U. S. Department of Homeland Security

United States Coast Guard

Commandant
United States Coast Guard

2100 Second Street, S.W.
Washington, DC 20593-0001
Staff Symbol: G-ICA
Phone: (202) 366-4280
FAX: (202) 366-7124

DEPARTMENT OF HOMELAND SECURITY

U. S. COAST GUARD

STATEMENT OF

ADMIRAL THOMAS H. COLLINS

ON

HOMELAND SECURITY MISSIONS OF THE POST-9/11 COAST GUARD

BEFORE THE

COMMITTEE ON HOMELAND SECURITY

SUBCOMMITTEE ON ECONOMIC SECURITY, INFRASTRUCTURE PROTECTION, AND CYBERSPACE

U. S. HOUSE OF REPRESENTATIVES

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Good afternoon Mr. Chairman and distinguished members of the Committee. It is a pleasure to appear before you today to discuss the Coast Guard's role in homeland security, and specifically maritime homeland security.

The Coast Guard is a military, multi-mission, maritime service. It is those core elements of the service's character coupled with its broad statutory authorities, membership in the Intelligence Community, command and control structure, and extensive experience conducting maritime operations that uniquely equip the Coast Guard to conduct maritime homeland security missions. For homeland security, the Coast Guard serves as (1) the lead Federal agency for Maritime Homeland Security; (2) the Federal Maritime Security Coordinator in U.S. ports as designated by the Maritime Transportation Security Act (MTSA) of 2002; and (3) as a supporting or supported commander for military operations conducted under Title 10. These and other critical roles have imparted a tremendous challenge on Coast Guard men and women and I would be remiss without remarking on their many accomplishments since September 11, 2001. For example:

- Before 9/11 we had no mandatory ship-tracking requirement; now we have forged an international agreement to accelerate the requirement for Automatic Identification System (AIS) capability. It went into effect in December 2004. Simultaneously, we have initiated a major acquisition project for AIS. It has allowed us to deploy immediate capability including AIS shore stations in VTS ports, outfitting NOAA buoys offshore, and testing AIS receiving capability from a low-flying satellite.
- Before 9/11 we had no formal international or domestic maritime security regime for ports, port facilities, and ships – with the exception of cruise ships. Partnering with domestic and international stakeholders, we now have both a comprehensive domestic security regime and an international security convention in place. Both have been in force since July 1, 2004.
- Before 9/11 we were shorthanded and could not have met mission requirements without our Reserves and Auxiliary. While our Reserve and Auxiliary forces continue to make vital contributions, since 9/11 we have:
  - Established 13 new Maritime Safety and Security Teams,
  - Deployed over 80 new small boats (RB-S) and boat crews,
  - Provided radiation detection capabilities to our boarding teams,
  - Deployed field intelligence support teams to better collect and disseminate maritime threat information,
  - Acquired fifteen 87-foot Coastal Patrol boats four 179-foot coastal patrol craft to increase operational presence in our ports.
- Before 9/11 our prevention, protection, and response activities were coordinated by multiple commands in a single geographic location. Since 9/11, we have begun establishing Sector commands to streamline our command-and-control structure, provide unity of command, and offer one-stop shopping for port stakeholders. It is an organization re-alignment that will have long term positive impacts on our response and recovery posture.

Looking at their accomplishments, it is clear that Coast Guard men and women continue rising to the challenge and delivering tangible and important results across all Coast Guard mission-programs. No amount of new technology or capability enhances security more than the daily dedication of our personnel. They are the indispensable link in any strategy and I am continually impressed by their ingenuity, courage, and dedication.

The Coast Guard has responded to a broad and substantial level of maritime risk with a comprehensive maritime security strategy that guides our operational and resource planning. We have made tremendous progress in a short period of time. Much of our success to date is a direct

result of the strong support we have enjoyed from Congress. Through the passage of MTSA and subsequent laws providing for the resources to implement this new law, Congress enabled the Coast Guard to successfully institute a maritime security regime that now serves as a global model for maritime security. But there is clearly more to do and I echo the consensus of most on this topic; we are safer but not yet safe. In the years ahead, Coast Guard readiness will continue to be the key challenge to our ability to deliver results to the American people.

Maritime Security Risks

The maritime domain is of unparalleled strategic importance. In terms of threat, vulnerability, and consequence, there are few more valuable and vulnerable targets than the global maritime transportation system. I stress the words global and system here because it is critical to understand the broad and diverse nature of the maritime domain in order to adequately confront the threats. Increasingly, the maritime security of the United States depends as much on international cooperation and partnerships as it does on our ability to effect security enhancements within areas of exclusive U.S. jurisdiction; areas which by comparison make up only a small fraction of this global system.

- Threat: While the 9/11 Commission notes the continuing threat against our aviation system, it also states that "opportunities to do harm are as great, or greater, in maritime or surface transportation." From smuggling to piracy, suicide attacks to the threat of weapons of mass destruction, the threats are many and varied.
- Vulnerability: The maritime transportation system annually accommodates 6.5 million cruise ship passengers, 51,000 port calls by over 7,500 foreign ships, at more than 360 commercial ports spread out over 95,000 miles of coastline. The vastness of this system and its widespread and diverse critical infrastructure leave the nation vulnerable to terrorist acts within our ports, waterways, and coastal zones, as well as exploitation of maritime commerce as a means of transporting terrorists and their weapons.
- Consequence: Contributing nearly $750 billion to the U.S. gross domestic product annually and handling 95% of all overseas trade each year – the value of the U.S. maritime domain and the consequence of any significant attack cannot be overstated. Independent analysis has estimated the economic impact of a forced closure of U.S. ports for a period of only eight days to have been in excess of $58 billion to the U.S. economy.

The only way to effectively address and mitigate these risks is through a layered approach to security. The targets are too many and infrastructure too diverse to rely solely on efforts within the geographic confines of U.S. ports. It requires a layered defense comprising the full range of maritime security operations and measures, starting overseas and extending to U.S. shores, ports, and internal waterways. This defense-in-depth will enable the Coast Guard to address both external and internal threats across the full geographic spectrum and at multiple points in an attack event chain. Simply put, U.S. port security cannot start nor end within our own ports.

Maritime Security Objectives and Strategy

The Coast Guard's overarching maritime security objectives are to prevent attacks in the U.S. maritime domain, protect maritime related critical infrastructure and key assets, and ensure we're prepared to respond to, and can expedite recovery from, an attack. These primary objectives – Prevent, Protect, and Response/Recovery – guide our operational and resource planning. Underlying each is the need for Maritime Domain Awareness (MDA), enabled by our ability to collect, fuse,

analyze and disseminate large amounts of maritime data, information and intelligence in a way that facilitates effective decision making at every level of command. Preventing terrorist attacks increasingly depends on ensuring we get the right information, to the right people, at the right time, and in the right form so that optimal decisions can be made.

The Coast Guard's *Maritime Strategy for Homeland Security* is in direct alignment with the Department of Homeland Security's strategic goals of Awareness, Prevention, Protection, Response and Recovery, and is encapsulated in the below four pillars:

(1) *Enhance MDA.* We seek to increase our awareness and knowledge of what is happening in the maritime arena, not just here in American waters, but globally. We need to know which vessels are in operation, the names of the crews and passengers, and the ship's cargo, especially those inbound for U.S. ports. MDA is critical to separate the law-abiding sailor from the anomalous threat. The core of our MDA efforts revolve around the development and employment of accurate information, intelligence, and targeting of vessels, cargo, crews and passengers – and extending this well beyond our traditional maritime boundaries. All DHS components are working to provide a layered defense through collaborative efforts with our international partners to counter and manage security risks long before they reach a U.S. port.

(2) *Create and oversee an effective maritime security regime*. To help prevent terrorist attacks we have developed and continue to improve an effective maritime security regime – both domestically and internationally. This element of our strategy focuses on both domestic and international efforts and includes initiatives related to MTSA implementation, International Maritime Organization regulations such as the International Ship & Port Facility Security (ISPS) Code, as well as improving supply chain security and identity security processes.

(3) *Increase Operational Presence*. We seek to better protect critical maritime infrastructure and improve our ability to respond to suspect activities by increasing our operational presence in ports, coastal zones and beyond … to implement a layered security posture, a "defense-in-depth". Our collective efforts to increase operational presence in ports and coastal zones focus not only on adding more people, boats and ships to force structures but making the employment of those resources more effective through the application of technology, information sharing and intelligence support.

(4) *Improve Response and Recovery posture*. Finally, we are improving our ability to respond and aid in recovery if there were an actual terrorist attack. Understanding the challenge of defending 26,000 miles of navigable waterways and 361 ports against every conceivable threat at every possible time, we are also aggressively working to improve our response capabilities and preparedness.

The Coast Guard continues to guide its efforts by implementing policies, seeking resources, and deploying capabilities through the lens of the above maritime security strategy. However, continued risk reduction is contingent upon Coast Guard readiness and capacity. Without these basic building blocks, the implementation of maritime security strategies will not be sustainable. It is no surprise then that readiness and capacity are the focus of my most pressing concerns in fulfilling maritime security missions.

Maritime Security Challenges

Coast Guard readiness is a product of its authorities, capabilities, competencies and partnerships. Each provides a tool for action and no where has this been more important than in the Coast Guard's response to the current security environment. While each is critical to success, I will focus today on the authorities and capabilities the Coast Guard seeks to equip itself with to ensure it is ready to meet the mission demands of today and tomorrow.

Authorities

The Coast Guard greatly appreciates the tradition of the Administration supporting and Congress passing a Coast Guard Authorization Act each year, as has been the case for three consecutive years. These annual Acts help us keep critical authorities at the cutting edge, enabling us to respond quickly and effectively to the new challenges our service faces daily.

On April 12th, we transmitted to the Congress the Administration's proposed Coast Guard Authorization Act for 2005. The bill contains sixteen provisions that provide the Coast Guard with important new authorities, as well as expansions and clarifications of existing authorities. I ask that you adopt these provisions and would like to highlight a few of them here today.

Merchant Mariner Credentials

The awful events of September 11th 2001 made clear that our country must take more care in controlling who is able to secure and use government-issued forms of identification. The 9/11 Commission report, noted that the September 11th hijackers obtained and used government-issued identification cards such as driver's licenses. The Commission recommended that forms of identification be made more secure. Congress mandated the development of a biometric transportation security card in MTSA. The Coast Guard is assisting the Transportation Security Administration (TSA) with the implementation of this requirement. The card is known as the Transportation Worker Identification Credential (TWIC).

Concurrently, the Coast Guard has proposed revisions to the existing merchant marine document (MMD) requirements. These documents are, by statute, identification documents, yet they contain virtually no security features. This, among other reasons, is why, with the support of the President and Secretary, I have submitted a complete update of the merchant mariner credentialing statutes. We cannot, and must not, continue with business as usual in the area of mariner credentialing. Not when, as this committee is well aware, our ports and harbors are still vulnerable to terrorist attack. The specter of a terrorist obtaining and using a merchant mariner credential to access and attack vital areas of a strategic port is one that is very real. The changes we have proposed will enable the Department to heighten the security of all merchant mariner credentials in partnership with the mariners themselves and the maritime industry. Additionally, the Coast Guard will work with TSA to ensure the regulations for obtaining the MMDs are consistent with TWIC to minimize future impacts on mariners and to ensure mariners undergo appropriate security threat assessments in accordance with MTSA .

Our proposal enhances the Coast Guard's ability to be flexible and agile in establishing appropriate criteria and processes for obtaining merchant mariner credentials and in recovering them from unqualified holders. Our proposal also updates the mariner credentialing statutes. The existing merchant mariner credentialing statutes have developed piecemeal over the last 50 years and have not been comprehensively updated since 1983, over twenty years ago in a very different world. As a result, they are unclear, self contradictory and in some cases obsolete. This proposal would update,

clarify, and simplify the statutes allowing the Coast Guard to better administer the mariner credentialing program as well as addressing the many changes in the domestic and international maritime communities, and especially, as I mentioned above, security concerns post September 11th.

Critical issues the Administration's proposal addresses include:

- Authority to conduct background checks to evaluate mariners for both maritime security and maritime safety purposes,
- Authority to issue a single merchant mariner credential, including allowing for the merger with the TWIC,
- Authority to issue cadet credentials (including to foreign cadets) for training and educational purposes,
- Authority to refuse to issue a merchant mariner credential to a mariner who is a maritime safety or security risk, and
- Authority to refuse to issue a merchant mariner credential for one year to a mariner who lies on application.

The suspension and revocation chapter allows for immediate temporary suspension of a merchant mariner credential where the mariner is involved in an accident involving death or serious injury or where a mariner is determined to be a threat to security or safety. Because we are very concerned with fairness and the rights of merchant mariners, it also requires a hearing on any temporary suspension within 30 days of the suspension. The proposal also enhances compliance with the law by adding significant new civil and criminal penalties for making, using, or presenting fraudulent credentials.

Other Authorization Priorities

Our proposed bill also includes some seemingly small but critically important provisions that would enhance our authorities in maritime homeland security and drug interdiction. These are Extension of Coast Guard Vessel Anchorage and Movement Authority, which would extend to 12 miles the Coast Guard's authority to enact maritime protection zones around naval vessels; Enhanced Civil Penalties for Violations of the Maritime Transportation Security Act (MTSA), which would make each day of a continuing violation of MTSA maritime security regulations a separate offense; and Certification of Vessel Nationality in Drug Smuggling Cases, which would allow the certification of the nationality, or lack thereof, of interdicted drug smuggling vessels without the presence in a U.S. court of foreign officials.

The Administration's bill includes other important provisions that would improve our management of the officer corps, streamline and lower costs of small procurements and clarify and update the tonnage laws administered by the Coast Guard. In addition, it includes several provisions to improve the Coast Guard's ability to carry out non-homeland security missions as well. Most notably, the Administration's proposal would authorize the Secretary to establish a pilot program to conduct mandatory dockside crew survivability examinations on uninspected U.S. commercial fishing vessels in two geographic areas over the next five (5) years. The purpose of the pilot program would be to examine fishing vessels and their crews to ensure the required safety equipment is on board and that the crew is trained and exercised in its proper use. Currently, the Secretary does not have the authority to conduct mandatory dockside exams. We estimate that only 6% of the owners or operators of the approximately 90,000 uninspected commercial fishing vessels operating in the U.S. today make their vessels and crew available to the Coast Guard for a voluntary dockside examination. Since 1991, when the Coast Guard first began offering voluntary examinations, history has demonstrated that the crews of fishing vessels examined under such a program have a much higher survivability rate during an accident or loss of the vessel.

I ask for your support in enacting the President's proposed bill.

Capabilities

The President's 2006 Budget requests funding to continue the urgently needed recapitalization of our cutters, boats, aircraft and support infrastructure to reverse declining readiness trends and enhance operational capabilities to meet today's maritime safety and security threats. As detailed in the *National Strategy for Homeland Security*, this restoration of Coast Guard capability is a critical need in protecting the homeland.

Many of the Coast Guard's operational assets will reach the end of their anticipated service lives by 2008, resulting in rising operating and maintenance costs, reduced mission effectiveness, unnecessary risks, and excessive wear and tear on our people. Listed below are some specific examples highlighting alarming system failure rates, increased maintenance requirements, and the subsequent impact on mission effectiveness:

- HH-65 helicopter in-flight engine power losses occurred at a rate of 329 mishaps per 100,000 flight hours in FY 2004. This is up from a FY 2003 rate of 63 mishaps per 100,000 flight hours. The comparable Federal Aviation Administration acceptable standard for a mishap of this severity is approximately 1 per 100,000 flight hours. The engine loss rate has resulted in flight and operational restrictions and high levels of risk to our aircrews. Re-engining the HH-65 will remain the Coast Guard's highest legacy asset priority until every HH-65 aircrew is flying safely with a fully capable aircraft. (The 2006 Budget addresses this issue.)
- The 110-foot Patrol Boat fleet has experienced 23 hull breaches requiring emergency dry docks. The resultant loss in operational days is unsustainable, and risks to our personnel are unacceptable. (The Deepwater fast response cutter initiative helps eliminate this issue.)
- Our high and medium endurance cutters are experiencing sub-system failures due to old and unserviceable systems. The 378-foot WHEC fleet averages one main space casualty, with potential to escalate to main space fire, on every patrol. Three out of a total class of twelve ships have recently missed operations due to unscheduled maintenance required to repair failing sub-systems. The total number of unscheduled maintenance days for the major cutter and the 110' Patrol Boat fleet has risen from 267 days in FY 1999 to 742 days in FY 2004 (175% increase over FY 1999). This loss of operational cutter days in 2004 equates to losing four cutters, or 10% of our major fleet for an entire year. (The FY 2006 budget addresses this issue through increased investment in out legacy systems.)

The contributions of Deepwater legacy assets to maritime safety and security are not theoretical, evidenced by the below accomplishments in 2004 alone:

- Operation ABLE SENTRY blanketed the coastline of Haiti with Coast Guard Deepwater assets, which interdicted over 1,000 illegal migrants during this operation and deterred many thousand more from taking to sea in unsafe boats.
- The 378-foot Coast Guard Cutter GALLATIN, and its Airborne Use of Force (AUF) capable helicopter seized more than 24,000 pounds of cocaine worth an estimated $768 million and detained 27 suspected smugglers in the span of seven weeks.
- The Coast Guard's Deepwater cutters and aircraft patrolled over 28,000 hours in direct support of maritime homeland security missions. 110-foot patrol boats alone patrolled 13,000 hours supporting port and coastal security missions including, cruise ship escorts, critical infrastructure protection, and countless security boardings.
- Working in conjunction with the U.S. Secret Service during the national political conventions, 270-foot Medium Endurance cutters and 110-foot patrol boats provided

maritime security, enforced security zones, and served as command and control platforms coordinating maritime traffic. Deepwater aircraft, equipped with the AUF package, provided air security and conducted maritime security patrols.

Despite spending increasing amounts maintaining operational assets, the Coast Guard is experiencing a continuing decline in fleet readiness. Legacy cutters are now operating free of major equipment casualties (equipment failures that significantly impact mission performance) less than 50% of the time, despite the investment per operational day increasing by over 50% over the last six years. The resulting "readiness gap" negatively impacts both the quantity and quality of Coast Guard "presence" – opening an unacceptable hole in our layered defense. If declining readiness trends continue, Coast Guard capability and capacity will continue to be reduced exactly when the nation needs it most.

The Integrated Deepwater System is the enduring solution to both the Coast Guard's declining legacy asset readiness concerns and the need to implement enhanced maritime security capabilities to reduce maritime risk in the post-9/11 world. Aggressive implementation of the Deepwater program will recapitalize the Coast Guard fleet and introduce much needed surveillance, detection/clarification, intercept, interdiction and command and control capabilities.

The original Deepwater contract baseline sought to replace Coast Guard assets operating at their 1998 performance levels. The post-9/11 national strategic security environment demanded that the original Deepwater solution be revised to defeat terrorist threats, address contemporary mission demands, and satisfy current and emergent operational priorities. In early July 2003, I directed an internal Coast Guard study to analyze operational capability and capacity gaps and the impact these gaps have on mission performance. This process, known as the Integrated Deepwater System Performance Gap Analysis (PGA), identified significant capability and capacity gaps in the existing Deepwater system implementation plan designed to meet the 1998 performance baseline.

Based on the results of the PGA, the Coast Guard, working with the Department, updated Deepwater capability and capacity requirements through development of a revised Mission Needs Statement (MNS). The revised MNS, approved by the Department of Homeland Security on January 24, 2005, calls for additional system-wide capabilities to extend the borders of our ports and reduce maritime homeland security risk. Based on the revised MNS, the Coast Guard developed a revised Deepwater Implementation Plan to reflect new post-9/11 system requirements.

The revised plan addresses the Coast Guard's dual challenges of legacy-asset deterioration and performance gaps by (1) enhancing the performance of selected Deepwater assets through added capabilities and conversions, including C4ISR systems; (2) adjusting the implementation schedule and mix of individual assets over the life of the program; (3) providing necessary balance over the life of the program based on the Department of Homeland Security's strategic goals, current and emerging mission requirements, and the need to provide for a high-quality workplace for Coast Guard men and women.

In addition to delivering more capable operating assets for the Coast Guard's post-9/11 transformation to support DHS strategic goals and to reduce maritime security risk, the revised plan will enable the Deepwater Program to make more significant contributions to improved information sharing, collaboration, and interoperability in the maritime domain—essential capabilities to implement the *Maritime Strategy for Homeland Security*, and in particular enhance MDA.

The Revised Implementation Plan ensures Deepwater cutters and aircraft will be equipped with the right systems and capabilities (summarized below) to operate successfully in the post-9/11 threat environment. These changes are critical to ensuring the maritime security of America and its $750 billion maritime transportation system, including:

- An innovative, integrated network-centric C4ISR system to harness the power of an interoperable network to enhance performance in all mission areas, improve MDA, and provide a common operational picture—key to Coast Guard leading the inter-agency effort to know and respond to maritime conditions, anomalies, vulnerabilities, and threats. Improvements to C4ISR enable earlier awareness of events through the more effective gathering and fusing of terrorism-related information, analysis, coordination, response—all critical to detecting, deterring, and defeating terrorist attacks. Upgrades to Deepwater surface assets, for example, contribute directly to improved intelligence collection and fusion through a sophisticated Shipboard Sensitive Compartmentalized Information Facility (S/SCIF), sensors, and increased data-exchange bandwidth;

- Improved maritime-security capabilities such as increased speed and integrated weapons systems on selected Deepwater cutters essential to higher levels of maritime homeland security during a terrorist attack, opposed boardings, and other high-risk operations;

- Airborne use of force and vertical insertion and delivery capabilities to allow helicopters to provide warning and/or disabling fire, and to deploy, deliver, and recover boarding teams safely and more effectively;

- Improved fixed-wing long-range surveillance aircraft to increase MDA and reduce maritime patrol aircraft shortfalls in operating hours; organic Coast Guard air transport capability will enable deployment of Maritime Safety and Security Teams and National Strike Force teams for faster, more effective response.

- Improved capabilities for anti-terrorist/force protection on select Deepwater assets with all-weather self-defense and the ability to protect high-value assets; assets will have the capability to engage terrorists with higher assurance of survivability and continued mission capability; and

- Improved asset capabilities for detection and defense for chemical-biological-radiological (CBR) threats—essential to survival and continued operations during a CBR attack involving a weapon of mass destruction.

The Deepwater system's performance-based acquisition strategy will allow the Coast Guard to respond to changing conditions and threats, and provides a vehicle for capability and schedule adjustments over the life of the program—maximizing value and performance through technology refreshment and innovation. The flexibility inherent in Deepwater's acquisition will enable the Coast Guard to adjust the final mix of selected platforms as overall system-of-systems capability improvements are generated by, for example, significant improvements to the program's system for C4ISR or Unmanned Aerial Vehicle (UAV) technology.

Our plan to incorporate improved post-9/11 operational capabilities on all major surface and aviation platforms will reap significant system-wide performance improvements that will have a bearing on capacity requirements. In the world of C4ISR, for example, we have already seen how command-

and-control upgrades to our legacy cutters serve as a force multiplier to generate impressive dividends in operational effectiveness *and* efficiency. Armed with earlier, more accurate, and continuously streamed intelligence and operational data to maintain a common operating picture, commanders can employ their assets far more effectively than in the past. Our modeling and simulation studies predict a robust return on investment by revising the Deepwater plan to meet post-9/11 requirements.

With the continued strong support of the Department of Homeland Security (DHS), the Administration, and Congress we are positioned to play an even greater role in reducing the future risk of a terrorist event against the homeland. During the past two years, we have modernized select legacy assets to operate more effectively until replaced by Deepwater assets. Now we have established requirements for improved capabilities on converted or newer Deepwater platforms that are necessary for the Coast Guard to perform its full range of post-9/11 missions.

Conclusion

On 9/10/01, our primary maritime focus was on the safe and efficient use of America's waterways. Since 9/11, we have made great progress in securing America's waterways, while continuing to facilitate the safe and efficient flow of commerce. There is no doubt that work remains, but there is also no doubt that we continue to improve maritime homeland security each and every day – thanks in large part to the continued strong support of the Administration and Congress.

The Coast Guard's 2006 Budget continues that support, proposing budget authority of $8.15 billion, an eleven percent increase over 2005 comparable discretionary funding. The budget provides the resources necessary to continue recapitalizing the Coast Guard's aging cutters, boats, aircraft, and supporting infrastructure, while building out maritime safety and security capabilities essential to meeting present and future mission demands. In addition, the Administration's proposed Coast Guard Authorization Act for 2005 contains provisions that provide the Coast Guard with important new authorities, as well as expansions and clarifications of existing authorities.

Our country faces many challenges in today's dangerous world. In the maritime arena the Coast Guard strives every day to be the Shield of Freedom, to protect our homeland and to continue to perform our traditional missions in the outstanding manner that the men and women of the Coast Guard have performed all of their many missions for over 200 years.

By supporting enactment of President's proposed budget levels and legislative changes, the Committee will better equip today's Coast Guard to meet our current and future maritime safety and security challenges. Thank you for the opportunity to testify before you today. I will be happy to answer any questions you may have.