

**HEARING ON RESPONSE TO TERRORISM: HOW
IS THE DEPARTMENT OF HOMELAND SECURITY
IMPROVING OUR CAPABILITIES?**

HEARING
BEFORE THE
**SELECT COMMITTEE ON
HOMELAND SECURITY**
HOUSE OF REPRESENTATIVES
ONE HUNDRED EIGHTH CONGRESS
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HEARING ON RESPONSE TO TERRORISM: HOW IS THE DEPARTMENT OF HOMELAND SECURITY IMPROVING OUR CAPABILITIES?

Thursday, June 19, 2003

HOUSE OF REPRESENTATIVES,
SELECT COMMITTEE ON HOMELAND SECURITY,
Washington, DC.

The committee met, pursuant to call, at 2:05 p.m., in room 2318, Rayburn House Office Building, Hon. Christopher Cox [chairman of the committee] presiding.

Present: Representatives Cox, Dunn, Camp, Diaz-Balart, King, Linder, Thornberry, Granger, Sessions, Turner, Sanchez, Harman, Lowey, Norton, Lofgren, McCarthy, Jackson-Lee, Pascrell, Christensen, Etheridge, Lucas, Langevin and Meek.

Chairman Cox. [Presiding.] Good afternoon. A quorum being present, the Select Committee on Homeland Security will come to order. The committee is meeting today to hear testimony on the status of the Emergency Preparedness and Response Directorate.

I would like to welcome the members in attendance this afternoon and thank our witness, Undersecretary for Preparedness and Response Michael Brown, for appearing before this committee.

Mr. Brown, your comments will be particularly relevant as the committee prepares to embark for a visit to the ports of Los Angeles and Long Beach, in California, for a series of meetings with Los Angeles and Orange County first responders.

The mission of the Emergency Preparedness and Response Directorate is critical to fulfilling the overarching goal of the Department of Homeland Security: to make America safe from terrorism.

More specifically, the mission of the department is, first and most importantly, to prevent a terrorist attack; second, to enhance our preparedness, in particular by focusing on critical infrastructure; and third, to ensure the most effective response should an attack occur despite our best efforts to prevent it.

The decision to create the Homeland Security Department was intended to ensure that prevention, preparedness and response would be seamlessly integrated. The legislation authorizing the department enacted just last year created the Emergency Preparedness and Response Directorate, which consolidates six Federal entities, in order to permit a structure that lets us tailor our emergency preparations to the known and suspected threats that we face.

The more that the Homeland Security Department develops its capabilities to analyze and assess the capabilities and intentions of

America's terrorist enemies, the better will be our preparedness and our response.

The Homeland Security Act identifies specific duties for the EP&R Directorate. Among those are to promote an effective emergency responder program. Since we enacted the Homeland Security Act of 2002, Congress has been making unprecedented levels of appropriations, sharing resources to achieve this objective.

Since September 11, we have supported the estimated 2 million first responders across America by increasing the funding for first responder grants by over 1,000 percent.

However, homeland security is a team effort that requires a new partnership between and among the Federal Government, state and local first responders. The Federal Government is committed to providing the funds and training to first responders so that they can be adequately prepared to protect our citizens in the event of a terrorist attack.

But first responders need more than dollars. They also need information.

How is the department providing states and localities the intelligence they need to allocate resources and to be prepared? How is the EP&R directorate working to build two-way communications to glean intelligence information from first responders that they learn from the streets on the front lines in the war on terrorism?

How are the states doing by way of providing the Federal Government with their emergency response plans so that the department can coordinate priorities regionally and nationally?

How is the department using intelligence and its own threat analyses of terrorist capabilities and intentions to distribute funds to those areas where the terrorist threat is greatest?

Title V of the Homeland Security Act also charges the directorate with the responsibility of developing a Federal response plan. The intent of this provision is to ensure that our nation has a single, coordinated plan to respond in the event of another terrorist emergency. The committee looks forward to hearing how far the directorate has come in developing this plan.

Title II of the act requires that the Secretary, through the resources of the information, analysis, and protection directorate shall "provide intelligence and information analysis and support to other elements of the department. Just as EP&R makes use of the most advanced meteorological information to predict a hurricane or a tornado and to pinpoint possible affected areas, EP&R must make use of intelligence information to inform its planning and preparedness activities. The committee will be interested to hear how that intelligence information is being analyzed and developed within the department, how it is being used within the directorate, and how it is being shared with state and local law enforcement and first responders.

Mr. Brown, I appreciate the challenge you have before you given that the department was first organized less than four months ago. Much of your effort necessarily can only be a work in progress. But in homeland security, time is of the essence. And I and members of this committee are looking forward to your assessment of how far we have come, how much farther we need to go, and how this committee can be of help.

I look forward to hearing your testimony.

The Chair now recognizes Mr. Turner, the ranking Democrat member, for any statement he may have.

Mr. TURNER. Thank you, Mr. Chairman.

It is good to have Secretary Brown here with us today.

Welcome.

I think we all understand that the attacks of September 11 changed our world, and made it clear that the Federal Government had to change the way we will meet the clear and present danger to this country posed by terrorism. Therefore we created the Department of Homeland Security. A core mission of that department was stated in Homeland Security Presidential Directive 5; To ensure that all levels of government across the Nation have the capability to work efficiently and effectively together using a national approach to domestic incident management.”

Our purpose here today is to make sure that that mandate is being fulfilled. It is our duty to make sure that the full force of the U.S. government is being put into action to prepare America to prevent, respond to and recover from terrorist attacks.

The first reports from the front lines of the war on terrorism are mixed. I have talked with state and local officials across the country, men and women who are responsible for our the public safety, the individuals who make the key decisions locally on how to prepare their communities. Some of them tell me that they haven’t yet heard from the Department of Homeland Security about the coordination of Federal, state and local response assets. They have yet to be involved in the development of an integrated terrorism response strategy, one that I believe would meet the standard of the efficient and effective mandate of the presidential directive.

We look forward to hearing today from Secretary Brown about the approach that we are taking to enhance incident management.

In my conversations with firefighters, police officers, and health care workers who will be the first to respond to an attack on our soil, many of them tell me that they have yet to receive the specialized training and equipment they believe is necessary to respond to and recover from a terrorist attack.

In the case of the nation’s fire service, many departments lack basic training and equipment that they need to protect their communities from emergencies. The people I have talked to range all the way from the mayor of New York City to citizens on the street in my hometown of Crockett, Texas, population 7,500.

In addition, people ask in all quarters, “What does the Homeland Security Advisory System and its color codes really mean to me?”

A recent survey of New York City residents reported that although 64 percent of the population is very concerned about the possibility of another terrorist attack, only 16 percent took any action in response to the most recent elevation of the alert level.

So we have a large number of concerned citizens, but the truth is that many of them have no idea what they should be doing when an alert is given.

Our government must lead forcefully, but thus far the message does not seem to be getting through. After talking with state and local officials, first responders, and others about improving our capacity to respond to the threat of terrorism, one message comes

through loud and clear: We must move faster, and we must be stronger in our efforts.

Faster in our efforts to bring together the Federal, state, and local officials to meet the mandate of the Department of Homeland Security, to ensure that all levels of the government across the Nation have the capacity to work efficiently and effectively together. Stronger in our efforts to train, exercise, and equip the men and women on the front lines, and more vigorous in our efforts to prepare individuals, families, and communities for the threats that lie ahead.

This is what we owe to the American people. When our nation has been under its greatest time of trial, this Congress and the government have worked with speed and strength of purpose.

We all recall from our history books that in the first 100 days of President Roosevelt's tenure, he worked with the Congress to build a plan that saved the Nation from economic devastation.

It has been 16 months since September 11. It has been well over 100 days since the founding of the Department of Homeland Security. In my judgment, we must move faster, and we must be stronger in our efforts to protect America.

This is our objective. It is one that I think we all approach with unity and with resolve, and I am glad that we have the opportunity today to discuss these critical issues with you, Secretary Brown.

And thank you, Madame Chairman.

Ms. DUNN. [Presiding.] Thank you, Mr. Turner. I now yield myself a few minutes for an opening statement. We are very happy you are here with us today, Secretary Brown. Thank you for coming before us today. We are eager to hear your testimony.

First, I want to thank you for the help you have provided in supporting first responders all over the country. It is very important in our effort to fight terrorism that those individuals on the front lines have the resources that they need to effectively prevent and respond to a terrorist attack, or to a natural disaster.

I believe an integral part in achieving success is through adequate funding levels. I was very happy to hear that the Appropriations Committee recently reported out a bill that will include \$4.4 billion for first responders.

They are the backbone of our communities, and it is important that we give them the proper resources for training, equipment, exercises and for planning.

My home state of Washington has many elements that make it susceptible, especially susceptible to a terrorist attack, with both a large deep-water port and hundreds of miles of border.

Through ODP funding and the High-Threat Urban Area Program, my state of Washington has received over \$70 million in grants in fiscal year 2003. And I thank you, Secretary Brown, for assisting local responders in my state for preparing for an attack.

However, there continue to be many concerns in local communities that they are not receiving enough funding for equipment and training. This is exasperated, of course, when the threat level is adjusted upward.

An important part of this committee's mission is to have oversight over the newly created Department of Homeland Security.

Currently, ODP funds are allocated directly to states, with 80 percent being passed through the local communities.

There are concerns that arise when states pass the majority of their funds to large cities, with smaller communities not receiving their fair share.

I believe it is important to look into this formula for first responder funding, and address of the changes needed. Secretary Ridge agreed, and said that you are doing such a review currently.

In addition, a primary part of your mission at EP&R is to minimize losses from all disasters, including terrorist attack. When Congress approved the Homeland Security Act, we integrated six different components into your directorate to help you achieve that mission.

When integrating so many different components into a single unit, communication becomes a major priority.

Communication between the different components, as well as with state and local officials, is needed for effective response. And I hope today to hear your efforts in that field as you testify before us.

While I believe we have done a good job in routing out terrorism around the world, we know that the threats still exist, and we must be ready to respond. So I too look forward to hearing how the Department of Homeland Security is prepared to deal with this eventuality.

Are there other members who wish to give opening statements?

Any members on this side?

All right, the Chair recognizes Ms. Sanchez for an opening statement.

Ms. SANCHEZ. Thank you, Madam Chair.

And thank you, Secretary Brown, for being here with us today.

You know, since September 11, one of the most high profile issues surrounding our nation's new homeland security mission is of course the whole nature of first responders, who is to do that, and who is to pay for emergency response system.

And I am sure that there hasn't been a single member who has not discussed this with their local police and their fire, their hospitals, their emergency health care workers, because many of them do feel that it is an unfunded mandate, something coming from the Federal Government.

I mean, they know that they have to do it. They know that they are responsible for their people. They are the first ones there. But it is costing them quite a bit of money to do all of this, and in particular when we go from a yellow to an orange alert or an orange alert to a red alert, they consider that they need to staff up, need to put more people out, need to protect more assets.

And so, many of them are very, very worried about the whole issue of funding. And I hope that as we detail what you have been able to do in this department, that you will also talk about some of the funding issues.

And one that I want to put right on the table is the whole issue of the fact that we have, to some extent, done some granting processes, either through the congressional method, through a supplemental and also through the appropriations process.

But more importantly, I know that the department has done some grant-based and state grant-based types of programs.

What I see to be one of the biggest problems with that is that those programs revolve around additional equipment or equipment that different agencies might need. Whereas in talking to law enforcement and fire and others, up and down the state of California, at least, where a large amount of the population lives—we are the fifth largest economy in the world—their biggest problem has been that they need to put more staff on, or they need to pay overtime.

And so, fully over 80 percent of their costs when they go on Orange alert, for example, are really for monies that aren't covered in any way coming out of the Federal system.

And so, I would like to, when the question begins, get your opinion on what we could do at the Federal level to help with some of those costs that really are just a very heavy burden at the local level.

In addition to that, we have, of course, FEMA, urban search and rescue teams. We have nuclear incident response teams. We have a whole bunch of other first responders that we need to discuss and talk about and see how this is all fitting. And, of course, a lot of it comes to funding.

The chairman, Mr. Cox, talked about the fact that we need to share intelligence. And that is true. But when you have an incident and you need to respond, it is all about being able to get there.

So as somebody who represents Disneyland, Anaheim Convention Center, the World Champion Angels, the Arrowhead Pond with its might docks, all these places, it is very important for me to see that we are working at the Federal level to ensure we have a good plan and we have a good funding plan.

Thank you.

Ms. DUNN. Thank you very much, Ms. Sanchez.

Are there members on the other side who wish to give opening statements?

Let me call then on Mr. Langevin for an opening statement.

Mr. LANGEVIN. Thank you, Mr. Chairman. I would like to welcome our witness, Undersecretary Michael Brown. I know you have a mammoth task facing you, and I appreciate your willingness to be here today to provide some insight on the progress you are making, and to answer our questions about critical issues of preparedness and response.

The Emergency Preparedness and Response Directorate is a critical component of DHS, in particular because of its close relationship with our state and local officials and first responders. If this unit is not operating effectively, all of our communities are placed at tremendous risk. So, I am very interested in hearing about how the EP&R Directorate is operating thus far, what level of communication and outreach is taking place between EP&R and our state and local personnel, what additional resources and assistance we on the Committee might provide to help you improve your operations, and what message we can bring back to the elected officials and first responders in our districts about where they should be focusing their energies and what help and guidance is available to them from DHS.

I am perplexed, along with many of my colleagues, about the apparently overlapping roles of the EP&R Directorate and the Office for Domestic Preparedness, housed within the Border and Transportation Security Directorate. This division, at least on its face, looks like a recipe for duplication of efforts; or worse, crucial tasks falling through the cracks. In addition, it seems to be breeding unnecessary confusion at the state and local level, at the very time we should be ensuring a clear, direct and streamlined system for information-sharing, technical guidance and funding assistance. Our governors, mayors, firefighters, police officers and emergency medical workers are relying on us to provide this consistency and stability.

Finally, I am interested to hear about an issue that is a top priority for me, and that is the intelligence aspect of DHS. Specifically, I hope the Undersecretary will touch on the level of interaction he and his staff have had with the Information Analysis and Infrastructure Protection Directorate, and whether he is receiving sufficient intelligence to properly determine where to dedicate scarce resources and how to best guide state and local responders to do the same. Without this intelligence capacity, it seems to me that DHS cannot operate effectively.

Again, I thank Undersecretary Brown for being with us today, and I appreciate the chairman giving me this time.

Chairman COX. [Presiding.] Does any member of the majority side wish to make an opening statement?

Ms. LOFGREN. I would like to ask unanimous consent to submit my statement for the record.

Chairman COX. Without objection, all members will be permitted five days to submit additional statements, which will be included in full in the record.

Any other member wish to be recognized for purposes of an opening statement?

PREPARED STATEMENT OF THE HONORABLE BENNIE THOMPSON, A
REPRESENTATIVE IN CONGRESS FROM THE STATE OF MISSISSIPPI

I am pleased that Under Secretary Brown has joined us today to tell us how the Emergency Preparedness and Response Directorate is improving the Nation's ability to respond to terrorism. As the Ranking Member on the Subcommittee that provides oversight for his Directorate, I am very interested in Mr. Brown's testimony, and sincerely hope that he can clarify the specific responsibilities of his Directorate, as opposed to the responsibilities of other components of the Department, such as the Office for Domestic Preparedness.

Specifically, it is important for the Committee to understand the division of responsibility between ODP and the EP&R Directorate, given that so many of their functions seem to overlap. State and local governments have expressed confusion about which organization within DHS is their principal point of contact as they enhance their capability to respond to acts of terrorism and other disasters and emergencies. Ultimately, who in the Administration is "charge" of assuring that the Nation is prepared—at all levels—to respond to terrorist acts?

The Department has stated that it is working to ensure that all levels of government across the Nation have the capability to work efficiently and effectively together, using a national approach to domestic incident management. We must make sure that the might of the U.S. Government—working hand in hand with State and local governments—is being put into action to prepare America, so that we can prevent, respond to and recover from terrorist attacks.

In order to be more effective, the Department of Homeland Security must work harder to listen to the needs, successes and frustrations of our first line of homeland defense—the first responders. DHS must create more open and lines of communication. The men and women who prepare our communities for disasters and then help

our communities to rapidly recover are absolutely critical. I have met frequently with these men and women in my District, and I have told them that the work we do here in Washington must match the needs of people at the local level.

In its former life as FEMA, the EP&R Directorate was widely viewed as a “success story,” by becoming more responsive to communities after major disasters and emergencies. Can EP&R still effectively perform its traditional disaster response and recovery mission, given DHS’s primary focus on terrorism prevention and preparedness? Are we ready for the next major earthquake or hurricane, or in my District, the next major flood?

On April 24 of this year, the President declared a flood disaster in 31 Mississippi counties, including 10 counties within my District. I want to ensure that EP&R—as a component of DHS—still has the resources and support of both the Department and the Administration to quickly distribute desperately needed disaster relief to affected residents and local governments.

Our focus on terrorism, while appropriate, must not overtake our critical responsibility to quickly and efficiently respond to all disasters, natural or man-made. EP&R must have the authorities to assemble and direct the response resources of the Federal Government whenever they are required.

In addition, the Administration should fully support all emergency grant programs for State and local governments. I am concerned that the Administration’s fiscal year 04 budget request for both the FIRE Grant program and the Emergency Management Performance Grant program were far below the appropriated levels in fiscal year 2003. How does DHS propose that States and localities plan, train, and exercise for—and respond to—acts of terrorism and other disasters without sufficient resources to build their response capabilities?

We must move faster and we must be stronger in our efforts to protect and defend the United States of America. I hope the testimony we hear today will clearly describe the Administration’s plan for doing so.

PREPARED STATEMENT OF THE HONORABLE ZOE LOFGREN, A
REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Thank you Chairman Cox and Ranking Member Turner for holding this important hearing. I also want to welcome Undersecretary for Emergency Preparedness and Response, Michael D. Brown. I look forward to your testimony and comments.

A little over 10 years ago, the Federal Emergency Management Agency (FEMA) was widely thought to be one of the least effective departments in the Federal Government. It was inefficient, unresponsive and wasteful.

Under the outstanding leadership of Director James Lee Witt, FEMA underwent a dramatic change throughout the 1990’s. Director Witt transformed the very culture of FEMA. It became an effective disaster response agency that provided hands-on assistance to those at risk, both before and after disaster strikes. FEMA adopted a new emphasis on customer service providing communities and businesses with skills, knowledge, services and technology to minimize damage and loss from all kinds of natural and man-made disasters. In short, FEMA became a model government agency.

When people think of FEMA today, they think of an agency that helps our citizens in the most desperate of times. FEMA teaches people how to get through a disaster. It helps equip local and state emergency preparedness officials. It coordinates the Federal response to a disaster. It makes disaster assistance available to states, communities, businesses and individuals. FEMA’s mission is crucially important, and the people of FEMA work very hard each and every day to complete their mission. I want to make sure that FEMA keeps its sterling reputation.

As we all know, FEMA is now part of the Department of Homeland Security. I consider FEMA to be one of the true bright spots within DHS. That being said, I have serious concerns about the mission of FEMA becoming blurred.

In section 101 of the Homeland Security Act (PL 107-296) the mission of the Department of Homeland Security is explicitly defined. One of the primary missions of the Department is to “...ensure that the functions of the agencies and subdivisions within the Department that are not related directly to securing the homeland are not diminished or neglected except by a specific explicit Act of Congress;”

Is DHS in compliance with this directive? Is the staff of FEMA spending more time on fighting terrorism than disaster preparedness? Both of these are important tasks, and both must be done well. However, disaster preparedness, response and recovery must not take a back seat to the war on terror.

Is FEMA still fully prepared to address multiple disasters? Not too far to the west of Washington, DC, there are terrible floods ravaging West Virginia. What is FEMA doing to help people recover? If a major earthquake, like the Loma Prieta earth-

quake of 1989, struck my hometown of San Jose tomorrow, would FEMA also be able to provide critically needed resources to the San Francisco Bay Area?

I want to be reassured by Undersecretary Brown that FEMA is fulfilling its mission. I want to hear that you have the staff, resources and access within DHS to get the job done. I do not want to see a slow return to the early 1990' when FEMA was nothing more than an ineffective bureaucracy.

To be perfectly honest with you, I have not been impressed with the overall leadership of the Department of Homeland Security. The Department is moving too slow, and we do not have the luxury of time. We are quickly approaching the 2-year anniversary of the September 11 Is America actually safer than it was on September 10, 2001? Have we accurately and comprehensively identified the threats? Have we reduced our vulnerabilities? Is the Nation sufficiently prepared to prevent and respond to future terrorist attacks? Unfortunately, I believe the answer to these questions is, for the most part, no.

Undersecretary Brown, FEMA should be a shining example of efficiency within DHS. I hope that you will tell us today that you are playing a leading role to get this department up and running. It would be most unfortunate and irresponsible for FEMA to fall apart as a result of its absorption into the Department of Homeland Security.

If not, the committee welcomes our witness, Hon. Michael Brown, for your opening statement.

STATEMENT OF HON. MICHAEL BROWN, UNDER SECRETARY FOR EMERGENCY PREPAREDNESS AND RESPONSE, DEPARTMENT OF HOMELAND SECURITY

Mr. BROWN. Good afternoon, Chairman Cox, Mr. Turner, and members of the committee. My name is Michael Brown, and I am the undersecretary of Homeland Security for emergency preparedness and response.

I really appreciate the opportunity to testify before you today. You invited me here today to discuss the question have we improved our capability to respond to a terrorist attack?

My answer is yes, we have. By bringing 22 different departments agencies into the Department of Homeland Security, and integrating their capabilities, we are strengthening our ability to respond to terrorist attacks.

EP&R, in particular, has increased its ability to respond to terrorist attacks by incorporating new assets into our directorate, thereby strengthening the well-tested, all-hazards focus that FEMA previously had.

We have increased coordination of Federal planning and response activities, and are more effectively using resources to support first responders and preparedness efforts at the state and local level.

These improvements will continue to strengthen our ability to respond to all types of disasters. Our mission in the Department of Homeland Security is to prepare for, respond to, recover from and lessen the impact of all types of disasters.

This all-hazards approach is the core of our strength in responding to any disaster, including those caused by acts of terrorism. Regardless of the cause of an incident, we have established a robust system of emergency management.

This system has been practiced at the local, state and Federal levels of government. It is the foundation for responding to a terrorist attack. Over the past 5 years, we have responded to an average of more than 100 presidentially declared disasters and agencies each year.

Thanks to the leadership of President Bush and Secretary Ridge and the Congress, we now have the opportunity to coordinate our Federal preparedness and response systems as never before.

On February 28, President Bush signed Homeland Security Presidential Directive Number Five, On the Management of Domestic Incidents. HSPD-5 calls for the creation of a single, comprehensive, National Incident Management System and for the integration of the separate Federal response plans into a single, all-discipline, all-hazards National Response Plan.

The Secretary of homeland security is responsible for developing and implementing both of these initiatives. We are actively participating in the task force created by Secretary Ridge to develop the National Response Plan and a framework for the National Incident Management System.

Establishing who is in charge is an important accomplishment in the post-9/11 era. EP&R's new structure for response is based on the Incident Management System.

Thus, we are better aligned to meet the needs of both the state and local responders. The division now includes many national response assets formerly maintained within other Federal agencies.

These assets include the National Disaster Medical System, the Domestic Emergency Support Team, the Strategic National Stockpile, the Nuclear Incident Response Teams, and the Metropolitan Medical Response System.

Consolidating national response plans and assets improves our responsibilities and increases coordination within DHS, other Federal departments and agencies, as well as the state and local entities.

The Federal Government will continue to provide the services the American people have become accustomed to during emergencies and disasters. But now, within the Department of Homeland Security, we are better able to maximize Federal resources, streamline delivery processes and focus programs and assets on state and local response needs.

But increased coordination by itself does not entirely account for our improved ability to respond to disasters. The Department of Homeland Security has distributed significant resources in support of homeland security efforts directly into out neighborhoods, our communities and the states.

In order to help state and local governments prepare for disasters, including terrorism, EP&R is working in close partnership with other grant-making organizations within the department to distribute our fiscal 2003 grants.

In April we provided \$165 million to help state and local governments better prepare to respond to all-hazards preparedness activities and emergency management.

Just last week, we began to distribute the \$745 million appropriated by Congress for the Assistance to Fire Fighters Grant Program. At the end of this process, we will have distributed nearly 7,000 grants directly to local fire departments.

These grants will help build their basic response capabilities for all types of emergencies. We will begin awarding nearly \$74 million in grants to upgrade and enhance state and local emergency operations centers later this month.

Along with the Office of Community Oriented Policing Services, we will award \$146.5 million this fiscal year to fund demonstration projects establishing standards for interoperable equipment nationwide.

Just last month, we provided nearly \$19 million in grants to states and territories to expand the Community Emergency Response Team program. This program trains citizens to better prepare for emergency situations in their local communities.

The CERT program is a key component of Citizen Corps, President Bush's initiative to involve Americans into preparedness of their communities. We have increased the number of local Citizen Corps councils by 209 just since March 1, for a total of 560 councils in 51 states and territories.

When I recently announced the CERT grants in Olaphe, Kansas, I had the good fortune to meet CERT members who had worked to help their neighbors recover from the recent record number of tornadoes in the Midwest. This is an excellent example of what the CERT program and Citizen Corps can do to accomplish preparedness at the local level.

Since the creation of the department, we have demonstrated the operational readiness of EP&R's National Interagency Emergency Operations Center, our regional operations centers, the NDMS, the desk, and other specialized support teams that we now have.

During Operation Liberty Shield, these assets and team worked in close coordination with the DHS Homeland Security Center and other elements of the department to prepare for any potential domestic incidents.

The recent TOPOFF II exercise allowed DHS to test its new procedures. EP&R was able to establish an operational relationship with the DHS Crisis Action Team and our new systems, such as the Strategic National Stockpile.

This exercise was very useful, not only because it helped us to see what is working but also to see what needs improvement.

By pinpointing challenges through exercises, we are helping ensure a better response and a more timely delivery of assistance. Practicing with these specialized teams and working in close partnership with the other DHS elements, we will strengthen what we have done well in the past.

Since March 1, EP&R has provided disaster relief in 33 presidentially declared disasters and emergencies in 26 states from Alaska to New York.

These disasters include events such as a Presidents Day snowstorm, the Columbia Shuttle and the devastating, and the devastating number of tornadoes that struck across the Midwest and the South.

Increased coordination, effective use of resources and continual training have helped us to improve our capability to respond to a terrorist attack and simultaneously sustain our ability to respond to all kinds of disasters, including terrorism.

There is more that we can do to continue that improvement, and I have outlined some of the actions that we are going to take to do that. Following the leadership and the direction of President Bush and Secretary Ridge, I am committed to making certain that

we are ready to respond to any incident that occurs, whether natural or manmade.

The department looks forward to working with Congress as a partner in that commitment.

Mr. Chairman, I appreciate the opportunity to testify today, and I am certainly happy to answer any questions the members might have.

[The statement of Mr. Brown follows:]

PREPARED STATEMENT OF THE HONORABLE MICHAEL BROWN, UNDER SECRETARY EMERGENCY PREPAREDNESS AND RESPONSE DIRECTORATE DEPARTMENT OF HOMELAND SECURITY

Good morning, Chairman Cox and Members of the Committee. I am Michael Brown, Under Secretary for the Emergency Preparedness and Response Directorate of the Department of Homeland Security.

Since becoming the Emergency Preparedness and Response Directorate (EP&R) of the Department of Homeland Security (DHS) just over 100 days ago, the Federal Emergency Management Agency (FEMA) has continued its traditional role of leading the Nation in preparing for, preventing, responding to, and recovering from disasters caused by all hazards. Because the Department was created to secure the homeland, FEMA has also taken on new emergency management and homeland security responsibilities.

By bringing 22 Departments and Agencies into DHS and integrating their capabilities, we are strengthening our ability to respond to terrorist attacks. EP&R in particular has increased its ability to respond to terrorist attacks by incorporating new assets into our Directorate, thereby strengthening our all-hazards focus.

When FEMA became part of DHS on March 1, 2003, we were responding to the loss of the Space Shuttle Columbia. Since that time, we have responded to an additional 33 major disasters and emergencies in 26 States caused by tornadoes, floods, and snowstorms.

We have continued to better prepare First Responders and State and local governments for all hazards through grants and training programs.

We have provided assistance to thousands of disaster victims and continued our efforts to support the recovery of New York from the terrorist attack on the World Trade Center on September 11.

In short, we have continued to carry out our mission to lead America to prepare for, prevent, respond to and recover from disasters, whether they are natural or man-made. This was our mission before joining the new Department and remains our mission today. As a result of the Homeland Security Act, we have also taken on new emergency management and homeland security responsibilities as we entered the Department.

It was an honor to serve Joe Allbaugh as the Deputy Director and General Counsel of FEMA. It is also a great honor for me to now serve Secretary Tom Ridge as I lead the Emergency Preparedness and Response Directorate (EP&R) into a new era as part of DHS. EP&R will be divided into four disciplines—preparedness, mitigation, response and recovery. This reorganization reflects the traditional areas of emergency management. It also resembles the organizational flow used by many States, who continue to be our principal partners in emergency management.

Preparedness

Since March 1, the Preparedness Division has continued to implement its preparedness grants and training programs, and has already put to use its new assets since the transition to DHS. The Preparedness Division had the opportunity to test its capabilities during the exercises including the nationwide Top Officials 2 exercise (TOPOFF II) in May 2003, as well as providing funding to State, tribal and local governments through a variety of grant programs.

The recent Top Officials 2 (TOPOFF II) exercise served as a good test of significant new organizational structures and provided some good lessons as to how our efforts could be improved. It tested new procedures, such as our operational relationship with the DHS's Crisis Action Team, and inherited systems, such as the Strategic National Stockpile. This exercise was a success, in part because it revealed several areas for improvement that the Directorate is now addressing. By pinpointing challenges through exercises, we can help ensure a better response and a more timely delivery of assistance. The exercise also validated that our existing processes and procedures will allow EP&R to respond to a disaster, including a terrorist attack with a weapon of mass destruction.

Although national level exercises like TOPOFF II are important and valuable, community-based exercises are equally important for a comprehensive and truly effective national exercise program. Recently, a train carrying hazardous materials derailed near Laguna, New Mexico. Fortunately, local emergency responders and the New Mexico Office of Emergency Services were ready. A response exercise held just weeks earlier had prepared responders for such an event. The bottom line is that community-based exercises work, and they work at the first responder level, where they are most needed.

Communities must have the funding to support such planning and exercises. In April, we provided \$165 million in Emergency Management Performance Grants (EMPG) to help state and local governments better prepare to respond to all hazards preparedness activities and emergency management.

As a sign of the growing national interest in individual and community preparedness, Citizen Corps has increased its number of local councils by 377 since March 1, for a total of more than 628 Councils in 51 States and Territories. Councils are serving nearly 35 percent of the U.S. population or approximately 90 million people. Five new affiliates have partnered with Citizen Corps since March, including the U.S. Junior Chamber of Commerce, the National Volunteer Fire Council, the National Voluntary Organizations Active in Disaster, the Points of Light Foundation, and the National Safety Council.

A key component of Citizen Corps is the Community Emergency Response Team (CERT) program, which helps train citizens to be better prepared to respond to emergency situations in their communities. In May 2003, we provided nearly \$19 million in grant funds to states and territories to expand the CERT program through additional state-offered Train-the-Trainer courses and to help communities start CERT programs and expand existing teams. When I announced these grants recently in Olathe, Kansas, I had the good fortune to meet Community Emergency Response Team members who worked together to help their neighbors recover from the recent destructive tornadoes in the Midwest. This is a fine example of what CERT can accomplish.

DHS is committed to helping fire fighters improve their effectiveness and stay safe. The responsibilities of the fire service have increased since 9/11 to include planning for and responding to possible terrorist attacks. This year, Congress appropriated \$750 million for grants to increase fire departments' basic fire suppression response capabilities for all types of emergencies, including fire suppression. For fiscal year 2004 the Administration proposes to better coordinate fire department grants with other First Responder programs and focus the grants on the equipment and training required for responding to terrorist events as part of the Office for Domestic Preparedness.

Our National Emergency Training Center, which includes the National Fire Academy and the Emergency Management Institute, continues to provide training to the leaders of the first responder community. We train more than 15,000 students a year on campus and more than 100,000 students a year off campus. Our training prepares first responders from the fire, EMS and emergency management community, as well as local officials all across the country. With the addition of Noble Training Center in Anniston, Alabama, our capabilities are being expanded and we will be able to reach more first responders than ever before.

Many of our State and local partners told us that their Emergency Operations Centers (EOCs) are in need of physical and technical improvements to enable them to provide an effective command and control structure to respond to all-hazards disasters and to house secure communications equipment. We expect to award nearly \$74 million in grants to upgrade and enhance state and local EOCs this month.

Mutual aid remains one of our top priorities, both through the enhancement of existing mutual aid systems such as the Emergency Management Assistance Compact and through the development of new inter-local and intrastate agreements and compacts. There is an urgent need to enhance and integrate mutual aid agreements among State and local governments and to tie them into a national system for requesting, receiving, and managing emergency response resources. Such a system will greatly enhance the Nation's ability to respond to all types of disasters and will provide senior officials and elected leaders at all level of government with the ability to "see" real-time an inventory of nearby response assets. This month, working with EP&R and the National Emergency Management Association, eight States participated in a test to identify the kind, type and quantity of resources available in their community that could be used for mutual aid response.

Interoperability is a critical component of any response, regardless of the hazard. EP&R, in close coordination with the Office of Community Oriented Policing Services (COPS), will award a total of \$146.5 million in grants this fiscal year. Local jurisdictions across the Nation will compete for demonstration projects that will ex-

plore uses of equipment and technologies to increase interoperability among the fire service, law enforcement, and emergency medical service communities. These demonstration projects will serve as models of interoperable solutions that can be shared throughout the nation.

On February 28, 2003, the President established a single, comprehensive national incident management system and provided for the integration of separate Federal response plans into a single all-discipline, all-hazards national response plan. The Secretary of Homeland Security is responsible for developing and implementing both initiatives. EP&R is actively participating in the task force created by Secretary Ridge to develop the National Response Plan (NRP) and a framework for National Incident Management System (NIMS). As directed in the Department of Homeland Security Act of 2002, EP&R will play a key role in the management and maintenance of NIMS once it is developed.

Mitigation

Since the integration into DHS, the Mitigation Division has focused primarily on two Presidential initiatives: the flood map modernization program and pre-disaster mitigation. This groundwork sets the stage for results for the rest of this fiscal year and beyond.

We have nearly \$200 million available for our flood map modernization program this fiscal year—\$149 million appropriated by Congress and \$50 million in National Flood Insurance Program (NFIP) policyholder fees.

The funding enables us to embark on a multi-year effort to update and digitize our flood map inventory, which consists of 100,000 paper panels. Updating flood insurance rate maps will make community assessment of flood risks more accurate and improve floodplain management decisions. An updated map inventory will also provide the basis for prudent flood insurance decisions and an actuarially sound insurance rating.

Flood risk identification is central to informing decision-makers at all levels of government and in helping to shape their assessment of risks. Effective flood hazard mitigation hinges, in the final analysis, on accurate identification of the risk. A sustained commitment to the President's initiative for updating the NFIP's flood map inventory will result in even more effective risk reduction.

Our flood map modernization initiative reflects, too, the President's overall management agenda: the effort will be citizen-centered, results-oriented, and market-based. We have been laying the groundwork for this significant undertaking and plan to award a contract for the flood map modernization program this summer.

We have also continued our commitment to hazard mitigation programs. This fiscal year, Congress appropriated \$149 million for the Pre-disaster Mitigation Program. We have provided planning grants to the states and five territories to assist in identifying and prioritizing cost effective mitigation projects.⁴

The competitive Pre-Disaster Mitigation Grant (PDM) program will be announced soon. This competitive pre-disaster program is another Presidential initiative that will allow us to do risk reduction work before the next disaster occurs. The intent of this new program is to provide a consistent source of funding to State, Tribal, and local governments for pre-disaster hazard mitigation planning and projects.

The PDM program provides a significant opportunity to raise risk awareness and to reduce the Nation's disaster losses through mitigation planning that includes risk assessment, and the implementation of pre-identified, cost-effective mitigation measures before disasters occur. Examples of these measures include establishing retrofitting existing structures to protect against natural hazard events and acquisition and relocation of flood-prone structures. Funding these hazard mitigation plans and projects will reduce overall risks to the population and infrastructure and - in the long-term - will reduce reliance on funding from disaster assistance programs following an event.

EP&R also issued guidance for the Flood Mitigation Assistance (FMA) program for fiscal year 2003. As in prior years, EP&R will award planning, technical assistance and flood mitigation project grants under the FMA program. For fiscal year 2003, we have established a national priority of mitigating National Flood Insurance Program repetitive flood loss properties for both the PDM and FMA programs.

Response

Since March 1, the Response Division has been working to merge our various new assets, teams and responsibilities into the Emergency Preparedness and Response Directorate.

The Response Division's structure is based on the Incident Management System so that it is aligned to meet the needs of State and local responders. In addition, it is designed to meet the President's direction to establish a National Incident Management System (NIMS). Further, the Division includes many national response assets formerly maintained within other Federal agencies. These include: the National

Disaster Medical System (NDMS); the Domestic Emergency Support Team (DEST); the Strategic National Stockpile; and the Nuclear Incident Response Team (NIRT).

As part of these efforts, over the last 100 days, the Response Division has detailed personnel to the Transportation Security Administration to develop the National Response Plan (NRP) and the NIMS and has initiated the necessary steps to create dedicated, rapid-deployment DHS Incident Management Teams.

We have conducted joint planning with DHS to enhance operational readiness of the National Interagency Emergency Operations Center (NIEOC), Regional Operations Centers, NDMS, DEST and other specialized support teams during Operation Liberty Shield.

We have been working with the Office of Emergency Response, including the NDMS, on a wide array of issues, such as transferring staff to the EP&R headquarters building, integrating NDMS assets into the EP&R structure, and enhancing operational readiness of NDMS teams. We continue to work with the Department of Health and Human Services to delineate roles and responsibilities related to the Strategic National Stockpile. We are incorporating the DEST and NIRT into EP&R planning and response capabilities. We have been working to integrate these response assets into a mission capable organization that will build upon the proven disaster response foundation.

This consolidation of national response assets allows the Federal Government not only to provide the services which existed prior to the establishment of DHS that the American people have become accustomed to during emergencies and disasters, but also it enhances our ability to maximize Federal resources, streamline delivery processes and focus programs and assets on State and local needs.

Prior to joining DHS, the focus of the disaster programs within FEMA was one of an all-hazards approach. This focus remains today and benefits from the more global perspective of DHS and its related components.

However, we are not resting on our past achievements. We will be working with the Congress, other Federal partners, state and local leaders, and other affected stakeholders to continue to enhance our ability to respond effectively to all types of disasters.

Recovery

EP&R has provided disaster relief in 33 presidentially declared disasters and emergencies in 26 States from Alaska to New York since March 1. These disasters include such events as the President's Day snowstorm and the devastating tornadoes that struck across the Midwest and South last month.

When I traveled to some of the areas hardest hit by the tornadoes, I had the opportunity to meet with some of the victims of these terrible storms. Their lives had been totally devastated. They had lost family members. They had lost their homes. I can't adequately describe in words the impact of looking into the eyes of people who have lost everything. But when things are at their worst, our people are at their best—I have never been more proud to be a part of the Federal organization that already had individuals on the ground providing assistance to those in need and getting the process of disaster recovery underway.

We have received more than 66,000 disaster assistance applications at our National Processing Services Centers and have provided disaster victims with more than \$80 million for housing and other immediate disaster relief needs.

Further, EP&R is conducting regular assessments of our Disaster Field Office activities, including After Action meetings for disasters such as Typhoon Chata'an and Pongsona that devastated Guam and Chuuk, so that we can continually make improvements in our disaster operations.

EP&R has already declared two Fire Management Assistance grants this wildfire season for Hawaii and New Mexico to assist in controlling, managing, and mitigating fires that were threatening to become major disasters.

In our ongoing efforts to assist the recovery from the terrorist attacks of September 11, EP&R is finalizing a Memorandum of Understanding with the Centers for Disease Control and Prevention to fulfill requirements in the Consolidated Appropriations Resolution of 2003. This agreement will provide \$90 million for administering baseline and follow-up screening, clinical exams, and health monitoring for emergency services, rescue, and recovery personnel.

EP&R continues to break new ground in disaster relief as we implement improvements in our programs following Congressional approval. We have just recently implemented the new replacement housing provision authorized by the Disaster Mitigation Act of 2000 for the first time on a large scale during the recent tornado disasters.

Additionally, EP&R is implementing new regulations for the Crisis Counseling and Training Program that provides states with funds for crisis counseling for disaster victims. This program proved to be vitally important in our recovery efforts

for 9/11. While there are established program timelines for providing counseling services, the new regulations provide greater flexibility to extend the program in limited circumstances to deal with the impacts of catastrophic events, such as terrorism.

As we provide assistance to disaster-stricken communities, we continue to look for ways to improve. The Recovery Division has also taken the first steps in redesigning the Public Assistance Program. While we process Public Assistance in a timely and efficient manner, we want to reduce delivery times to State and local governments, and be more prepared to provide this assistance under the stress of terrorist incidents and other catastrophic events.

If our first hundred days within DHS are any indication, the next 100 days may be just as busy for our recovery programs as we provide disaster relief in the upcoming hurricane and wildfire seasons, as well as for disasters and emergencies that may be caused by other hazards, whether natural or man-made.

Conclusion

During the first 100 days as part of the Department of Homeland Security, the Emergency Preparedness and Response Directorate has continued to carry out its mission to prepare for, prevent, respond to, and recovery from disasters and emergencies caused by all hazards. And we will continue to do so.

Again, I appreciate the opportunity to testify before you today. I would be glad to answer any questions that you have.

Chairman COX. Well, I thank you very much for that outstanding statement.

Let me begin by asking about the coordination between your directorate and the rest of the department on the subject of threat-based decision-making for grant allocation. We are, in Congress, as you know, increasing substantially the amount of money that we are making available for both the preparedness and response. We are expecting in the future that we will have within the department a capability to analyze intelligence and rank threats, to look at capabilities of terrorist, enemies of the United States, and to look at their intentions so to spend our money accordingly.

We know that because this is early on in the construction of this department, that that capability isn't there yet and we are working in Congress to help the department get it established. What are you doing in the short term to base your spending decisions, your grant decisions and so on, on prioritized threats from terrorist groups with specific capabilities, rather than simply rationing the money out to feed so many hungry mouths?

Mr. BROWN. I would respond in two ways, Mr. Chairman. I would say, let me divide it up into two categories. First of all, we recognize and want to appreciate the incredible resources that the Congress has given us.

And I will use the Fire Grants as an example of the first way that I think we are working to better coordinate the dispersal of those dollars.

Every time I speak or I am out talking to groups, and we also need to include this concept about grants guidance, is that we have got to get smarter about how we utilize the money.

So I say to the departments I speak to, and will use my home state of Colorado as an example, that when we do these Fire Grants, we do not want Denver and Boulder and Longmont and Fort Collins, all those communities along the front range, all applying for the same thing.

I mean, it is great for us all, for every fire department, to have the same toy, I know they all want the best equipment they can get.

But instead our approach should be this: Along the front range of Colorado, what are the vulnerabilities? What capabilities do they need to build? And so I want them to come together and apply for those Fire Grants based on that intrastate regional basis, and look at it as how we build capabilities and solve vulnerabilities.

And if we write that into the grant-making process and force them to do that, that will mean that instead of Denver, Boulder and Fort Collins and Longmont all applying for the same thing, they will apply for different things by which they are most qualified to get, and then on a regional basis they will get what they are qualified for and solve the vulnerabilities. That is the first point.

Chairman COX. Which goes to a priority that you are placing on the joint use of resources, rather than replicating them side by side?

Mr. BROWN. Absolutely, Mr. Chairman.

Chairman COX. And what my question goes to rather is the extent that you are operating in the area of fire suppression grants, for example. How is it that we determine that fire is the more serious threat that we face from terrorists, we have got to sort of work backward to the event that we are preparing for, and how did we pick that compared to some other thing?

I mean, let me tell you what is behind my questioning and my inquiry into how the department is facing these challenges. FEMA's job in the past was a lot easier in this respect, because we have all of human history to rely upon in predicting the weather, for example.

So if we are responding to natural disasters—tornadoes, floods, even forest fires, and so on—we know with a fair degree of mathematical certainty what it is we can expect. We know the physics of how it operates, we know a lot about it. We can even rather accurately predict the frequency. And certainly if it is tornadoes and so on we can pinpoint regions that are more prone to this.

Terrorism is completely different because we start out with question marks in all of these boxes and then we fill it in based on what we can garner through intelligence.

And so if we are going to make the kinds of decisions that have been routine and become second nature for FEMA in the natural disaster area, we have got to be able to tap into increasingly analysis of terrorist capabilities and intentions and estimate what they are going to do to us, where and how, what is the most likely. And then from there flows our decision to prepare in a certain way, to look at this or that kind of infrastructure, to give our first responders this or that equipment and training.

Mr. BROWN. You are absolutely right, Mr. Chairman. That is the second point that I want to make, is that in addition to doing the dual use, there is a second component of how we use the money smarter and more wisely, and that is to coordinate closely with IAIP, state and local, FBI, CIA, to develop that threat analysis that tells us what the vulnerabilities are. And we currently do that through a capability assessment review program that we have in the states, where we go to them and say, What are the vulnerabilities, both natural and manmade? The terrorist vulnerabilities, for example.

And then once we get those vulnerabilities, then within the department we will issue grants guidance that will drive the money toward those vulnerabilities.

Now, what I will tell you is what we don't have the answer to yet, at least that I don't have the answer to yet, is how we are going to rank those vulnerabilities. But the whole concept of getting a threat assessment through IAIP, working with all the other directors, including the science and technology group, identifying the capability assessments, whether those threats are, and then driving the money to those threats is exactly what the plan is for the department.

Chairman COX. Is it fair to say that, from the creation of the department, which was, after all, just last year, that is not the way we have been making these grants in the past, and that our end point is as you described and that we are now headed in that direction?

Mr. BROWN. You know, I hate to sound like a lawyer, Mr. Chairman, but it is a little bit of both. We were doing some of that prior to March 1, in the sense that FEMA had always tried to get folks to focus on what are the needs, what are the capabilities that we have to build?

What is the additional factor now post-March 1, actually post-9/11, how do we identify the threats, what are the threats and what are the vulnerabilities, and drive the many toward those threats and vulnerabilities.

The focus has shifted more to the latter.

Chairman COX. I want to thank you for fully addressing that.

I reserve the balance of my questions for later on if we have time.

And recognize Mr. Turner for 5 minutes of questions.

Mr. TURNER. Thank you, Mr. Chairman.

Mr. Secretary, I want to ask you a little bit about the role of your directorate and the role of the Office for Domestic Preparedness. For example, the Office for Domestic Preparedness maintains a database of state terrorism preparedness assessments and state-wide strategies for terrorism. As I understand it, that is the information that is required of the states in order to even be eligible for participation in the grant program.

Am I correct on that?

Mr. BROWN. I think so.

Mr. TURNER. That is pretty important information, I would think, to know what the state preparedness assessments are and what their strategies are for dealing with terrorism. Does anyone in your directorate have access to that information?

Mr. BROWN. Yes, we do, Mr. Turner. And what is interesting is—President Bush originally proposed that ODP move into FEMA. And, so we had started down a path of building a relationship with ODP and FEMA about how we were going to work together and coordinate all these assessments.

Now that it is gone the other direction and those programs are moving all into ODP, we just have to reverse process. And so there is a close coordination between ODP and Emergency Preparedness and Response about how we do the exercises together, how we do

the capability assessments together, so that we are not duplicating efforts and that we are truly addressing vulnerabilities.

Mr. TURNER. Well, who it is in your directorate that has access to the information that is available in the ODP state's file?

Mr. BROWN. It is the preparedness division.

We have preparedness, response, recovery, and mitigation. The preparedness division, which is where our original Office of National Preparedness was housed, it is that core group of people that have access to it.

Mr. TURNER. And who in that preparedness section is the person that reviews the filings that the state makes with ODP?

Mr. BROWN. I assume it would be Dave Garrett, who is one of our branch managers.

But I will double check that and make for sure about the individual name.

Mr. TURNER. And when Mr. Garrett reviews it, what does he do with it? What is the purpose of his review?

Mr. BROWN. The purpose is to see that until we come fully together, that all of the grant programs that we have are not duplicating what ODP is doing and vice versa, so that when Andy Mitchell and his group is putting out money that they are not duplicating what we are doing. The end game is to have a one-stop shop where we have an effort to review all of these capability assessment reviews and we would put the money where it is going to be best used.

Mr. TURNER. So am I correct to say that at this point, the sole purpose of and the sole use of those documents that the states have prepared is to determine who gets grants and how much?

Mr. BROWN. Well, not necessarily, because a capability assessment review process can be used for numerous things. I mean, it can be used for, obviously, preparing grant programs for what people need to be doing in that particular jurisdiction. But it can also be used to identify what types of first responder needs we might have on other bases. You don't do a capability assessment review on one single, narrow vulnerability, but on a wide scope of vulnerabilities.

So we do that wide scope review and then figure out what is best. We even make those reviews available to other departments within the Federal Government that might have programs that could utilize that information. It is not something that we all grab and hold close to our chest that we try to use across the Federal Government.

Mr. TURNER. How will DHS know if a state or a local government has done enough to prepare for a terrorist attack or natural disaster or some other type of accident in which you might be involved?

Mr. BROWN. Secretary Ridge and the President both have a great philosophy, that this is going to be a matrixed and measured organization, and that we will have measurements by which we will gauge the development of standards. And then if states meet those standards as the world goes on, as the terrorists get better, which we hope they don't and we can stop them from doing that, but as technology changes, those standards will change.

So the whole concept is to develop standards, keep those standards moving up with technology and measure the states' performance against those standards.

Mr. TURNER. Do you have in place standards that have been made available to states and local governments in areas such as communication equipment, so that they will be interoperable, or standards for other type of equipment that would be needed in case of response. Have those standards have been published and disseminated?

Mr. BROWN. Congress has just given us somewhere in excess of \$54 million, which we are going to use on a competitive basis to identify the best demonstration projects across the states to do interoperating studies so that we can create and put in place those standards.

Right now, everyone wants to talk about interoperability and say that we have got to have everyone talking to everyone else, and they always use the example of 9/11 and that no one could talk to anyone else.

What we want to avoid is creating a situation where, indeed, everyone can talk to everyone else, because we will be just as interoperable if that occurs.

So what we are trying to do is establish a National Incident Management System, and a National Incident Management Standard by which people will be able to talk to one another when they need to talk to one another.

And it is through these demonstration projects that we will establish standards for one how and when you do that, and two, the equipment that it will take to meet those standards.

Mr. TURNER. Thank you, Mr. Secretary.

Ms. DUNN. [Presiding.] The gentleman's time has expired. Mr. Secretary, this committee is very focused on homeland security. It is our responsibility to be the oversight committee over the department, as you well know.

You are a FEMA guy, and you are coming into an organization where FEMA is one of the primary agencies that has been meshed under your responsibilities.

We are looking for a focused approach to the consideration of our vulnerabilities and the responses to a terrorist attack. What percentage of your time would you say you are spending on looking at the area of natural disasters, which was certainly your responsibility before you came to this job, versus considering our vulnerability with respect to potential terrorist threats?

Mr. BROWN. I would say, Madame Chairman, that I spend all of my time looking at all vulnerabilities, and that we do not differentiate on a broad scale the difference between terrorism and natural disasters.

What we focus on like a laser beam is how do we get this country, one—the department focuses like a laser beam—on how do we prevent a terrorist attack from occurring.

My response within my directorate is to focus like a laser beam on how we respond if, indeed, there is a terrorist event. And the response system for doing that is very similar to what you would do in a natural disaster.

So what I have to do is to develop the capability of first responders to respond to a natural disaster, to respond to a terrorist incident, and, unfortunately, to respond to something like a terrorist incident that is not caused by a terrorist but caused by just, you know, some goofball that causes an anhydrous ammonia truck to spill out here on 395.

I have got to make certain that every first responder has everything the need to respond to all of those incidents.

Ms. DUNN. Do you believe it is appropriate to retain all of the responsibilities of FEMA within the Homeland Security Department? For example, the dealing with natural disasters like hurricanes and floods.

Mr. BROWN. Absolutely, absolutely. What you do not want to do is to create a dual-track system of response in this country. We have, throughout the course of this country, developed incredibly good state and local partnerships. And we cannot forget, folks, we really cannot forget that—I know this becoming trite because everyone uses it now—but when they dial 911, they don't reach 202-646-3900. They reach somebody in your district and in your hometown.

And so what we have to do is make certain that they have the training and the equipment to respond to everything. Firefighters, policemen, the FBI, the Department of Defense, everyone will tell you that the best way to respond to any kind of disaster, any kind of incident is through a structured incident command system. And we must keep that incident command system in place for any kind of disaster.

And if we go down the path of trying to separate the two, we are going to have duplicative efforts. We are going to have wasted money. We are going to have people that are not going to—I mean, they are going to worry about whether they should be thinking about a tornado or a hurricane or a natural disaster or a terrorist incident or what I call the goofball incident. And we can't have that. We have to have them prepared to respond to any incident.

Ms. DUNN. Do you believe there should be a Department of Homeland Security official in each region around the United States?

And if you do believe that, do you believe that they should be housed with FEMA? Or do you think FEMA ought to be the representative?

Mr. BROWN. Well, interestingly, one of the things that I proposed during the transition prior—before we were even going to know if there was going to be a department—any legislation or not, was the concept of putting someone in every state. FEMA kind of does that now with our FCO program. When a disaster occurs, we have someone there.

And I think—I don't think, I know—that the vision of Secretary Ridge and Secretary England is to create a regional concept such that we are in very close contact with the state and locals on a day-to-day basis and know what their needs are, know how to communicate with them. And that is the model I want to take from FEMA.

I mean, let's be honest, FEMA has been successful over the past, you know, since its creation since 1979 primarily because it has

partnerships with state and local and other departments within the Federal Government. We must create that same kind of partnership with the Department of Homeland Security in order for us to be successful also.

And that is exactly the kind of strategy that Secretary England and Secretary Ridge and the President want to pursue in this department.

Ms. DUNN. The Homeland Security Act states that the Nuclear Incident Response Team shall operate as an organizational unit of the department in case of emergency. I know during the recent TOPOFF exercise that took place in my hometown in Seattle, the response team was temporarily transferred over to the Department of Homeland Security.

My question is in case of a threat of an attack, how do you determine when the Nuclear Incident Response Team will be transferred over to the Department of Homeland Security? What takes place? And what is the communication in making that decision?

Mr. BROWN. Well, actually, this is a very good example of how we are already coordinating with some of the assets that we have been given operational control over, but which remain housed in another department. And we have already entered into an MOU with the Department of Energy on how that will operate.

And I am proud to tell you that we have worked incredibly close with the NIRTs and have actually deployed the NIRTs prior to TOPOFF II to do surveillance, to do other types of works. And so the operational aspect that we have with the NIRTs is working incredibly well. And I think that is the same with the stockpile, with the desk, which we exercised in TOPOFF II. Those operational agreements are already in place.

Are they in their final form? They are today. And I can tell you that as we get operational experience through all the exercises that we will do, I am sure we will tweak those as we go along.

Ms. DUNN. Thank you very much, Mr. Secretary.

We are going to go in order of appearance at this hearing, so if you have questions you want to start out?

Let me call then on Ms. Christensen, who will have the floor for 8 minutes for questions.

Ms. CHRISTENSEN. Thank you, Madame Chair. I, too, want to welcome Mr. Brown to the committee. We are glad to have you, and have your FEMA experience on board in the Department of Homeland Security, and I want to thank you for the attention that you have been paying to the territories in your new capacity.

Are you planning to do a regional approach in managing your directorate, and if so, how close are you to setting that structure in place?

Mr. BROWN. We are. What is interesting is since FEMA comprised the majority of the assets that came in to the emergency preparedness and response, we have just simply adopted that FEMA regional structure. We are currently using that.

So what we are doing now is partaking the other assets that we have and figuring ways that we can match those assets up to our regions. For example, the Strategic National Stockpile has certain locations around the country, and so we are making certain that we tie those in into the closest geographical FEMA region, and/or

the closest region that makes sense in terms of the operational capability.

Ms. CHRISTENSEN. So it is already set up so that is the Virgin Islands, for example, has to get a quick response in the case of any incident, they know that they go to New York where they always have done it?

Mr. BROWN. Absolutely. None of that has changed today.

Ms. CHRISTENSEN. I am still also concerned with the coordination of the different agencies that are a part of the emergency preparedness and response.

I know you have answered several questions already about the Office of Domestic Response. What about the Department of Health and Human Services, which has some responsibility also for emergency preparedness and response?

Can you talk a little bit about the coordination between your directorate and that department?

Mr. BROWN. Certainly. And I will give you an example of that. While we have operational control of the Strategic National Stockpile, we still rely upon the expertise of the CDC, HHS and others to tell us what needs to be in there and how best to deploy and utilize the stockpile.

So those kinds of operational coordination efforts are in place and working incredibly well, in my humble opinion. I think the recent SARS example is a great, the SARS outbreak, is a great example of how that kind of coordination occurs from the moment we know something is occurring.

On the Saturday that we kind of first learned of SARS, HHS, DHS were already in contact with CDC, had conference calls all day long about what is the threat, is it terrorist-related, not terrorist-related, what are the vulnerabilities in this country, what do we need to do with the stockpile?

Those kinds of things occur today. We are not waiting. I mean, time, as the chairman said earlier, is of the essence. We are doing that now.

Ms. CHRISTENSEN. So, I do have that concern that a lot of time is going to be wasted in coordinating, but you feel that through the exercises that, for example, like the one that we just had that those efforts at coordinating will be fine-tuned so that they move smoothly and efficiently and they are able to respond immediately?

Mr. BROWN. Let me just say, there was never any serious discussion that I heard, but, you know, you heard, you always hear rumblings in Washington, and one of the rumblings I heard was that we perhaps might postpone TOPOFF II.

There was no desire within the department to do that. We do not want to waste any time. I brought with me today, which I will certainly share with the full committee at the appropriate time, the June exercise schedule.

This is just June, of all the exercises that we are doing to practice this coordination with the state and local. Madame Chairman, we are not going to waste any time.

I mean, I think it is of the utmost importance that we continue down this path of trying to do exercises and strengthening our relationships, not only with the territories, but the state and locals, all of the partnerships that we have.

Ms. CHRISTENSEN. The National Response Plan is to create a single comprehensive national approach. This question may have been asked, maybe not exactly: Is there a template plan that each state and territory has to guide us in developing our portion, segment of the plan?

Mr. BROWN. You are just about to get that. That is a great question. We have developed the concept, the concept is in place, the task force is now vetting that through the department, and we are getting ready to include the state and locals in that vetting process so that they are a part of that National Response Plan.

We would be absolutely nuts if we did not include them, because they are the ones who, again, natural disaster, terrorist incident, are going to get that 911 call, so they are an integral part of what we are doing in terms of the NRP.

Ms. CHRISTENSEN. And for this single national coordinated approach, for things like communication systems, what are you telling the different localities in terms of moving ahead on their own communications systems?

Are they being told to wait until we do this on the national level? We have reached some consensus on a national level as to the best way to proceed? Are they being told, well, use these parameters at this point so that we know that they will be able to be interoperable? What are you telling the local agencies?

Mr. BROWN. Well, we are, I guess I would say, telling them two things. One is we are telling them that whatever they have ongoing, make sure it is what you really need.

And two, we are telling them that the money that the Congress has given us for the interoperability studies is coming out. And to the extent that they might want to wait to see how those demonstration projects come about, that is great.

But do not do anything that is going to risk the lives or property in your jurisdictions today. If there is something that you have, a system that is going to meet your needs today, go ahead and do that.

We have had a few questions about the ability of these people to respond and the cost of their beefing up security, for example, when we are at Orange Alert.

I am ranking member on National Parks, Recreation, and Public Lands. And the director of the park service tells me that every time we go to Orange Alert, they end up spending \$64,000 a day of funding in their agency that would otherwise be spent perhaps for park maintenance or other necessities.

Is that being addressed? And is it addressed through the budget requests so that the agencies don't have to spend funds that ought to be spent elsewhere, similarly to the cities and towns around the country?

Mr. BROWN. Secretary Ridge recognizes that the threat-level matrix right now is causing the exact kind of concerns that you are addressing in your question. And we are doing internally a review of what can we do to take the IAIP piece, the portion of it we have now, and better get information to local law enforcement about what they need to know, help them to develop a checklist of what they can or cannot. Well, cannot: They can do anything they want

to do. But the thing we would suggest they do or not do at different levels just like we do within EP&R.

When we go from one level to another, based on the intelligence and the information we have about the threat level, we may have a checklist of 100 things. But based on the information and the intelligence we have, we might do 40 of those or 20 of those. We might do 100 of them, all of them based on that intelligence that we have.

And what we want to do, and I think what the Secretary wants to do, is develop a system where we can get that same kind of information to state and locals so they can make an informed decision about are they going to do everything or just portions of things, and do they need to do it in this jurisdiction but maybe not in a different jurisdiction.

Ms. CHRISTENSEN. I just have a question—

Ms. DUNN. The gentlelady's time has expired.

Ms. CHRISTENSEN. Thank you.

Ms. DUNN. Thank you, Ms. Christensen.

Time now goes to Mr. Camp. Eight minutes, Mr. Camp.

Mr. CAMP. I thank the chairman.

Mr. Brown, I raised this issue with Secretary Ridge when he testified before our committee. The Red Cross is the only nongovernmental agency with mandated responsibilities. Under the Federal response plan—and I know they were involved in TOPOFF II exercise—and obviously, because of their expertise in disaster preparedness and response.

But I am interested in your thoughts on their role in the overall homeland security effort and particularly as it relates to mandated activities that the Red Cross pursues, and whether you envision any funding provided by the department to the Red Cross for the activities that they perform that are required under homeland security functions or other areas. But I am just interested in your thoughts on that.

Mr. BROWN. First of all, let me just say publicly that the Red Cross is an incredibly good partner of the Department of Homeland Security. They provide an invaluable service to us, particularly in times of any kind of disaster, whether it is 9/11 or hurricanes or anything else.

One of my goals is to create a system where all of the volunteer agencies—and whoever becomes the leader of that is kind of immaterial to me—but we have to develop a system where once emergency preparedness and response and the Department of Homeland Security has done everything it is authorized to under the law for a victim, that we have a central database where we know at that point that this particular victim can also tap into the resources of the different volunteer agencies.

And so much like we have an emergency support team function within the department, a crisis action team where we bring everyone together, I would like to see the volunteer agencies do that also. And I think the Red Cross is very well positioned to do that type of effort so that once we have exhausted the resources that we have and the authorities that we have and they now need to turn to other places to get assistance or help, there is that place to do it. And the Red Cross is perfectly situated to do that for us.

Mr. CAMP. It sounds like you are envisioning almost a two-step process where first they determine what Federal resources are available and then they go somewhere else and determine where the private resources are. Is that correct?

Mr. BROWN. That is correct in the recovery phase. In the response phase, I am not suggesting any change at all. In the response phase, the Red Cross does exactly what it should be doing, helping us coordinate all the volunteer efforts, coordinating blood supplies, coordinating medical response, everything.

I am talking about in terms of the long-term recovery after disaster has occurred.

Mr. CAMP. And with regard to any required functions that the Red Cross may perform, any thoughts on funding that may be made available to the agency because of that?

Mr. BROWN. No, there is not. I know that they have come and spoken to me about some of their funding needs. And I appreciate their concerns. We just have to go the budgetary process and see what we might be able to do to help.

Mr. CAMP. You have also mentioned in your prepared testimony the goal of expanding national training courses and programs, obviously, to involve more first responders in those. And I am interested in the standards that the states may use to oversee those programs.

Are there any national standards in place, particularly for the training programs? And then, I guess, for equipment as well that often is used in these programs.

Mr. BROWN. Just want to make sure I understand the question, Mr. Camp. Are you talking about training for first responders or training for volunteers?

Mr. CAMP. Training for first responders.

Mr. BROWN. OK. Yes. Certainly. We have all the standards that we established that went to our grant programs and to our training programs through Emmetsburg U.S. Fire Administration. ODP has the same kind of standards that they provide to first responders.

So there is a standard baseline by which we are trying to get all first responders to, including urban search and rescue teams.

So as we work on those standards, it is an evolving process. But the standard today is going to change based on the intelligence that we receive and what the threat is tomorrow. And so, that standard today may be different tomorrow.

Mr. CAMP. How about for equipment?

Mr. BROWN. It is a great point because we often talk about interoperability of communications. And we forget that there is also interoperability of equipment.

And we forget that there is also interoperability of equipment. And that is to me an equal percent as interoperability of communications.

There is a great photograph at the U.S. Fire Academy about two fire departments that were fighting a fire. And they have flocked together joints that are about the length of this table I am sitting at to try to get one fire truck from one county to hook up to a fire truck from another county. And so, we are trying to establish those kind of standards of interoperability also.

Mr. CAMP. Thank you, and I wondered how the agency of the department assesses the capabilities of state and localities to respond to a disaster. I realize programs like TOPOFF II, and it looks as though you have a number of programs scheduled for June as well. What are the criteria for assessing the preparedness of states and localities and also Native Americans for responding to these problems?

Mr. BROWN. I think the best way for me to answer the question is to say that we do it through the capability assessment review. So what I need to do is to get to you the specifics of those cars, as we call them, that apply standards to different types of jurisdictions. Again, while we may have a baseline and a standard for all first responders, a first responder obviously in Los Angeles may have different needs than a first responder of, you know, where my home is in the backwoods of Colorado.

So we have different standards based on what their needs are. And those capability assessment reviews provide those different levels.

And I just off the top of my head couldn't give you those different standards. But we will certainly get those to you.

Mr. CAMP. And lastly, I think all of us are inundated with private sector and other ideas about equipment and standards, and I know this has come up in other testimony with, I think, the Secretary and others. And I know there is a Web site and all of that. But if you have any ideas in terms of how best we can forward on the ideas that we receive? And if you can describe the way you sort of vet those and how you review those and try to bring to the surface the ideas that may actually be helpful.

Mr. BROWN. This is actually probably one of the most exciting things that is going on in the Department of Homeland Security. And it is particularly exciting for me, as you said, Congressman, one of the old FEMA guys, and that is that we have never had before what I would call an R&D shop, which is the science and technology director of the Department of Homeland Security.

So for the first time I have the ability to turn to somebody and say, You know, I have got these guys screaming at me all day about they have got the best product in the world that is going to solve everything and it is the greatest thing since sliced bread. Would you really look at this and tell me if that is true or not?

So now within the department we have that R&D shop to do that very thing. So I would say if you have got ideas, hopes, industries in your districts that say we have got the greatest thing that is going to solve all of homeland security's problems, give those to me and I am going to give them to Chuck Queary in science and technology and say, Go tell me if this is something that works and go tell me if this is something that I can utilize.

Sometimes we don't even know what questions to ask, and that is why we have the science and technology groups tell us, We have been watching how you are doing business and you ought to do it this way, or we have this product that is going to help you better.

Mr. CAMP. All right, thank you very much.

Thank you, Chairman.

Chairman COX. [Presiding.] Ms. Lofgren?

Ms. LOFGREN. Thank you, Mr. Chairman.

And thank you, Mr. Brown.

I have listened with great interest today, and I have actually listening to your all hazards description recalling back on my prior life as a member of local government, which was a lot of fun. And really, historically, although the individuals involved in FEMA, I think were always excellent, there was a time when the department itself was not well regarded. And I assure you we remember that time.

And really, it has been good since. I remember the response to Loma Prieta was disorganized, in 1989. FEMA really went through a transformation and became an agency that was really known for efficiency and cutting some red tape, really one of the best Federal agencies that existed. And it was not inefficient or irresponsible or wasteful, as it had been in the past.

And so, I want to ask the question really from a different point of view, which is I want to make sure that as we turn our attention to terrorism, as obviously we must, we also don't lose the efficiency that is so important to the Nation on the non-terrorist disasters. I mean, there may or may not be a terrorist attack in San Jose. There will be an earthquake in San Jose. I mean, that is—

Mr. BROWN. You are stealing my lines without using my speeches.

Ms. LOFGREN. Oh, is that right? Gosh.

So I wanted to probe and get some assurances from you that we are not diminishing our capacity in the non-terrorism side of your activities. Can you give me any guidance there?

Mr. BROWN. Let me give you an example. The first couple of weeks of May, we were going to the TOPOFF II exercise in which we had the dirty bomb in Washington and the bioattack in Chicago. FEMA actively participated in that. EP&R actually participated in that exercise. Over 500 people, we exercised the domestic emergency support team, the nuclear incident response teams, the national disaster medical teams, and at the same time responded to 492, a record number, of tornadoes in the Midwest.

We did all of that simultaneously. I think it speaks very highly of the men and women who have made up FEMA in the past, who now make up the Emergency Preparedness Response Directorate, that we know how to do that job, and we know how to do it under multiple difficult circumstances.

Ms. LOFGREN. Well, let me follow up, because I have a concern, and maybe it is misplaced relative to the Fire Grant. Really the purpose of the Fire Grant program initially was really to enhance the capacity of fire departments across the country that have a variety of preparedness levels. And we have had requests for grants that way exceed the amount of funding that has been available.

This was pre-9/11. I mean, just to get departments up to speed. And my understanding is that the grants-to-request ratio, they were only able to respond to 10 percent of the requests pre-9/11.

Now, this is a question, not a statement. It is my understanding that at this point, the Administration has asked that all the Fire Grant funds be aligned with terrorism preparedness planning. And I am concerned that if we were not adequately bringing our fire departments up to standard, just in terms of regular fire issues, and now we are realigning what funding there is available to terrorism

alone, what are we creating in terms of preparedness for your garden variety city fire departments?

Mr. BROWN. And with all due respect, I would not characterize it in that fashion.

Ms. LOFGREN. OK.

Mr. BROWN. I think what we have said is we want to make certain that you are one, addressing basic fire fighting needs and if there is a terrorism component, if indeed you are a department that is already kind of well staffed and well equipped but you are coming in for another grant for something else, that there is a terrorism component to that.

At the same time, we don't want to ignore the very small fire departments that, as you say, lack the very basic equipment to do anything. Because even though they may be a small department, they may be the first responder to a chemical attack or a chemical accident somewhere.

And to go to your other point, about the ratio, just for the record, we have 20,000 applications for the Fire Grants requesting over \$2.2 billion in grants. We will do approximately 7,000 grants this year with the \$745 million that you gave us. So there is a lot of demand out there.

What Secretary Ridge wants to make certain that I do is that we use that money wisely and we use it for both things, those basic fire fighting services and terrorism, where it is appropriate.

Ms. LOFGREN. Following up on the chairman's line of questioning at the opening, we do want to make sure that funding follows threat. I mean, the component with the Fire Grant program is unrelated to terrorism, and that is just to bring departments up to standard. But I am concerned that lacking the kind of threat assessment that we should have, we really can't do that. When will we have that kind of guidance accomplished to your satisfaction?

Mr. BROWN. When will we have the guidance that fits into the threat?

Ms. LOFGREN. The threat analysis.

Mr. BROWN. Well, the threat analysis, I am really not qualified to answer that. But I will certainly go back and talk to my colleagues in the department and find out what kind of time line.

But the point you make is absolutely correct is that once we start, you know, once we really integrate all of the intelligence gathering apparatus, once we have all of those threat assessments done, we will be able to do a phenomenal job. And I think the Administration will just, I mean, we will be on cloud nine when we are able to marry those two up and drive that money to where it is addressing those threats.

Ms. LOFGREN. Let me ask you, there was an article, and it may not be accurate, but I will quote it and you can set us straight if it is wrong, on the chemical attack readiness in The Washington Post about a week and a half ago indicating that we do not have the ability in the United States really even to test for the common chemicals that would be used in an attack. Are you involved with remedying that? Or is that an accurate analysis?

Mr. BROWN. I am not familiar with the quote. But generically I would say I don't think that is totally accurate, because we do a lot of training, particularly with the fire departments, about chem-

ical, you know, making sure they have the right kind of protective equipment. What are the kinds?

I will tell you, we just had a briefing today with the CIA about particular kinds of chemicals that are potential threats. So we use that kind of analysis and intelligence now to drive the kind of equipment and training that we do for the first responders.

Ms. LOFGREN. If I get you a copy of the article, would you mind getting back to me on the details of where we actually are?

Mr. BROWN. Sure. Be happy to. Certainly, be happy to do that.

Ms. LOFGREN. I would very much appreciate that.

Mr. BROWN. Happy to do that.

Ms. LOFGREN. And I guess I have lots more questions, but I see the yellow light is on and my time is about up. So I will thank you for your courtesy in being here with us today. Just on the interoperability of equipment, if I could. I remember during the Oakland fire when mutual aid came into play, but none of the hoses would fit into Oakland's hydrants. I mean, it was a disastrous situation.

So I am eager if you could also, when you take a look at that article, give us some idea of, you know, what needs to be standardized and where we are in standardizing them in first responderland. And that would be very helpful.

Mr. BROWN. Be happy to do that.

Ms. LOFGREN. Thank you.

I yield back.

Chairman COX. Mr. Diaz-Balart?

Mr. DIAZ-BALART. Thank you, Mr. Chairman.

Thank you, Mr. Brown, for being here today.

Mr. BROWN. My pleasure.

Mr. DIAZ-BALART. I have appreciated your testimony in fact have liked what I have heard. Ms. Lofgren took some of my questions, in fact. I wanted to hear—

Mr. BROWN. I have a couple here that you can—

Mr. DIAZ-BALART. —and did hear from you and appreciate it. Your commitment that response preparation with regard to natural disasters will continue to be a priority.

Coming from Florida, we are big fans of FEMA because we have seen how FEMA has responded and helped our communities with even extraordinary natural disasters, such as major hurricanes. So I was very pleased to hear that commitment from you.

With regard to the issue of I guess what we would call the double threat of terrorist utilizing the occurrence of a natural disaster to attack, perhaps could you tell us about the resources and thinking that you have devoted to preparing with exercises and/or other ways for that double threat possibility?

Mr. BROWN. Let me answer the question this way. I would be happy to sit down with you and talk to you about some of the thought processes that we have gone through about how terrorists might utilize a natural disaster to complicate and exacerbate the problem. What I really don't want to do is publicly discuss kind of our thoughts about how they might do that. But that is something that is in our thinking.

Mr. DIAZ-BALART. Very well.

Thank you, Mr. Chairman.

Chairman COX. Ms. Lowey?

Ms. LOWEY. Thank you, Mr. Chairman. And welcome, Mr. Secretary.

I want you to know that we all understand the enormity of your responsibilities. In fact, as I look at the little boxes, I can't quite figure it out.

And I was going to start with another question, but maybe I should just ask this one. I think you mentioned that your office and the office of Domestic Preparedness were to become a one-stop shop.

Now, if that is the case, then why is it, as I am looking at this chart, that ODP and EP&R, two different directorates, that both disseminate first responder funds, are not operating on the same directorate for increased coordination.

In fact, as I look at this list of appropriations grants—unfortunately, you didn't get too many—they will all come through the other agency, ODP, basic formula grants, state and local law enforcement. There is a whole list, adding up to \$4.446 billion, et cetera, et cetera, et cetera. A lot of zeros there.

Is this a mistake?

Mr. BROWN. My commitment to—

Ms. LOWEY. Shouldn't it all be in your directorate? The national exercise program, standards and testing. You talk about your work on standards and testing, prepositioned equipment caches, management and Administration contractor support, et cetera, et cetera. So it has all going to ODP.

Mr. BROWN. The President originally proposed that it all come to FEMA, EP&R. The Administration now wants it all to go to ODP. My commitment is that we will fulfill wherever it goes. Frankly, I mean that, wherever it goes.

Ms. LOWEY. That is a nice answer, but what do you really think?

Mr. BROWN. I am not trying to be disingenuous here. Wherever it goes, we are going to make it work, because it is not about the money. It is not about who has the grants. It is about getting that money out to the state and locals as effectively and efficiently as we can. And I mean that from the bottom of my heart.

Ms. LOWEY. But you don't have control over it. It is going through ODP.

Mr. BROWN. No, but you know, what? I have got a lot of—

Ms. LOWEY. You will call them morning and tell them what to do?

Mr. BROWN. I have got a lot of folks that I am going to send over there to show them and help them put out grants and put out guidance and everything else.

Ms. LOWEY. Well, I understand that you are respectful of Administration directives, but in this difficult time, when everyone is trying to sort it all out, I would hope that you would watch this carefully and express your views. And if it is not operating as efficiently as you think it should, maybe there would be changes.

And following up on that, I am delighted that you are going to be working on interoperability. I am wondering if you will have some kind of a buy-provisions.

Now September 11—I am from New York—September 11 happened a long time ago in the eyes of many of the firefighters and

the police and the average citizens. And there have been many Orange Alerts since then.

However, many of the communities don't want to wait. There is no directive from the states as to what kind of a equipment they should buy. And many of our counties, every town and village, are buying different equipment. But now you are doing a study now that is quite a while from September 11, and I am pleased that you are doing it now. And you are going to be providing directives.

By the way, I had called FEMA months ago trying to see if there was any kind of directive to the states, to the towns, to the villages, because I really wanted to save them money. But there wasn't any. Everyone should do what they have to do.

So maybe you should really think about that, because when do you think your study will be completed? Ms. Lofgren mentioned the hoses. I was talking about interoperability of communications. When do you think your study will be completed?

Mr. BROWN. Well, we are going to get the money out the door just as quickly as we can. In fact, I think—yes, the grant money for the interoperability demonstration project is starting to go out the door next month. And that is \$54 million to do those projects. And—

Ms. LOWEY. And how long do you expect those funds—

Mr. BROWN. That is the rub right there, to do those projects will take probably, you know, six months to a year or more and then to study then and figure out what is the best one and how do we get those standards out there.

At the same time that we are doing that, technology is moving along at 100 miles an hour. And I am already aware of some technology that is out there. But even though someone may have a particular system, with this other system, you could actually come in and take control of the frequencies and allow these folks to communicate with one another. So we have to stay on top of that daily. And I have not heard the concept of a buy-back provision. But it is something that we would—

Ms. LOWEY. I am just saying that because I know that in my—in New York, in my district—the towns and villages are really being squeezed. The property taxes are up 18 to 20 percent. And yet they feel this is so important. They are buying the trucks that hold the various communication systems, MICK systems, and you know all of the ones, I expect, that are out there.

And so I think we should maybe think about that, because they have to balance their budgets and the Federal Government doesn't. And it might be helpful if we can provide some assistance to these towns and villages that are really strapped and need the help.

Mr. BROWN. OK.

Ms. LOWEY. A specific question regarding Indian Point Energy Center in Buchanan, New York. It is located, as you probably know, on the eastern bank of the Hudson River a few miles north of my district. Nearly 300,000 people reside within 10 miles of the plant. And the 50-mile peak injury zone encompasses all of New York City, major urban centers in New York, New Jersey and Connecticut.

And independent analysis of the emergency response plan for Indian Point, completed by former FEMA director James Lee Witt,

concluded that the plans were fundamentally unworkable. In the four counties surrounding Indian Point Nuclear Facility and New York State have all refused to submit certification documents to FEMA, similarly convinced that the plans are wholly inadequate.

Yet FEMA has repeatedly postponed ruling on the adequacy of the plans, demanding certain planning documents from the counties almost five weeks after its decision was due. And the counties aren't going to provide that information, because there is concern that FEMA might use any information to approve the plans, which they all think shouldn't be approved.

Westchester and Rockland Counties have made it clear time and time again that they will not submit certification information, which is their right.

My question to you, sir, has the agency set itself a new submission deadline, or is it operating under an open-ended schedule? Is it possible that FEMA would certify the emergency response plans without the cooperation of the states and the counties?

Mr. BROWN. I am surprised by the question.

Ms. LOWEY. You are really not.

Mr. BROWN. No, in all seriousness, we have received the plans from Rockland, Orange and Putnam Counties. We do not have the plans yet from Westchester County.

I am not going to have an open-ended process.

Ms. LOWEY. You have them from Rockland?

Mr. BROWN. Yes.

Ms. LOWEY. I do not think so.

Mr. BROWN. I think we do. We will figure it out. I think we do, I think it is Westchester.

Ms. LOWEY. Well, we will discuss that. I think Westchester, Rockland have not submitted plans, unless they did it today.

Mr. BROWN. OK. I am not committed and am not going to have an open-ended process on a review of this, because our number one priority is to protect the health, welfare and safety of the residents in that area.

Number two, I am working very closely with the Nuclear Regulatory Commission to look at Director Witt's report and what needs to be done.

And I have made a commitment to myself and to others that we are going to get a decision out on this and get a decision out on this very quickly. And we are going to do it based on our review of those plans, and we are going to work very closely with the state and locals.

Ms. LOWEY. I hope so. My red light is on. OK, is that my red light? Let me just say thank you.

Chairman COX. I do not know who else's it would be.

[Laughter.]

Ms. LOWEY. Thank you very much, and I hope we can follow up, because there is a great deal of concern, as you can imagine in the communities.

Mr. BROWN. I am very aware of that.

Ms. LOWEY. Thank you very much.

Chairman COX. Ms. Jackson Lee.

Ms. JACKSON-LEE. Thank you very much, Mr. Chairman. Appreciate the committee's indulgence, and the witness's indulgence. And

as I indicated to the chairman as I was in the room at the very beginning, we are holding a homeland security-somewhat hearing in judiciary.

We are dealing, Mr. Chairman, ranking member, with the question of identity cards from the Mexican consulars, and our hearing is simultaneous, and I serve on that committee.

So I thank the witness for his indulgence as we proceed.

Let me first of all say that we want to be able to help you, and we want to be able to make this nation safe. And it comes to my attention that I believe that on this date, June 19, 2003,—and might I note to Texans, a happy Juneteenth; it is a very special holiday for us—but I notice that on June 19, 2003, I do not think that we have reached the level of promise that necessitates or gives us comfort of safety.

This is not in any way to suggest that there are not a lot of hard-working individuals that are doing so. So I am going to have a series of questions, first of all a very simple one, does your particular sub-department have the Citizen Corp responsibility?

Mr. BROWN. Yes, ma'am, we do.

Ms. JACKSON-LEE. Tell me where we are in the Citizen Corps, how you are doing outreach, and because we are keeping to this, Mr. Chairman, I decided to do an opening—I am trying to determine my time, how much time do I have?

Eight minutes, thank you very much.

Tell me what the outreach has been on the Citizen Corps. How do you reach to communities to even provide them with the information that such opportunities exist? How many have you done, and can I get a report on how many you have done throughout the nation, and break it down between urban and rural, and then how many you have done in the state of Texas? If I could start with that I would appreciate it.

Mr. BROWN. Well, one, I will get those figures to you, Congresswoman Jackson Lee. I will tell you that just yesterday I was in New York City doing a Citizen Corps presentation to the Megacities Conference in which all of the largest urban areas across the country had come together to form Citizen Corps Councils and to figure out how to strengthen those Citizen Corps Councils in those megacities.

And I was extremely pleased by the turnout. We have since March 1—I was just kind of getting ready to thumb through my opening statement—we have, I think, about 500 Citizen Corps Councils around the country, and it has—

Ms. JACKSON-LEE. How much, I am sorry, sir—

Mr. BROWN. In excess of 500. I will go back and look in my statement.

Ms. JACKSON-LEE. And what has been your outreach to let them know about it? I now you had a speech yesterday, but what has been the approach to reach out to these cities and rural areas?

Mr. BROWN. In rural areas? Speaking engagements, we have a staff that is doing nothing but trying to reach through congressional districts, through the senators, through the governors, through county governors working through the U.S. Conference of Mayors.

All of these different intergovernmental groups are getting the Citizen Corps, USA Freedom Corps message of the President out to all those areas.

Ms. JACKSON-LEE. And the Citizen Corps is organizing communities around the idea of homeland security and giving them skills and training?

Mr. BROWN. Absolutely. Through the CERT Program is probably the cornerstone of—

Ms. JACKSON-LEE. Are they getting funding?

Mr. BROWN. They did not get funding in 2003. But with the 2002 money, we have taken that 2002 money and increased it even without the money. We have been able to get that grass roots effort going to form these councils.

There is currently within the department, I think, a request that is coming up to the Hill to reprogram about \$25 million for those efforts.

Ms. JACKSON-LEE. Let me, I don't want to cut you off, but if I can get that in writing, specifically that broad question that I asked, I think you have something here that you wanted to say, and I certainly will let you do that. Some note that has just been passed to you.

But let me be sure to emphasize that where I am from there is little to zero knowledge about Citizen Corps.

Now, I would like to publicly invite you to my region, my area in particular, the fourth-largest city in the nation, Houston, and it has been, it is, number seven on the vulnerability list.

But let me move on to a next point, so if we can get, let me extend that invitation to you as we speak.

Mr. BROWN. And we will do that.

Ms. JACKSON-LEE. Because I think it is very important. You now, what we experience, we are close to the border, and as I indicated we are in a very intense hearing now on the Mexican matricula card that people are complaining about as the potential to terrorism.

I have a different opinion, but we have all these concerns.

Let me move now to just this idea of getting the communities, the neighborhoods safe. That has been what I have been arguing for and advocating for, and that is why I opened up and said are we safe?

I think whatever question we ask in this hearing, in any of the hearings of homeland security, I am very pleased that we will be visiting one of the regions out West, and onsite hearing that the chairman and ranking member are allowing to have, on-site, in the neighborhoods, in the region, to find out about safety of ports.

But my concern is are we safe, do people believe that we are safe? No, I do not think so. With the backdrop of the Iraqi war, with the looters, the continued deaths in the region, I still think people are looking that terrorism is around the corner.

My concern, you have got \$750 million—I think that is the number: I hope it is not billion; I think it is million. I wish it was, but I think it is million, and our folk are frustrated.

I have got neighborhoods that are organizing themselves in an appropriate manner to secure those neighborhoods. They cannot access dollars.

I have got the University of Texas Medical Center that is attempting to put together a structure that is dealing with bioterrorism, and they cannot access dollars.

So they are confused about how to access dollars, and, of course, when you hear University of Texas Medical Center, you are saying, you possibly could not be confused, but this is at the grass-roots level where they are collaborating with the community.

What are we doing to get the dollars in the hands of our first responders, our community groups, and might I say to you, this trickle-down effect going to the state, the states then layering it with let me get some applications together, let me get some instructions.

What are we doing to get the dollars in the hands of our first responders, our community groups, and might I say to you, this trickle-down effect going to the state, the states then layering it with let me get some applications together, let me get some instructions.

And then when I go home, my director of public safety or director of security—it is called homeland security, I believe—director for the city of Houston is without knowledge. Not that he is without knowledge, but he does not have any access directly to getting these dollars.

Mr. Secretary, we are in trouble. And our monies are being held and coddled and nurtured. They might be gaining interest, but they are not gaining interest on behalf of the security of the American people and where I come from.

So tell us why can't we convince you that we can be secure. And when I say that, secure from thievery and the misuse of Federal funds? In this instance, just as we have created a crisis with respect to our colored alerts and we tell people when you hear the orange you are one step away, get ready. They tell you to calm down a little bit on yellow and down the road.

But I believe you have got to get rid of these so-called binding, restrictive regs that are not getting the dollars so that these folk can get on the ground with a variety of secure measures. We can't even communicate with each other across county lines because our first responders don't have the money to buy the equipment.

Let me stop for a moment and answer the question. I want us to get a regulation in this committee to break the regulations that you have already got to get the money inside firsthand to the first responders. Houston is not the only city, but we are number seven on the list in terms of what we call threats. Can you just answer that very large and long question?

Mr. BROWN. Well, yes. One, I want to thank you for your perception that citizen preparedness and preparing and securing neighborhoods and communities is the way to secure this homeland. You are absolutely correct.

And I think the President was absolutely brilliant in forming USA Freedom Corps and Citizen Corps, because that is the way that we can accomplish two things. One, is to secure the homeland. And two, is take some of the pressure off the first responders.

For every individual citizen that is doing something in a Citizen Corps program, that is one less thing that a first responder has to

do. So the President was brilliant in that regard and we have got to get that message out and get those programs going.

And so, I am more than happy to come down and work with you in your district—

Ms. JACKSON-LEE. Excellent.

Mr. BROWN. —to get those going.

In terms of the money, I will do everything in my power to get the money down as quickly as possible. The department has already distributed about \$4.4 billion. I will go back to my oral statement, but, I mean, I won't do it now, but the list of the monies that we have done fire fighting grants, the ODP grants for the all hazard preparedness training that we are doing. I think it was \$165 million. The \$54 million that we are doing next month for the interoperability demonstration project. There is a huge list of dollars that we are getting out.

What I am hearing from you is the concern that those monies are not getting down to the level it needs quickly enough. I share that concern. And the Secretary and I will make certain that we address that problem and get that done.

Ms. JACKSON-LEE. We will work hand in glove, then, Mr. Secretary, on this, because I believe this is a plus of safety and security in this nation. Because when the orange goes to red, where we will be looking to will be the people that will have to address the question on the ground, outside of the beltway. Thank you.

Thank you, Mr. Chairman.

Chairman COX. Mr. Langevin?

Mr. LANGEVIN. Since the creation of this Select Committee, one of my primary concerns has been the intelligence collection, analysis and distribution capabilities of the Department of Homeland Security. I share the strong belief of our Ranking Member, Mr. Turner, and many other members, that this function is the lifeblood of the new agency, and until it is fully operational, all other agency functions will be compromised.

Therefore, I am interested in a detailed description of what relationship the EP&R Directorate has with the IA/IP Directorate—what information are you receiving, in what form is it presented to you, and from whom are you receiving it? Once you receive this information, how are you using it to prioritize your efforts and decide how to expend staff, time and financial resources?

Finally, while I firmly believe our first responders need significantly more resources in order to effectively perform the responsibilities with which we have entrusted them, it is equally important that they know what to do with these resources once they get them. I would like to know how, or whether, the necessary intelligence is making its way to our state and local responders so that they, too, can properly prioritize their efforts and be prepared for the most threatening risks. Are you confident that they have the guidance they need from DHS, and from EP&R specifically, to protect our communities?

Mr. BROWN. We are getting the information. There, as you are very well aware of, there are currently six people staffed in the IA/IP directorate within the Department of Homeland Security. So with those limited resources and that staffing that they are just now going through, I mean, they don't even have a Senate-con-

firmed—General Labute—I don't think has even been confirmed yet, may have just have had a hearing.

But even with that limited amount of staffing, we are already able to get both classified and unclassified information.

Give you a couple of examples how that works and what we do with it. During Operation Liberty Shield—let me just back up, Congressman: Even before Operation Liberty Shield, we were still getting classified and unclassified information, CIA, FBI, law enforcement agencies. We will take that information, we do take that information, within EP&R and we use that information to preposition assets, to inform local first responders about particular threats, to maybe utilize the strategic national stockpile to maybe move it, locate it in particular areas, to use the Nuclear Incident Response Team, to preposition it or utilize some of its capabilities to do lab analysis and other things for us.

So we are already getting the information and utilizing that information in determining how we are going to respond if indeed there is a terrorist attack.

You are also asking what form that we get that? I am not going to hazard a guess how many different forms, but I will just describe to you generally the different kind of forms we get it.

I get it personally from briefings from intelligence analysts, from folks who do the presidential briefings on threat analysis. CIA analysts will come and brief me and other members, secretaries in the Department of Homeland Security. We will get it through copies of the threat matrix. We will get it through the law enforcement announcements, law enforcement threats that come through. And I am sure there are other ways, but just off the top of my head, those are the kinds of forms that we get the information.

Mr. LANGEVIN. At or above the top secret level?

Mr. BROWN. Oh, yes. I am talking about TS and SCI information. We are talking about the highest levels of secure information.

We then use that to either preposition assets or to activate regional operation centers, to put certain assets on notification, whether it is a 24-hour notification or a 12 hour, sometimes a 6-hour notification. We use it in all sorts of ways to shorten our response time, which is one of my priorities and goals in the new department.

Does that adequately answer your question?

Mr. LANGEVIN. Do I have any remaining time?

Chairman COX. The gentleman has two minutes and 15 seconds remaining.

Mr. LANGEVIN. I Yield my time to the ranking member if he would like.

Chairman COX. Mr. Turner is recognized under yielded time for 2 minutes.

Mr. TURNER. I will yield my—

Mr. BROWN. Mr. Chairman, while they are yielding their time, may I clarify one thing I said to you, Congressman?

We have six people at EP&R who are assigned IAIP to help us do and transfer that information. Not that there are six people at IAIP.

Mr. LANGEVIN. I may have some additional questions—

Mr. BROWN. Absolutely, sure.

Chairman COX. Mr. Pascrell is recognized for one minute and 40 seconds and has his own time following.

Mr. PASCRELL. Thank you.

Undersecretary Brown, I am very interested in what you said in response to the question concerning the Fire Act. I know FEMA has done a spectacular job in a very short period of time processing about 18 or 19,000 applications per year from the 31,500 fire departments throughout the United States, 1 million firefighters.

They have done such a great job that now you are suggesting we move the Fire Act out of the U.S. Fire Administration, where FEMA is. And under the President's budget, you want to put that program into the Office of Domestic Preparedness. So far, am I correct?

Mr. BROWN. That is the proposal, yes, sir.

Mr. PASCRELL. Well, I have to take issue and big issue at this. I wrote the act. It belongs in FEMA, and it does not belong to be melded with the terroristic aspects of the preparedness division. And I will tell you why. That is why I feel about this, strongly.

Secretary Ridge sat in our chair not too long ago and guaranteed the integrity of the Fire Act. The Fire Act was written long before 9/11. It reflects the very basic needs of fire departments throughout the United States of America. There were \$4 to \$5 billion in needs that were requested in a program which started with \$100 million, as you well know.

FEMA put its ragtag group, and I mean that respectfully, together with the assistance of firefighters to review every application. And they did a spectacular job. What was so unique about the fire act is that the money went directly to the community fire department. Did not go through the county. Did not go through the state where any money could be siphoned off. That is one of the reasons it is so successful. And that is one of the reasons why some people want to dig their teeth into it.

Let me bring to your attention what has happened to the COPS program and then I would ask you the question, can you assure me that this is what you don't have in mind. The COPS program budgeted the last year—

Chairman COX. Will the gentleman yield?

Mr. PASCRELL. Sure.

Chairman COX. The gentleman has used up an additional 1 minute beyond the yielded time. If the gentleman would like to ask unanimous consent to take his allotted time out of order, he could continue with his questioning.

Mr. PASCRELL. Yes.

Chairman COX. Without objection.

Mr. PASCRELL. Thank you.

In the COPS program, \$928 million dollars was budgeted in the 2003 budget. This year, in 2004, the President is recommending that the COPS program get only \$163 million. The program has bipartisan support. It has been successful.

There is a \$500 million per state and local law enforcement terrorism prevention grants. What we are doing, Mr. Brown, is melding many of these programs, and now we are not responding to the very basic needs that exist in the smaller as well as the larger communities.

And I am very concerned, and I want to state very clearly, that the Fire Act was not meant to be sent to the governors of any state. It was meant to respond to our brave firefighters, as was the COPS program, that goes directly to the police departments of each community. It does not go through the governors.

Obviously, there is a great need. Obviously, every university report and survey has indicated there is a reduction of crime, and that is one of the reasons, not the only reason, but that is one of the reasons we have put more cops on the street.

We had very basic needs before 9/11. We have other needs now also.

I am afraid that when you meld those monies, that the firefighters are going to play second fiddle. And I would ask you this question very specifically: Can you make a commitment today that the integrity of the Fire Grant program will not be changed?

Mr. BROWN. Yes.

Mr. PASCRELL. Thank you.

My second question is this, what are you doing to improve coordination between the Department of Homeland Security and state and local officials? Do you know what the main problem was on 9/11? What are you doing about it?

Mr. BROWN. A couple of things, Congressman. First is trying to integrate them into the development of the national response plan. They have to be a part of that. If they are not, if we fail to include them, then we have just ignored the partnership basis upon which other members of this committee have recognized has made FEMA and now EPNR successful.

At one time it was not very successful. And I think it was not successful because we did not know how to work with the state and locals.

So my commitment to you is that I will continue to work with state and locals because I recognize, I used to be a local guy. I used to be a state guy.

Mr. PASCRELL. I know.

Mr. BROWN. And I know that is where the rubber meets the road, and that is where the 9/11 calls go to. And that is who we have to prepare to defend this country in case of a terrorist attack or a natural disaster.

So I want to do everything that I possibly and humanly can to maintain and strengthen those state and local partnerships.

We cannot—when I say we, I am talking about the Federal Government—cannot succeed without those partnerships.

Mr. PASCRELL. Let me ask you this question. How many consultants has your division hired?

Mr. BROWN. I am not trying to play games here. Define “consultant.”

Mr. PASCRELL. The office of undersecretary, and you have many divisions; I am looking at your chart. I want to know over these different divisions within your area, your office, how many consultants have you hired?

Mr. BROWN. Well, I have hired no consultants. We have some technical advisers, now technical advisory contracts. And if that is the information you want, I will get that information for you.

Mr. PASCARELL. Why I am asking the question, Mr. Brown, is this, and you said, and I am glad I know, you have local experience. And I know that you appreciate what I am saying as an example the Fire Act and the COPS program, although the COPS program is not under your jurisdiction.

The best consultants we have, Mr. Brown, I am convinced of this, is the cops and firefighters and EMTs in the local communities. They know what is needed. And we don't need any high-priced consultants from Washington, D.C., to tell the locals what they need.

Mr. BROWN. Amen.

Mr. PASCARELL. They can clear up a tremendous amount of the complexities here. We can get right to the chase. And if we listen to them, if we bring them to Washington and sit them down and ask them, What do you need? And by the way, I have done that in my own local community, as many of the Congress folk have.

And we have found out that one of the major problems is communication. And we need cooperation from the FCC. There are not enough bands there. This is crucial and at the very center of trying to protect ourselves.

We are in a different situation now. We are dealing with non-state terrorism. State terrorism is easy to respond to. Non-state terrorism is absolutely impossible, but we try to make it possible.

So you are going to need all of the communication you need. Please help the first responders put up a network of communication, which we do not have in most areas of this country. I beg of you to make that a priority.

Mr. BROWN. Two responses, Congressman. Number one, I will make that commitment to you.

Number two, as you well know, I am preaching to the choir here, the reason the Fire Grant program is successful and the reason that I think it is money very well spent by the Federal Government, is that, as you well know, we use a peer review process. We bring firefighters in to tell us what they need and where it is going to best be utilized. They compete against themselves and analyze themselves and do a good darn good job of it.

Mr. PASCARELL. Thank you. Thank you, Mr. Chairman.

Chairman COX. Mr. Etheridge.

Mr. ETHERIDGE. Thank you, Mr. Chairman. And let me associate myself with my friend's comments on the first responders as you can appreciate, there again.

Let me ask you a question because having come from North Carolina, the scene of an awful lot of disasters over the last several years with floods, hurricanes, droughts. We have seen most all of it except the frogs. And I hope we don't have those.

[Laughter.]

But let me ask this question. How would the state and Federal response differ from, let's say, a natural disaster, which we have had a number of there and such as hurricanes, et cetera and a terrorist attack, let's say a dirty bomb? who would take the lead in responding to such an incident?

Mr. BROWN. Under HSPD-5, the Secretary, Secretary Ridge, is in charge. There is no question about that. He would devolve that under the delegations of authority to myself as the undersecretary,

and we would have an incident commander on site running the incident.

To answer your other question, there is, in essence, no difference in the response to a terrorist attack, a dirty bomb, or a natural disaster. There is a minutia in the differences maybe in the assets that you use or in the way that you approach the response. But once the terrorist incident has occurred and you are in response mode, the response mode is not different.

Mr. ETHERIDGE. OK, thank you. I thought it was very important to get that out, because I know a lot of folks who have thought about it just didn't understand the subtleties of it.

According to the February 28 presidential directive, the Secretary of Homeland Security is supposed to provide regular reports to the President on "the readiness and preparedness of the Nation at all levels of government to prevent, prepare for, respond to and recover from domestic incidents." And I am reading now from the law. Would you mind sharing with us what steps have been taken thus far to prepare for this assessment?

Number two, what are the baselines? When we talk about readiness, what is that baseline?

And third, do they differ by state and by locality?

Let me tell where I am coming from on my last question. Having come from the FEMA side, you understand there are great big differences in localities because there are localities, number one, that have nuclear plants, that have a number of storage areas for fuels, et cetera, and others may be in vast open areas. OK?

Mr. BROWN. We actually prior to the creation of the Department of Homeland Security, we in FEMA started doing those baseline assessments immediately following the September 11 attack, at the request of then director of the Office of Homeland Security, Secretary Ridge. And that is the baseline by which we are now doing the assessments post-9/11 to see where the states and localities are.

And we are trying to take into consideration all the factors that you just mentioned, Congressman, locality, type of threats that they might face from both manmade or natural disasters. And then trying to plug that into all of the grant programs that we currently have within the department, of how can we best get those grant programs out to those particular areas.

We are also at the same time trying to do an analysis of how we can better communicate with those state and locals about the threat levels, about the threats they have, about the vulnerabilities they have and to encourage them to do intrastate planning, regional planning, interstate, if you will.

You know, I keep picking on Cincinnati and Louisville only because I was just there talking to them a few weeks ago, of how can they address their vulnerabilities and get mutual aid agreements across those state lines. And if there are regulatory or statutory barriers that we need to break down, then let's break those down.

So that is how we are going to develop those standards based on those assessments.

Mr. ETHERIDGE. So you are working with local and state officials, then?

Mr. BROWN. We have to. We have to because they are they are the only ones that know what their capabilities are. We can go in and do sorts of an analysis, but they have to tell us what training they have done, what equipment they have, what mutual aid agreements they have, what kind of agreements they have entered into. You get into the basic level, intercounty, intracounty, multi-jurisdictions, where you have municipal government and county government all consolidated. How are they doing? We have to hear that from them.

Mr. ETHERIDGE. We keep raising that question simply because, you know, we go back and we understand that. But it is easy when you get a distance away, somebody else help make the decision.

Let me move on.

Mr. BROWN. We are not going to lose that perspective in the Department of Homeland Security, Congressman, I promise you.

Mr. ETHERIDGE. Good, I hope not.

The presidential directive also states that "state and localities have to adopt the National Incident Management System by Fiscal year 2005 in order to be eligible for Federal grants and contracts." However, the National Response Plan says that "the Federal plans should be flexible enough to accommodate state and local incident management systems."

OK, now that being said. How can you reconcile these requirements from the draft plan that was developed with virtually no input from state and local responders?

Mr. BROWN. Well, we can't and that is why I am committed to getting the input from them on the NRP.

But let me go back and address what seems to be the inconsistency of making certain that the NRP recognizes the flexibility of different incident command structures. And that is much like recognizing the difference between responding to a terrorist attack and a natural disaster.

It is all a matter of semantics. If you look at any incident command system, as long as the basic structure is there, they can use different words about how they implement and utilize it as long as they have "a basic incident command system." So that is why the flexibility is built into the NRP.

Mr. ETHERIDGE. But the wording doesn't necessarily indicate that.

Mr. BROWN. The wording is superfluous.

Mr. ETHERIDGE. But it—well, I am not so sure. Words are very powerful when you don't want to follow them. If you have someone in leadership who understands they are flexible, they are.

My point is that I would encourage to work to make them more accurate and less—

Mr. BROWN. Oh, I have no problem with that whatsoever.

Mr. ETHERIDGE. I think that will be helpful.

Mr. BROWN. And I think, just to build on your point, the other thing that we have to do is to make certain that we do get those state and locals who might have a little bit of difference in the semantics of their command systems to start working together.

And we will bang them over the head on that.

Mr. ETHERIDGE. Well, my point is that if words are in conflict, and people need a reason not to be involved, they have it.

My final question, Mr. Chairman, and I know I am running out of time, the National Response Plan states that “Private businesses and industry play a significant role in helping to mitigate the fiscal effects and economic costs of domestic incidents,” and I am quoting. And according to the plan, “The Secretary of Homeland Security should urge businesses to identify their risks, develop contingency plans and to take action to enhance their overall readiness.”

My question is, is the department prepared to offer private industry the risk identification guidelines they will need to meet and do this. And second, to what degree is the government relying on the private sector to really take care of itself?

Mr. BROWN. Growing the analogy to the natural disaster role, I want to inculcate within the department, and I think the Secretary, I know the Secretary agrees, the whole idea that you mitigate ahead of any sort of disaster, whether it is, you know, a cyber-security attack, whether it is, you know, a hurricane coming up the North Carolina coast, whatever it is, that we influence, educate and train the private sector about what they can do to minimize their damage in these sort of attacks.

We are going to do that within the department. We are going to do that in a couple of ways. Cyber-security board, information analysis, and particularly the infrastructure protection piece of that directorate is going to work very closely with the private sector, and most importantly, I think, is the Private Sector Coordination Office, which Al Martinez-Fonz heads up, that is in constant contact with the private sector about what they can do and how they can work with them.

And then at the end of this month, I am meeting with the Homeland Security Advisory Council that is kind of our connection next to the private sector about how we start working together to do those kinds of things.

They are an integral part of securing this homeland. You know, the Federal Government does not own a whole lot. The private sector owns most everything.

And so we have got to rely on them and educate them and work with them about how to protect themselves.

Mr. ETHERIDGE. Thank you, Mr. Chairman. Thank you. North Carolina respects FEMA because they have great reputation in North Carolina. And I think you come from that background, you can use this as a great tool to make that happen.

Mr. BROWN. That is my intention. Thank you, Congressman.

Chairman COX. Ms. Sanchez.

Ms. SANCHEZ. Thank you, Mr. Chairman. And thank you, Mr. Brown, for being before us. I actually have several questions. Why do I not go down the list and give them to you, because I do not know if they are going to call a vote at some point and I hope it is not before the rest of us get to finish our questions.

You have heard a lot of my colleagues talk about the fact that there are in particular their communications systems do not work between fire and the different law enforcement pieces that they have in the area, and I come from Orange County, California. We actually over the last 10 years have scrimped and saved and done without for other things and we have interoperability, especially with respect to communications.

It cost us \$100 million to do that for our 32 different municipal agencies, our county, our sheriffs and others. On the other hand I look to the north of me right, you know, 20 minutes away, and we have Los Angeles County, where they have nothing that is really operable.

What are you going to, my first question would be, you know, if everybody wants to do interoperability of communications, it is a very expensive thing to do, at least to have done it on the same system that we have, for example, in Orange County.

Are areas like Orange County going to have to step back from funding and wait until everybody else gets funding because they need this interoperability, or, you know, how are you going to make decisions about what you fund and what you do not with respect to that, especially if this is coming down in grant-type programs?

You know, because we did with a lot things in order to, with a vision to the future. So the first question is how are you going to take a look at that? Because this is a very expensive proposition to have that communication.

second, because equipment is such an important piece of this, are we, or who is going to take the lead to make the standards necessary for some of this equipment that we are talking about?

For example, on gas masks and breathing apparatus, most of the standards that we have been set for military use, in other words people who are making these things are sending them to the military, and yet we might have different parameters, different situations going into a sort of terrorist attack or something that would warrant that we have different type of equipment, even though it is breathing apparatus or chemical masks, et cetera.

So is that part of what you are tasked with, and if it is, what is the time line for something like that, because a lot of my agencies are asking, they are afraid to buy equipment because it may be the wrong type or standards set to a different field of operation, that being the military.

The third question I have for you has to do with the staffing and the overtime that I spoke about in my opening statement. You know, there is a basic need of equipment for some of these agencies.

I really do not feel too badly asking for some of this money, and talking about these issues because I come from an area that is very high priority area, and I think by any standard you would say that a nuclear power plant, a Disneyland, an LAX, Crystal Cathedral, believe it or not, people like to blow those types of things up, as opposed to other places in the Nation where, quite frankly, 85 percent of our law enforcement agencies have less than 10 people to them.

Mine have a lot more, and so we understand we have a lot more people, we have a lot more problems.

Our biggest cost is staffing and overtime. When the city of Anaheim has to go on Orange Alert, it is an additional \$30,000 a day just in people it needs to put out there. The fact that we need to bring all the police officers, you know, working.

And yet we don't have any kind of a grant program from that. I want your opinion on whether we should. Or what are we going to do with respect to, sort of, this unfunded Federal mandate.

And the fourth question I have is your opinion, especially coming from FEMA, with respect to our emergency hospitals and the way that we take care of a potential attack. Give an example, you know, one of my many venues there, let's say the Anaheim Stadium, where you have people. We don't have beds. Our hospitals are really stretched right now. They are in a Band-Aid approach. They can barely take 15 people through the front door, let alone the 400 we might ship from the Anaheim Stadium and the, you know, 100 who will self diagnose and will arrive to the hospital before we even ship the ones who truly are under these conditions and are again taking these beds and having this problem.

What say you to the whole issue hospitals, because it seems to me that is a very weak link with respect to first response?

Mr. BROWN. Are you ready?

Ms. SANCHEZ. Ready.

Mr. BROWN. Here we go.

Let me challenge your premise that interoperability is an expensive proposition. Now, we are going to spend \$54 million to identify the best demonstration projects around the country. But in the conversations that I have had with the science and technology folks, with vendors, with other people who have approached me, they have said, you know what, there is really some basic commercial off-the-shelf stuff that you can be using now that is going to solve some of your interoperability problems.

If that is the case, I think we shouldn't just assume that this is all going to be very, very expensive. Sometimes I think that may be driven by people who want to sell us things. And we need to be aware of that and be very cognizant of it.

So I would just challenge the proposition that interoperability is necessarily going to be expensive. Yes it will in terms of if we try to do this nationwide and solve all of these problems, it certainly might. We recognize that there is an expense there. I want to try to keep it as low as possible.

Ms. SANCHEZ. I would agree, especially since, you know, that is not what we are going to be asking for.

Mr. BROWN. Right, exactly. Who takes the lead? I think two groups take the lead. I think the science and technology group within the Department of Homeland Security, at least that is who we are going to rely upon once we start identifying the demonstration projects and start getting the results, we are not going to claim to have the expertise within EP&R to say that is a great technology, you ought to do that. That is why we have science and technology.

We will rely on our other Federal partners, the National Institute of Standards and others, who can come in and educate us and help tell us what those standards should be. So we are not going to try to do it ourselves.

Ms. SANCHEZ. And have you started those talks because, I mean, people are—

Mr. BROWN. Oh, absolutely, absolutely. And that is the only reason why I questioned the premise about the expensiveness of doing interoperability because I am starting to hear from Dr. Queary and others that yes there are some things out there we need to be looking at. There are certain things that the Department of Defense al-

ready has that solved some of their interoperability problems that we have got to look at adopting for ourselves.

So we shouldn't just assume that it is going to be really expensive. And we are trying to look across a broad spectrum of what we can do to address that problem.

Staffing and overtime, I don't know. I wish I had the answer for you. I think there are a couple things that we can do that are kind of a prophylaxis-type approach that we can take. We need to get smarter. The Secretary has agreed that we are going to look at the threat warning system and how we can maybe adjust that or really kind of tailor it for specific kinds of threats.

I want to encourage, to the best that I can, state and locals to adopt what we have done within EP&R and the department of having a checklist. And when we go from one level to another, just not automatically doing everything. But based on the threat, which gets back to us able to communicate that threat out to the state and locals, of doing what is appropriate based on the change in the threat level.

Other than that, all I can say to you in all honesty today is I recognize that the staffing and overtime problem is a problem. And we know that and we will try to address that and figure out what we can do to help state and locals.

I am fascinated that you mentioned emergency hospitals because that is one of my priorities. We have not done enough catastrophic planning. While we are focused on terrorism, I am also focused on the catastrophic earthquake that might occur in California. And how are we going to at that point have enough hospital beds, enough medical personnel and other things to address a catastrophic disaster.

We need to do that. And we have not done catastrophic planning in several years and that is one of my priorities within the new organization. Once we do that catastrophic planning, we will be able to come back to you and say here is how we are going to do it.

Ms. SANCHEZ. And our hospitals have major problems. I mean, they are doing decontamination chambers. Very, very seismic. In California is an incredible cost right now.

Mr. BROWN. Right, right. But no, it is one of the problems that we have to address. And catastrophic planning is the way to do that.

Ms. SANCHEZ. Thank you.

Mr. BROWN. We don't like to think about catastrophic planning, but boy it needs it.

Ms. SANCHEZ. Well, we look forward to working with you on these issues because they are very important, in particular a metropolitan area like L.A., Orange County.

Mr. BROWN. I understand.

Chairman COX. Ms. Norton?

Ms. NORTON. With a vote bearing down upon us, I have stayed this long, Mr. Secretary, and I apologize for having to go in and out on business involving my district.

But I have stayed because of a report that I found very serious that was issued last week that suggested that the country does not have the necessary emergency preparedness for a chemical attack.

And frankly, it raised my hair. Perhaps what Americans most fear is a chemical attack, based on what the Administration has told us about the affects of a chemical attack. And we keep hearing these substances thrown out—ricin, cyanide, which 41 states you can get naturally, sarin, VX—you know these have been thrown out at us.

So when you get a report that says that our emphasis has been basically on bioterrorism, smallpox, plague, with almost no emphasis on preparing for a chemical attack, that got my attention. And it was a non-partisan, non-profit, called Trust for America's Health and looked at every state.

And on this state-by-state analysis, they found that only two states, Georgia and Iowa, have the equipment and the expertise to test the cyanide. That is just one chemical. And that is the one that is available naturally in 41 states.

And it found, and here where the emergency preparedness point comes in, that only eight states had drafted plans for responding to a chemical attack. I have to ask you, in light of this report, on a state-by-state basis, what you intend to do to prepare first responders and health officials to deal with a chemical attack, which, frankly, may be more likely than a smallpox attack or a plague attack, which, of course, are biological attacks.

Mr. BROWN. This is the second time in the hearing I have heard about this report. And I am going to try to get a copy of it and look through it and see what it says.

We have done a couple of things. One is through the Fire Grant program, we have made certain that personal protective equipment is one of the categories that local first responders can get, so that they can be trained in now to use that PPE—personal protective equipment—and how to respond to a chemical attack, to do training.

So that is something that is done through the Fire Grant programs.

Ms. NORTON. And you believe that people are purchasing—

Mr. BROWN. Oh, you mean, purchasing through the Fire Grant program?

Ms. NORTON. Yes.

Mr. BROWN. Absolutely. That is one of the purchases that is being made through those grants.

The second thing is Congress was again very good to us last year and gave us some great money for the urban search and rescue teams, and we have done all of the training. And I think we are not quite finished equipping all of them, but we are getting pretty close to equipping all of the urban search and rescue teams to be WMD capable.

So those are two specific—

Ms. NORTON. It seems to be the equipment and the expertise that is lacking, so you can have all of the training in the world, but if you don't have the equipment and you don't know what to do.

Mr. BROWN. Right.

And that is why we thought the urban search and rescue teams were a priority. That should be one of the priorities for the Fire

Grants also. That is one of the categories that they can apply for to get the training.

But then I want to address a third area, and that is, you know, we have talked a lot about Citizens Corps and citizen preparedness. I think we need to do a better job and I think the Ready Campaign that the Secretary launched through the department, the Citizen Corps campaign that the President launched, the USA Freedom Corps, are all very good programs about telling citizens two things: What is the real risk, and what can they do?

Because oftentimes, the risk is—well, a chemical attack is dangerous. Sometimes the smartest thing to do is stay in the house. Wait there for two or three hours. The chemicals dissipate, and then it is safe to leave.

Oftentimes, people are going to panic and hear there has been a chemical spill, and they are going to run outside and—

Ms. NORTON. And so when are we going to begin, when are people going to begin to understand that and to learn that?

Mr. BROWN. Well, we are doing our darndest and trying to educate everyone through these campaigns now about that. Yet we took some hits in the initial start of that about the duct tape and plastic sheeting. And I am not embarrassed to talk about it here today.

Because remember when the barge exploded in New York harbor from the off-loading of the oil? The first thing that the local emergency manager told people in that neighborhood in Staten Island was, Stay indoors, close your windows, turn off your air conditioner.

So sheltering in place is an absolute credible tool for emergency management. And we need to educate folks about how to do that, and how not to panic when those things occur.

So I will go back and look at this report, and then we will come back and talk to you about exactly what we are doing in those other areas to train and equip first responders to deal with it.

Ms. NORTON. I do think what you say about getting the word out, stop, look and listen, rather than running outside, perhaps right into the chemical attack, is very important.

Mr. BROWN. Yes.

Ms. NORTON. I would suggest that you respond to the chairman, to the committee and to the ranking member on this notion that, literally, most states wouldn't have any information to relay because they have neither the equipment nor the expertise to know what the chemical attack is.

So that is on the threshold level, at the ground level. And I would appreciate that whatever you could give the committee about the goals you have and when you intend to meet them for helping the states to get that kind of equipment and that kind of training.

Mr. BROWN. Be happy to do that.

Ms. NORTON. Thank you very much, Mr. Secretary.

Chairman COX. We thank the gentlelady.

The Chair thanks the witness for his time today.

And this hearing stands adjourned.

[Whereupon, at 4:23 p.m., the subcommittee was adjourned.]

QUESTIONS FOR THE RECORD FROM THE MAJORITY MEMBERS

Question 1: The mission of the Emergency Preparedness and Response (EPR) Directorate within DHS is to improve the Nation's capability to reduce losses from all disaster, including terrorist attacks. Given that the EPR is anchored by the incorporation of FEMA, how are the objectives of this new mission being met by an agency that has historically functioned to aid cyclical natural and other major disasters?

Answer: FEMA's heritage comes from being prepared for all hazards, including a nuclear threat during the Cold War. While some natural disasters are cyclical, tornadoes, flash flooding, and earthquakes, for example, happen without notice, demanding that FEMA be prepared to coordinate the Federal government's response and recovery efforts to supplement state and local activities.

Although many people think of FEMA in our most common very public role in responding to natural disasters, our capabilities have already been fully tested in other events such as terrorism. In fact, our management of response and recovery efforts after the Oklahoma City bombing and the terrorist attacks of 9/11 were completely in keeping with the work we do in responding to natural events. FEMA's activities focused on saving lives and protecting life and property, such as coordinating Urban Search and Rescue Teams, Disaster Medical Assistance Teams, and Disaster Mortuary Teams, and providing assistance for debris removal, emergency protective measures, temporary housing, disaster unemployment, and crisis counseling, and are the same regardless of the cause of the event.

The lessons learned from these events have been shared with the emergency management community and help to improve our training and preparation for future events. FEMA's mission is all-hazards, which now includes a focus on terrorism as a threat to our nation. FEMA was also asked to lead a Departmental and inter-agency effort to develop a Catastrophic Incident Response Annex to the National Response Plan. This Annex, while all-hazards in scope, is nevertheless focused heavily on WMD events precipitated by acts of terrorism.

Terrorism preparedness and response are not new missions for FEMA. Executive Order 12148, Federal Emergency Management, of July 1979, paragraph 2-103, provided that: "The Director [FEMA] shall be responsible [...] for the coordination of preparedness and planning to reduce the consequences of major terrorist incidents." FEMA responded to the April 19, 1995, bombing of the Murrah Federal Building in Oklahoma City before it responded to the September 11, 2001, attacks on the World Trade Center and the Pentagon.

If FEMA has provided response and recovery assistance to state and local governments, certain nonprofits, and individuals more in "cyclical natural and other major disasters" than in large-scale terrorism incidents, that is because historically there have been far more such natural disasters on U.S. soil than there have been large-scale terrorism incidents. However, FEMA was directed in Executive Order 12148 to ensure that "all civil defense and civil emergency functions, resources, and systems of Executive agencies are [developed, tested and utilized to prepare for, mitigate, respond to and recover from the effects on the population of all forms of emergencies]" (emphasis added).

The ongoing challenge for FEMA, and for state and local emergency management, is to give each hazard's unique characteristics its due (based on risk and/or policymakers' preferences), while maintaining a foundation of functional responses common to multiple hazards that can provide the flexibility to deal with the unusual, such as the space shuttle Columbia incident. That is what FEMA means by an "all-hazards" approach: not that response to every type of emergency is exactly the same, but that there are commonalities. Getting those commonalities right is the foundation for addressing the unique aspects of certain hazards successfully, and provides the greatest adaptability for addressing newly emerging hazards and threats in a community, state, or Nation.

FEMA continues to take an all-hazards approach to preparedness, response, mitigation, and recovery. We recognize that in the present environment, terrorism requires immediate and direct attention. Our core mission is to provide leadership and support to reduce the loss of life and property and to protect our nation's institutions from all types of hazards through a comprehensive, risk-based, all-hazards approach. We continue to work with state and local governments, the first responder community, and our Federal partners to take an all-hazards approach to emergency preparedness and response.

Substantial effort is being made to consolidate and integrate all of the different disaster response programs, teams, and assets in DHS. FEMA is designing new approaches and implementing new efficiencies that will result in a more unified, integrated, and comprehensive approach to all-hazards disaster response. The improved coordination of all response programs and efforts to introduce a new response cul-

ture will make DHS better able to elevate operational disaster response capabilities to a whole new level of proficiency, one that will further the principles of the National Response Plan and National Incident Management System and better serve the American people.

All of the disaster response operations, programs, and activities are being reviewed to make sure that they are complementary and form a cohesive national response system that eliminates duplication and inefficiencies. Related to this review, measures are being planned that will help reduce the time it takes for disaster response teams to get to a disaster site and the time it takes to deliver needed disaster supplies. In addition, greater emphasis will be placed on catastrophic disaster planning, including planning for responding to acts of terrorism.

Question 2: The Homeland Security Act transferred the functions, personnel, and assets of the Strategic National Stockpile to the EPR, the law mandates that the HHS Secretary continue to manage the stockpile and determine and procure its contents. What exactly is the role of the EPR in regards to Stockpile and how are you coordinating deployment decisions with CDC and other public health agencies?

Answer: The Homeland Security Act of 2002 established joint management of the Strategic National Stockpile (SNS) by DHS and the Department of Health and Human Services (HHS) on March 1, 2003. The two Departments signed a Memorandum of Agreement (MOA) that delineated the individual management responsibilities of each Department. DHS and HHS have amended the MOA to articulate more clearly the roles of the two Departments. Currently, DHS provides the strategic direction and performance levels that HHS/CDC must meet in management of the SNS on a day-to-day basis. Capabilities of the SNS have not changed. Requests for SNS materiel and response procedures remain the same.

DHS and HHS continue to work closely to ensure that the joint responsibilities for the SNS allow it to respond effectively in concert with the other DHS response elements. New drugs and vaccines developed under Project BioShield, the comprehensive effort to develop and make available effective drugs and vaccine to protect against attacks using biological and chemical weapons or other dangerous pathogens, will ultimately reside in the SNS and also be available to help ensure the health security of the United States. The first interagency agreement under the BioShield program has been negotiated between DHS and HHS, for development, procurement and eventual inclusion in the SNS of Recombinant Protective Antigen (rPA), a next-generation anthrax vaccine.

In the fiscal year 2005 budget proposal, and in the current Bioshield legislation, the Administration has proposed to return principal responsibility for the SNS to HHS. HHS would coordinate with DHS in operating the SNS.

Question 3: Do you feel that the Homeland Security Act gives you adequate authorities beyond those in place for natural disaster in light of your enhanced counter-terrorism mission?

Answer: In FEMA's role of preparing for, responding to, recovering from, and mitigating against all-hazards, including terrorist-related events, the Stafford Act provides FEMA with sufficient authority to carry out its role and responsibilities as enhanced by the Homeland Security Act. The HSA continued the existing authority provided pursuant to the Stafford Act and supplemented those authorities with additional assets, including the Domestic Emergency Support Team, the National Disaster Medical System, the Nuclear Incident Response Team, and the Strategic National Stockpile. It is important to note, however, that Homeland Security Presidential Directive 5 (HSPD-5) required DHS to "review existing authorities and regulations and prepare recommendations for the President on revisions necessary to implement fully the National Response Plan." This authorities review is currently underway and will include recommendations for any additional authorities that may be necessary and consistent to implement the National Response Plan.

Question 4: What intelligence products is your directorate routinely receiving today and how are they reaching you? Are those products getting to you quickly and in a form that enables you quickly to pass them on to your field personnel—as well as the state and local officials—who need them?

Answer: FEMA is well connected with the intelligence community through dedicated personnel liaison contacts, cleared couriers, and electronic communications systems to include secure facsimile, AUTODIN, the Joint Worldwide Intelligence Communications System, and the Secure Internet Protocol Network. FEMA also receives the Director of Central Intelligence Senior Executive Intelligence Briefing via cleared couriers Monday through Saturday, as well as finished intelligence produced by the National Intelligence Council and the Directorate of Intelligence. Further, the DHS Information Analysis and Infrastructure Protection Directorate provides FEMA with applicable intelligence information and warning products through their representation in the Homeland Security Operations Center.

FEMA is not an intelligence collection or production and is prohibited from creating and disseminating finished intelligence outside of its own organization Intelligence of interest to non-headquarters FEMA offices and organizations possessing the proper clearance and “need to know” can be accomplished at the non-compartmented level through secure facsimile and the FEMA Secure Local Area Network as well as through the AUTODIN.

Question 5: Do you get routine intelligence briefings? How often and from what agencies? Is the IAIP directorate giving you any independent threat analysis of its own?

Answer: FEMA receives the Director of Central Intelligence Senior Executive Intelligence Briefing via cleared couriers Monday through Saturday, as well as finished intelligence produced by the National Intelligence Council and the Directorate of Intelligence. Further, the JAIP Directorate provides FEMA with intelligence and warning products produced by the Directorate, as is applicable, through their representation in the Homeland Security Operations Center.

Question 6: Has creation of the Department of Homeland Security increased the flow of intelligence information into the entities that are now in the Department’s EP&R directorate, or is the intelligence flow about the same as before?

Answer: Yes, the intelligence flow has increased. Additionally, Critical Infrastructure Protection intelligence flows from the DHS Information Analysis and Infrastructure Protection (TAIP) Directorate into the United States Fire Administration’s Emergency Management and Response Information Sharing and Analysis Center (EMR-ISAC). This information is then disseminated to the EMR community for its use in protecting their own infrastructures.

Question 7: Frequently the front line responders are the first on the scene of an event. What process has been established within your Directorate to up-feed that information to the decision makers at the EPR?

Answer: FEMA receives information from state and local responders through the Governor or the state emergency manager. The Response Division’s structure is based on the Incident Management System so that it is aligned to meet the needs of state and local responders. In addition, it is designed to meet the President’s directives established within Homeland Security Presidential Directive (HSPD)–5, which called for the National Incident Management System (NIMS) and the National Response Plan (NRP). The Response Division is managing the activities of many national response assets formerly maintained within other Federal agencies. These include: the National Disaster Medical System, the Domestic Emergency Support Team, the Strategic National Stockpile, and the Nuclear Incident Response Team. By consolidating response plans, programs, and systems for delivering assistance and responding to various types of incidents into one coordinated, consolidated, and comprehensive national system, the Department will be able to provide a more streamlined approach to incident management. This streamlining and consolidating will serve to improve the information flow in both directions, up to senior decision makers and down to the State and local first responders in the field.

FEMA’s United States Fire Administration (USFA) is integrating information about the NIMS and the NRP into all courses at both its National Fire Academy and its Emergency Management Institute. Both institutions have taught courses on the Incident Command System—one of the primary components of the NIMS—for many years. Courses at both institutions, with consistent NIMS information, will ensure that front line responders receive the appropriate training to be able to effectively manage an incident and provide the necessary information from the Incident Management Team (IMT), through the multi-agency coordination system, to the appropriate Federal entity within the NRP. The USFA is also providing IMT training to develop Type 3 IMTs within States and Urban Area Security Initiative regions; these Type 3 IMTs will provide for a smoother transition and more effective communication flow during major and or complex incidents, including incidents of national significance.

Furthermore, FEMA’s ten regional offices are in communication with state and local government offices and emergency management professionals on a daily basis. These relationships foster the efficient and effective exchange of information, particularly when an event occurs. For example, when there is an approaching hurricane, FEMA regional offices send designated employees to state emergency management offices to help prepare, to begin gathering information, and to provide guidance for Federal assistance.

Question 8: Of the seven categories of functions described in the President’s reorganization plan for the EPR, five focus on response and recovery activities. How are you providing adequate attention to preparedness activities for the directorate?

Answer: Within FEMA, the Preparedness Division has responsibility for a broad range of programs and initiatives for all-hazard capability building and capability

assurance. These include training programs at the National Fire Academy and Emergency Management Institute, the Chemical Stockpile Emergency Preparedness Program (CSEPP), the Radiological Emergency Preparedness Program (REPP), and all-hazards assessment and exercise activities, such as the National Emergency Management Baseline Capability Assessment Program. Under the National Emergency Management Baseline Capability Assessment Program, FEMA is funding and sponsoring assessments of state-level emergency management capability against a common set of voluntary standards. All 56 state and state-level jurisdictions are expected to participate in this program, slated for completion in fiscal year 2005. The results of these assessments will help FEMA, the Department of Homeland Security, and states develop strategies to better target assistance to areas of greatest common need. For improving FEMA's response and recovery efforts, the Preparedness Division has implemented and manages a very robust Remedial Action Management Program that ensures field-level response and recovery issues are brought to the prompt attention of functional decision-makers for the purpose of commencing appropriate remediation. In short, while preparedness may not have garnered many lines in the reorganization plan, FEMA's employees pay substantial attention to preparedness every day, using the resources Congress and the Administration have allocated to this important work. Most important, the local civilian responders are the same persons that FEMA works with in exercises whether it is CSEPP, REPP, or the Capability Programs. Thus, the critical continuity with our state and local partners in preparedness continues into our response and recovery work, where knowing the participants can smooth the way for the most effective response. Please also see the answer to Question 13.

FEMA's Preparedness Division provides leadership in the coordination and facilitation of preparing the Nation to respond to and recover from disasters and emergencies of all types through development of standards, training, assessments and exercises for groups and individuals having key emergency responsibilities, including state and local governments, first responders, and communities. Our goal is to minimize loss of life and property and suffering and disruption caused by disasters and emergencies through better preparedness at all levels—from the Federal Government to the individual. The Preparedness Division is organized into a number of branches and sections. It continues to:

- Develop and provide resource materials for training aids, and overall planning and operational guidance to assist state, local, and tribal governments in preparing for the response to and recovery from all-hazards disasters and emergencies.
- Coordinate the development of national operational standards/performance measures and protocols, and state and local mutual aid standards and protocols to support all-hazards capability building, program guidance, implementation procedures, and reporting criteria.
- Enhance existing emergency preparedness systems to effectively respond to a public health crisis, especially a weapons of mass destruction event.

The United States Fire Administration (USFA) continues its work with the fire and emergency service community and in the training arena. The USFA's National Emergency Training Center, including the National Fire Academy and the Emergency Management Institute, and the USFA's Noble Training Center continue to deliver quality training to the nation's first responder and emergency management community.

Question 9: The National Domestic Preparedness Office (NDPO) was established in the FBI to coordinate Federal assistance to first responders in the area of domestic terrorism preparedness. The function of NDPO was transferred from the FBI to FEMA to consolidate all Federal domestic preparedness. What is the functioning status of NDPO?

Answer: The NDPO essentially ceased to exist prior to the passage of the Homeland Security Act, and thus no longer functionally exists, therefore there were no functions of the NDPO to be transferred to FEMA; no staff or funding transferred. Within DHS, the Office for Domestic Preparedness has been assigned responsibility for coordinating Federal terrorism preparedness assistance to first responders.

Question 10: The Domestic Emergency Support Team (DEST) is a stand-by inter-agency team of experts led by the FBI to provide advice and guidance in a situation involving WMDs. The Act transferred the functions of DEST from the FBI to the EPR. How are you working to coordinate the activities of DEST with the FBI?

Answer: The Domestic Emergency Support Team (DEST) provides information management support; enhanced communications capabilities; tailored expertise, assessment, and analysis capabilities; and consequence contingency planning capabilities. The operational control of the DEST transferred from the FBI to DHS on March 1, 2003. While each agency supplies its own personnel and equipment to the DEST, DHS has assumed the administrative and logistical responsibilities for the

team. Coordination with the FBI will continue through FBI representatives who serve on the DEST.

Question 11: The Act directs the HHS Secretary to set goals and priorities and to collaborate with the Secretary of DHS to develop a coordinated strategy to improve state, local and hospital preparedness. Please update the committee on the level of coordination that the EPR has had with HHS in preparing our front line health care programs, professionals and hospitals.

Answer: There are several areas of collaboration with HHS. FEMA is working closely with ODP and HHS on procedures for implementation of HSPD 8 and national goal setting. We coordinate closely with HHS on the contents, budget and deployment of the Strategic National Stockpile. We continue to work with HHS in the integration of the NDMS system into FEMA. We also continue to work with HI-IS regarding the Noble Training Center.

NDMS has worked closely with HHS on surge capacity issues identified during Exercise TOPOFF II. Also, DHS representatives have actively participated in workgroups that are proposing methodologies to enhance hospital surge capacity through training of personnel, identifying resources, and developing plans. DHS and HHS will be working to improve the coordination between our two agencies.

The NDMS staff continues to look at integrated strategies to enhance hospital preparedness. HHS and DHS have worked very closely in the workgroups to ensure that DHS and HHS programs are coordinated, including joint efforts to develop the Catastrophic Incident Response Plan Annex to the NRP. DHS and HHS continue to coordinate the SNS efforts to prepare state and local health organizations to receive and distribute SNS material. NDMS assets are being fully incorporated into FEMA disaster response team and logistic activities, and increases in NDMS hospital training and exercises, as well as improving the capability to evacuate patients, are planned in the coming years.

FEMA's United States Fire Administration (USFA) is also working to increase the coordination between first responders and hospitals during multi-casualty arid mass casualty incidents of all types. USFA's National Fire Academy (NFA) delivers courses on topics including EMS Management, EMS Special Operations, EMS Operations at Multi-Casualty Incidents, Incident Command System for EMS, and Fire Service/Hospital Coordination for Multi-Casualty and WMD Incidents. USFA's Emergency Management Institute (EMI) offers Hospital Emergency Response Training for WMD Events. Both NFA and EMI offer courses at USFA's Noble Training Cent in Anniston, Alabama, a former military hospital established for EMS and medical response training. Last year, we delivered the training schedule initiated by HHS while we developed additional offerings in the area of mass casualties and weapons of mass destruction. This year we are offering an expanded schedule of FEMA courses at Noble in partnership with HHS (CDC and the Health Services and Resources Administration).

Additionally, DHS and HHS have an equally close relationship with regard to Project Bioshield. The proposed BioShield program and the current legislation call for DHS to perform threat assessments and to inform HHS of potential threats. HI-IS, based on the threat information received, will decide if an adequate countermeasure for the threat currently exists.

Questions on TOPOFF II

Question 12: TOPOFF II cost an estimated \$16 million and involved more than 8,500 people from 100 Federal, state and local agencies, the American Red Cross, and the Canadian government. Understandably, no results or conclusions have been published from the exercise, however, can you give us a sense of what the Directorate learned from TOPOFF II?

Answer: As you note, specific findings from the exercise are "For Official Use Only" and are not available at this time for the public record. However, in the most general sense, TOPOFF II allowed us to appreciate more fully some of the new interactions and coordination requirements associated with becoming part of a larger Department that has been assigned certain responsibilities by the President under Homeland Security Presidential

Directive 5. We also were able to test integration of non-FEMA assets that are now part of DHS. We did much of this at the same time as we were responding to real-world tornadoes.

Question 13: The purpose of an emergency drill is to learn where your weaknesses are so that you can address those areas. What areas of weakness did you identify?

Answer: TOPOFF II provided important lessons regarding Federal, state, and local integration. The exercise appeared to lead to some uncertainty about who had the authority to deploy certain assets. Also, it became apparent that as the NRP undergoes development, the integration of response plans and policies merit consideration, particularly where existing plans are considered effective for emergency re-

sponse. TOPOFF II results indicated that the roles and responsibilities of the principle Federal official (PFO) need to be clarified with respect to those of the FBI Special Agent in Charge, the FEMA regional director, and the Federal coordinating officer. In addition, the PFO requires an emergency support team with the flexibility and expertise to provide support across the full range of homeland security operations.

We expected beforehand that communications would be a problem in TOPOFF II. Communications is not just about technology. Technology is a tool to create a channel for communications, but good communications is also about common understanding of who is supposed to receive what content in what form by when, and even an appreciation of why. In any exercise or real-world operation, there is always at the very least one person or organization that does not share in this common understanding—and so there is always at least one person or organization that will identify communications as a problem, or it will be identified as the source of the problem, even if things “work” overall. In that sense, while communications is not necessarily a weakness, we will always have plenty of work to do in preparedness—in the policy, planning, training, and exercise worlds—to foster and then sustain a common understanding of coordination relationships and information requirements in response. Technology can help bring the information together and display it in a better “common operating picture.”

Question 14: Will another such exercise be necessary in the future? If so, what will you do differently?

Answer: Exercises like TOPOFF II—for terrorism and for other scenarios—are valuable, and we will continue to support large-scale exercises of our response and recovery operations. However, we can add more value to our participation in such large-scale exercises by doing more to make them the culmination of smaller, tightly focused exercises for our response teams and decision-makers. TOPOFF II, with its issue seminars, was an improvement over TOPOFF 2000 in that regard. In addition, since first response to almost any emergency is at the community level, we have to put equal or greater emphasis on community-based exercises. The Office of Domestic Preparedness is responsible for scheduling, coordinating and conducting large-scale exercises involving national-level participation through their National Exercise Program. They are currently planning for the third Top Officials exercise, TOPOFF III.

Question 15: One area of concern post-September 11 was the ability of levels of government to communicate effectively and coordinate plans. Was the communication system a success in TOPOFF II

(a) How effective was coordination between local, state, and Federal agencies?

Answer: All levels of government worked well together in TOPOFF II. That is not to say that communications and coordination were perfect. They were not. But contact was established, information was shared, and there were means for consultation. It is important to note that TOPOFF II was conducted just a few short months following the establishment of the new Department. In many respects, TOPOFF II served as a test for a number of new processes, procedures and protocols established to coordinate incident management activities, and it was invaluable in that regard.

(b) Some press reports indicated that there were capacity problems in Chicago's hospitals during the exercise. Is this true?

Answer: Chicago was hit harder by the 1995 heat wave than by TOPOFF II; during the exercise several Chicago hospital officials indicated they were able to keep up with the number of people arriving at their emergency rooms. It is important to take a systems approach regionally and nationally, sharing information on general and specialized hospital capacity, in order to meet any surge in demand for medical care. Along those lines, the federally coordinated National Disaster Medical System (NDMS) offers a single, integrated medical response capability to assist state and local governments when they are faced with a public health emergency. Within NDMS, Federal Coordinating Centers recruit hospitals for voluntary agreements to commit a number of acute care beds, subject to availability, for NDMS patients.

(c) What contingency plans are being put in place so that in the case of a widespread outbreak people would be able to find treatment?

Answer: Within DHS, the federally coordinated National Disaster Medical System (NDMS) offers a single, integrated medical response capability to assist state and local governments when they are faced with a public health emergency. Within NDMS, Federal Coordinating Centers recruit hospitals for voluntary agreements to commit a number of acute care beds, subject to availability, for NDMS patients. FEMA also would deploy the Strategic National Stockpile if requested, along with a technical response unit to provide technical assistance and assist the State in breakdown and distribution.

In the event of a widespread outbreak, HHS would be the lead Federal agency. In that event, HHS would utilize the NDMS and other assets, from the PHS Commissioned Corps Readiness Force, the Centers for Disease Control and Prevention, the Department of Veterans Affairs, and the Department of Defense. We also note that, within HHS, the Health Resources and Services Administration has a Hospital Preparedness program to ready hospitals and supporting health care systems—primary care facilities, EMS systems, poison control centers—to deliver coordinated and effective care to victims of terrorism and other public health emergencies. The President's fiscal year 05 budget request includes funding for medical surge capability and pilot programs.

Question 16: During this exercise, the threat level was raised to "Red" to indicate that the country had been attacked. Can you describe what additional procedures are put into place as a result of this elevated status?

Answer: Without entering into details, FEMA increases the security posture of its facilities, takes measures to preserve the continuity of its essential operations, and depending on the specifics of the threat, alerts or deploys specific response assets.

Question 17: Some critics of the exercise argued that it wasn't effective because it was too planned out and lacked the element of surprise. How do you answer those criticisms?

Answer: The exercise achieved its intended goal; it not only demonstrated and validated those response capabilities and processes that work well, it also revealed areas that need further improvement. Those are the overarching goals of every exercise, and, within that context, the exercise was a success. All exercises are planned. We create artificial stimuli to see whether or not we elicit an expected response, and we line up resources from a resource pool that is not as extensive as what we have to draw upon in a real-world event. An exercise would only be too planned-out if everything worked perfectly and no one learned anything—but then it would be a demonstration rather than an exercise. Obviously, the players did not have the total script and could not have total certainty that actual response actions would be the expected response actions. Just as with an SAT exam, where students know when the test will be given and have test preparation books and courses available to them, they still have to perform.

QUESTIONS FOR THE RECORD FROM THE HONORABLE KAY GRANGER

U.S. Customs placing VACIS/Radiation Detection Equipment at the Borders:

Question: As you may be aware, U.S. Customs is entering into an effort to deploy VACIS detection equipment at border crossings to screen all rail cargo entering the United States. The railroad industry has been cooperating with this effort, but it appears that Customs expects the railroads to bear all costs related to constructing inspection facilities.

(1). Is your department aware of the costs that the railroad industry will bear with the implementation of these facilities?

Answer: Customs and Border Protection (CBP) has provided direction to the rail companies impacted by the deployment of Rail VACIS technology. This direction comes from two sources. The first source is the language contained in the Declaration of Principles (DOP). The DOP is the culmination of months of discussions between CBP, Canada Customs and Revenue Agency (CCRA), Canadian Pacific Railway (CP) and Canadian National Railway (CN). The document is a road map of principles to be utilized by parties from the United States and Canada aimed at improving overall rail security on our common border.

Item number seven of the DOP addresses examination facilities and states the following: "In return for CBP providing the screening equipment at Walkerville Yard and Sarnia Yard, CN and CP agreed to provide, where currently lacking, facilities in the United States for conducting security examinations. CN and CP further agreed to arrange for and fund the labor for unstuffing these shipments for examination, up to a maximum annual examination rate of 5 percent of total shipments. CBP will incur the expense for all examinations performed over 5 percent of rail cars." The DOP emphasizes that it is the responsibility of the Canadian Rail Companies (CN and CP) to bear the cost of exam facilities.

The second source of direction comes from the Tariff Act of 1930 as amended, and the implementing regulations governing the presentation of merchandise for customs examination. While DHS always seeks to do its job in the most efficient way for business, when examinations are required, longstanding regulations at 19 CFR 151.6 are clear that "the importer shall bear any expense involved in preparing the merchandise for Customs examination and in the closing of the packages." This regulation applies regardless of the mode of transportation, including rail.

(2). Is Customs aware of the potential railroad congestion consequences related to VACIS inspections, especially for passenger trains using the same tracks as inspected freight trains?

Answer: We have discussed this area of concern with the appropriate parties. Options are available to the rail companies, including providing necessary trackage for the purpose of railcar inspection. In some cases this may mean an additional siding where railcars are removed from the mainline, thus allowing the continued flow of rail traffic.

Our non-intrusive inspection (Nil) technology, such as Rail VACIS, is viewed as a force multiplier that enables us to effectively and efficiently screen or examine a larger portion of the stream of commercial traffic while facilitating the flow of legitimate trade and traffic.

(3). Would you be willing to explore funding options to assist the rail industry in the amelioration of VACIS-related problems? These are costs that other modes of transportation do not bear and, thus, place an unfair burden on one of the securest modes of transportation. Does Customs have any plans for reimbursing the railroads for these costs?

Answer: The priority mission of CBP is to detect and prevent terrorists and terrorist weapons from entering the United States while simultaneously facilitating legitimate trade and travel. The deployment of large-scale NIT technology such as Rail VACIS will provide CBP with the ability to effectively screen 100 percent of rail traffic arriving in the United States from Canada for contraband, including weapons of mass destruction.

The rail industry is free to explore any and all finding options available to them. CBP is not in a position to advise or assist in that endeavor. Other modes of transportation have been required to provide the same type of examination facilities that the rail sector is only now being asked to provide. There are no plans for reimbursement at this time.

QUESTIONS FOR THE RECORD FROM RANKING MEMBER JIM TURNER

EP&R and ODP Coordination

Member Comment: In April of 2002, GAO testified, "In general, the lack of effective coordination among Federal agencies, and also between Federal agencies and state/local entities is the result of basic problems that need to be resolved: (1) The problem of overlap and duplication of programs; lack of a clear definition of appropriate roles leads to confusion; and (2) a lack of direction and guidance as should be provided by Federal agencies to state and local governments and also the private sector. In addition, GAO has identified at least 16 Federal grants that can be used by first responders—states, local governments, and fire and law enforcement officials—to buy equipment, train, run exercises, and conduct preparedness planning.

Question 1: How has DHS addressed these problems that GAO identified over one year ago, specifically with respect to the grant programs administered by the EP&R Directorate and the Office for Domestic Preparedness?

Answer: The DHS Secretary provided notice to Congress on January 26, 2004, of his intent to consolidate ODP and the Office of State and Local Coordination (SLGC) into a new office entitled the Office of State and Local Government Coordination and Preparedness (SLGCP). The purpose of this consolidation is to enhance overall coordination and to provide greater program integration, simplified application and award processes, and greater consistency in policy and program development.

Question 2: State and local governments remain confused about who in DHS is their point-of-contact for all preparedness and response issues. How will DHS and your Directorate streamline, simplify, and coordinate multiple grant programs to make it easier for first responders to get the funds and technical assistance they need?

Answer: The DHS Secretary provided notice to Congress on January 26, 2004, of his intent to consolidate ODP and the Office of State and Local Coordination (SLGC) into a new office entitled the Office of State and Local Government Coordination and Preparedness (SLGCP). The purpose of this consolidation is to enhance overall coordination and to provide greater program integration, simplified application and award processes, and greater consistency in policy and program development.

Question 3: What is the rationale for keeping ODP as a separate organizational entity outside of EP&R, as opposed to having ODP report to the EP&R Under Secretary? Was this not the Administration's original proposal when it created the Office for National Preparedness in FEMA, a move that was applauded by GAO?

Answer: The Homeland Security Act directed that ODP be a separate office in a different directorate in DHS. The Homeland Security Act mandates a role for ODP to conduct terrorism preparedness, and for FEMA to conduct preparedness for all-hazards.

Question 4: What role, if any, does the Office for State and Local Government Coordination play in grant process?

Answer: The Office of State and Local Government Coordination (SLGC) and the Office for Domestic Preparedness (ODP) will be merged into a single entity to be called the Office of State and Local Government Coordination and Preparedness (SLGCP). SLGCP will meet the need for a single point of contact for state and local preparedness grant programs.

Question 5: How have ODP and EP&R logically separated these two preparedness programs? How is such a separation consistent with the all-hazards preparedness and response plans that have been developed by the states and localities? Are states and localities required to develop two parallel plans, one for WMD incidents and one for "normal" disasters?

Answer: Within the Department, we are working to coordinate our programs more closely. We are working closely together to set goals for preparedness and ensure our programs taken together will meet the objectives. The Administration has moved certain FEMA grant programs to ODP and has expressed the intent to merge ODP and the Office for State and Local Government Coordination, in order to better facilitate a "one-stop shop."

Question 6: What is EP&R's specific role—if any—in terrorism preparedness, training and exercises? Does EP&R have any role in terrorism preparedness, or is it only responsible for other hazards?

Answer: Title V of the Homeland Security Act of 2002 makes the Under Secretary of EPR responsible for "helping to ensure the effectiveness of emergency response providers to terrorist attacks, major disasters, and other emergencies" and for "building a comprehensive National Incident Management System [... for ...] such attacks and disasters." The Act also requires FEMA to retain its functions and responsibilities under the Stafford Act. FEMA has a role in terrorism preparedness because FEMA has a responsibility for all-hazards preparedness.

FEMA possesses a wide-ranging operational mission, and is populated with staff with extensive experience in preparing for, responding to and recovering from the consequences of incidents, emergencies and disasters, irrespective of cause or complexity. This body of operational expertise makes FEMA uniquely qualified to continue its long-standing responsibility of coordinating operational all-hazards preparedness to the nation.

FEMA continues to support all-hazards emergency preparedness, training, and exercises on the basis that the management of the consequences from any event has numerous essential elements that may need to be supplemented by special actions for some events. As an example—Mass Care Sheltering is common to all events that cause persons to be displaced; they need to be sheltered and fed in a safe, healthful, and secure location. This requires the same basic facilities and services in natural events and may only need supplemental screening persons for weapons of mass destruction (WMD) contamination if the event is terrorist-initiated (this would be the same for an industrial chemical accident as well). Significant hazards facing the Nation continue to be addressed. FEMA continues to provide public assistance and individual assistance, including crisis counseling, and organizes Disaster Legal Assistance, in presidentially declared natural and manmade disasters and emergencies.

Operational planning is a key Preparedness function, and FEMA has years of experience and accumulated expertise planning for, responding to and recovering from emergencies and disasters. Accordingly, FEMA was asked to lead a Departmental and interagency effort to develop a Catastrophic Incident Response Annex to the National Response Plan. This Annex, while all-hazards in scope, is nevertheless focused heavily on WMD events precipitated by acts of terrorism. The draft Annex outlines a strategy for accelerating the provision of needed Federal resources and assistance in support of the response to a catastrophic incident involving mass casualties and mass evacuees. Since it is expected that such a catastrophe will so overwhelm the local response architecture that their ability to execute timely needs assessments will be impaired, a key component of this strategy is to immediately begin pushing predetermined assets to a federal mobilization center near the incident venue, to ensure they are immediately available to support the incident management effort when requested by state/local authorities.

FEMA, through its United States Fire Administration (USFA), provides training for first responders and technical assistance for first responder and emergency management agencies on all hazards, including emergency response to terrorism incidents and terrorism response planning. Some of the courses were developed jointly

with ODP while they were in the Department of Justice. The USFA's National Fire Academy (NFA) has an Emergency Response to Terrorism curriculum with eight courses, plus many additional courses related to incident management (including the NIMS), which apply to all hazards. Similarly, USFA's Emergency Management Institute has several terrorism-related courses for emergency management personnel.

Question 7: Is EP&R participating in the ODP process of collecting updated preparedness data from the states? For example, did EP&R have any input in revising the ODP data collection tool?

Answer: FEMA is working closely with ODP on the development of the National Preparedness Goal under 1-ISP-8. FEMA has provided input into the revised ODP data collection tool. Some of the questions now go beyond terrorism-specific concerns to include an all-hazards approach to traditional terrorism-specific concerns—for example, in the areas of planning and interoperable communications.

FEMA has detailed three individuals to ODP to ease program transition, and both agencies work together on a daily basis. FEMA worked closely with ODP to develop its fiscal year 2003 State Domestic Preparedness Program assessment documentation and has participated in conducting regional workshops to ensure the agencies' programs complemented, but did not duplicate, one another.

Question 8: How often do EP&R staff access the ODP information, and what exactly is the process for accessing this information (e.g., is the EP&R information technology network linked to the ODP database, or do EP&R staff have to access the database at the ODP office?)

Answer: FEMA submits a request for information and views the information at ODP. In the last 11 months, FEMA has requested information four times.

Question 9: What duplications of effort or grant programs have EP&R and ODP discovered, and how have these duplications been resolved?

Answer: As earlier stated, the DHS Secretary intends to consolidate ODP and the Office of State and Local Coordination (SLGC) into a new office entitled the Office of State and Local Government Coordination and Preparedness (SLGCP). The purpose of this consolidation is to enhance overall coordination and to provide greater program integration, simplified application and award processes, and greater consistency in policy and program development.

Question 10: How exactly does the ODP data inform the FEMA Capability Assessment for Readiness (CAR) process, as well as other EP&R programs? When will the current CAR be completed, and will the results of the CAR be provided to Congress?

Answer: ODP's previous assessment effort was primarily oriented toward training, equipment, and exercises. CAR has attempted a holistic assessment of states' emergency management programs. In 2001, FEMA provided Congress the results of the 2000 State CAR. We are currently conducting a National Emergency Management Baseline—Capability Assurance Program (NEMB-CAP). Under the NEMB-CAP, FEMA is finding and sponsoring assessments of state-level emergency management capability against a common set of voluntary standards. All 56 state and state-level jurisdictions are expected to participate in this program, slated for completion in fiscal year 2005. The results of those assessments will help FEMA, ODP, the Department of Homeland Security, and the states develop strategies to better target assistance to areas of greatest common need. An initial Progress Report was produced in November 2003, and we will continue to develop and produce progress reports every six months. Because these reports identify aggregate areas of weakness, and potential vulnerabilities, they are For Official Use Only.

Question 11: Through the CAR, or other programs, how is DHS helping first responders assess their risks, capacity needs, and readiness? How is DHS ensuring that first responders (particularly state and local governments) are using a common method for assessing risks, determining needs, and measuring readiness? Finally, how is DHS providing information and intelligence to help them make these assessments?

Answer: FEMA has provided two versions of its Local CAR, unabridged and abridged (e.g., for smaller communities without an extensive emergency management program), for states' use in assessing the emergency management capabilities of their local governments. Likewise, we have provided a version of CAR specifically for Tribal governments to use on a voluntary basis. We have developed a terrorism-specific supplement to the Local CAR as well. FEMA is also funding and sponsoring assessments of state-level emergency management capability against a common set of voluntary standards under our National Emergency Management Baseline—Capability Assessment Program. Finally, we are developing an interactive, web-based self-assessment tool for Federal, state, tribal, and local governments based on the National Incident Management System.

Question 12: How will DHS know when state and local governments have done enough to prepare for terrorist attacks, natural disasters, and accidents?

Answer: HSPD-8 “establishes policies to strengthen the preparedness of the United States to prevent and respond to threatened or actual domestic terrorist attacks, major disasters, and other emergencies by requiring a national domestic all-hazards preparedness goal, establishing mechanisms for improved delivery of Federal preparedness assistance to State and local governments, and outlining actions to strengthen preparedness capabilities of Federal, State, and local entities. FEI and ODP are working closely on the implementation of these policies and the development of a National Preparedness Goal.

Preparedness is an on-going effort. Even where local and state governments may reach a defined level of preparedness, they must grapple with personnel turnover, equipment maintenance, changes in organizations and resources that affect plans, new or revised policies, and so on. They also must continually demonstrate to themselves and others that, where they have achieved a standard, they continue to meet it.

The National Incident Management System (NIMS), published March 1, 2004, by DHS, establishes the framework and requirements for effective, interoperable incident management at all levels of government. To facilitate and coordinate standards development in the areas of training, equipment, organization, and capability, as well as to measure and assure compliance with those standards, DHS is establishing a NIMS Integration Center. Progress is already underway. An initial version of a National Incident Management Capability Assessment Support Tool has been developed and will provide a mechanism for all jurisdictions to report (and for the Department to monitor and track) compliance with NIMS requirements.

FEMA is working with the Science and Technology Directorate to identify existing standards for Emergency Management, Fire Services, Law Enforcement, and all first responders, which will be validated. This process will identify any standards that require revision or updating, as well as identify the areas where standards are missing and require priority action to produce the missing standards. The complete inventory of applicable standards will then provide the foundation of the capability assurance process that will measure the implementation of the standards.

Assistance to Firefighters Grant Program

Member Comment: Authorized in 2000, the F.I.R.E. Act directed the FEMA Director to make grants on a competitive basis directly to fire departments of a state for the purpose of enhancing the department’s ability to protect the health and safety of the public as well as that of firefighting personnel facing fire and fire-related hazards. Under current law, the “Response to Terrorism or Use of Weapons of Mass Destruction” is only one authorized use of assistance to firefighter grant funds. The Administration’s fiscal year 2004 request requires that all grant funds be used for, “terrorism preparedness or dual-use activities, provided that these activities are aligned with state or local terrorism preparedness plans.”

In response to questions from the Committee during the hearing regarding the requirement that all FIRE grant funds be aligned with terrorism preparedness planning, Under Secretary Brown stated, “I would not characterize it in that fashion.”

Question 13: Does the Administration’s fiscal year 2004 budget request require that the use of FIRE Grant funds be aligned with state or local terrorism preparedness plans. If so, is this requirement consistent with the legislative intent of this program?

Answer: The fiscal year 2005 budget request states that priority shall be given to fire grant applications enhancing terrorism preparedness. Currently, there is no legislative requirement to coordinate with state or local preparedness plans. Since the grants are competitive, requirements are viewed as elements that diminish the competitive structure. However, if such alignment were preferred, it could be reflected as a part of the competitive rating of applications. In spite of this, we emphasized the eligibility of terrorism preparedness initiatives in our guidance for the fiscal year 2004 Fire Grant program. Applications requesting equipment or training to prepare for terrorism events should be validated as being aligned with state terrorism preparedness plans by state representatives who are familiar with the plans.

Question 14: What was the rationale for transferring the management and administration of this program, given the fact that USFA’s stewardship of this program has been universally praised, particularly the program’s peer-review process?

Answer: In order to facilitate a “one-stop shop” approach to grants to the states, the Office for Domestic Preparedness has been named the lead office for financial assistance to first responders, and the fire grants are intended for some of the same customers. The peer review process will remain part of the fiscal year 2004 Fire Grant Program under ODP. Under the fiscal year 2004 Appropriation and the Presi-

dent's fiscal year 2005 budget request, fire grants will remain in the Office for Domestic Preparedness.

Question 15: Can EP&R assure Congress that this program will continue to function efficiently and effectively—with grants distributed directly to local fire departments—should ODP or another DHS component assume responsibility for program management?

Answer: FEMA will continue to work closely with ODP to support the programmatic efforts to administer these grants as intended by Congress and the Administration's budget request.

Question 16: What are the plans and timeframes for getting this office fully operational? What priorities has DHS set for this office to improve coordination and collaboration with our state and local partners?

Answer: The Office of State and Local Government Coordination (SLGC) was established by the Homeland Security Act of 2002 to serve as a single point-of-contact for facilitation and coordination of Departmental programs that impact state, local, territorial, and tribal governments. This office was operational as of March 24, 2003; however, it has grown and now has representatives from all four functional Directorates in DHS as well as law enforcement liaisons.

Priorities for SLGC include: (1) facilitating the coordination of DHS-wide policies and programs that impact state, local, territorial, and tribal governments; (2) serving as the primary point-of-contact within DHS for exchanging information with state, local, territorial, and tribal homeland security personnel; (3) identifying homeland security-related activities, best practices, and processes that are most efficiently accomplished at the Federal, state, local or regional levels; and (4) utilizing this information to ensure that opportunities for improvement are provided to our state, territorial, tribal, and local counterparts.

In a January 26, 2004, letter to the Speaker of the House of Representatives, Secretary Ridge stated his intent to consolidate the Office for Domestic Preparedness (ODP), which currently is within the Directorate for Border and Transportation Security, with SLGC, which reports directly to the Secretary. The Secretary stated further that he intended to assign the current Director of ODP to the position of Executive Director of this consolidated office, which will be entitled the Office of State and Local Government Coordination and Preparedness (SLGCP) and shall report directly to the Secretary.

Role of EP&R and Office for State and Local Government Coordination

Question 17: How will this office work with the EP&R Directorate and increase its outreach to state and local jurisdictions to get their input and buy-in for policies, measures, standards, etc.? What is the division of responsibility for state and local government coordination between the EP&R Directorate and the Office of State and Local Government Coordination?

Answer: We have participated in the Office of State and Local Government Coordination's (OSLGC's) efforts to determine what assessment activities are taking place with local and state governments. We will continue to work with OSLGC and support efforts to satisfy common local and state customers of the Department's multi-faceted activities. OSLGC is a staff office, and we are a line office dealing with local and state governments on a regular basis in executing our programs.

Communications Equipment Standards

Member Comment: The fiscal year 2003 Supplemental Appropriations Bill provided the EP&R Directorate with \$54,750,000 for the Emergency Management Planning and Assistance account for interoperable communications. In his prepared testimony for the Con Under Secretary Brown indicated that the funds used for grants to local jurisdictions that will compete for demonstration projects that will explore uses of equipment and technologies to increase interoperability among the fire service, law enforcement, and emergency medical service communities. These demonstration projects will serve as models of interoperable solutions that can be shared throughout the nation.

Question 18: When will EP&R select the jurisdictions that will conduct the demonstration projects? If the jurisdictions have already been selected, please provide the Committee with a list of those jurisdictions.

Answer: On Thursday, September 25, 2003, Secretary Ridge announced the 17 communities that will receive a total of \$79.6 million in funds for interoperable communications demonstration projects. The recipients of the fiscal year 2003 Interoperability Communication Grants include:

Conway, AR (\$2,082,385);
 Rehoboth Beach, DE (\$2,406,284);
 St. Clair County, IL (\$6,000,000);
 Woodbury County, IA (\$5,995,822);
 Worcester County, MD (\$5,629,013);

Monroe County, MI (\$6,000,000);
 Ramsey County, MN (\$6,000,000);
 Independence, MO (\$5,496,750);
 Lewis and Clark County, MT (\$4,475,916);
 Grafton County, NH (\$2,176,168);
 Erie County, NY (\$6,000,000);
 Tulsa, OK (\$846,263);
 Westmoreland County, PA (\$5,964,973);
 Narragansett, RI (\$3,041,942);
 Charlottesville/Albemarle County/UVA, VA (\$6,000,000);
 Clallam County, WA (\$5,765,100); and
 Harrison County, WV (\$5,689,684).

Question 19: When will the demonstration projects be completed, and when will the findings of these projects be made available? Please provide a general overview of the types of information that will be included in final reports on the demonstration projects.

Answer: Officially, the performance period for the grant program is 12 months from the date of the award and will be closed out at the end of September 2004. In September 2004, the grantees will be required to conduct an evaluation to document the successes and impediments experienced by the grant recipients in implementing the demonstration projects. Grantees will be required to submit the evaluation to FEMA. The evaluations will help to export the lessons learned to other states and communities. The evaluation template will be developed in coordination with SAFECOM and AGILE and distributed by FEMA and COPS for conducting the final evaluation. SAFECOM, AGILE, and NIST will provide assistance for completion of the template.

Standards and Personnel Costs for Elevated Threat Alerts

Question 20: What guidance, if any, has DHS provided to Federal, state, and local responders with regard to the actions they should take or consider when the national threat level increases—for example, from yellow to orange? If there is guidance, is it the same across the nation, or does it vary by location—e.g., for major ports, sparsely populated areas, etc.?

Answer: According to ODP, states and localities are utilizing Critical Infrastructure Protection grant funds to pay for some overtime costs, as well as other preparedness functions associated with elevations in the national threat level.

In addition, the United States Fire Administration has developed and distributed a document, Fire and Emergency Services Preparedness Guide for the Homeland Security Advisory System, to assist fire, emergency medical services, and emergency management agencies with implementing the Homeland Security Advisory System (HSAS) into their operations. This preparedness document also provides guidance for agency response to changes in the HSAS threat level.

Question 21: What other funding mechanisms is DHS considering to offset the costs incurred by state and local governments caused by elevations in the national threat level? Are state and local governments using the ODP Critical Infrastructure Protection grants solely to fund personnel and overtime costs?

Answer: The Department of Homeland Security (the Department) recognizes the significant financial impact that periods of High (ORANGE) threat levels have had on state and local governments. To this end, the Department, through the Office for Domestic Preparedness (ODP), is providing support for states and localities to offset some of the costs associated with periods of heightened security.

Through ODP's fiscal year 2003 State Homeland Security Grant Program (SHSGP), Part II, the Department provided \$200 million for states to dedicate to "Critical Infrastructure Protection." States could use these funds for purposes including: (1) public safety agency overtime costs; (2) contract security personnel costs; and (3) state-ordered National Guard deployments required to augment security at critical infrastructure during the ORANGE threat alert level periods from February 7, 2003, through February 27, 2003; March 17, 2003, through April 16, 2003; May 20, 2003, through May 30, 2003; and December 21, 2003, through January 9, 2004. Reimbursement is available for costs incurred during those time periods only. However, states that did not expend all their allocated Critical Infrastructure Protection funds during those periods were allowed to retain the funds through the end of the award period for use in conjunction with future periods of heightened threat.

Additionally, through ODP's fiscal year 2003 Urban Areas Security Initiative (UASI), Part II, 30 urban areas were provided \$700 million to address the unique security requirements of large urban areas. Under UASI, Part II, grantees and sub grantees were eligible to use up to 25 percent of the gross amount of their award to reimburse for operational expenses including: (1) public safety agency overtime costs; (2) contract security personnel costs; and (3) state-ordered National Guard de-

ployments required to augment security at critical infrastructure during the above-mentioned four ORANGE threat alert level periods. Reimbursement is available for costs incurred during those time periods only.

To determine the impact on states of heightened states of alert, ODP asked states to provide information on expenses incurred for protections of critical infrastructure protection during the most recent Orange threat alert level period (from December 21, 2003, through January 9, 2004). ODP provided a template to every state and received feedback from 25 states, which reported to have spent a total of \$12,840,568 on overtime costs associated with the protection of critical infrastructure sites during that period. Of this total, a majority was spent on public safety officers' overtime costs.

ODP has also opened the fiscal year 2004 UASI, which will provide \$725 million to 50 urban areas and 25 selected transit systems, to allow for not more than 25 percent of the total grant award in the reimbursable categories noted above under SHSGP, Part II and UASI, Part II. States may provide reimbursement for such expenses incurred during the most recent Orange threat alert level period (from December 21, 2003, through January 9, 2004). In addition, states may use up to 25 percent of their Law Enforcement Terrorism Prevention Program (LETPP) portion of the fiscal year 2004 Homeland Security Grant Program (HSGP) for the same operational expenses noted above under SHSGP, Part II and UASI, Part II. Under the fiscal year 2004 HSGP, states were allocated \$500 million for LETPP.

Top Officials (TOPOFF) II Exercise

Question 22: ODP led the Administration's efforts in managing the TOPOFF II exercise. Will ODP continue to manage this exercise series? What is EP&R's role—if any—in future terrorist exercise programs? Will EP&R lead the conduct of any exercises this year involving state and local governments? If so, please describe these exercises.

Answer: We anticipate that ODP will continue to manage the TOPOFF series as part of its responsibility to manage the National Exercise Program. Also, we anticipate that FEMA, as the DHS focalpoint for response and recovery efforts, will continue to be a major player in terrorist exercises—as it was this year, for example, in Northern Command's UNIFIED DEFENSE 04. FEMA's regions collaborate extensively with state and local governments to coordinate participation in national-level exercises. FEMA regions also work with state and local governments on other exercises. Finally, FEMA's Radiological Emergency Preparedness Program and Chemical Stockpile Emergency Preparedness Program have substantial exercise components as part of meeting FEMA's responsibilities for evaluating offsite preparedness around nuclear power plants and chemical stockpile locations.

Question 23: If a terrorist incident occurred tomorrow, what would be the organizational structure for response coordination? Who in DES makes the final decisions regarding the Federal response, and are all participating agencies cognizant of the Federal command and control structure?

Answer: According to both the National Incident Management System (NIMS) and the draft National Response Plan (NRP), management of incidents is the responsibility of the local government; state and Federal entities support the local response. FEMA's United States Fire Administration, in addition to providing incident management training for all first responder agencies, is developing Incident Management Teams (IMTs) at the local, regional and state levels. These IMTs would be trained in ICS, NIMS, and the NRP, and would provide a smooth interface with Federal resources.

Deployment of Federal disaster response assets is the responsibility of the Secretary, DES, and this authority has been delegated to the Under Secretary for EPR. All decisions on deploying Federal resources are closely coordinated between the EPR Under Secretary and the DHS Secretary's office. Under HSPD-5, the Attorney General coordinates deployment of law enforcement assets to respond to the site of a terrorist incident.

The mission of FEMA is to prepare for, respond to, and recover from disasters of all kinds, regardless of whether caused by terrorist attacks, natural disasters, outbreaks, or technological accidents.

The structure of the Response Division of FEMA is based on the Incident Management System so that it is aligned to meet the needs of state and local responders. In addition, it is designed to meet the President's directive in Homeland Security Presidential Directive (HSPD)-5, which called for a National Incident Management System. The Response Division includes and manages many national response assets formerly maintained within other Federal agencies. These include the National Disaster Medical System, the Domestic Emergency Support Team, the Strategic National Stockpile, and the Nuclear Incident Response Team.

This consolidation of national response assets allows the Federal Government not only to continue to provide the same level of services to which the American people became accustomed during emergencies and disasters, but it also enhances the ability of DHS to maximize Federal resources, streamline delivery processes, and focus programs and assets to state and local needs. The basic disaster response process familiar to the 26 Federal agencies that are signatory to the Federal Response Plan continues to form the foundation of disaster response.

Question 24: What are the roles and responsibilities of the DHS Principal Federal Official versus those of the FEMA/EP&R Federal Coordinating Officer?

Answer: Under Homeland Security Presidential Directive (HSPD-5), the Secretary of Homeland Security is the principal Federal official for domestic incident management. The Federal Coordinating Officer is responsible for coordinating all disaster relief activities. Pursuant to the Homeland Security Act of 2002, the Secretary is responsible for coordinating Federal operations within the United States to prepare for, respond to, and recover from terrorist attacks, major disasters, and other emergencies. The Secretary coordinates the Federal Government's resources utilized in response to or recovery from terrorist attacks, major disasters, or other emergencies if and when any one of the following four conditions applies: (1) a Federal department or agency acting under its own authority has requested the assistance of the Secretary; (2) the resources of state and local authorities are overwhelmed and Federal assistance has been requested by the appropriate state and local authorities; (3) more than one Federal department or agency has become substantially involved in responding to the incident; or (4) the Secretary has been directed to assume responsibility for managing the domestic incident by the President.

The Secretary of Homeland Security promulgated the Initial National Response Plan by memorandum dated September 30, 2003. The Initial NRP provides interim guidance on Federal coordinating structures for domestic incident management until the full NRP becomes effective in approximately June 2004, and keeps the current family of Federal incident management and emergency response plans in effect during the interim period, except as specifically modified by the Initial NRP.

Under the Initial NRP, when an incident meeting one of the four conditions listed above occurs, or in anticipation of an incident meeting those conditions, the Secretary may designate a Federal officer to serve as the Principal Federal Official (PFO) to represent the Secretary locally and oversee and coordinate Federal activities relevant to the incident. The roles and responsibilities of the PFO include the following:

- a. Representing the Secretary as the senior Federal official on scene to enable the Secretary to carry out his role as the principal Federal official for domestic incident management;
- b. Ensuring overall coordination of domestic incident management activities and resource allocation on scene, ensuring seamless integration of Federal incident management activities in support of state, local, and tribal requirements;
- c. Providing strategic guidance to Federal entities and facilitating interagency conflict resolution as necessary to enable timely Federal assistance to state, local, and tribal authorities;
- d. Serving as primary, although not exclusive, point for Federal interface, with state, local, and tribal government officials, the media, and the private sector for incident management;
- e. Providing real-time incident information, through the support of the Federal incident management structure on scene, to the Secretary, as required;
- f. Coordinating the overall Federal public communications strategy at the state, local, and tribal levels and clearing Federal interagency communications to the public regarding the incident.

Using the protocols identified in existing plans, to include the Federal Response Plan, the PFO will oversee the coordination of the deployment and application of Federal assets and resources in support of the on-scene commander. The PFO will do this in coordination with other Federal officials identified in existing plans, such as the Federal Coordinating Officer (FCO) and the Federal Bureau of Investigation Special Agent in Charge. [Source: Interim NRP, September 30, 2003]

The Stafford Act provides for the appointment of a Federal Coordinating Officer (FCO) by the President immediately upon his declaration of a major disaster or emergency (See 42 U.S.C. § 5143). The FCO, within the affected area, makes an initial appraisal of the types of relief most urgently needed; establishes field offices, as (s)he deems necessary and as are authorized by the President; coordinates the administration of relief, including activities of the state and local governments, and other relief or disaster assistance organizations, which agree to operate under his advice or direction; and takes such other action (s)he may deem necessary to assist local citizens and public officials in promptly obtaining the assistance to which they

are entitled, including making certain that all Federal agencies carry out their appropriate disaster assistance roles. We are continuing to work on the inter-relationships between these two roles to assure that they are fully complementary as we work to finalize the National Response Plan.

Question 25: What is the role and responsibilities of the DHS Homeland Security Center and Crisis Action Team versus those of the FEMA/EP&R HQ Operations Center and Emergency Support Team? Which organization should state and local governments be working with during disaster response?

Answer: The Initial NRP established the National Homeland Security Operations Center (HSOC) and the Interagency Incident Management Group (IIMG). The HSOC, located at DHS Headquarters, is the primary national-level hub for operational communications and information pertaining to domestic incident management. The HSOC integrates and provides overall steady state threat monitoring and situational awareness for domestic incident management on a 24/7 basis. The IIMG facilitates incident specific national-level domestic incident management and coordination and replaces the Crisis Action Team. [details on the HSOC and IIMG are contained in the Interim NRP.] The HSOC and IIMG coordinate and analyze information from all of the different DHS components, including FEMA and the Emergency Support Team (EST), to formulate and provide high-level, strategic recommendations to the Secretary. The FEMA EST manages the actual interagency operational disaster response activities for DHS to respond to the needs of state and local governments. It maintains constant contact and coordination with the DHS IIMG and HSOC. The procedures for interaction between the state/local governments and the IIMG have not been developed, but will be an interagency collaboration that will be published by the Secretary of Homeland Security in a separate document.

In the meantime, state and local governments should continue to work through the EST to address disaster response needs.

Question 26: As of today, who makes deployment decisions for the specialized public health assets utilized in response to disasters, such as the strategic national stockpile and National Disaster Medical System Assets. In the event of a disaster, who approves the use of these resources, EP&R, Secretary Ridge, or HHS Secretary Thompson?

Answer: Activation of the National Disaster Medical System (NDMS) is the responsibility of the Secretary of DHS. This authority has been delegated to the Under Secretary for EPR Directorate. DHS is the owner of the Strategic National Stockpile (SNS). However, the Memorandum of Agreement between DHS and HHS has been amended to allow HHS to deploy SNS when either the Secretary of HHS or the Secretary of DHS determines it necessary to do so. DHS will also coordinate with the Secretary of HHS in any actual deployment of the SNS. Also, the Secretary of HHS has authority to request that DHS activate the NDMS when he is leading an ESF-8 response.

In the fiscal year 2005 budget proposal and the proposed Bioshield legislation, the Administration has proposed to return principal responsibility for the SNS to HHS. The Secretaries have also entered (are working to finalize?) into an MOA that outlines each agency's role with regard to SNS responsibilities.

Question 27: How does DHS plan to improve coordination of these assets, and is new legislation required to clarify the funding mechanisms necessary to access and deploy response resources?

Answer: Substantial effort is being made to consolidate and integrate all of the different disaster response programs, teams, and assets in DHS. FEMA is designing new approaches and implementing new efficiencies that will result in a more unified, integrated, and comprehensive approach to all-hazards disaster response. The improved coordination of all response programs and efforts to introduce a new response culture will make DHS better able to elevate operational disaster response capabilities to a whole new level of proficiency, one that will further the principles of the National Response Plan and National Incident Management System and better serve the American people.

All of the disaster response operations, programs, and activities are being reviewed to make sure that they are complementary and work together to form a cohesive national response system that eliminates duplication and inefficiencies. Related to this, measures are planned that will help to reduce the time it takes for disaster response teams to get to a disaster site and the time it takes to deliver needed disaster supplies. In addition, greater emphasis will be placed on catastrophic disaster planning, including planning for responding to acts of terrorism.

Furthermore, FEMA is in the process of assessing whether any legislative or regulatory changes would facilitate the implementation of its new statutory responsibil-

ities. We will continue to keep Congress informed of any needed changes, as they develop.

Threat Analysis

Question 28: Has EP&R worked with other DHS organizations, such as the IAIP Directorate, to define the types and format of threat information EP&R will require to better prepare states and localities for acts of terrorism and other hazards?

Answer: For executing its responsibilities under PDD-39 and the CONPLAN, FEMA developed a template for the information the consequence management community would need from intelligence and law enforcement to develop a response to a terrorist threat. Essentially, this involves what, where, when, and how, as well as an estimate of the intelligence and law enforcement communities' confidence in the information.

In an environment with multiple terrorist threats and vulnerabilities, there must be some means of prioritizing among them. The terrorist threat, while the primary concern of the Department, must also be balanced against other risks and hazards facing states and locals. FEMA's Mitigation Division maintains substantial information on natural hazards vulnerabilities, working in partnership with other agencies.

FEMA has coordinated closely with ODP in the development of its fiscal year 2003 State Domestic Preparedness Program assessment documentation and has participated in the regional workshops. FEMA is also working closely with UDP on the development of the National Preparedness Goal under HSPD-8.

Question 29: When does EP&R expect to receive sufficient threat information from other DHS components, such as the IAIP Directorate, to begin tailoring grant programs to the areas of highest threats and vulnerabilities?

Answer: DHS has decided to consolidate most grant programs in the Office for Domestic Preparedness (ODP), which will need to work with IAIP and the Office for State and Local Government Coordination to determine how to tailor the grants to the highest risk and vulnerabilities in the nation.

Chemical Attack Preparedness

Member Comment: On June 4, 2003, The Washington Post reported that the United States remains highly vulnerable to a chemical terrorist attack ("Readiness for Chemical Attack Criticized," page A11), in large part because the Department of Health and Human Services and the Environmental Protection Agency still have not decided which agency would spearhead chemical testing. The article further stated that a spokesman at the Department of Homeland Security said he was unable to answer questions regarding the threat of chemical agents and chemical testing capabilities in the country.

Question 30: What organization in DHS is working with state and local governments to ensure that their response plans include procedures and identify laboratory facilities for chemical agent testing? What standards is DHS using to measure state and local preparedness for terrorist attacks using (or accidental releases of) chemical agents?

Answer: DHS, through the Information Analysis and Infrastructure Protection Directorate and the other components of the Department, has asked jurisdictions to prepare for nerve agents, blister agents, choking agents, vomiting agents, incapacitants, and tear agents by utilizing a cache of equipment and pharmaceuticals purchased through MMRS funds to treat up to 1,000 victims. Jurisdictions are required to include planning for receipt and distribution of the Strategic National Stockpile. The response plan to manage the health consequences of an incident resulting from the use of CBRNE agents will include components to detect and identify the weapon material or agent, extract victims, administer the appropriate antidote, decontaminate victims and triage them, and provide primary care prior to their transportation to a definitive medical care facility. The plan calls for emergency medical transportation of patients to hospitals or to pre offsite treatment facilities, as well as for emergency and inpatient services in hospitals that have the capacity and capability to provide the definitive medical care required, including the management of patients without prior field treatment/screening or decontamination.

Furthermore, through HSPD-8, additional goals and standards will be developed in conjunction with the implementation of the National Preparedness Goal.

Question 31: Are you aware of this dispute between HHS and EPA, and is DHS working to resolve this issue? In the event of a chemical attack, what agency would DHS utilize to provide analysis of the agent(s)?

Answer: In the event of a chemical attack by terrorists, DHS/FEMA would use the current Federal Response Plan (National Response Plan) organizational structure to assign the task of analyzing chemical agents. DHS would consult HHS and EPA, as the respective leads for ESF-8 and-10, on the best course of action. As the overall coordinator for terrorism responses, DHS would facilitate technical disagreements raised by the two agencies. EPA is the Primary Agency for ESF-10 Haz-

ardous Materials. Thus FEMA could issue a mission assignment to EPA to provide an analysis of the agent(s) in question. EPA, as Primary Agency for ESF-10, would work with other ESF-10-Support Agencies to accomplish the task, including HHS, DHS, U.S. Coast Guard, Department of Defense (DoD), and others. The Federal Bureau of Investigation (FBI) would conduct the criminal investigation aspect of the Federal response, and thus could directly task another Federal agency to identify and assess a chemical agent.

To ensure that the country has adequate chemical analysis capability for clinical and environmental samples during a chemical attack, DHS's Science and Technology Directorate is leading an inter-agency working group with primary participation from HHS, EPA, and the FBI. During initial meetings, HHS and EPA identified problems in the ESF-10 coordination, which was highlighted during the past events. EPA has the capacity for the analysis of Toxic Industrial Chemicals but not chemical warfare agents in environmental samples, which need special handling precautions and facilities. HHS does have capacity to analyze a limited volume of clinical samples during an attack. Therefore, these agencies along with others would rely on the same few select contract and DoD laboratories to provide chemical analysis in the event a warfare agent is used. The FBI also utilizes these laboratories for forensic analysis. If the attack remains limited in scope, then these laboratories could process the number of samples generated for human health and environmental risk assessment along with needed forensics capability.

The inter-agency working group is drafting a coordination committee plan for sampling, analysis and data reduction during a chemical attack to ensure that the proper number and types of samples are collected, analyzed, and reported for all agencies participating in the response. DHS would chair this committee during a chemical attack with input from top-level subject matter experts from each respective agency. The group is also conducting a survey of the entire Federal, including contract laboratory, capability that could be used during an attack to determine how much additional capability would be needed for large chemical attacks. These measures will determine which laboratories can be used and how much additional laboratory capability needs to be established for the preparation of a chemical attack.

Disaster Relief Fund

Question 32: What is the current funding balance of the Disaster Relief Fund? Please provide the Committee with a detailed accounting of all fiscal year 2003 Disaster Relief Fund obligations, to include specific amounts, dates, and purposes for which the funds were obligated.

Answer: As of March 17, 2004, the Disaster Relief Fund (DRF) unobligated balance was \$1,889,237,000. Enclosed is an Excel chart that identifies fiscal year 2003 DRF obligations for declarations for major disasters, emergencies, and fire management assistance (citing the declaration dates); DRF funding for the repetitive loss and map modernizations programs; Office of Inspector General reimbursements; and FEMA administrative and surge activities. DRF funds are obligated as needed throughout the fiscal year.

[This chart is maintained in the Committee Files]

Question 33: Given historical trends and your own analysis, do you have enough unobligated funds to respond to and recover from major disasters and emergencies for the remainder of fiscal year 2003, or will the administration request a supplemental appropriation? If a supplemental is requested, when could that request be expected?

Answer: Based on the funding needs for fiscal year 2003, the Administration, at the request of the Department of Homeland Security, requested an fiscal year 2003 supplemental for the DRF. Congress appropriated supplemental funding in the amount of \$983,600,000 on August 1, 2003. In addition, Congress approved a supplemental for \$441,700,000 signed on September 30, 2003.

Emergency Management Performance Grant (EMPG) Program

Member Comment: The National Emergency Management Association (NEMA) describes EMPG grants as the backbone of the nation's emergency management system, because it is the only source of direct Federal funding to state and local governments for emergency management capacity-building. In fiscal year 2003, EMPG received a \$29.9 million increase—for a total of \$165 million—after over ten years of straight-lined funding. NEMA believes continued funding increases are necessary to meet increased state and local commitments, because funding has not kept pace with inflation or with increasing demand. The increased flexibility of EMPG is offset by overall program funding shortfalls, estimated in a 2002 NEMA study to be \$117.8 million.

Question 34: Both the International Association of Emergency Managers (IAEM), representing local governments, and NEMA, representing state governments, have identified EMPG needs totaling approximately \$300 million per fiscal year. What

analyses, if any, has DHS/EP&R conducted to determine the needs of the state and local emergency management community?

Answer: To help determine and target assistance to areas of greatest common need, FEMA is funding and sponsoring assessments of state-level emergency management capability against a common set of voluntary standards. All 56 state and state-level jurisdictions are expected to participate in this program, slated for completion in fiscal year 2005. FEMA also publishes and distributes Local and Tribal Capacity Assessment for Readiness (CAR) self-assessment tools that local jurisdictions and tribes can use, on a voluntary basis, to determine their areas of need within an emergency management context.

Question 35: How does DHS propose that states and localities plan, train, and exercise for—and respond to—acts of terrorism without sufficient, experienced professional staff?

Answer: The Administration has proposed that it is the responsibility of states and localities to provide funding for staff. The Federal Government's responsibilities lie more in providing guidance and resources for planning, training, and exercises.

Homeland Security Presidential Directive-5 (HSPD-5)/Management of Domestic Incidents. National Response Plan

Member Comment: Under the Homeland Security Act of 2002, EP&R is responsible for "consolidating existing Federal Government emergency response plans into a single, coordinated national response plan." This national response plan (NRP) effort is described by HSPD-5, "Management of Domestic Incidents." According to a June 3, 2003, DHS briefing for state and local association representatives, EP&R is not managing the plan revision process. This process is being managed by a DHS task force, headed by Admiral Loy (the Administrator of the Transportation Security Administration), where EP&R only provides input to the process.

Question 36: Why is the development of the National Response Plan being managed by a Task Force, headed by the TSA Administrator? What was DHS's rationale for assigning this responsibility to another component of the Department rather than EP&R?

Answer: The development of the NRP is being led by a Special Assistant to Secretary Ridge. The decision was made to place the leadership of the effort in the Secretary's immediate office to give it the appropriate level of attention, visibility and direct access to the Secretary. This decision reflects the criticality of the NRP development effort. The NRP core writing team includes cross-component representation within DHS, to include EPR, BTS, USCG, S&L Coordination Office, and ODP. The cross-component representation is integral to the broadened scope of the NRP document to include a full spectrum of incident management domains: prevention, preparedness, response, and recovery. The NRP builds upon the best practices of existing Federal plans, consolidating them into a single document. DHS EPR is fully engaged in the development of this very important effort.

Question 37: How are state and local governments involved in the National Response Plan development process? How do EP&R and other DHS organizations intend to use the NRP to integrate into state and local response systems?

Answer: A conference was convened the week of August 11, 2003, to solicit additional comments and input from Federal, state, and local officials to help with the further development of the NRP and the National Incident Management System (NIMS). Representatives from 12 Federal agencies, the International Association for Emergency Managers, and National Emergency Management Association, as well as other representatives from the fire, police, and emergency management communities attended the conference. A similar conference to solicit input on NIMS was convened the week of November 17, 2003.

The collective input and guidance from all of the homeland security partners—state, territorial, local, tribal and Federal—has been and will continue to be vital to the development of an effective and comprehensive NRP and NIMS. [Source: Secretary Ridge's memo promulgating the Initial NRP, September 30, 2003]

Additionally, FEMA's United States Fire Administration, in addition to providing incident management training (including training on the NIMS and the NRP) for all first responder agencies, is developing Incident Management Teams (IMT5) at the local, regional and state levels. These IMTs would be trained in ICS, NIMS, and the NRP, and would provide a smooth interface with Federal resources under the NRIP.

Comment: In his May 20 and 22 prepared testimony before the Committee, Secretary Ridge stated, "To improve on-site management of Federal assets in the immediate aftermath of an incident, EP&R initiated plans for the rapid deployment of DHS Incident Management Teams." He further testified that, "To significantly strengthen DHS emergency response capabilities, EP&R began incorporating Domestic Emergency Support Teams, Nuclear Incident Response Teams, the National

Disaster M and the Strategic National Stockpile into its planning and response capabilities.”

Question 38: Which DHS component organization, and associated budget account, is funding the NRP and National Incident Management System (NIMS) planning processes? What are the costs to date for this program, and what are the total expected costs for fiscal year 2003 and beyond?

Answer: To date, costs directly associated with the NIMS planning process have been less than \$1 million. This was funded from DHS's Departmental Operations funding. Immediate future planning costs are expected to be less than another \$750,000. The source of this funding has not been determined. Costs do not include costs for government employee time spent on the project.

Question 39: Both of these initiatives are characterized as being the “planning” stage. When will the Incident Management Teams be fully operational, and what DHS component agencies (and other Federal agencies) will be included on the Incident Management Teams?

Answer: The Incident Management Team (IMT) concept involves eventually standing up four fully functional, self contained, rapid deployment teams that would consist of 10–12 members each. The IMT would form the core on-scene management component of the Federal disaster response capability interfacing with the state/local Incident Commander. Various options on where these teams will be placed, who will be assigned to the teams, and how they will be used are still under development. The IMTs have not been fielded yet but are an important aspect of FEMA's implementation of Homeland Security Presidential Directive (HSPD)–5. Plans are to staff, train, and equip the teams as resources permit over the next year.

Question 40: Is the planning for Incident Management Teams being coordinated with the development of the National Response Plan, and if so, how is it being coordinated? Similarly, when will all of the DHS's response resources be fully incorporated into the National Response Plan?

Answer: In accordance with HSPD–5 concerning management of domestic incidents, DHS has initiated the development of a National Response Plan (NRP) that integrates Federal domestic prevention, preparedness, response, and recovery plans into one all-discipline, all-hazards plan, including catastrophic incidents. The fully developed NRP will set forth the structures and mechanisms for providing national-level policy and operational direction to support state and local incident managers, and for exercising direct Federal authorities and responsibilities.

Currently the Department has a full range of response resources, to support and supplement state, local, voluntary, and private response capabilities that can be activated through the existing Interim National Response Plan. Some of these include:

- Strategic National Stockpile
- Mobile Emergency Response Support communications, teams, and equipment
- Emergency Response Teams
- Nuclear Incident Response Teams
- Urban Search and Rescue Task Forces
- National Disaster Disaster Medical System
- Logistics Centers

Additional resources would be requested from other Federal agencies (e.g., Environmental Protection Agency, Department of Transportation, Federal Protective Service, and Department of Defense), as required.

The current Fed Response Plan remains functional, as modified by the Initial NRP. All DHS Federal response assets will be integrated under the NRP once it is finalized. To optimize use of all available resources and to ensure consistent and timely allocation, the Department will work closely with the affected states in identifying the greatest needs and most effective strategies for resource allocation. Efforts will be made to facilitate the use of interstate mutual aid, taking advantage of all available resources. When requests exceed available Federal resources, the interagency Catastrophic Disaster Response Group will be convened to prioritize resource allocations to meet critical needs.

By consolidating response plans for various types of incidents into one coordinated and consolidated NRP, the Department will be able to provide a streamlined approach to incident management for the state and local responders.

The Incident Management Teams, now named the Federal Initial Response Support Team (FIRST) by the NRP, will be fully incorporated into the incident command structure of the NRP/NIMS. These teams will act as the core, field-level response for major disasters, emergencies or acts of terrorism.

Citizen Preparedness, Citizen Corps, and “Ready.GOV”

Member Comment: In his May 20 and 22 prepared testimony before the Committee, Secretary Ridge stated, “Citizen Corps signed a partnership with the U.S. Junior Chamber (Jaycees) to raise public awareness about emergency preparedness,

first aid, disaster response training and volunteer service. Citizen Corps initiated a partnership with the National Volunteer Fire Council (NVFC) to work together to raise public awareness about emergency preparedness, fire hazards, volunteer service programs and the development of fire safety training. Citizen Corps has added 15 additional states and territories and 266 local governments to the Citizen Corps Council roster. This brings the total of Citizen Corps Councils to 43 and 524 respectively.”

Question 41: When will the Jaycees and the NVFC public awareness campaigns be completed, and how will they be implemented?

Answer: The Jaycees and the NVFC public awareness campaigns are ongoing, and they are implemented through the many activities and marketing tools available to them. The Jaycees and the NVFC are 2 of 12 Affiliate organizations that are part of Citizen Corps through the National Affiliate program.

Citizen Corps is a national initiative that reaches out to four main sectors to create a community-based movement to raise public awareness, provide preparedness training, and foster volunteer opportunities in support of the local first responders. The four main sectors are:

- (1) The National Citizen Corps Council. These are national organizations that advance the mission of first responder-citizen preparedness. Each of the Citizen Corps charter partners (i.e., FEMA, Department of Justice, and the Department of Health and Human Services) works with its respective national groups to promote the Citizen Corps mission.
- (2) National Affiliates. These are national not-for-profit organizations that provide resources and materials for public education or training, offer volunteer service opportunities, and represent volunteers with an interest in homeland security.
- (3) Other government organizations. These, too, are part of the National Affiliates, and they focus on bringing other government resources into the mix.
- (4) Private partnerships. These are corporations and other private sector entities that are seeking ways to support state- or community-level Citizen Corps efforts.

By creating networks and partnerships with each of these major groups, Citizen Corps seeks to prepare for all hazards including crime, public health issues, and other medical emergencies. To date, 50 governors of the 56 states and territories have formalized statewide Citizen Corps Councils and more than 700 local governments have formed Councils at either the city, county, or regional level. Approximately 75 new councils are being formed each month.

In addition to the Jaycees and the NVFC, other Affiliates are: American Safety & Health Institute, Civil Air Patrol, Department of Education, Environmental Protection Agency, National Crime Prevention Council, National Oceanic and Atmospheric Administration, Veterans of Foreign Wars, the National Fire Protection Association, the Save A Life Foundation, the National Voluntary Organizations Active in Disaster, the Points of Light Foundation, the National Safety Council, the American Radio Relay League, and the American Red Cross. Since these groups have strong local community presence, they become part of Citizen Corps Councils and promote Citizen Corps programs such as Volunteers in Police Service, Medical Reserve Corps, Community Emergency Response Training, Neighborhood Watch, and others.

Question 42: What are the goals of these campaigns, and how will their success be measured?

Answer: Listed below are the goals of the Agreements signed by both organizations.

Together DHS and the Jaycees agree to work in collaborative partnership to:

- Raise public awareness about appropriate actions to take regarding emergency preparedness, first aid and disaster response training, and volunteer service
- Promote the formation of local Citizen Corps Councils through local Jaycee chapter participation and assist these Councils with implementing the programs and practices associated with Citizen Corps
- Provide volunteer service opportunities that support first responders, disaster relief organizations, and community safety efforts

Publicly acknowledge the affiliation of Citizen Corps and the Jaycees, which may include website links, co-logos on publications, and references in printed materials, including articles and news releases

- Coordinate their respective activities to further their shared mission
- Keep each other informed of activities conducted in support of Citizen Corps and provide an annual report summarizing those activities

Together DHS and the NVFC agree to work in collaborative partnership to:

- Raise public awareness about fire hazards and actions that can reduce vulnerability through the national, state, and local Citizen Corps Councils
- Encourage communities to further develop fire safety training, volunteer service programs, and education initiatives with support from local Citizen Corps Councils;
- Publicly acknowledge the affiliation of Citizen Corps and the NVFC, which may include website links, co-logos on publications, and references in printed materials;
- Coordinate their respective activities at a level that furthers their shared mission; and
- Keep each other informed of activities conducted in support of Citizen Corps and to provide an annual report summarizing those activities.

Examples of how the Jaycees are involved include the following:

In May 2003, many of the Jaycees State Presidents visited with members of Congress. They offered to coordinate Town Hall meetings that would focus on homeland security, preparedness, and Citizen Corps.

Recently, in Boone County, Kentucky, a Citizen Corps Council was formed after the local Jaycees chapter initially approached the county's Emergency Management office about starting the Council.

The Jaycees coordinated the "Volunteer Orientation" that was featured on national TV affiliates and that recruited more than 150 people for the various Citizen Corps programs.

The Jaycees plan to focus on working with local government leaders to start or sustain Councils.

The NVFC, representing the nation's volunteer fire, EMS, and rescue personnel, has launched a nationwide recruitment campaign in an effort to boost the ranks in volunteer fire service. The 1-800-FIRE-LINE is a toll free number that links interested citizens with emergency opportunities in their community. Publicity materials have also been developed. Schools and libraries can receive a video about opportunities and the 1-800-FIRE-LINE program.

Question 43: How much has the "Get Ready" and the "Ready.GOV" public relations campaign cost the Department and to what effect?

Answer: The campaign has been made possible through a \$3 million grant from the Alfred P. Sloan Foundation to the Ad Council. DHS spent approximately \$150,000 on printing a trifold brochure in support of the campaign.

The campaign has had the most successful launch in Ad Council history. The website has received 1.5 billion hits and 17 million unique visitors. Approximately 2.7 million brochures have been downloaded from the website and an additional 144,000 brochures have been requested through the campaign's toll-free number. The Ad Council estimates that roughly 113 million people have heard or read about the Ready Campaign through public relations outreach. Donated media to the Campaign is estimated to be valued at \$100 million.

A Spanish outreach campaign, also funded through the Sloan Foundation, will launch in December 2003, though the Spanish website and Spanish brochure will be available sooner.

Question 44: How exactly has Citizen Corps enhanced the preparedness of state and local governments? What activities are being executed by Citizen Corps Councils, and how are these activities enhancing the programs that fall under the Citizen Corps umbrella?

Answer: The Citizen Corps mission is to have every American participate in homeland security through community-based activities in preparedness, training, and volunteer support to first responders. As of August 20, 2003, a total of 50 states and territories have formalized statewide Citizen Corps Councils, and more than 700 local Citizen Corps Councils have been formed. Citizen Corps Councils help drive local citizen participation by coordinating Citizen Corps Programs, developing community action plans, assessing possible threats, and identifying local resources. The four Federal programs under the Citizen Corps umbrella include FEMA's Community Emergency Response Team Program, HHS' Medical Reserve Corps Program, DOJ's Neighborhood Watch Program, and the Volunteers in Policy Service program.

Citizen Corps has 16 Affiliate partnerships, Citizen Corps Affiliate Programs, and Organizations offer communities resources for public education, outreach, and training; represent volunteers interested in helping to make their communities safer; or offer volunteer service opportunities to support first responders, disaster relief activities, and community safety efforts. Citizen Corps Affiliates include the:

- American Radio Relay League
- American Red Cross
- American Safety & Health Institute
- Civil Air Patrol
- Department of Education's Office of Safe and Drug Free Schools
- Environmental Protection Agency

- National Crime Prevention Council
- National Fire Protection Association
- National Oceanic and Atmospheric Administration
- Natiom
- National Volunteer Fire Council
- National Voluntary Organizations Active in Disaster
- Points of Light Foundation and the Volunteer Center National Network
- Save A Life Foundation
- United States Junior Chamber (Jaycees)
- Veterans of Foreign Wars

Following are some of the activities that State and local councils have conducted:
Response to Emergencies:

- Washington State Community Emergency Response Teams (CERT) were called out to assist in sandbagging during unexpected flash floods.
- The Republic, Missouri, Emergency Management Agency 911 crew, consisting of teenagers, assisted with tornado damage in an adjoining county.

The City of Batavia Council in Illinois has had tornado spotters out during 14 storm watches.

- In Johnson County, Kansas, CERT team members have responded to tornado and ice storm damage.
- In Republic, Missouri, a 911 crew was created to assist the city in disaster response. One area they support is the city's storm shelter.

Emergency Alert System Plans:

- Melrose, Massachusetts, alert level designations are prominently displayed in City Hall. A distinctive note is posted giving the current level along with appropriate bulletins.

- Mississippi County, Arkansas, Citizen Corps Council alert plan calls for e-mail communications to inform council members of the changes, and refers them to the appropriate section in the plan.

- Catalina, California, Citizen Corps Council/Golder Ranch Fire Dept is developing a communications system/database that uses a variety of means of emergency communication, including local cable, radio, television, and telephone trees.

- The Mississippi County Council in Arkansas is working to expand the RACES/Skywarn program to provide severe weather and damage assessment information and has developed plans to respond to the National Alert System.

- The Cortlandt Council in New York has developed internal-use, e-mail notification action plans for government response to yellow, orange, and red alerts. It has also developed a local first responder resource manual.

- The Hays County Council in Texas has plans to establish a public service FM radio station to assist with emergency communications.

Participation in Emergency Training Exercises:

- California's Fresno Citizen Corps Council members were all invited to be observers and/or participants in the multi-agency disaster exercise on May 1, 2003.

- Wichita County, Texas, Citizen Corps Council/Local Emergency Planning Committee members observed and participated in a Conoco-Phillips Incident Command exercise that demonstrated how they would handle spill situations and what resources would be needed from the local community.

- Pierce County in Washington had more than 200 volunteers perform in TOPOFF II as terrorists and victims.

- The City of Batavia, Illinois, Council set up and ran the citywide Emergency Operations Center during TOPOFF II.

- The Capital Area Citizen Corps Council in Florida works with county emergency management to facilitate multi-agency smallpox tabletop exercises.

Biological, Chemical, and Medical Hazard Mitigation Programs:

- Catalina, California, CCC/Northwest Community Hospital has an in-place plan covering almost every aspect of emergency response, including patient evacuation, space isolation, and coordination with other medical facilities, emergency systems, etc.

- The Fresno, California, Citizen Corps Council has two committees surveying 650 houses of worship to determine the nature and scope of human and physical resources that could be made available in the event of a major disaster.

- The Mississippi County Council in Arkansas participated in the development of a smallpox response plan.

- The Michigan City and LaPorte County Councils in Indiana have assisted with smallpox inoculations.

- The Melrose Council in Massachusetts has medically trained volunteers who assist in mass inoculations, including local flu vaccinations.

Emergency response training:

- The Citizen Corps Council of Southern Arizona has brought the CERT training under the organizational umbrella of Pima Community College, with collaboration of the county and MMRS and will train 1000 by the end of the year.
- Ashtabula County, Ohio, Citizen Corps plans to bring the Shelter in Place and Master of Disaster programs to the local schools.
- The Sierra County, New Mexico, Citizen Corps with the Sierra County Evacuation Committee will hold Evacuation and Self-preparedness training in senior housing centers and meal sites (where it has been identified that special needs evacuations are needed) to be made aware of how to shelter in place or evacuate safely.
- Most Citizen Corps Councils offer CERT training.
- Many Citizen Corps Councils offer First Aid and CPR training to residents in addition to CERT.

Question 45: What is the relationship between the Citizen Corps Councils and the Local Emergency Planning Committees (LEPC), community-based emergency planning organizations that have existed since 1986? Aren't many of the Citizen Corps Council and LEPC activities duplicative?

Answer: Citizen Corps Councils are all about working with resources that communities already have. Communities are strongly encouraged not to “re-invent the wheel” and to use what they have to make this concept work. For example, most state and local governments have tapped into their existing homeland security task forces and added a Citizen Corps Committee; others have tapped into their emergency management committees or Local Emergency Planning Committees (LEPCs) and have added a volunteer/citizen participation component to these existing groups.

Many of the 700 local councils are LEPCs. To recognize this partnership and encourage the best use of limited resources at the local levels, DHS entered into a formal agreement with the Environmental Protection Agency (EPA), which has responsibility for the LEPCs. The July 2003 Agreement states the following partnership commitment:

- Together, DHS and EPA agree to work in collaborative partnership to:
- Encourage LEPCs to serve as the nucleus for local Citizen Corps Councils or to form a collaborative partnership with Citizen Corps Councils, as appropriate
 - Promote mutual collaboration between SERCs and State Citizen Corps Councils
 - Pursue an all-hazards approach to community and family safety
 - Publicly acknowledge the affiliation of Citizen Corps and EPA, which may include website links, co-logos on publications, and references in printed materials, including articles and news releases
 - Coordinate their respective activities to further their shared mission
 - Keep each other informed of activities conducted in support of Citizen Corps and to provide an annual report summarizing those activities

