, FLETC has made a number of requests for new facilities as part of its budget requests, many of which have gone unfulfilled. If you could identify your top needs from Congress, what would they be?

Answer. The President’s 2020 budget includes the following training venues necessary to adequately execute required basic law enforcement training:

- Dormitories: \$40.94 million
- Water and Sewer Enhancements: \$2.577 million
- Modular Classrooms/Offices: \$2.832 million

The President’s 2019 budget included the following training venues that were not funded by Congress:

- Processing Center: \$11.361 million
- Non-lethal Training Ammunition House: \$15.771 million
- Transportation Checkpoint: \$3.265 million
- Skid Ranges: \$4.237 million.

#### QUESTIONS FROM CHAIRMAN BENNIE G. THOMPSON FOR THOMAS J. WALTERS

*Question 1.* FLETC’s Strategic Plan for fiscal years 2016–18 reflected the Department of Homeland Security’s priorities set forth in the 2014 Quadrennial Homeland Security Review (QHSR). Recently, FLETC released its updated Strategic Plan, but without the benefit of a current QHSR since the one due to Congress in December 2017 is more than 16 months overdue. In absence of the QHSR, what input did FLETC receive from the Department when developing its Strategic Plan for fiscal years 2018–2022?

Answer. As it developed its fiscal year 2016–2022 Strategic Plan, FLETC participated on the DHS Strategy and Policy Executive Steering Committee, which ensured FLETC was aware of Departmental priorities and was engaged in the Department’s strategic planning process. Additionally, FLETC communicated with Departmental leadership about its strategic planning efforts, and sought and received approval for its revised mission, vision, and values statements. To be specific, on April 9, 2018, then-Under Secretary for Management Claire Grady approved FLETC’s action memo outlining its revised mission, vision, and values statements. On June 6, 2018, then-Secretary Kirstjen Nielsen approved FLETC’s action memo outlining its revised mission, vision, and values statements. Subsequently, FLETC collaborated

with the Department in its strategic planning efforts through 2 meetings with DHS operational component leaders. FLETC coordinated with the under secretary for management to hold these meetings in December 2018 and March 2019 to discuss future training requirements. Also in March 2019, FLETC submitted its 2018–2022 Strategic Plan for review to all operational components and headquarters offices. FLETC received and incorporated feedback before finalizing its plan.

*Question 2a.* I have been encouraged to see that the Department of Homeland Security has agreed to have the Office of Chief Human Capital Officer work with components to develop and implement standards and processes for recruiting and retaining qualified instructors in a consistent manner.

Has FLETC been consulted in the development of these new policies?

Answer. Yes, the Office of the Chief Human Capital Officer is consulting with FLETC in the development of these new policies.

*Question 2b.* What specific changes does the Department plan on implementing?

Answer. The changes the Department plans on implementing are in the development phase, with an estimated completion date of September 30, 2019.

*Question 3a.* In a FLETC publication released last year you noted that you received a call from DHS Headquarters about plans to pull all trainees out of the basic training academy and send them to the border before they had completed their training.

Who made this request?

*Question 3b.* Why did you advise against pulling out trainees before they had completed their training? What are the negative results of pulling trainees out of the Academy and placing them in the field before completing their training?

*Question 3c.* Since that article was published, have there been any other plans (successfully implemented or otherwise) to pull trainees out of the Academy prematurely and put them in the field?

Answer. The publication referenced was an article Director Walters wrote, which was included in the 2018 Spring/Summer edition of the FLETC Journal. Director Walters was providing an example of how he handled a challenging leadership situation earlier in his career. To be specific, he encountered this request in 2001 while serving as chief of the U.S. Border Patrol Academy, and was referencing a lesson learned from his time serving as associate chief of the U.S. Border Patrol when the Olympic Games bombing occurred in Atlanta in 1996.

#### QUESTIONS FROM CHAIRWOMAN TORRES SMALL FOR JOHN V. KELLY

*Question 1a.* According to a November 2018 Office of Inspector General (OIG) report, the Federal Law Enforcement Training Centers (FLETC) identified at least 8 facilities that have exceeded their capacity.

Is that number still accurate? Are there any additional facilities that face capacity issues?

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

*Question 1b.* How frequently are partners competing for the same facility at the same time?

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

*Question 1c.* When that occurs, how does FLETC decide which partner gets to use the desired facility and which has to use a back-up site?

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

*Question 2.* With respect to addressing the problem of facilities that are over capacity, what recommendations do you have for FLETC?

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

*Question 3.* Do you have confidence in FLETC's ability to maintain its infrastructure in the event of a hiring surge? What action does FLETC need to take to better ensure that instruction takes place in a safe environment?

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

