

**THE NATIONAL TRAINING PROGRAM:  
IS ANTI-TERRORISM TRAINING FOR FIRST  
RESPONDERS EFFICIENT AND EFFECTIVE?**

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**JOINT HEARING**

BEFORE THE

SUBCOMMITTEE ON EMERGENCY  
PREPAREDNESS, SCIENCE,  
AND TECHNOLOGY

WITH THE

SUBCOMMITTEE ON MANAGEMENT,  
INTEGRATION, AND OVERSIGHT

OF THE

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**THE NATIONAL TRAINING PROGRAM:  
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RESPONDERS EFFICIENT AND EFFECTIVE?**

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**Thursday, June 23, 2005**

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON HOMELAND SECURITY,  
SUBCOMMITTEE ON EMERGENCY PREPAREDNESS,  
SCIENCE, AND TECHNOLOGY,  
WITH THE  
SUBCOMMITTEE ON MANAGEMENT, INTEGRATION,  
AND OVERSIGHT,  
*Washington, DC.*

The subcommittee met, pursuant to call, at 10:04 a.m., in Room 2118, Rayburn House Office Building, Hon. Peter King [chairman of the subcommittee] presiding.

Present: Representatives King, Linder, Shays, Cox, Rogers, Pearce, Simmons, Davis, Dent, McCaul, Reichert, Pascrell, Meek, Thompson, Dicks, Norton, Jackson-Lee, Christensen, and Etheridge.

Mr. KING. [Presiding.] The Subcommittee on Emergency Preparedness, Science and Technology and the Subcommittee on Management, Integration and Oversight will come to order. The subcommittees are meeting today in joint session to hear testimony on the efficiency and effectiveness of the national training programs and terrorism training for first responders.

Before we start, I would like to commend Bill Pascrell, the Ranking Member of the Subcommittee on Emergency Preparedness and Mike Rogers and Kendrick Meek, the Chairman and Ranking Member, respectively, of the Subcommittee on Management, Integration and Oversight for their leadership on homeland security issues. Let me again pay a special debt of thanks to my Ranking Member, Bill Pascrell, who has really gone out of his way to make sure this is a bipartisan, common effort as we work toward securing our homeland security.

I especially want to thank them for the willingness to hold a joint hearing to examine the effectiveness of the Department of Homeland Security's terrorism preparedness and training for first responders.

Without a doubt, effective antiterrorism training is essential to success in the war on terror. It is simply imperative that our nation's first responders, both public and private, learn to mesh the skills necessary to prevent, to prepare for and respond to and recover from acts of terrorism, especially those involving weapons of

mass destruction. Training first responders, estimated to number over three million, will be a major feat. At a minimum, these first responders need to learn new antiterrorism protocols, procedures and nomenclature.

In March 2004, for example, the Secretary of Homeland Security released a national incident management system, NIMS as it is commonly referred to, to establish standardized processes and procedures that first responders at all levels of government must use during emergencies involving multiple jurisdictions. To be effective, every first responder at all levels of government must learn a common language and set of procedures. If training every first responder with respect to NIMS isn't daunting enough, how about training every first responder to use state-of-the-art radiological protection equipment, decontamination tanks, fire hazard suits, and other homeland security technologies.

To address these and other daunting challenges, the Homeland Security Act and the President's Homeland Security Directive 8 gave the Office of Domestic Preparedness, ODP, responsibility for coordinating federal terrorism preparedness training of first responders. Again, this is no easy task. Besides ODP, other components of the Department of Homeland Security such as the Federal Emergency Management Agency and other federal departments and agencies, including the Departments of Defense, Health and Human Services and Justice offer first responder training courses. Is ODP effectively coordinating such training both inside and outside the departments? Presumably, with so many courses, there must be duplication and redundancy. What is ODP doing, if anything, about this problem?

To further complicate this already complicated situation, many state and local governments, academic institutions and professional organizations also provide training to first responders. Because of this fact, ODP has entered into strategic partnerships and cooperative agreements with several of these training entities. Several of our witnesses can shed light on these relationships and these partnership agreements. Are the state and local academic and professional training entities working with ODP to sufficiently utilize their expertise? Is the current national training program training enough responders in a timely manner? If not, why and what can be done about it?

So I want to thank the witnesses for being here today. I will now recognize the gentleman from New Jersey, the Ranking Member, Mr. Pascrell.

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

The mission of the Department of Homeland Security to secure the nation from acts of terror obviously gives it primary federal jurisdiction for providing counterterrorism training to federal, state and local emergency responders. This is serious business. But the fact remains that training programs are varied and dispersed across the federal realm. Numerous federal agencies, among which are the Departments of Defense, Health and Human Services, Justice and Transportation all maintain terrorism training for state and local personnel. Does this result in a confusing terrain for first responders? Well, it results in a confusing terrain for us. That does not say that first responders are confused.

Is there potential redundancy in the patchwork of programs that exist? And are there diverging concentrations and variable competencies in the courses given? The National Strategy for Homeland Security issued in July 2002 states that the nation must develop interconnected and complementary homeland security systems that are reinforcing, rather than duplicative, and that ensure essential requirements are met.

So thank you, Chairman King and Chairman Rogers, for holding the hearing on this critical issue. Today's hearing is the beginning of a comprehensive review by our subcommittee on the nation's varied first responder training programs. We will explore whether these programs are at time duplicative in nature; whether there exists a lack of coordination and possible redundancy; and ultimately if the programs are really a truly effective tool for emergency responders and personnel.

We all know that our first responders, the firefighters, the law enforcement, EMS providers, are the first ones to arrive at the scene of any major incident and they are the last ones to leave, the last ones to leave. Have we met this necessary threshold that I spoke of a few moments ago? The current system of training may not be the best model for this goal.

Today, we will hear from actual first responders and training providers at the state and local level. It is fitting that we have actual first responders before us today. I compliment our Chairman, and I say this in back of him as well as in front of him, because we have committed ourselves, this subcommittee, to listen to the first responders first before we act. I think that is critical, Mr. Chairman. We cannot have a top-heavy situation here because we will blow it in the Congress, no question about it. We will waste a lot of money doing it.

I want to take a moment to publicly acknowledge Commissioner Kelly for the fine work he has done in New York City and for all the courtesies, Commissioner, you extended to our team when we came there for the day-long program in New York City. First, I want to thank you. We all understand that a vast array of vulnerabilities exist on our soil. You have spoken to that many times and about that many times. To simply put it, our first responders need to receive the proper training to respond to any and all possible disaster.

Earlier this year, the committee approved legislation to speed up the flow of funding to local first responders and ensure that funding is targeted to those communities most at risk.

So Mr. Chairman, thank you for having the hearing. I am anxious to hear from our witness.

Mr. KING. Thank you, Mr. Pascrell.

The gentleman from Alabama, Chairman of the Subcommittee on Management, Integration and Oversight.

Mr. ROGERS. Thank you, Chairman King.

First of all, I would like to join in welcoming our witnesses and thank them for taking time out of their busy schedules to be here today.

Second, Mr. Chairman, I would like to say I appreciate the opportunity to join you in co-chairing this series of hearings in this

subcommittee and the Subcommittee on Management, Integration and Oversight.

Today, we will hear from some of the leading providers of terrorism preparedness training for first responders. We will discuss the effectiveness of Federal counterterrorism training programs and also hopefully discuss ideas as to how we can improve these programs.

At our next meeting, we hope to talk with federal training officials themselves and learn more about their ongoing efforts to meet our growing training needs. The issue of first responder training is of special interest to me. In my home town of Anniston, Alabama we have the Center for Domestic Preparedness, or CDP, which is operated by the Department of Homeland Security. This important facility is one of the nation's leading all-hazards training centers for dealing with weapons of mass destruction.

Unlike many other training facilities, CDP provides first responders with hands-on specialized training, including the use of live agent chemical training. CDP is also a member of the National Domestic Preparedness Consortium. I am pleased to see one of CDP's partners from the New Mexico Institute of Mining and Technology is with us today.

Just down the road from the CDP is the Noble Training Center. This facility is also operated by DHS and is the only facility in the United States dedicated to training professionals to respond to natural disasters and acts of terrorism. The Noble Training Center trains approximately 3,000 professionals each year in subjects including radiological incidents, emergency response and disaster preparedness. We need to ensure that vital training centers such as the CDP and Noble have the support they need from Washington.

At the same time, it is important that we coordinate these training programs to safeguard taxpayer dollars. Many Federal departments and agencies provide counterterrorism training programs. The Department of Homeland Security alone has at least five agencies that provide training. According to the Congressional Research Service, some of these training programs cover the same subject matter. This situation raises a number of management coordination issues which we hope to address today.

I also hope we will hear from witnesses as to their views regarding the Department's training and what more DHS can do to improve the coordination and delivery of these programs.

I thank you, Mr. Chairman, and yield back.

Mr. KING. Thank you, Chairman Rogers.

The gentleman from Florida, Mr. Meek.

Mr. MEEK. Thank you, Mr. Chairman.

I want to thank our witnesses also for being here, and my colleagues for their leadership in having this important joint meeting.

I will be very brief in my opening statement because I believe that it is important that we hear from these first responders.

I would ask all of our panelists, including panel I and panel II, to be as truthful and blunt as possible to tell us what we need to know versus what we may want to hear as it relates to our efforts to make sure you first responders get trained. The Management, Integration and Oversight Subcommittee is for the first time in the



history of the House, compared to the last session, in a standing committee to make sure that we are hitting the bull's eye or close to bull's eye every time we are using federal dollars and making sure the department has both the motivation and the direction it needs to make sure that we protect every American and make sure every first responder has the equipment and training that they need to carry out their mission.

So I look forward to hearing your testimony. I look forward to the members asking questions and your response to them to the best of your ability, to help us move in the direction we need to move in. We most appreciate it.

Mr. Chairman, I will enter my opening statement and any additional comments for the record.

PREPARED OPENING STATEMENT OF THE HONORABLE KENDRICK MEEK, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA, AND RANKING MEMBER, SUBCOMMITTEE ON MANAGEMENT, INTEGRATION, AND OVERSIGHT

In this joint hearing of the Management, Integration and Oversight, and the Emergency Preparedness Subcommittees, I want to thank both Chairman Rogers and Chairman King, for calling today's hearing to look at the effectiveness and efficiency of first responder training programs administered and funded by the Department of Homeland Security.

Fire, law enforcement, and emergency medical teams could easily find themselves on the front lines after a terrorist incident. They need and deserve the most effective and comprehensive training that the government can give them. We need to make sure that the kind of training they receive before an incident will allow them to save lives, restore calm, and reduce losses. I know that in Florida, first responders are an important part of holding together communities in the wake of natural disasters.

I also know it is necessary to make sure taxpayer dollars are used in the most effective way possible. In our oversight capacity, we must make sure that the hundreds of millions of dollars spent each year are spent wisely. What are taxpayers getting for their money? Are first responders actually getting the core competencies they need to respond to a terrorist attack?

While the Department of Homeland Security has adopted standards for some types of first responder equipment, it has failed to create rules and regulations that provide the necessary and basic guidance that first responders need to make sure that they are able to operate effectively in the event of a terrorist incident. To carry out its mission of safety and security to this nation, the Department must provide training and support for states and local jurisdictions to prevent, plan for, and respond to terrorism. If the Department fails to give flexible, comprehensive training guidelines to first responders, it can't fulfill that mission.

Therefore, before we begin to discuss possible duplication, overlap or other inefficiencies in current training, we must first ask the basic questions: what kind of training is needed? Where are the millions of taxpayer dollars being spent? Are jurisdictions duplicating efforts? What can be done to streamline training?

I want to thank the witnesses who will testify today. I look forward to hearing from Commissioner Kelly, who will discuss the training models used in New York City. I look forward to hearing from Mr. Edwards and Mr. Reall. These gentlemen can tell us about the training necessary to fulfill their special roles of reducing loss of life and lessening property destruction. And of course, as a former State Trooper, I look forward to hearing from Sheriff McGowan. I look forward to hearing from Mr. Reese of CRS. His work on training programs and the issues raised by federal efforts has provided a roadmap for this Committee.

Again, thank you for calling this hearing and I look forward to working with you to find the best way to meet the important training needs of our first responders.

Mr. KING. Without objection. I thank the gentleman.

The Chairman of the full committee, Mr. Cox.

Mr. COX. Thank you to both Chairmen and both Ranking Members for convening this important hearing.

I would also like to welcome and thank our witnesses for appearing today before this joint subcommittee hearing. Especially I

would like to welcome Ray Kelly, who is already seated before us. He is the Commissioner of the New York City Police Department. He has been and remains very much in the frontlines of the war on terrorism. I cannot think of anyone better prepared to help us address the questions of proper training in our battle with terrorists.

Training is one of the Department of Homeland Security's most important missions. Our nation's first responders at all levels of government need targeted and effective training to develop and hone the specialized skills they need to fulfill their new homeland security responsibilities. Anything less is simply unacceptable.

Training our nation's first responders, however, is an enormous task. There are more than one million firefighters in the country; 800,000 law enforcement officers; and another 840,000 EMTs, emergency medical technicians and paramedics. As a result, when it comes to first responder training, as well as so many other Homeland Security responsibilities, we have to make choices. We have to focus our resources in this case on training those first responders most at risk and on the most significant threats that our populations face.

We also must ensure that to the maximum degree possible, terrorism preparedness training includes the prevention of terrorism. We must never fail to take advantage of opportunities to stop terrorists in the first place, even as we rightfully prepare for the worst. We also must make sure our federal house is in order when it comes to first responder training programs. The Homeland Security Act designates the Office for Domestic Preparedness, now the Office of State and Local Government Coordination and Preparedness, as the primary agency for coordinating federal terrorism preparedness training.

Unfortunately, coordinating federal antiterrorism training for first responders is easier said than done. At least seven federal departments, including the Department of Defense, the Department of Energy, the Department of Health and Human Services and the Department of Transportation offer hundreds of training courses. Even within DHS itself, the Office of State and Local Government Coordination and Preparedness has no monopoly on training. The Directorates for Emergency Preparedness and Response, Information Analysis and Infrastructure Protection, and Border and Transportation Security each train first responders.

This patchwork of programs creates opportunities for duplication, inefficiency and confusion. Even with all of these federal training programs, state and local governments, academic institutions and professional organizations still provide the vast majority of training of first responders, including in partnership with DHS.

I look forward, Mr. Chairman, to hearing the testimony of these training partners today with respect to the Department of Homeland Security's programs. How effective are they? Is the department doing enough to leverage the existing state, regional and local training infrastructure? Does the department certify non-federal training courses in a timely manner? Are we training first responders in the most efficient way possible?

I want to thank all of our witnesses for being with us today. I look forward to your answers to these and other questions about first responder antiterrorism training.

Thank you, Mr. Chairman, and I yield back my time.

Mr. KING. Thank you, Chairman Cox.

The Ranking Member of the full committee, Mr. Thompson from Mississippi.

Mr. THOMPSON. Thank you very much, Mr. King and the Ranking Member.

I would like to welcome our witnesses to the hearing this morning.

I am very pleased that we are holding this hearing today on first responder training programs. So far in Congress, this committee has held hearings on and approved legislation to reform the grantmaking process for first responder homeland security programs. Hopefully, we will soon conference that bill with the Senate and funding will start reaching the local levels where it is needed most. We now have an opportunity to conduct oversight on other aspects of preparing our first responders.

Our nation's first responders, whether they are law enforcement, firefighters or EMS providers, are the first line of defense in the war on terrorism. We must do all we can to ensure that they have the training necessary to prevent, prepare for and respond to acts of terrorism.

Today, we hold the first of two hearings on first responder training programs. As we move forward with our oversight, we must ensure that the current training programs are meeting the needs of our first responders, and that the only way to do that is to listen to the first responder training community. There are several important issues and questions that must be raised about the current composition of our first responder training. We must consider whether existing training programs are as efficient as they should be in order to get the most bang for our buck. We must ensure that the training programs are delivering the training that is needed in the most proficient way possible.

Related to the efficiency is the effectiveness of these training programs. The first responder community has existing training facilities at the state and local level. Our national training programs should utilize these state and local facilities to the maximum extent possible. I am very concerned about the lack of coordination among training programs and providers within DHS, as well as other federal training partners.

A final area of concern that I have is the lack of training standards. The department has adopted several standards for equipment, but none for training. In many cases, these standards exist, but the department has not taken the step of adopting standards for training. Our witnesses today should be able to address these issues and shed light on where there is need for improvement in our national training programs for first responders.

Our first responders must have the best training available, delivered in the most efficient manner possible. It is the least we can do to those who help and put their lives on the line to protect us. I look forward to hearing from all our witnesses.

Thank you, Mr. Chairman. I yield back.

Mr. KING. Thank you, Mr. Thompson.

Other members of the committee are reminded that opening statements may be submitted for the record. We are pleased to have two distinguished panels of witnesses before us today on this topic. Let me remind the witnesses that their entire written statements will appear in the record. We also ask that you strive to limit your testimony to five minutes. We will allow the entire panel to testify before questioning any of the witnesses.

Our first panel today is Ray Kelly, the Commissioner of the New York City Police Department. It is a personal privilege to have Commissioner Kelly here today because I do not think anyone exemplifies the struggle of first responders in the war against terrorism than Commissioner Ray Kelly. Ray Kelly was a combat veteran of Vietnam. He is a retired Colonel in the United States Marine Corps. He was a New York City police officer for more than 30 years. He was Under Secretary of the Treasury. He was Commissioner of Customs. He was Police Commissioner back in the early 1990s and then came back in as Police Commissioner in 2002, the first Police Commissioner in the history of New York to serve two nonconsecutive terms.

Ray Kelly has I believe made the New York City Police Department a model in the fight against terrorism. As Bill Pascrell mentioned, last month the subcommittee went to New York. We spent a good amount of time with Commissioner Kelly both at his headquarters and also at the antiterrorism unit which is set out in one of the outer boroughs which is dedicated to fighting terrorism. I am sure Commissioner Kelly will detail much of this in his opening statement, but it really is I think a model for the rest of the country.

Also if I could mention on a personal note, Commissioner Kelly talks about the fact, actually he does not talk about it, but his resume will list the fact that he has degrees from Manhattan College, St. John's Law School. He has a master's from NYU and a master's from Harvard. What he does not mention is that he and I both attended St. Teresa's Grammar School on 44th Street in Woodside. I think that the Dominican nuns probably taught him a lot more than they taught me, as the Ranking Member just said, obviously.

Also on another personal note, not to overpersonalize this, but my father was a member of the NYPD for over 30 years. He was actually head of the Physical School at the New York Police Academy and one of his trainees was Ray Kelly. Again, both the Dominican nuns and my father taught Ray Kelly a lot better than I was ever taught, which is why he has attained so much.

With that, let me just ask Commissioner Kelly in testifying, thank you for your appearance here today, Ray. It is a pleasure and a privilege. Thank you.

**STATEMENT OF HON. RAYMOND W. KELLY, COMMISSIONER,  
POLICE DEPARTMENT, CITY OF NEW YORK**

Mr. KELLY. Thank you very much, Chairman King, Chairman Cox, Chairman Rogers, members of the subcommittees. Thank you for the opportunity to testify.

I want to also take this opportunity to thank the members who visited New York earlier this month to see first-hand the extensive

counterterrorism training and preparation the Police Department and New York City has undertaken. We greatly appreciated the time each of you spent with us and your constant support of the department's efforts to defend the city. That includes the recent House legislation to distribute future homeland security funding based on risk.

Is national antiterrorism training for first responders efficient and effective? That is the question posed by this hearing. Certainly, that training has benefited the New York City Police Department's counterterrorism programs immensely. With the help of the training and expertise offered by the Department of Homeland Security, we have built up a powerful deterrent to terrorism. That includes sending our officers to the Center for Domestic Preparedness in your district, Chairman Rogers. In fact, they enjoy their time in Anniston quite a bit and we have difficulty getting them back.

Building upon the unmatched size and experience and skill of the department's own workforce, we have also expanded upon the foundation laid with DHS support to establish one of the premier counterterrorism training centers in the nation, in Brooklyn which you visited. In addition to our own corps of over 36,000 police officers, we have delivered training through that center to members of the New York City Fire Department, the Metropolitan Transportation Authority Police Department, the New York State Police, the Nassau, Suffolk, Westchester and Rockland County Police, as well as police departments from Connecticut, Maryland, Minnesota, Virginia and even Canada.

We train members of the U.S. Coast Guard and Park Police. We have brought in dozens of private security professionals from hotels, banks and other institutions to train them in better ways to protect their facilities. In all, over 130,000 training days have been hosted in our regional training center since 2002.

We have also leveraged DHS support to expand the protection of critical infrastructure throughout the region. We have created the Threat Reduction and Infrastructure Protection Program, or TRIPS, as we call it, based upon the DHS model, and applied it to New York. We have divided critical infrastructure in to five categories and assigned a team of detectives to cover each one. These investigators visit facilities throughout the city, identifying vulnerabilities and developing comprehensive protection plans with site managers to prevent attacks.

To help us conduct these assessments, we have enlisted the support of the Cooper Union, one of the foremost schools of engineering in the nation. Its expertise is well known and bomb blast analysis and mitigation strategies. We meet with Cooper Union experts routinely to help ensure that we devise the most secure solutions possible, which we then share with the private sector.

In addition, with DHS support we have trained approximately 12,000 of our officers in more advanced chemical, biological and radiological response. This critical instruction, otherwise known as COBRA Cohort training, was made possible thanks to close collaboration between the department and the Office of Domestic Preparedness. As a result, we were able to take immediate steps to better protect New York City from the imminent threat of a terrorist attack involving weapons of mass destruction.

The department's Regional Training Center, our TRIPS program, and COBRA Cohort training are all prime examples of how we have capitalized on DHS initiatives, adopting and enhancing national training models to fit New York. The result is that New York City has never been better prepared to defend itself from a terrorist attack.

Still, all of our preparations come at a steep price, about \$178 million per year to maintain our daily counterterrorism and intelligence activities. I want to emphasize these are ongoing operational costs to defend the city. In addition, there are the opportunity costs involved in our reassignment of 1,000 police officers to counterterrorism duties. While the federal government provides vital assistance for training, equipment and overtime, we still have huge expenses to cover.

For example, the government allows us to redirect a portion of homeland security funds to offset overtime costs incurred during periods of national orange alert. Last year, there was a total of 111 national orange alert days, an unusually high number, most of which came after the discovery that al-Qa'ida has targeted key U.S. financial institutions. In 2003 by comparison, there were 72 days of orange alert, but for the Police Department protecting a city in the crosshairs like New York is a year-round venture.

Even considering an unusual year like 2004, we were still left with 254 days during which to maintain a high-visibility deterrent, mostly out of our own overtime budget. While today's hearing is focused on training for first responders, I also believe we need to place equal, if not greater, funding emphasis on first preventers. By that, I mean additional resources for the analysts and intelligence operatives who can alert us to a terrorist attack in the making, and also our ongoing operational costs that I mentioned previously.

Last August, the Police Department foiled a plan by hometown Muslim extremists to bomb the Herald Square subway station in midtown Manhattan. We arrested those suspects just a week before the Republican National Convention, with the help of a confidential informant we had developed in the community. We continue to put a lot of resources into the field to protect New York against another attack. In the future, I believe we will require more and better intelligence as we did in the Herald Square case to stop terrorist plots in the making.

The terrorists, too, are working hard to improve their operational capability, and we have to stay ahead of them. Accordingly, we need federal funding to support a comprehensive program of developing investigative skills that includes both analytical and operational personnel, certainly for the larger U.S. cities that are being targeted.

What kind of initiative would this include? As is the case with first responder training, we need the federal government's expertise to train qualified intelligence analysts and investigators for the Police Department. We need support to sharpen our analysts' skills in conducting link analysis and terrorist group identification, improving their ability to identify intelligence gaps faster and hone in quickly on what we need to know.

Instruction of our investigative personnel in debriefing skills. The Police Department with its own limited budget has already begun to develop these analytical and investigative capacities. We have hired a cadre of trained civilian intelligence analysts to take raw information gathered from informants and undercover agents in the field and translate it into valuable real-time reporting for our commanders. Again, we are doing all of this out of our own pocket right now. We want to do more of it and do it better with the federal government's support and expertise.

Some may question the federal government's obligation to support these local activities, or even the Police Department's right to carry them out. In response, I would draw an analogy to the national fight against the illegal drug trade. With so much ground to cover, local police agencies must play an integral part in supporting the effort to stem the flow of narcotics across national borders and into our cities. That includes the development of undercover drug agents and intelligence specialists. Far from competing with federal counterparts, these local assets are an indispensable force multiplier. We must take the same multi-pronged approach when it comes to rooting out terrorists.

One final issue: The Police Department needs the ability to self-certify the training courses we develop internally to meet the needs to a unique urban environment like New York. Self-certification would allow us to save valuable time in delivering vital new training otherwise spent on the DHS grant approval process. I want to emphasize that under self-certification, the department will continue to work closely with DHS and the Office of Domestic Preparedness in upholding training standards that are second to none. In fact, the precedent already exists in the creation of our advanced COBRA Cohort training curriculum.

Defending a vast nation against terrorism is an infinitely complex challenge, yet it is one the Police Department is positioned to help our federal government carry out, but we must have adequate resources to do the job. We must have federal funding for first responders and preventers alike and the authority to expedite their training, and we must hurry.

Thank you again for this opportunity to testify. I look forward to any questions you might have.

[The statement of Mr. Kelly follows:]

PREPARED STATEMENT OF RAYMOND W. KELLY

Chairman King, Chairman Rogers, Ranking Member Pascrell, Ranking Member Meek and Members of the Committees, thank you for this opportunity to testify.

Before I begin, I want to thank Chairman Cox and Chairman King for visiting New York recently to observe some of our facilities first hand. I would also like to thank them for shepherding through legislation that recently passed in the House. Homeland Security funding must be distributed based upon one criterion, and one criterion only: the risk posed by terrorism. This legislation would move Homeland Security Grant programs in that direction.

In the meantime, I am encouraged that the House Committee on Appropriations has directed that the distribution of State Homeland Security Grants be based upon threat, once a minimum distribution has been allocated to each state. This, too, is a step in the right direction. But I would encourage the Congress to restore the almost \$400 million cut that was made to homeland security money to be made available to state and local governments in the coming year.

To turn to the topic at hand, "Is National Anti-Terrorism Training for First Responders Efficient and Effective?" Certainly, that training has benefited the Police

Department's counter-terrorism programs immensely. With the help of the training and expertise offered by the Department of Homeland Security, we have built up a powerful deterrent to terrorism.

While today's hearing is focused on training for first responders, I also believe we need to place equal, if not greater funding emphasis on "first preventers." By that I mean additional resources for the analysts and intelligence operatives who can tip us off to a terrorist attack in the making.

Let me start by providing some context. New York City has been the prime target of terrorists since the early 1990's. In 1993, Islamic militants drove a rental truck packed with explosives into the basement garage of the World Trade Center, intent on bringing down at least one of the towers. The explosion resulted in the loss of innocent life, serious injury and considerable damage to a portion of the tower. Between 1993 and 2001 there were conspiracies to destroy the Holland and Lincoln Tunnels, the George Washington Bridge, the United Nations and the main Federal building in lower Manhattan, as well as a plot to bomb the subway system. The subway plot was foiled at the last minute by the New York City police officers who broke down the door of two Palestinians who were putting the finishing touches on the device. Those conspirators are in federal prison.

After al-Qa'ida failed to bring down the Twin Towers in 1993, they waited patiently and tried again eight years later. Their philosophy is to return to the same place over and over, until they accomplish their evil goal. However, the threat did not stop when the two towers of the World Trade Center, and the many other buildings in that complex, came crashing down on September 11th. In February of 2003, an al-Qa'ida operative named Iyman Faris was in New York City on a mission to destroy the Brooklyn Bridge. He is the same man who fought alongside Osama Bin Laden, who engaged in a battle which included the wholesale slaughter of Russian prisoners, and who helped supply al-Qa'ida fighters with sleeping bags, airline tickets, cash and cell phones. Nearly two years after the destruction of the World Trade Center, Iyman Faris was in New York City conducting surveillance on the bridge. Faris abandoned his plan and reported back to his handlers that it was not possible to target the bridge because of our increased security measures. He, too, is presently serving time in federal prison.

The highly visible security that the New York City Police Department had in place on the Brooklyn Bridge, in addition to the unseen protection, paid off in the Faris case. Faris was not the last of the militant operatives, however, actively plotting attacks against New York City since September 11th. Shortly before the Republican National Convention last year in New York City, our detectives arrested two, homegrown jihadists who were plotting to attack the Herald Square subway station at 34th Street and Sixth Avenue. We arrested those suspects with the help of a confidential informant we had developed in the community. This heavily traveled, midtown-Manhattan station sits in front of the Macy's flagship store and is also located one block away from the site of the Republican National Convention at Madison Square Garden. These two individuals are awaiting trial.

We continue to put a lot of resources into the field to protect New York against another attack. But in the future, I believe we will require intelligence like we did in the Herald Square case to stop terrorist plots in the making. We need federal funding to support a comprehensive program of intelligence capability that includes both analytical and operational personnel, certainly for the larger U.S. cities that are being targeted. What kind of initiatives would this include?

As is the case with first responder training, we need the federal government's expertise to train qualified intelligence analysts and operatives for the Police Department.

We need that support in the following ways.

One: Sharpening the analysts' skills in conducting link analysis and terrorist group identification.

Two: Improving their ability to identify intelligence gaps faster and hone in quickly on what we need to know. And,

Three: Instruction of our investigative personnel in debriefing skills.

The Police Department, within its limited budget, has already begun to develop these analytical and investigative capacities. For example, we are identifying and monitoring extremists who are willing to perpetrate or provide material support for acts of terror. We have also hired a cadre of trained civilian intelligence analysts to take raw information gathered from informants and undercover agents in the field and translate it into valuable, real-time reporting for our commanders. Again, we are doing all of this out of our own pockets right now. We want to do more of it, and do it better, with the federal government's support and expertise.

Some may question the government's obligation to support these activities, or even the Police Department's right to carry them out. In response, I would draw



an analogy to the national fight against the illegal drug trade. With so much ground to cover, local police agencies must play an integral part in supporting the effort to stem the flow of narcotics across national borders and into our cities. That includes the development of undercover drug agents and intelligence specialists. Far from competing with federal counterparts, these local assets are an indispensable force multiplier. We must take the same multi-pronged approach when it comes to rooting out terrorists.

Our measures include dedicating one thousand police officers exclusively to counter-terrorism duties. We created a new Counter Terrorism Bureau, the first of its kind for a big city police department. We assigned over 250 officers to that Bureau, including the posting of 120 detectives the Joint Terrorist Task Force (JTTF) with the FBI. That compares to 17 detectives assigned to the JTTF on September 11th.

We dramatically expanded the role of our Intelligence Division. We are conducting around-the-clock threat assessments, and integrating this real-time information into daily decisions about where to place resources and personnel. We brought in outstanding individuals from outside the Department to lead our intelligence and counter-terrorism functions. They have decades of CIA, counter terrorism and national security experience.

Drawing upon the unmatched size, experience, and skill of the Police Department's own workforce, we have also expanded upon the foundation laid with Department of Homeland Security (DHS) support to establish one of the premier counter-terrorism training centers in the nation in Brooklyn, which you visited. We staffed that center with police officers who speak Farsi, Urdu, Arabic, and Pashto among other strategic languages. They help us monitor global intelligence. We also hired a cadre of trained civilian analysts to scrutinize and investigate intelligence data. We have established a new intelligence liaison program, assigning New York City detectives to 7 cities in 5 foreign countries to enhance our relationships with the police agencies of other nations.

At home, we are engaged in extensive training, and we are conducting drills on a daily basis. We send our Hercules teams, comprised of specially trained officers with heavy weapons, to make unannounced visits to sensitive locations. They are there to respond to a terrorist incident and to disrupt the kind of surveillance we know al-Qa'ida undertakes. We also regularly conduct something we call Sampson drills, involving teams of up to 100 officers at a time, including snipers, who can be dispatched quickly to any given location in the city.

Under Operation Nexus, our detectives meet with small business owners and suppliers who might unwittingly be used to provide material support to terrorists. They include businesses involved in everything from selling construction explosives, to laboratory equipment, scuba gear, and specialized rental equipment. We ask them to report any anomalies in purchases of goods and services. The Police Department has also held briefing sessions for various segments of the public who may come in contact with terrorist plotters. For example, we briefed real estate agents on exactly what al-Qa'ida tells its operatives to look for in renting an apartment, and with doormen and building security so that they can more keenly observe their surroundings.

With the commencement of the war in Iraq, we launched a heightened security program called "Operation Atlas" to protect New York City from possible reprisal. Given the ongoing terrorist threat, Operation Atlas remains in place today. It brings together all of the core elements of the Police Department: patrol, specialized units, Counter Terrorism, and our Intelligence Division in a coordinated defense of New York City. Checkpoints are established periodically at key locations into and out of Manhattan. We have increased our protection of subways and commuter ferries, as well as critical infrastructure.

Looking more closely at our training initiatives: we offer a Vehicle Borne Improvised Explosive Device Checkpoint (VBIED/CP) course targeted to local, state, and federal law enforcement. This is a four-day course designed to provide both classroom and hands-on instruction concerning vehicle borne explosive recognition. During the first phase of instruction, the student is provided with techniques and methods of proper vehicle inspection during checkpoints at high profile events and/or critical infrastructure locations. The second phase of instruction provides hands-on experience in vehicle searches. Instruction and training includes the various methods of explosive concealment in a variety of vehicles and proper interviewing techniques of occupants of suspicious vehicles. Students learn how to use technology and assets that are presently available.

Our Regional Infrastructure Protection Course (RIPC) is an introductory level course intended to equip members of the law enforcement community with the skills required to deter, detect, and identify potential terrorist activity. This course also

introduces the student to the principles of risk assessment (an examination of the vulnerabilities associated with the infrastructure of a facility), basic methods of security, and the major components of a municipality's critical infrastructure.

In addition to classroom instruction, two days of field exercises, which include an actual assessment of a facility, are conducted at the Regional Training Center. After assessing the facility, a written assessment is prepared and the class presents their findings in detail. Subcourses include the Introduction to Terrorism, Theory of Physical Security, Access Control/Biometrics/Closed Circuit Television, Fire Protection Systems, Heating-Ventilation-Air Conditioning (HVAC) Systems, Physical Barriers, Utilities, and Marine Terminal and Seaport Security.

On the other end of the spectrum, we offer a one-day Weapons of Mass Destruction Operations Course. This introductory level course is intended to equip members of the law enforcement community with the rudimentary skill-set required to identify, detect, and prevent a terrorist attack involving a weapon of mass destruction. This course also introduces the officer to the concepts associated with operations within a hostile chemical or biological environment that result from a potential release of a weapon of mass destruction by a terrorist or a terrorist organization.

One of the more extensive courses we provide at our Counter Terrorism Division Regional Training Center (RTC) is the Counter Terrorism Investigator's course. This is a five-day investigations level course intended to equip members of the law enforcement community with the skills required to deter, detect, and identify potential terrorist activity, and when necessary, respond to a potential terrorist attack. Our students do not sit in a classroom all day—we provide dynamic field exercises, including simunitions drills (the use of simulated ammunition that looks, feels and sounds like the "real thing"), an "active shooter" scenario, room clearing, cornering and vehicle stops, which are conducted at our Urban Training Center.

This training is focused on the tactics employed by terrorist organizations so that law enforcement personnel have the tools required to address the threat proactively and safely. It includes courses in Introduction to Terrorism, Domestic Terrorism, International Terrorism, Transnational Crime/Traditional Crimes that Fund Terrorism, Fraudulent Documents, Developing Legal Issues, Weapons of Mass Destruction, Crime Scene Preservation, Improvised Explosive Devices, Suicide Attacks/Truck Bombs, Interview and Interrogation, Introduction to Risk Assessment, Case Development and Enhancement, and Cults/Fundamentalism/Extremist Behavior.

We have provided instruction to our executive level staff including a course in International Terrorism and the al-Qa'ida Network. It provides an introduction to the methods used by a terrorist or a terrorist group, specifically focusing on the al-Qa'ida network, including the hierarchical structure, an introduction to the methods of training, funding, and gathering intelligence, the operational phases of a terrorist attack, and the process of target selection. This course also examines traditional crimes that have been identified as the means of funding terrorist organizations, including narcotics trafficking, money laundering, currency counterfeiting, tax fraud, coupon fraud, trademark infringement, illegal diamond/mineral smuggling, and kidnapping. Finally, the course examines the behavioral indicators and methodologies associated with the phenomenon of suicide attacks, including self-sacrificing attackers, suicide bombers, and truck bombs. Information obtained from a recent visit by NYPD personnel to Israel is included in the presentation.

We have trained about 34,000 officers in Personal Protective Equipment. Many of those officers have been trained in one or more of our other counterterrorism courses. For example, about 32,000 police officers and supervisors have been trained in the Citywide Incident Management System (CIMS), which conforms with the National Incident Management System (NIMS), and 24,000 have attended our "In-Tac" training.

In addition to our own corps of 37,000 police officers, we have delivered training through our Regional Training Center in Brooklyn to members of the New York City Fire Department; the Metropolitan Transportation Authority Police Department; the New York State Police; the Nassau, Suffolk, Westchester and Rockland County Police; as well as police departments from Connecticut, Maryland, Minnesota, Virginia and even Canada. We train members of the U.S. Coast Guard and the Park Police. We have brought in dozens of private security professionals from hotels, banks, and other institutions to train them in better ways to protect their facilities. In all, over 130,000 training days have been covered in the Regional Training Center.

Additionally, we have leveraged DHS support to expand the protection of critical infrastructure throughout the region. We have created the Threat Reduction and Infrastructure Protection program, or TRIPS, based upon a DHS model, and applied it to New York. We have divided critical infrastructure into 5 categories, and assigned a team of detectives to cover each one. These investigators visit facilities throughout the City and identify any vulnerabilities. To help us conduct these as-

assessments we have enlisted the support of The Cooper Union, one of the foremost schools of engineering in the nation. We meet with their experts routinely to help ensure we devise the most secure solutions possible.

In addition, with DHS support, we have trained close to 12,000 of our officers in more advanced chemical, biological, and radiological response. This critical instruction, otherwise known as COBRA Cohort training, was made possible thanks to close collaboration between the Department and the Office of Domestic Preparedness. As a result, we were able to take immediate steps to better protect New York City from the imminent threat of a terrorist attack involving weapons of mass destruction.

The Department's Regional Training Center, our TRIPS program, and COBRA Cohort training are all prime examples of how we have capitalized on DHS initiatives, adopting and enhancing national training models to fit New York. The result is that New York City has never been better prepared to defend itself from a terrorist threat. Still, all of our preparations come at a steep price: about \$176 million per year to maintain our daily counter-terrorism and intelligence activities. I want to emphasize: these are ongoing operational costs to defend the city, not to mention the reassignment of 1000 police officers to counter-terrorism duties.

One final issue. The Police Department needs the ability to self-certify the training courses we develop internally to meet the needs of a unique urban environment like New York. Self-certification would allow us to save valuable time in delivering vital new training otherwise spent on the DHS grant approval process. I want to emphasize that under self-certification, the Department would continue to work closely with DHS and the Office of Domestic Preparedness in upholding training standards that are second to none. In fact, the precedent already exists in the creation of our advanced, COBRA Cohort Training curriculum.

Defending a vast nation against terrorism is an infinitely complex challenge. Yet it is one the Police Department is perfectly positioned to help our federal government carry out. But we must have adequate resources to do the job. We must have federal funding for first responders and preventers alike, and the authority to expedite their training. And we must hurry.

Thank you again for this opportunity to testify. I look forward to answering your questions.

Mr. KING. Thank you, Commissioner Kelly.

I just have several questions. One, can you give us any more details on the question of the certification as to the assistance you are getting or the time which it takes for you to get the approval on the certifications?

Mr. KELLY. The process now is essentially for us to give a course in looking for certification. We have to go through the state. We go to New York State. We fill out many forms. Those forms and the curriculum are then forwarded to the DHS Office of Domestic Preparedness. It can take a significant period of time to get that certification accomplished.

What we are looking for is the ability, based on our expertise and based on the quality of trainers that we have, we would like to go to the state, get that authorization from the state, and then commence training without going through the Office of Domestic Preparedness process. Obviously, we leave ourselves open for inspection and reporting to DHS, but that gap or that period of time that it takes for us to go to DHS can be very significant and slows down our ability to get training out. Again, we have such a large police agency that that delay can be significant to us. We want the ability to do that training on a more localized basis so we can kind of spread it out and get more people in our training universe.

Mr. KING. Commissioner, you often say that besides first response, you have to be first preventers. The level of training given by the federal government, now adequate would you say it is regarding first prevention as opposed to responding?

Mr. KELLY. Well, I think it is minimal as far as prevention is concerned, but I think as far as first responders are concerned, I think it is good. Certainly all the reports that I receive are that the training is very well done. The Consortium members give very positive feedback. But as far as prevention training is concerned, it really is minimal. It is diffused. As I said in my prepared remarks, we would like to have a more direct relationship, say, with the investigative agencies that will enable to us to get some of this training, and also with intelligence-gathering agencies. I think it would be helpful certainly for the major cities like New York and four or five other large cities in the U.S.

Mr. KING. For the record, can you tell us how many members there are on the NYPD?

Mr. KELLY. How many members?

Mr. KING. Members, yes.

Mr. KELLY. We have an authorized strength of 37,038 police officers. Right now, we are down a little bit below 36,000. We will have a major hire in July to bring us up to the 37,000 number. We have another 15,000 civilian employees.

Mr. KING. And you said I believe up to 1,000 focused on antiterrorism?

Mr. KELLY. Correct. We have redeployed 1,000, or the full-time equivalent of 1,000 police officers for counterterrorism duties. They are in our Intelligence Division, our Counterterrorism Division. Plus we take significant numbers of officers from our patrol force every day and deploy them at key locations, sensitive locations throughout the city. It is a major undertaking for us.

Mr. KING. Yesterday, I was at a briefing with Congressman Simmons which was given by the Coast Guard. I am going a little off-message here, but can you detail your level of cooperation with the Coast Guard?

Mr. KELLY. We have an excellent relationship with the Coast Guard. We have our personnel assigned to their Intelligence Center in New York. We are very close. I have a very close personal relationship with the Captain of the port. They have deployed their resources throughout New York Harbor. I do not think we could ask for anything more from the Coast Guard. They are very responsive. Anytime we need them, they are always there. They work very closely with our Harbor Unit.

Mr. KING. As my time is just about up, I think I should note for the record the personal stake you have in this, in that literally you live at Ground Zero. Your apartment was severely damaged at Ground Zero, so you really are literally on the frontlines in every sense of the word.

Mr. KELLY. I live, you are right, about one block away. We were out of our home for almost 3 months as a result of 9/11.

Mr. KING. Thank you, Commissioner.

Mr. Pascrell?

Mr. PASCRELL. Thank you for your service, Commissioner.

Mr. KELLY. Thank you, sir.

Mr. PASCRELL. I am fascinated by your training of police officers in New York in Farsi, Urdu, Arabic, and Pashto. I am wondering if the federal agencies have assisted you in training in terms of the languages of the folks we have to work with, deal with, because

this is part of your counter-intelligence action. You cannot have counter-intelligence unless you can speak the language of folks you are trying to watch and be careful of. Are you getting the cooperation from the federal government in this endeavor, or are you basically working on your own?

Mr. KELLY. Yes. These are largely native speakers. In the members of the department, we have a big and diverse workforce. What we have done is taken individuals who claim to be able to speak these languages and we have tested them. We sent them to a private school. They are certified. So they are not being trained by us. They have the ability to speak. What we have done is stratify them or categorize what level they are at. We have 460 certified linguists, as we call them. We have lent them and have a memorandum of understanding with the Defense Intelligence Agency. We have lent them to DIA. They have been very supportive, but we do not receive any federal funds or federal help in this program.

What we also have done is on our eligible list when someone wants to come into the department, they fill out obviously lots of forms. One of them is whether or not they have foreign language capability. If they do, we have the ability to reach down on the list and bring them up and appoint them ahead of other people on the list. We have done that as well. So we have at least 55 certified Arabic speakers in Pashto, Urdu, Hindi, Farsi speakers, and Chinese dialects. And we are continuing to mature that program.

Mr. PASCRELL. One of the things that I was most fascinated with in New York when we examined all of your operations and looked at them carefully is your Counterterrorism Division. I was very impressed with Mike Sheehan and his team, understanding that your department is trying to sharpen its skills in terms of conducting link analysis as we call it with terrorist group identification. This is serious business.

So the New York City Police Department has trained its personnel, some of those personnel in basically preventing these things from happening, God forbid, and using a word which we do not like to use in the Congress, "espionage." I want to just have your response to the question of how, what you can tell us for the public, how do you see the counterterrorism that has been conducted by federal agencies with regard to what you are trying to do? Is there a cooperative link? Are you doing this on your own? And how significant do you think this is in preventing these murderers from having their way?

Mr. KELLY. It is a cooperative program. We work closely with the FBI and with the CIA. We have over 100 investigators with the Joint Terrorist Task Force in New York. I just want to mention a little bit about Mike Sheehan, because we are very fortunate to have him. Mike is our Deputy Commissioner of Counterterrorism. He is a West Point graduate, a former Special Forces officer and a member of President Bush I and President Clinton's national security staff. So he has done a masterful job in pulling a lot of these programs together.

It is a collaborative and cooperative effort. David Cohen, who is our Deputy Commissioner for Intelligence, is a 35-year veteran of the CIA. David has brought his tremendous expertise and experience and contacts to bear on this effort. So it is collaborative. We

do work with the federal authorities closely. We are not looking to supplant in any way what is going on. We certainly could not and do not want to. We look to supplement their activities. We do have some talented people. Again, I think the language skills that you mentioned are a very valuable tool for us.

I believe it has been effective. Just the case that I mentioned before about the individuals who were plotting to blow up the Herald Square subway station, that case was handled by all New York investigators. Certainly, it was prosecuted federally, but our Intelligence Division had done it. So I think the program is effective. It is getting only more effective. In my judgment, we have brought in very talented analysts from the top schools, from the Kennedy School, from Stanford, from the Fletcher School of Diplomacy. These are quality people that we have doing analysis, taking information and synthesizing and putting it together.

So I believe it is working. Again, we are doing it certainly not in a vacuum. We are doing it with federal authorities.

Mr. PASCRELL. Commissioner, in conclusion, folks should know that you are not only protecting New York City. You are helping us protect this nation by work and pioneering many of the things that we have been talking about here. I want to thank you personally.

Mr. KELLY. Thank you, sir.

Mr. KING. Chairman Rogers?

Mr. ROGERS. I thank the Chairman.

Commissioner Kelly, you made reference earlier in your statement that many of your officers are sent to Anniston, Alabama and the Center for Domestic Preparedness for training and you have a hard time getting them back home. I can understand that. Not only is it beautiful, we have some great country cooking in Alabama.

Do you know how many of your officers you send each year to the Center for Domestic Preparedness for training, approximately?

Mr. KELLY. I would say we have sent at least 600.

Mr. ROGERS. Per year?

Mr. KELLY. No, I would say total. Again, we look at where the spots are. There are, as you know, different locations throughout the country. It depends on our availability. It depends on the availability of the responders. But I would say at least 600 cumulatively since those schools opened. Maybe now we are averaging about 150 or 200 a year.

Mr. ROGERS. What are some of the techniques that your officers find most appealing about training at the Center? Is there something in particular that is most effective for you and something else that is least effective or interesting to you?

Mr. KELLY. The training is very well done. It is done very professionally. As you mentioned in your statement, Mr. Chairman, live agents are available at the facility at Anniston. I know that in New Mexico, I think the large explosive devices are examined closely. I know our bomb squad is very impressed with the training that goes on there. In Nevada, it seems to be more focused on perhaps dirty bombs or radiation challenges for us.

So I can tell you, though, that everybody who goes, the feedback that I have had comes back with very high reviews of the quality of the training.

Mr. ROGERS. You made reference in your statement to spending \$178 million a year on training.

Mr. KELLY. Yes, sir, on counterterrorism.

Mr. ROGERS. Counterterrorism. One of the problems I have found, as you know, is that training at the Center for Domestic Preparedness, is free. They pay no tuition. The room and board is free. If you can send your officer or your firefighter or other first responder, it is free. One of the practical problems that we have run into as I have moved around and talked with folks in your line of work is, while the training is free, you still have to replace that officer while they are off on patrol. Many of these officers are the very people who are in the Guard and Reserve and are also serving overseas, so many of these departments are already short-handed. What are the costs to you to participate in these programs that maybe you are not having reimbursed?

Mr. KELLY. There are certainly overtime costs. Many of the people that we send are in our emergency service unit. We would like to have a bigger emergency service unit. We just cannot afford to do it. We are down several thousand police officers from where the department was in 2000 because of budgetary constraints. So when we send people to training, we oftentimes have to backfill with an officer on overtime. For us being a big department, the largest in the country, it amounts to several million dollars over a year.

Mr. ROGERS. Is that reimbursable?

Mr. KELLY. No, that is not reimbursable.

Mr. ROGERS. There are no Federal funds?

Mr. KELLY. Not for that cost, no, sir.

Mr. ROGERS. Okay. You talked a little bit about self-certification. I would like to know more about what you are looking for. Is this a certification that you would like to get authority from ODP to do yourself?

Mr. KELLY. We would like to do it in certain areas that are perhaps not trained at the Consortium level, we would like to get the ability to do self-certification. As I mentioned to Chairman King before, we may want to train, let's say on surveillance techniques. We have people coming in from other agencies, as well as our own people, in order for us to get funding to do that we go through the state. We apply to the state. The state then takes our paperwork and sends it to the Office of Domestic Preparedness and it can be a long period of time. We think that certain things that we do and do well, that we would like to be able to certify that training and avoid the long delay that results from the process.

Mr. ROGERS. These are programs outside the Consortium's areas?

Mr. KELLY. Yes.

Mr. ROGERS. For example at CDP, we have train-the-trainer.

Mr. KELLY. Right.

Mr. ROGERS. So you are talking about something separate from that?

Mr. KELLY. Yes. I am talking about something separate.

Mr. ROGERS. Thanks very much. I appreciate it.

Mr. KING. Mr. Meek?

Mr. MEEK. Thank you, Mr. Chairman.

Commissioner, thank you for your testimony.

We do have a bill that we have passed already out of the House, which was this first responder bill, H.R. 1544. We asked the General Accounting Office to really look at are we getting what we need to get out of training. The Department of Homeland Security does not have a set curriculum to where their goals and objectives as they relate to overall security of the homeland. We spent about \$180 million in first responder training in the 2005 year. Without a system of tracking and evaluating first responder training, I am trying to figure out and I know this committee would like to know, how do we know that we are training the men and women we need to train to be able to, as the Chairman speaks of, prevent, but to also respond?

You have a regional training location I believe and we know that there is one in Alabama and there are a couple more around the country. Do you believe that the Department of Homeland Security should have training standards? That is one question.

Two, you know that you have basic law enforcement standards that have to be met for an individual to be a sworn law enforcement officer. We send federal agents to Georgia to get that, and then they train them, specializing in their department. I would like to hear your response to that.

Mr. KELLY. I believe we should have standards. The Department of Homeland Security should have standards and attempt to have a consistency in training throughout the country. I can tell you that we use many of the skills that our officers receive on a very regular basis in New York City because of the size of the city and the activities that go on there. So we are using a lot of the skills, so in a way we are able to judge the effectiveness of the training almost on a daily basis in New York.

But yes, sir, I agree that there should be some consistency and there should be some across-the-board standards.

Mr. MEEK. Commissioner, has the department approached you, the Office of Domestic Preparedness, about what they should be doing and how they should be training first responders throughout the country? Have you been a part of an advisory group with the department to have such a thing that you have heard of?

Mr. KELLY. I am not aware of any formal group that performs that function, but we have a lot of interaction with ODP, so I believe on an informal basis there is a lot of give and take and a lot of discussion as to what the training should be.

Mr. MEEK. I personally believe that this is important because as we start to look at the Department of Homeland Security, as we start to build the Department of Homeland Security, 22 legacy agencies coming together under one mission to protect the homeland, it is very, very important that we have outcome measures. I am hoping that our leadership here, even though we have sent a bill over to the Senate, that possibly that we can just as members of this committee, hearing what the Commissioner has said, to move forth in sending a letter to the GAO to hopefully get them started on giving us some direction.

Because what they would do is go out to speak with first responders, speak with the department, talk about where we have duplication. Training is good, but duplication and not expanding



the minds and the skills of our first responders could end up hurting us in the long run and we could very well skim over something.

One other question as it relates to sharing and mutual aid. Is there any training going on here in the United States as far as you are concerned about how agencies of other jurisdictions can work together, not only in the prevention of a terrorist attack, but post-terrorist attack? Do we have the kind of what you may call cross-pollination among leadership of these special units to be able to respond to an attack? Have you seen or heard of, or do you provide that in your regional training facility?

Mr. KELLY. On the law enforcement level, we have a lot of interaction with surrounding jurisdictions, but we are the biggest jurisdiction around and we have 8.1 million people in New York City. Regionally, we work with Nassau County, Suffolk County. They are part of our Joint Terrorist Task Force. We work with New Jersey, Westchester County and Bergen County on law enforcement issues.

Now, as far as first responder and mutual aid, in the Fire Department I know they have a very active program as well. I am not really equipped to speak about it, but I know that that is something that they work on. But law enforcement, the regional approach is something that perhaps we need more work on in the New York area, but we do have a fair amount of integration on the Joint Terrorist Task Force and communication with the surrounding jurisdictions.

Mr. MEEK. Thank you, Commissioner.

Mr. KING. Chairman Cox?

Mr. COX. Thank you very much. Again, welcome.

Mr. KELLY. Thank you, sir.

Mr. COX. We really enjoyed the time that we spent with you as a committee up in New York City. I want to join everyone here once again in commending you and the city and the Mayor for all that you are doing in every single one of these areas.

The training, of course, is the piece we are focused on today. I want to get my arms around this problem of multiple, potentially redundant and inconsistent training programs that are operated directly or indirectly by the federal government. What we in this committee look at in terms of funding levels for the federal piece is about \$195 million a year for the training. We want to make sure that we are getting our money's worth.

I have heard you testify and respond to questions thus far that from your standpoint it is not efficient to always ship your people off to some other distant locale. You have to find a way to pay for their replacement, and sometimes that is overtime, so it is a very expensive way of doing business. I would like to explore whether or not there isn't some way to tap into expertise that New York City already possesses or is in the process of acquiring so that the trainers' concept can be taken still further and we can train a lot more men and women without making them all leave their duty posts, or at least leave the city.

How much of that do you think that we can do? I just look at the FEMA compendium of federal terrorism training for state and local audiences. It lists over 200 courses. There has got to be a lot of duplication or inconsistency in there. We have the trade group, the Training Resources and Data Exchange focused on trying to

identify those. From your standpoint, are we spending our money wisely or are we in some ways causing duplication and overlap and inefficiency by making people travel to other places and a lot of different places to get training that maybe could be consolidated?

Mr. KELLY. Yes, I think there probably is potential there for consolidation. It is difficult for me to talk about it because, as I say, the feedback that we have had has been all positive as far as sending people out to the Consortium schools, but most likely there is a possibility of consolidation as to the way you send people.

The point that you made, Mr. Chairman, about being able to do some regional training, I certainly support that. I like the concept of training the trainers, sending the trainers back, and having us do it on a local level. It saves us time and it is going to enable us to reach more people more quickly.

To a certain extent, we do that. We would like to do more of it. Any way that we can do that on perhaps on the certification level, where we can do even some of the core training that is going on in some of these other locations, I think that should be explored. But in terms of quality, we like the quality that we are getting at the Consortium schools. I want to emphasize that, but perhaps there is potential there for us to take that structure and do it at a more local level.

Mr. COX. What has been your experience with certification, with trying to get your own courses certified?

Mr. KELLY. As I said before, ultimately we can do it, but it takes a long time.

Mr. COX. Specifically, have you had anything approved by DHS?

Mr. KELLY. We have had approvals. Again, I spoke about the Cohort COBRA training which worked very well for us. We wanted to do that before the Republican National Convention. DHS was very cooperative in that regard. We had that course certified and they worked with us and we were able to train 12,000 of our police officers. COBRA stands for chemical, biological and radiological response training. We did that in a smoke environment. We did it with a subway car. They were very helpful in that regard, and we did receive federal funding to enable us to do it. That is an example that worked very well as far as collaboratively and cooperatively getting a certification done quickly.

Mr. COX. The reason I ask this question is I am looking at data that tells me that there have been 23 requests to ODP for additions to the list of eligible federal terrorism training courses. Of those requests nationwide, thus far only three have been approved. There have been 115 requests for institutionalization by state administrative agencies or state training point of contacts. Of those 115 requests received for institutionalization, three have been approved.

So I do not know why there are so many denials or so much work in progress, but I just want to find out from your standpoint where the city has a lot more that it wants to do here that it is looking forward to.

Mr. KELLY. Those numbers surprise me. My belief is that we had several certifications that were granted, but it just took an extended period of time. So those numbers are a surprise to me.

Mr. COX. I am actually happy to hear that. I am glad that this experience that seems to be described by these statistics is not New York City's experience.

Thank you, Mr. Chairman.

Mr. KING. Thank you, Mr. Cox.

Mr. Thompson?

Mr. THOMPSON. Thank you very much.

Mr. Commissioner, you gave us significant food for thought on how to do it right. I just wish we could get DHS to adopt the New York model and we would be further along.

Do you agree that while DHS provides standards for equipment, that they should promulgate the standards for training?

Mr. KELLY. I think that would be helpful. I think to a certain extent they do, but perhaps it has to be better clarified and more clearly published.

Mr. THOMPSON. So you see the need to have some national standard for training?

Mr. KELLY. Yes, sir.

Mr. THOMPSON. Thank you.

In your experience with DHS on getting reimbursed for funds expended in whatever program, do you have any knowledge of how long that normally takes to get reimbursed for any eligible program that is under DHS?

Mr. KELLY. Well, the reimbursement process is a protracted one. We have to go through the state, which is problematic as well. We are applying through the state. The money comes through the state. It is both a federal and a state issue. I think for us sometimes the money is held up with the state as well. But reimbursement seems to take sometimes a significant period.

Mr. THOMPSON. Do you have a guesstimate of how long that normally takes?

Mr. KELLY. I hear that from our Office of Management and Budget, outside of the Police Department, because the reimbursement does not come directly to the department. It comes through the City of New York. So I do not have a specific time, but there is kind of a steady lament that it takes an extended period of time to get reimbursed. There is a belief that there is money in the pipeline that is not spent, when in actuality what it is is money that just simply has not been reimbursed in a timely fashion. But that is what our budget people say.

Mr. THOMPSON. One of the comments we hear quite often is that if cities without the resource capacity perhaps as New York, expend the money, if there is an inordinate amount of time between when the money comes back, it puts them in a bind.

Mr. KELLY. Yes, sir.

Mr. THOMPSON. Obviously, New York might have enough reserve to make up the difference. Call the Congressman, right? I hope you understand my question.

Mr. KELLY. I do. I understand it. Yes, sir. Certainly, for smaller cities, it can be an issue. I believe it is an issue for New York as well, but as I say it does not impact directly on the Police Department. It is the overall budget of the city.

Mr. THOMPSON. To what extent have you utilized the federal training facilities for your department?

Mr. KELLY. When you say "federal training," again we talked about the Consortium located in Anniston, New Mexico, in Nevada, LSU and Texas. We send most of our people to either Anniston, New Mexico or to Nevada. I believe we have sent a few people, a small number to FLETC in Georgia, but generally speaking those are the facilities that are people use.

Mr. THOMPSON. Your comment to us is that you are satisfied with the training they receive at those facilities?

Mr. KELLY. Yes, sir. I am satisfied with the quality of the training, yes, sir.

Mr. THOMPSON. Thank you.

Mr. KING. Mr. Simmons?

Mr. SIMMONS. Thank you, Mr. Chairman.

Thank you, Commissioner.

Mr. KELLY. Yes, sir.

Mr. SIMMONS. As somebody who was born and raised in New York City, but then moved to Connecticut, I want to tell you what a great job you are doing. It makes me proud to see what the NYPD is doing before, during and after 9/11. I think the challenges you face are extraordinary, as are the challenges of probably half a dozen of our biggest cities, but New York in particular because New York is a target. New York is a city of diverse population, massive diverse population, so there are many challenges there.

I want to focus on three parts of your testimony. The first part was your reference to first preventers as opposed to first responders. We tend to think in terms of what do we do if. That is after the fact. The concept of a first preventer is how do we prevent the incident from taking place in the first place. If we could have prevented 9/11, 3,000 people would be alive today.

Secondly, your reference to the Intelligence Division and all the terrific things that your Intelligence Division is doing. I support that and I share the views of some of my colleagues who think that the New York Police Department has moved faster to respond in this area than certain components of our federal government. I congratulate you on that.

And then the third piece has to do with vehicle-borne improved explosive devices, to which I would add ship-borne because New York City is surrounded by substantial bodies of water.

What I would like to do is back up a little bit and tell you something that I did about a year ago when I was in New York City. I went to the New York Public Library. I know there is a lot of controversy over libraries. I went to the New York Public Library and asked for their records on the subway system and underground railroads. I discovered after a few minutes of inquiry that I could access very substantial documents in the New York Public Library detailing particularly the underground railroad system. I think their collection there is probably one of the best in the city, but also substantial engineering records and documentation on the subway system.

So my question is this. New York is an old city. It is a city with historic structures like the Brooklyn Bridge. Many of the documents relative to those structures, which can be targets, are available to the public in public places like libraries. What mechanism

do you use to tip off the Intelligence Division is somebody is accessing those records, if any? Do you have a mechanism for that at all?

Mr. KELLY. We do not.

Mr. SIMMONS. Should we consider that? I know this is a difficult question and you may want to postpone your response, but it certainly bothers me. If we are going to be first preventers, we have to use a little imagination to figure out what the bad guys are after. We know they are after the Brooklyn Bridge. That has been demonstrated. There may be some other targets. And then where are they going to learn about those targets? What I am suggesting is there is a lot of information publicly available in public places like public libraries. How do you intersect with those entities, if at all?

Mr. KELLY. I guess the answer is with great difficulty. We do not, and again there is so much information available on the Internet where there really is no potential way of keeping records of who gets certain information. So I guess it is just the free and open society that we live in that causes us this concern. I cannot think of any reasonable, practical way of controlling flows of information.

I know that we looked at information on the transit system. We looked at it on the Internet, I should say. We looked it up when this issue surfaced a few years ago, and actually, it is interesting you should mention, on the Brooklyn Bridge, because there is an awful lot of specific information that is just publicly available and you can get it on the Internet without going into a library, without someone seeing your face or presenting a card. So I think it is just a reality of the world that we live in. I cannot think of a practical way, quite frankly, of addressing it.

Mr. SIMMONS. I will just follow on with an additional comment or question. As the Chairman of the Intelligence and Information Sharing Subcommittee, this is an issue that we wrestle with as well. We certainly support civil liberties and civil rights, but my daughter lives in Brooklyn. She crosses the bridge twice a day. I would hate to think that she might die because somebody got some details on the bridge to blow it up out of a public place and we had no way of knowing that.

Information sharing, you say you are getting no money from the feds, at least not directly. Are you getting intelligence or other types of information sharing from the federal government?

Mr. KELLY. Yes, we are. We are getting it through our presence on the Joint Terrorism Task Force. We are getting it directly with the Central Intelligence Agency on appropriate matters. So we are sharing information. We would always like more. There is always that little jousting that goes around about certain issues, but generally speaking we are sharing information. I want to stress that it is a two-way flow. We are gathering information and we are forwarding it to the federal government as well.

Mr. SIMMONS. Thank you for your testimony and your service.

Thank you, Mr. Chairman, for holding this hearing.

Mr. KELLY. Thank you, sir.

Mr. KING. Mr. Dicks?

Mr. DICKS. Commissioner, I want to welcome you and commend you on your efforts to create this Intelligence Division. When did this happen? When did you do it actually?

Mr. KELLY. We have always had an Intelligence Division, “always” being for many, many years in the New York City Police Department. What we did was focus a part of the Intelligence Division on the issue of terrorism.

Mr. DICKS. When did that happen?

Mr. KELLY. It happened post-9/11. It happened at the beginning of this Administration, Mayor Bloomberg’s Administration, starting in January of 2002.

Mr. DICKS. Again, how many people do you have in the counterterrorism part of the Intelligence Division?

Mr. KELLY. We have a Counterterrorism Bureau which has 250 people, and we have an Intelligence Division that has about 500 people in it. We have in each of our precincts and subunits we have an intelligence officer who is part of that Intelligence Division. And then we have part of the Intelligence Division that focuses just on counterterrorism issues.

Mr. DICKS. This has been pretty successful? In your testimony, you point out several situations where your people found information, acted on it, and were able to be first preventers.

Mr. KELLY. Yes, sir.

Mr. DICKS. How many other police departments? I mean, you know pretty much what is going on around the country. Do any other police departments have a similar counterterrorism entity?

Mr. KELLY. I think similar in concept, not in size, of course. We are the largest police department by far in the country, but there are efforts in this area in other major police departments throughout the country.

Mr. DICKS. Now, as you said, you got no money from the federal government in creating this counterterrorism entity. Is that correct?

Mr. KELLY. That is correct, yes, sir.

Mr. DICKS. Do you think you should have gotten some support? Do you think that would be helpful if the federal government provided help in this area?

Mr. KELLY. Sure. We would appreciate it, but again this is kind of new territory. Police departments have not done this in the past, so I understand there may be some lag in this regard. But I think it is worthy of examination for the federal government to come in and see where they might help.

Mr. DICKS. I think this is a big force multiplier for our intelligence effort. I spent 8 years on the Intelligence Committee here in the House of Representatives and one of the things we worried about was the fact that down at the state and local level, you need to get this information, but if you do not have an entity that is out there working to gather this information, and I am glad you brought in some top intelligence people and are working on the language issues. To me, I think this is something that would help our entire intelligence effort in our major cities. We already have the Urban Areas Program, of some special concern, but it would seem to me that this is a way to help prevent an incident from occurring.

There is no doubt in my mind that the FBI, the Counterterrorism Center, all these different entities would benefit by having your professional people who are in coordination with them, giving them

information. It seems to me this is something we ought to really look at as a way to enhance our intelligence side of the equation.

Mr. KELLY. Yes, sir. I agree.

Mr. DICKS. But it gets down to money, as we found out in this homeland security issue. There is never enough money to do all these things, but this one, it seems to me, if you can prevent these incidents from happening, this is something that we ought to really seriously consider doing.

Thank you, Mr. Chairman.

Mr. KING. Thank you, Mr. Dicks.

Mr. Shays from Connecticut?

Mr. SHAYS. Thank you.

Mr. Kelly, your folks during the Republican Convention did an awesome job. They were polite. They were courteous. They were extraordinarily competent, the firemen and-women as well. It was one of the more impressive times that I have felt and seen public officials do their job in what was a really difficult and challenging circumstance.

Mr. KELLY. Thank you, sir.

Mr. SHAYS. I would like to know what you feel the public has a right to know and how you decide that. For instance, if you have been told by the federal government that there is a possible terrorist threat in your city; you have been told to look out for radiological material, that there might be a so-called "dirty" bomb. And you have been told in what venue it might occur. What responsibility do you have? How do you decide? And who decides? Does the Mayor decide? Do you decide? Is it a combination?

Mr. KELLY. That is a difficult question. I think we have a bias towards informing the public, putting information out, but you can do great harm. You can make a high-regret decision, as it is called, by putting out information when it lacks specificity. So I think you have to look at the source, if you can determine the source, the general credibility of the threat; the specificity of the threat; and make a determination as to when this information goes forward. Ultimately, the Mayor would be the one who would make a decision on something very serious and widespread.

Mr. SHAYS. This committee has weighed-in in I think a very constructive way. It has weighed-in in saying that the allocation of dollars should be based on risk and need, rather than based on population. You have answered obviously to the question that you agree.

I would be interested if you would pass judgment on something else this committee weighed-in on. We basically have said that we want the warning system to be more than just colors; that we want it to be more specific; we want it to be able to say when it can where the risk is; and we also want there to be information provided to people as to how they might respond to that risk. I am not talking in great specific detail, but in other words instead of saying we are at code orange or we are code yellow, we want to define "yellow" and we want to define "orange" to folks so they have a better idea of what it means.

What is your sense of that?

Mr. KELLY. Yes, I think I would agree. The problem is that intelligence does not come in neat packages and it lacks specificity. As

I say, we usually do not know the credibility of the source. So you get information that says something bad is going to happen. It lacks specificity.

Mr. SHAYS. Let me ask you this, then. What is the value of telling someone that we are in code orange when they do not know what the heck it means?

Mr. KELLY. Well, this is something that I think is being debated now by the Department of Homeland Security. I think they are trying to come up with a system that is more specific, is more helpful. But this was done early on, after 9/11. I think it was a valid attempt to have a system in place to alert the public and it may have outlived its usefulness now. I think it is an emerging belief that you can feel in government. But we do not have as yet, as far as I know, on the drawing board a system that is more effective.

Mr. SHAYS. But what we did do more recently is we, the federal government in conjunction with the communities, for instance when we thought there was a threat to financial institutions, instead of making this broad, sweeping warning, we said financial institutions appear to be a target and we are paying closer attention to that. That makes sense, does it not?

Mr. KELLY. Yes. Last August, that is what happened and I think that was the appropriate thing to do then.

Mr. SHAYS. Thank you, sir.

Thank you, Mr. Chairman.

Mr. KING. Mr. Kelly, isn't New York City always in code orange?

Mr. KELLY. We are at higher level of alert. The system came in after we went to a higher level and we maintain that higher level, so it is kind of a shorthand way of saying that is what we are doing. But after 9/11, New York put in a lot of additional security and we have maintained that. So saying we are at code orange is a shorthand way of saying that is what we are doing.

Mr. KING. The gentleman from North Carolina, Mr. Etheridge?

Mr. ETHERIDGE. Thank you, Mr. Chairman.

Commissioner, thank you for being here with us this morning.

Let me follow that one up for just a moment because I think, only for just a follow-up, because I think in terms of many of us who have been somewhat concerned about the codes because if you live in rural North Carolina or rural mid-America and the code goes up, what it tends to do, I think, and I would be interested in your comments, is to develop a level of cynicism. Pretty soon, people pay no attention to what the codes are because, number one, it does not affect them; and number two, they are not moving around. I think it bleeds into other areas.

I think the example of the banking institutions or financial institutions are a good example that we probably ought to pay a lot more attention to as we look at this code. I would be interested in your additional comments on that, because you are out there where the rubber meets the road.

Mr. KELLY. I agree, but the intelligence information was such that it focused directly on financial institutions. So you are able to do that. That is what I said, most of this information when it comes down the pike lacks specificity. In this case, we had very specific information focusing on financial institutions, so I think it



was done in an appropriate fashion last August. I think we now need a more sophisticated way of doing it.

Mr. ETHERIDGE. Having said about the information coming down, let me ask a little different way a question that was asked by Congressman Dicks a little earlier. You have talked about, and I commend you for what you are doing in New York because I do think New York and some of our major cities are still on a high level of targeting.

You mentioned in your testimony that you would like for the federal government to support, to train qualified intelligence analysts and operatives for the police department. My question is this, do you think other cities ought to be doing some of the same things, and in the process of that, as you do it in New York?

Mr. KELLY. I think major cities, large cities.

Mr. ETHERIDGE. As you do it in New York, are you sharing that with other jurisdictions, your fire, your rescue, the other first responders who are part of that? As you gather that data, how does that get to them?

Mr. KELLY. When it is appropriate, yes we do.

Mr. ETHERIDGE. And it goes up the line to Homeland Security and back to you, and you share that data?

Mr. KELLY. Yes. Yes, sir. Are you talking about intelligence information we gather?

Mr. ETHERIDGE. Yes.

Mr. KELLY. We have a process, a system where we would go to the FBI or to Homeland Security when appropriate.

Mr. ETHERIDGE. Okay. And then that is shared with local jurisdictions within the New York region?

Mr. KELLY. When it is appropriate, yes, sir.

Mr. ETHERIDGE. Okay. Let me shift to another question, if I may. You talked about, and I think it is impressive that you talk about training the trainer. I think that is one that I first ran into in education that works very effectively when it is followed with guidelines and procedures. Given the vastness of America and the differences from New York to other rural areas across this country, as people and things move, the risk to America can be different, but it can be the same because many of the people who wound up creating all the problems on 9/11 came to New York from areas that were not anywhere near as well-occupied as the city.

My question is, as we provide the oversight, I would be interested in your comments on how Homeland Security overall training integrates with the smaller departments where you only have one, two, three, four, five or a lot of volunteers in some cases, because that is just as important in some cases to New York City where you have an awful lot of people in place, and a sophisticated system. To me, that is where I think a lot of our vulnerabilities still lie. I would be interested in your comments.

Mr. KELLY. I think in that case, you are talking about training, it has to be done on the state level. The states have to make a determination as to who is appropriate in the state to receive that sort of training. I hear what you are saying is we need listening posts everywhere because any piece of information can prove of value gathered in North Carolina, and of value to New York, for

instance. We understand that. So we need a system to get that information.

I think to a certain extent the FBI has created that. We now have a Joint Terrorist Task Force component in every one of their offices, ever SAC office in the country, and 56 of them have a Joint Terrorist Task Force. They are certainly in North Carolina as well. But in terms of training, I think the training for that has to be done at a state level and the state is going to have to make a determination as to who should be involved in it because there are finite resources.

Mr. ETHERIDGE. Thank you, Mr. Chairman.

Mr. KING. Thank you, Mr. Etheridge.

The gentleman from Pennsylvania, Mr. Dent?

Mr. DENT. Thank you, Mr. Chairman.

Good morning, Mr. Commissioner.

I am fascinated by your Intelligence Division and what you have done up there in New York. I guess my principal question is this. What is it that your detectives are doing in those cities overseas? I am pleased that you have them over there. What are they able to discover or learn that we are maybe not receiving from our federal intelligence officials who may be based overseas? I would like to learn a little bit more about that.

Mr. KELLY. Again, as I said before, we are not looking to supplant anybody. We are looking to supplement.

Mr. DENT. I understand.

Mr. KELLY. New York, of course, has been attacked successfully twice in the last 12 years. We are looking for any bit of information we can get that gives a leg up in New York. They have gotten some front row seats to major investigations that are ongoing. For instance, our detective in Tel Aviv, if there is an event, a suicide bombing, he is there within the hour. He gives us very specific information. He works very closely with the Israeli authorities. We have real-time information that comes back to New York that day. You are not getting that from other agencies.

In the Madrid bombing case, it took place on March 11, 2004. That day, we had, and it happened to be the same investigator from Tel Aviv, we had him in Madrid. We found out how the bombs had been constructed, where they were put together. We put a tactical approach in place that same day or 12 hours later around our transit facilities, at our subway stops for instance, to be on the lookout for that type of activity.

That is the kind of real-time information that we are getting from our people overseas.

Mr. KING. Will the gentleman yield for a moment?

Commissioner Kelly, were you there before or after the FBI in Madrid?

Mr. KELLY. We happened to be there that day. We dispatched someone that day. We also had a team there the next day from the U.S. that we sent. But we feel we are in the crosshairs, so as I say we are looking for any bit of information. These detectives, they are charged with the responsibility of asking the New York question. Is New York somehow involved directly or indirectly in the event that happened there or an investigation that is ongoing there?

Mr. DENT. Okay. And how do you determine what cities you selected to place your detectives?

Mr. KELLY. Obviously, we need a receptive environment. We need a law enforcement entity that is going to accept us and have us work closely with them. So that is part of it. There are certain locations we are concerned about, obviously Canada being our neighbor to the north. We have the famous case of Ahmed Ressam who came through the State of Washington in 1999. He was in Montreal and then went over there. He as the Millennium bomber. So Canada is an area that we look to get information from. The UK, we have detectives there. They have been very supportive and worked very, very closely with us. That is an area of concern. London looks an awful lot like New York in many ways. It has a very complex, big underground transit system. We want to be there. Tel Aviv, of course, is an area of concern to us.

So we look at locations where we think it is going to be helpful for us and then we talk to those governments, and if they are receptive, then so be it.

Mr. DENT. Thank you, Mr. Commissioner. I do understand what you are doing there is supplemental, complementary to what our intelligence agencies are doing. I just am very, very impressed by your department and have been for many, many years, by the level of sophistication and preparedness that you have provided to the citizens of your city and to this country over the years. Thank you.

Mr. KELLY. Thank you, sir.

Mr. KING. Ms. Jackson-Lee, a former New Yorker.

Ms. JACKSON-LEE. Mr. Chairman, thank you very much.

With that spirit, I want to thank Commissioner Kelly. We have found opportunity to work together over a number of years in the capacities that you have served the nation. Might I add my appreciation for your service and the hard knocks that you have taken in the course of that service. There are many of us that appreciate very much what you are doing.

And this hearing, let me thank the Ranking Members and the Chairman of this committee and as well the Ranking and Chairman of the full committee.

I am going to offer some anecdotal stories and really going to focus on law enforcement.

Mr. KING. Would the gentlelady just yield for one moment. The procedure we are going to follow, Mr. Rogers is going to go over and vote now. There is only one vote on, so we can try and keep the hearing going.

The gentlelady from Texas?

Ms. JACKSON-LEE. I thank the Chairman very much.

Texas has a unique situation, so let me pose these questions quickly. One, I would like just a general question of are we doing enough. You may have answered it, but I would like to hear, are we doing enough, particularly in light of the plan that we are supposed to offer about interrelatedness in terms of a plan of the first responders, this 2002 reported plan that the Homeland Security is supposed to have in terms of the interrelatedness of first responders having a plan of how they work together.

The other question is that you spoke earlier of your wish to authorize self-certification by states in certain emergency prepared-

ness disciplines. If all states are able to self-certify, how would you address the need for coordination of a nationwide methodology?

My last point, down on the southern border, you may have heard of the intense violence around Nuevo Laredo, which is on the Mexican side, and Laredo. A lot of that has to do with drug trafficking and drug cartels, but I always know that where there are drugs and money there is the potential for terrorism. So law enforcement that may be dealing with drugs needs to understand terrorism.

The other component is self-law enforcement. I mean that by groups like the Minutemen, who are intruding themselves into the process that may cause some difficulties. Would you comment on the need for enhanced training in light of the frustration of Americans that generate the creation of groups like the Minutemen and do you find them necessary and effective, if we can be more effective in our training and our resources for our law enforcement and our firefighters, of course, who are not in the midst of fighting battles, but they are certainly in the midst of saving lives.

Mr. KELLY. I think it is a question of resources. Having been the Customs Commissioner, I have some experience with the border. We were short of resources, certainly, when I was there and I think that is probably still an issue, although I think it has gone up somewhat in head count. There is no longer a Customs Service. There is Customs and Border Protection now. It has merged with Border Patrol.

But I think it probably still is an issue of resources. There are probably not enough people down there and that is why you get the frustration of the public trying to get involved. I think we need a major investment in protecting our borders. You need the people to do it. There are no gimmicks involved. You need an investment in having sufficient resources to do it.

Ms. JACKSON-LEE. And you would substitute the people for the Minutemen?

Mr. KELLY. Yes, absolutely. You substitute professional full-time employees for volunteers.

As far as the self-certification and coordination is concerned, by asking for self-certification I certainly do not want to diminish the role of the Department of Homeland Security. That is where the coordination comes in. That is where the oversight comes in. As was mentioned before, national training standards are perhaps needed. So I think that is how you address the issue of having some overarching coordination and control of what is going on.

Ms. JACKSON-LEE. With that, I yield back.

I thank you very much.

Mr. KING. The gentleman from Texas, Mr. McCaul?

Mr. MCCAUL. Thank you, Mr. Chairman.

First, I want to say how much I enjoyed the visit up to Ground Zero and the visit with you personally. I thank the Chairman for setting up that codel up to New York. I learned a lot about the impressive operation that you have up there, that first and foremost.

Mr. KELLY. Thank you.

Mr. MCCAUL. Since we have votes, I am going to get right to the questions. That is, I worked in the Justice Department with the Joint Terrorism Task Force. I know the model. I am not a believer

that one size fits all in the federal government; that you can use a cookie cutter approach to everything across the nation.

I want to get your thoughts on how that is operating in New York. I know we talked a little bit about that, the model in general; that there may be some elements of discussion with regard to how it applies in New York.

Secondly, your coordination with the National Counterterrorism Center, is it working effectively and if not what needs to be done to make this work so that we get that information to the state and local level?

Mr. KELLY. We do have coordination with the National Center. Again, it has been changing. It had some different configurations in there, but we do have coordination. We get it through the FBI. We also have it directly through our Intelligence Division. So I do not see a major issue there. We are all learning as we go along. I think there are certainly people of goodwill there who want to cooperate with us; see us as a value-added; that we are getting information and information should go upstream and we are doing that. We are working to improve that.

Mr. MCCAUL. Okay. And with respect to the Joint Terrorism Task Forces, is that model working in New York or how can that be improved?

Mr. KELLY. We have a discussion up there. I think ideally we should have a model that looks like the Drug Enforcement Task Forces, where you have a marbled approach where everyone is in one entity, where you have supervisors, if you recognize supervisors, they are in supervisory positions irrespective of their agencies.

What you have now is in essence an FBI entity with members of the Joint Terrorist Task Force appended to it, added on in their own structure, unlike the Drug Enforcement Task Force where you have integration, where you have supervisors from various agencies supervising personnel from different agencies.

Mr. MCCAUL. Are you talking about the HIDA program, is that what you are referring to?

Mr. KELLY. HIDA is obviously information sharing, but HIDA does have a more integrated approach. I point to the Drug Enforcement Task Force, I think it has worked. It is a model that has worked for many years and works well in New York. The Joint Terrorist Task Force I think is effective, but ideally we should have more integration.

Mr. MCCAUL. I think that is something that this committee should take a look at. I appreciate your time here today.

Thank you, Mr. Chairman.

Mr. KING. Commissioner Kelly, if we can impose on you, I believe there is only one more member on our side who has question to ask, Sheriff Reichert, who had been the Sheriff of King County in the State of Washington. He went over to vote, so he can come back to ask questions.

I am going to call the committee to be in recess until Chairman Rogers comes back, and then it will be Congressman Reichert and then you will be excused.

Mr. KELLY. Yes, sir.

Mr. KING. If you could just hang on for another 10 or 15 minutes.

The committee stands in recess.

[Recess.]

Mr. ROGERS. [Presiding.] If I could reconvene this.

At this time, the Chair recognizes the gentleman from Washington, Mr. Reichert, for any questions he may have.

Mr. REICHERT. Thank you, Mr. Chairman.

First of all, thank you for your service. I was the sheriff of King County in Seattle up until January 3rd, so I am missing the role that you play in a much larger scale.

I have to say that I had the opportunity to attend national executive classes over my 8 years as sheriff in Seattle with some members of the New York Police Department. And I would, again, echo my colleague's comments about the professionalism, commitment to duty and compassion they have to serve the public. And they are just the highest caliber people. So I thought you might appreciate hearing that.

I just want to touch on a couple of quick things and not hold you too much longer. I know you have a busy schedule also.

When you talk about national standards, national training standards, how do you see those standards being developed across the nation? What kind of a process, in your opinion, might be used to help develop those standards?

Mr. KELLY. I think a process would have to be driven by the Department of Homeland Security. I don't think it is that complicated. I think you can reach general consensus on best practices, but it has to be controlled and you have to have kind of a coalescing entity. And I would say Homeland Security can do that. You might have a conference of first responders? I think it would be easy to pick out the appropriate people to go to a conference like that. I don't think it is difficult to do, put it that way. And I think you kind of know them when you see them. It is just a question of doing it.

Mr. REICHERT. So you see the National Sheriffs' Association having a role in helping to set those standards?

Mr. KELLY. Sure. I think certainly it would be appropriate to ask them to participate, yes.

Mr. REICHERT. We, in Seattle, participated in TOPOFF, which was quite an expensive exercise, and I know that you have participated in similar training exercises. What is the role of the federal government as far as their financial role, I should say. I know what their role is in helping to come in and develop the scenario, et cetera. But financially, how does it impact your police department, your city, your police department's budget and do you get any financial help from the federal agencies in pulling off one of these exercises?

Mr. KELLY. Well, we do not get financial help, quite frankly. Let me take that back. There are some. TOPOFF obviously is the major one mandated by Congress. We do get some money through our Office of Emergency Management to run some exercises, but we do a lot of our own training and a lot of our own exercises, our own agency exercises without any federal funding.

So we are doing it. Would we like money? Sure, but we are still getting it done. But there are major exercises in New York City, multi-agency exercises in which we do get federal money. I think

there is money from FEMA that helps in that regard. That money for the most part comes through our Office of Emergency Management.

Mr. REICHERT. What percentage of your budget do you suppose that you now spend on homeland security efforts?

Mr. KELLY. We spend about \$178 million a year. That is our estimate for counterterrorism. That would be both overtime and straight time, you might say opportunity costs, salary of people who are doing that sort of work. We have about a \$3.5 billion a year budget.

Mr. REICHERT. Did the city give you an increase of \$178 million in your budget to address these issues?

Mr. KELLY. No, sir.

Mr. REICHERT. I knew that would be your answer.

[Laughter.]

We had a similar experience in Seattle.

So the \$178 million came from somewhere. What did you have to give up with your Police Department? What services did you have to cut in order to come up with \$178 million?

Mr. KELLY. That is a good question. Obviously, if you have people doing a certain function, they are not doing the normal patrol function or investigative function. We are down, as a snapshot of where we are now in the department, we are down 5,000 police officers from where we were in October, 2000, plus we have this 1,000 redeployed for counterterrorism. So when you say "where does it come from," the 5,000 of course comes from all over the organization, as the 1,000 does as well. You have fewer people on patrol, fewer people doing normal investigations, fewer people doing traffic control.

Mr. REICHERT. So some of it is paid because of salary savings through the 5,000 vacancies that you have.

Mr. KELLY. The 5,000 vacancies that we have are not vacancies. The headcount has been reduced, the authorized strength, but not by 5,000. It was reduced less than that. We have attrition, significant attrition. It is complicated, but we had a lot of hires in the mid-1980s. We had those hires because of layoffs in the 1970s. We waited until the 1980s to do it. But now you can retire in 20 years in the New York City Police Department, so we have historically consistent attrition, but it is large numbers. So we attrition down and we hire up.

We have right now in the Police Academy, we have 1,700 recruits in our Police Academy class. They will graduate next month. We will hire another 1,600, well actually we are going to hire them before they graduate. So we are meeting the needs of the department based on a 37,038 authorized headcount. When you look back to October of 2000, the headcount was over 40,000. So the authorized headcount was reduced because of the budget problems that the city is facing.

Mr. REICHERT. I have follow-up questions, but I see my time has expired, Mr. Chairman.

Mr. KING. [Presiding.] Thank you, Mr. Reichert.

Mr. Kelly, thank you very much for your testimony today. It is, as always, a tremendous addition to the committee.

Any further comment, Mr. Rogers?

Mr. ROGERS. I would just say that the City of New York is fortunate, and our nation is fortunate, to have you in this capacity, and I appreciate your making the time to be here. It has been a great benefit to me, and I know the rest of the committee as well.

Mr. KELLY. Thank you very much, sir.

Mr. KING. The witness is excused. Thank you.

Mr. KELLY. Thank you, sir.

Mr. KING. I will call the second panel please.

I thank each of the witnesses on panel two for being here today. In the interest of time, we will get right to the testimony.

I recognize Shawn Reese, Analyst in American National Government and Government Finance Division of the Congressional Research Service. Mr. Reese?

#### **STATEMENT OF SHAWN REESE**

Mr. REESE. Chairman King, Chairman Rogers, and members of the subcommittees, I would like to thank you for this opportunity to appear before you today to discuss federal counterterrorism training.

My summary presents a brief overview of federal counterterrorism training aimed at illustrating the range of such training offered by the federal government. My summary also presents areas that may merit oversight to assess whether such training programs are appropriate in scope or possibly redundant. I also have two visual aids that I think they are going to set up now to present, which are examples of DHS and federal government counterterrorism entities. It is not comprehensive.

Federal counterterrorism training programs are varied and are provided by numerous federal agencies, among which are the Departments of Defense, Energy, Homeland Security, Health and Human Services, Justice, and Transportation, and the Environmental Protection Agency. Each department or agency provides counterterrorism training, targeting specific categories of recipients such as federal, state and local government personnel, emergency responders, and private and public critical infrastructure personnel.

The mission of the Department of Homeland Security to secure the nation from terrorist attacks gives it primary federal responsibility for providing counterterrorism training to federal, state and local emergency responders. Additionally, Homeland Security Presidential Directive 8, National Preparedness, requires the DHS Secretary, in coordination with appropriate federal departments and agencies, to establish and maintain a comprehensive national training program. The national program is to identify standards and maximize the effectiveness of existing federal preparedness programs.

The Department of Homeland Security comprises numerous agencies, offices, institutes and partners that provide counterterrorism training. DHS training is provided by such facilities as the Federal Law Enforcement Training Center, the National Fire Academy, the Noble Training Center and the Emergency Management Institute. Additionally, DHS administers training programs provided by the National Domestic Preparedness Consortium and the Training Resources and Data Exchange Group.



The Office for Domestic Preparedness, which has primary responsibility within DHS for preparing for potential terrorist attacks against the United States, is the principal DHS agency providing counterterrorism training to states and localities.

Now I would like to briefly discuss possible policy questions concerning counterterrorism training for congressional oversight. In the evolution of counterterrorism training, a number of questions have arisen with regard to possible duplication of training programs. The questions and possible approaches might be of interest as you continue your oversight of counterterrorism training. As you know, CRS takes no position with respect to any of the possible approaches mentioned.

The first question is the potential duplication of DHS training. Within DHS, the Office for Domestic Preparedness and the Federal Emergency Management Agency administer training programs at the state and local level and at national training institutes such as the Emergency Management Institute and the National Fire Academy. The Office for Domestic Preparedness administers training through such entities as the National Domestic Preparedness Consortium.

Some training programs offered by the Emergency Management Institute, the National Fire Academy and the Consortium have subject matter that is similar such as incident management, homeland security planning, hazardous material response, emergency operations and weapons of mass destruction response. Because of the possible similarity of the training programs, some might argue for the need to consolidate or coordinate training offered by DHS.

Section six of H.R. 1544, *Faster and Smarter Funding for First Responders*, proposes an evaluation by the Government Accountability Office. If Congress were to find undesirable redundancy in DHS training, it could require DHS to establish a board or task force to review training and recommend coordination or other steps to reduce potential duplication. If Congress were to determine a need to consolidate DHS training, it could require the Department of Homeland Security to conduct a review of its counterterrorism training and develop a plan to consolidate it. This approach, however, might be seen as impractical due to the training FEMA provides state and local emergency managers that is specific to natural disasters; the specific training the National Fire Academy provides firefighters; and the training that the Office for Domestic Preparedness provides to law enforcement personnel.

The second and final policy question I would like to address is the potential duplication of federal counterterrorism training. Again because of rapid evolution of training programs offered by different federal departments and agencies, there may be a duplication of certain types of training. For example, the Departments of Homeland Security and Health and Human Services and the Environmental Protection Agency all offer training related to responding to hazardous material incidents. Congress could ask the Government Accountability Office to undertake an evaluation of all federal counterterrorism training programs, similar to its request to GAO to evaluate DHS training.

Finally, Congress might direct the federal departments and agencies that provide counterterrorism training to establish an inter-

agency task force or board to review their training. Presently, Homeland Security Presidential Directive 8 requires DHS to coordinate training with other federal departments and agencies as part of its administration of the national training program. This approach, however, could result in turf disputes and federal agencies attempting to protect training programs and the funding associated with them.

In summary, federal counterterrorism training programs are varied and are provided by numerous federal agencies. Because of this, there may be a potential for duplication among the federal government or specifically within DHS.

Thank you, Chairman King and Chairman Rogers. I would welcome any questions you or the subcommittee may have.

[The statement of Mr. Reese follows:]

PREPARED STATEMENT OF SHAWN REESE

Chairmen King and Rogers, and the Members of the Subcommittees, I would like to thank you for this opportunity to appear before you today to discuss federal counter-terrorism training. My statement presents a brief overview of federal counter-terrorism training aimed at illustrating the range of such training offered by the federal government. The statement also presents areas that may merit oversight to assess whether such training programs are appropriate in scope or possibly redundant.

**Overview**

Federal counter-terrorism training programs are varied and are provided by numerous federal agencies, among which are the Departments of Defense, Energy, Homeland Security, Health and Human Services, Justice, and Transportation, and the Environmental Protection Agency. Each department or agency provides counter-terrorism training targeted to such specific categories of recipients as federal, state, and local government personnel, emergency responders, and private and public critical infrastructure personnel.

The programs train individuals to prepare for, respond to, and recover from terrorist attacks. Some of the training programs, such as those of the Departments of Transportation (DOT) and Energy (DOE), and the Environmental Protection Agency (EPA), are designed for personnel working in critical infrastructure sectors. Other programs, such as those of the Departments of Defense (DOD) and Homeland Security (DHS), are intended for personnel who are not identified with specific critical infrastructure. Instead, DOD and DHS provide training for government personnel, emergency responders, and medical professionals who would respond to a terrorist attack, regardless of location or target. The Department of Health and Human Services (HHS) provides training specifically to medical personnel, but this training is not targeted to specific critical infrastructure. Instead, HHS provides training that prepares medical personnel to respond to any disaster, but especially to terrorist attacks using biological, chemical, and radiological weapons of mass destruction (WMD). The Department of Justice (DOJ) provides training specifically for federal, state, and local law enforcement personnel. Most of these federal departments and agencies provide training in conjunction with private and public educational institutions, federal laboratories, and federal research and development centers.

The mission of DHS to secure the nation from terrorist attacks gives it primary federal responsibility for providing counter-terrorism training to federal, state, and local emergency responders.<sup>1</sup> Other departments and agencies provide counter-terrorism training, but their programs focus either on specific critical infrastructure sectors, such as energy and transportation, or on specific emergency responders, such as HHS training for medical personnel and DOJ training for law enforcement personnel. DHS provides training to a wide range of critical infrastructure personnel, law enforcement and other emergency responders, government (federal, state, and local) personnel, and medical personnel.

Homeland Security Presidential Directive—8 (HSPD8), issued December 17, 2003, requires the DHS Secretary, in coordination with the HHS Secretary, the Attorney General, and other appropriate federal departments and agencies, and in consultation with state and local governments, to establish and maintain a comprehensive

<sup>1</sup>P.L. 107–296, Sec. 101(b).

national training program. The national training program is to assist federal, state, and local governments in meeting the *Interim National Preparedness Goal*,<sup>2</sup> which was released in March 2005.<sup>3</sup> The national training program is to identify standards and maximize the effectiveness of existing federal preparedness programs. Additionally, HSPD-8 directs federal departments and agencies to include private organizations and entities in the accreditation and delivery of preparedness training.<sup>4</sup>

HSPD-8 also requires the DHS Secretary to develop and maintain a system to collect, analyze, and disseminate lessons learned, best practices, and information from exercises and training events, and establish procedures to improve national preparedness. DHS has developed what it calls the Lessons Learned Information System (LLIS), which provides best practices and information from exercises and training. LLIS, however, does not provide information on how training is coordinated within DHS, or among federal departments and agencies.<sup>5</sup>

#### **Department of Homeland Security**

DHS comprises numerous agencies, offices, institutes, and partners<sup>6</sup> that provide counter-terrorism training for federal, state, and local government personnel. DHS training is provided at such facilities as the Federal Law Enforcement Training Center (FLETC), National Fire Academy (NFA), Nobel Training Center (NTC), and Emergency Management Institute (EMI). FLETC is an interagency law enforcement center that provides training for federal law enforcement agencies. The Federal Emergency Management Agency (FEMA) administers EMI, NTC, and NFA training activities. NFA trains fire and emergency response personnel to enhance their abilities to respond to fires and related emergencies. EMI is a training program consisting of resident and non-resident courses aimed at enhancing emergency management practices. NTC is the national center for health and medical education in disaster, including acts of terrorism.<sup>7</sup>

**Office for Domestic Preparedness.** The Office for Domestic Preparedness (ODP), which has the primary responsibility within DHS for preparing for potential terrorist attacks against the United States,<sup>8</sup> is the principal DHS agency providing counter-terrorism and WMD training to states and localities. ODP provides terrorism and WMD training through DHS training institutions and partners. ODP training partners include the Training and Data Exchange Group (TRADE), the National Domestic Preparedness Consortium (NDPC), federal departments, and private and professional organizations.<sup>9</sup>

ODP training is designed to meet the varying needs of its training audiences. It includes reaching multiple emergency responder disciplines through training at the awareness, performance, planning, and management levels. ODP uses a variety of approaches that include traditional classroom methods, train-the-trainer, Web-based training, and video tele-conferencing.<sup>10</sup>

**Trade.** TRADE is a federal interagency group that provides training to state and local emergency responders and reviews member courses for consistency, avoidance of training duplication, and the use of up-to-date training methods. TRADE members include the following:

- United States Fire Administration's (USFDA) National Fire Academy (NFA);
- Federal Bureau of Investigation (FBI);
- Department of Justice (DOJ);
- Federal Emergency Management Agency (FEMA);
- Environmental Protection Agency (EPA);
- Department of Energy (DOE);
- Department of Health and Human Services (HHS);
- Centers for Disease Control and Prevention (CDC);
- Emergency Management Institute (EMI); and

<sup>2</sup>U.S. Department of Homeland Security, *The Interim National Preparedness Goal* (Washington: Mar. 2005), available at [<http://www.dhs.gov/dhspublic/display?content=4420>], visited June 20, 2005.

<sup>3</sup>Office of the President, *Homeland Security Presidential Directive—8: National Preparedness*, (Washington: Dec. 2003), available at [<http://www.whitehouse.gov/news/releases/2003/12/20031217-6.html>], visited June 20, 2005.

<sup>4</sup>Ibid.

<sup>5</sup>For further information on LLIS, see [<http://www.llis.gov>].

<sup>6</sup>See the list later in the statement.

<sup>7</sup>U.S. Department of Homeland Security, "Working with DHS," available at [<http://www.dhs.gov/dhspublic/display?theme=82>], visited Oct. 27, 2004.

<sup>8</sup>P.L. 107-296 (Homeland Security Act of 2002), Sec. 430(d).

<sup>9</sup>Department of Homeland Security, Office for Domestic Preparedness, "Training Overview," available at [<http://www.ojp.usdoj.gov/odp/training.htm>], visited Oct. 27, 2004.

<sup>10</sup>Ibid.

- Federal Law Enforcement Training Center (FLETC).<sup>11</sup>

**National Domestic Preparedness Consortium.** NDPC is composed of federal training facilities and academic institutions which provide training to emergency responders in different locations in the United States. NDPC members include:

- Center for Domestic Preparedness (CDP), at Anniston, Alabama;
- Academy of Counter-Terrorist Education (ACE), at Louisiana State University (LSU);
- National Emergency Response and Rescue Training Center (NERRTC), at the Texas Engineering Extension Service (TEEX), Texas A&M University (TAMU);
- Energetic Materials Research and Testing Center (EMRTC), at New Mexico Institute of Mining and Technology (NMIMT); and
- National Center for Exercise Excellence (NCEE), at Nevada Test Site (NTS).<sup>12</sup>

**Office for Domestic Preparedness Training Partners.** In addition to TRADE and NDPC, ODP has cooperative agreements with other federal agencies, private industry, academic institutions, and professional organizations that provide training to federal, state, and local emergency responders. These partners include the following:

- Community Research Associates;
- U.S. Army Dugway Proving Ground;
- International Association of Fire Fighters;
- U.S. Navy's Naval Postgraduate School;
- National Sheriff's Association;
- General Physics Corporation at Pine Bluff Arsenal;
- Science Applications International Corporation;
- George Washington University;
- Michigan State University;
- International Association of Campus Law Enforcement Administrators; and
- International Association of Chiefs of Police.<sup>13</sup>

#### Department of Defense

The majority of the Department of Defense's (DOD) terrorism-related training courses are dedicated to military personnel. DOD's expertise and range of training facilities related to chemical, biological, radiological, and nuclear (CBRN) weapons, however, offer a limited selection of training programs that are available to non-DOD personnel. Most of these programs are intended for medical and technical personnel who could be called upon to respond and treat casualties following an incident involving CBRN weapons. Several of the training courses are provided with the joint sponsorship of the American Red Cross. DOD provides counter-terrorism training to non-DOD personnel at the following:

- U.S. Army Medical Research Institutes for Chemical and Infectious Diseases, Aberdeen Proving Ground in Maryland, and Dugway Proving Ground in Utah;
- Clara Barton Center for Domestic Preparedness,<sup>14</sup> U.S. Army Pine Bluff Arsenal in Arkansas;
- Armed Forces Radiobiology Research Institute, in Bethesda, Maryland; and
- Joint Interagency Training Center, in San Diego, California.

#### Department of Energy

The Department of Energy (DOE) provides technical assistance and training to states for public safety officials of appropriate units of local government and Indian tribes through whose jurisdictions DOE plans to transport spent nuclear fuel or high-level radioactive waste.<sup>15</sup> DOE's Office of Environmental Management trains emergency responders for shipments to the Waste Isolation Pilot Plant (WIPP), and also provides training through the Transportation Emergency Preparedness Program (TEPP). Twenty-three states<sup>16</sup> have received approximately \$30 million in training since 1988 to prepare for radioactive waste shipments to the WIPP near Carlsbad, New Mexico. The TEPP has provided technical assistance and training to emergency responders in 34 states<sup>17</sup> in the past two years. In FY2002, DOE pro-

<sup>11</sup> Ibid.

<sup>12</sup> Ibid.

<sup>13</sup> U.S. Department of Homeland Security, Office for Domestic Preparedness, "Training Overview," available at [<http://www.ojp.usdoj.gov/odp/training.html>], visited Oct. 27, 2004.

<sup>14</sup> Administered by the American Red Cross and funded through the Department of Defense.

<sup>15</sup> Section 180(c) of the Nuclear Waste Policy Act, 42 U.S.C. 10101.

<sup>16</sup> AL, AZ, CA, CO, GA, ID, IL, IN, IA, KY, LA, MI, NE, NV, NM, OH, OR, SC, TN, TX, UT, WA, WY.

<sup>17</sup> AL, AR, AZ, CA, CT, DE, GA, ID, IL, IN, IA, KY, LA, MD, MI, MO, NE, NV, NJ, NM, NH, NY, NC, OH, OR, PA, SC, TN, TX, UT, VA, WA, WV, WY.

vided \$5.8 million for training to the states along its major transportation corridors. DOE estimates that it has trained 16,200 responders since FY1999.<sup>18</sup>

#### **Environmental Protection Agency**

To carry out its water sector responsibilities, EPA has established a Water Security Division within the Office of Ground Water and Drinking Water. This division works with drinking water and wastewater utilities, states, tribes, and other stakeholders to improve the security of these utilities and improve their ability to respond to security threats and breaches. Among its responsibilities and activities, the Water Security Division provides security and anti-terrorism-related technical assistance and training to the water sector.

EPA's Water Security Division generally does not perform the training itself; it delivers training at locations across the country through stakeholder organizations and other federal partners.<sup>19</sup> EPA has sponsored training on a variety of security topics, including courses to help community water systems prepare vulnerability assessments and emergency response plans, as required by the Bioterrorism Act (P.L. 107-188).<sup>20</sup> EPA has entered into an interagency agreement with the Office of Domestic Preparedness (ODP) within DHS, under which ODP has provided emergency response training for medium and large drinking water utilities, first responders, and local elected officials.<sup>21</sup> To assist smaller drinking water utilities not covered by the Bioterrorism Act, EPA has provided funding to the National Rural Water Association to deliver security training.

#### **Department of Health and Human Services**

Counter-terrorism training programs supported by the Department of Health and Human Services (HHS) are aimed at a variety of public health and health care providers, individuals who provide ancillary health services such as laboratory testing, and researchers who study health effects from, or countermeasures to, biological, chemical and radiological agents. Training programs have a variety of intended purposes, including assuring the ability to recognize and treat victims of terrorist events, protecting workers and others from infection or contamination while care is rendered, protecting critical health care assets and maintaining electronic and other lines of communication during catastrophic events, assuring competent laboratory services, and assuring that certain assets such as radioactive materials or biological organisms are secured against potential misuse.

All of the HHS agencies listed below have responsibility for funding and administering specific training programs and assets.

**Centers for Disease Control and Prevention.** CDC is the agency primarily responsible for the public health response to terrorism and other public health emergencies. Most extramural training programs at CDC have been coordinated across centers and offices by the CDC Public Health Practice Program Office (PHPPO). CDC also supports intramural training of public health professionals through its Epidemiology Program Office (EPO). According to a reorganization called the CDC Futures Initiative, existing PHPPO and EPO training activities are redistributed to several new organizational units within CDC.<sup>22</sup> CDC-funded training programs are developed and delivered in a variety of ways. CDC is entirely responsible for some programs. Others are developed and delivered in conjunction with state and local health departments and academic centers, although some are developed by these entities with CDC funding but little direct input otherwise.

<sup>18</sup>U.S. Department of Transportation, Office of National Transportation, Corrine Macaluso, "Office of Civilian Radioactive Waste Management," memorandum, Feb. 5, 2004.

<sup>19</sup>Organizations that provide security training include professional associations, such as the American Water Works Association (AWWA), the Water Environment Federation (WEF), and the National Rural Water Association (NRWA). Congress has provided some grant funds to these organizations, through EPA, to support their water security training activities.

<sup>20</sup>Title IV of the Bioterrorism Act (42 U.S.C. 300i) amended the Safe Drinking Water Act to require each community water system serving more than 3,300 individuals to conduct an assessment of the system's vulnerability to terrorist attacks or other intentional acts to disrupt the provision of a safe and reliable drinking water supply. These drinking water systems must submit a copy of the assessment to EPA. The act also requires these systems to prepare emergency response plans incorporating the results of the vulnerability assessments no later than six months after completing the assessments. All utilities covered by the act were to have completed vulnerability assessments by June 30, 2004. The last statutory deadline for systems to complete emergency response plans was December 31, 2004.

<sup>21</sup>Because most water and wastewater utilities are municipally owned, EPA has made an effort to involve locally elected officials in first responder training courses.

<sup>22</sup>See U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, Futures Initiative Home Page, at [<http://www.cdc.gov/futures/default.htm>].

**Health Resources Services Administration.** The Health Resources and Services Administration (HRSA), through its Bureau of Health Professions, provides support for training and placement of health care and public health workers in order to alleviate shortages and maldistributions of these workers.

HRSA also administers the National Bioterrorism Hospital Preparedness Program, a program of grants to states to prepare hospitals and supporting health care systems to deliver coordinated and effective care to victims of terrorism and other public health emergencies. As part of their application for funding, states must include a written proposal for providing relevant training for hospital and health care personnel to assure readiness in their states.<sup>23</sup>

Following the terrorist attacks of 2001, HRSA has provided annual grants to academic institutions through a new Bioterrorism Training and Curriculum Development Program for training in recognition and treatment of diseases related to bioterrorism for health care providers in training and on the job.

**Food and Drug Administration.** The Food and Drug Administration (FDA) assures the safety and efficacy of human drugs and vaccines, medical devices, and animal drugs, and the safety of certain foods and cosmetics.

FDA provides training for its own employees and for state, local, and tribal regulatory personnel at no cost through its Office of Regulatory Affairs "ORA University."<sup>24</sup> Relevant training courses for terrorism preparedness include those geared toward implementation of new regulations for food and drug safety in the Public Health Security and Bioterrorism Preparedness and Response Act of 2002, P.L. 107-188. Formats include Web-based and classroom instruction, video tele-conferences, and a library of training materials.

#### **Department of Justice**

The Department of Justice (DOJ) enforces the law to help ensure public safety against foreign and domestic terrorist threats, by conducting federal investigations and prosecutions of persons suspected of unlawful activities. DOJ also sponsors and provides assistance to state and local law enforcement agencies. Listed below are several of these training programs.<sup>25</sup> While some of them are not directly related to counter-terrorism, they are listed because they may convey the knowledge and skills to law enforcement personnel that could advance investigations of terrorist activities and responses to terrorist incidents. Among the programs are those related to special weapons and tactics, criminal intelligence, money laundering, computer crime, and crisis response and management. Some programs are provided directly by DOJ entities—the Federal Bureau of Investigation; the Bureau of Alcohol, Tobacco, Firearms and Explosives; and the National White Collar Crime Center. Others are sponsored by DOJ, through the Bureau of Justice Assistance, and provided by nonprofit law enforcement organizations.<sup>26</sup> DOJ training includes:

- State and Local Anti-Terrorism Training;
- WMD Hazardous Material Evidence Collection;
- Crisis Management;
- Crisis Negotiation;
- Law Enforcement Response to Terrorism;
- Multi-Agency Incident Management for Law Enforcement and Fire Service;
- Tactics, Techniques, and Procedures for Terrorists;
- Terrorism and Explosive Seminars;
- Criminal Intelligence Systems;
- Foundations of Intelligence Analysis;
- White Collar Crime and Terrorism;
- Cyber and Computer Crime; and
- Basic LAN and Advanced Internet Investigations.

#### **Department of Transportation**

<sup>23</sup> For more information on education and training components of the HRSA National Bioterrorism Hospital Preparedness Program, see presentation of Teri Spear before the meeting of the HHS Secretary's Council on Public Health Preparedness, May 3-4, 2004, available at [<http://www.hhs.gov/asphep/presentation/040503presentationlist.html>].

<sup>24</sup> FDA, ORAU Home Page at [[http://www.fda.gov/ora/training/course\\_ora.html](http://www.fda.gov/ora/training/course_ora.html)].

<sup>25</sup> Short descriptions of these programs and courses are available on a Web-accessible "law enforcement training database" and search engine maintained by the Bureau of Justice Assistance. See [<http://bjatraining.aspensys.com>].

<sup>26</sup> The nonprofit law enforcement organizations include the Institute for Intergovernmental Research, the International Association of Chiefs of Police, the Oklahoma Regional Community Policing Institute, and SEARCH (a multi-state consortium dedicated to improving criminal justice record systems).

Rail and bus transit systems are identified as critical infrastructure because they provide transportation for many Americans in densely populated urban areas and serve key economic, financial, and governmental centers of the nation. They move over 14 million passengers daily, and in one month they transport more passengers than U.S. airlines move in a year. Since these systems are operated in an open environment, they are high-risk, high-consequence targets for terrorists. Rail transit subways travel under key government buildings, business centers, and harbors.<sup>27</sup> Rail and bus transit systems travel along fixed routes with frequent scheduled stops, and aviation-type passenger screening procedures may not be practical because of the large volume of daily passengers.

**Federal Transit Administration.** Within the Department of Transportation, the Federal Transit Administration (FTA) is responsible for providing counter-terrorism and homeland security training to transit system personnel. FTA provides security guidance to transit system operators, and it has instituted a five-point security initiative to assist transit systems in preparing for and responding to terrorist attacks. In addition to training, FTA provides assistance to transit system agencies with on-site readiness assessments, technical assistance, and regional forums for emergency responders, and grants for terrorism drills.<sup>28</sup>

FTA is also working with the transit industry to identify critical, high-risk assets and operations and to develop security strategies for these critical assets. The strategies will address training, providing technical assistance, sharing best practices, and testing new security technology.<sup>29</sup> FTA's counter-terrorism training courses are available to transit system administrators, operators, managers, and emergency responders.

#### **Possible Questions for Congressional Oversight**

The primary stakeholders in responding to terrorist attacks, and thus the recipients of counter-terrorism training, are federal, state, and local governments; private and public medical systems; and critical infrastructure administrators. In the evolution of counter-terrorism training, a number of questions have arisen with regard to possible duplication of training programs. The questions and possible approaches might be of interest as you continue your oversight of federal counter-terrorism training. CRS takes no position with respect to any of the possible approaches listed.

**Potential Duplication of Department of Homeland Security Training.** Within DHS, ODP and the Federal Emergency Management Agency (FEMA) administer training programs at the state and local levels, and at national training institutes. At the national level, FEMA administers the Emergency Management Institute (EMI) and the National Fire Academy (NFA). ODP does not directly administer any training institute; but it provides guidance and funding to training institutes that are part of the National Domestic Preparedness Consortium (NDPC), described earlier in this statement.

Some training programs offered by EMI and NFA have subject matter similar to training provided by NDPC training institutes, such as incident management, homeland security planning, hazardous material incident response, emergency operations, and WMD response. Because of the possible similarity of these training programs for state and local first responders, some might argue for a need to consolidate or coordinate training offered by these two separate DHS agencies.

FEMA's firefighting training provided by the NFA, however, focuses primarily on the needs of local fire departments, whereas NDPC provides some training primarily focusing on law enforcement. Some of the training that is tailored to a specific profession such as law enforcement or firefighting would not seem to be redundant. Basic or introductory training such as incident management or WMD response, however, may not be specifically tailored for a single profession or type of first responder. The possible redundancy of training and the potential consolidation of training may be policy questions that the committee may choose to address through oversight of DHS's role in providing assistance to states and localities. Possible approaches include:

**Government Accountability Office (GAO) Evaluation of Training.** The House Committee on Homeland Security could ask GAO to undertake an evaluation of DHS counter-terrorism training programs. The evaluation could review ODP and FEMA training curricula, individual courses, intended and actual trainees, and

<sup>27</sup> U.S. Department of Transportation, Federal Transit Administration, "Safety and Security: FTA Transit Security," available at [<http://transit-safety.volpe.dot.gov/Security/Default.asp>], visited Nov. 18, 2004.

<sup>28</sup> *Ibid.*

<sup>29</sup> *Ibid.*

training facilities. After conducting a review of these courses, GAO might be able to identify any duplication of training and possible options for consolidating or coordinating this training. This option would give the committee additional tools for oversight of the programs. H.R. 1544 (as reported), Section 6, proposes this evaluation. This option, however, would require the committee to work with GAO to set a mutually acceptable scope and time for the study.

**Coordination of Department of Homeland Security Training.** If the committee were to find undesirable redundancy in training programs, it could direct DHS to be more attentive to coordinating the counter-terrorism training programs administered by ODP and FEMA. DHS could possibly establish a board to review the ODP and FEMA training programs, and to recommend coordination or other steps to reduce duplication.

**Consolidation of Department of Homeland Security Training.** If the committee were to find a need to consolidate DHS training programs, it could direct DHS, through statutory or conference language, to conduct a review of its training programs and develop a plan to consolidate its training. This consolidation might involve the removal of similar programs provided by ODP and FEMA to ensure there is no redundancy. If Congress did not consider this consolidation adequate to ensure against redundant or uncoordinated DHS training, it could also direct DHS to consolidate all counter-terrorism training under one agency. ODP might be directed to assume the responsibility for administering not only its training, but also the training FEMA provides first responders through EMI and NFA. Some would argue this is a logical choice since ODP is responsible for administering the funding to states and localities that assist them in receiving this training. This option, however, might be seen as impractical due to the training EMI provides state and local emergency managers that is specific to natural disasters, and the specific training NFA provides firefighters. FEMA historically has administered training programs for emergency managers and firefighters, whereas ODP has administered law enforcement focused training.

**Potential Duplication of Federal Counter-Terrorism Training.** Because of the rapid evolution of counter-terrorism training programs offered by different federal departments and agencies, there may be a duplication of certain types of training provided to federal, state, and local government personnel, emergency responders, and critical infrastructure facility personnel. For example, DHS, HHS, and EPA all offer training related to responding to hazardous materials incidents.

It is possible that training provided by DHS, DOD, DOJ, DOT, EPA, and HHS to first responders is not coordinated, and that a federal effort should be made to ensure these federal entities provide coordinated, non-duplicative training. The following possible oversight approaches might assist the committee as it continues its oversight effort concerning federal counter-terrorism training.

**Government Accountability Office Evaluation of Training.** Congress could ask GAO to undertake an evaluation of all federal counter-terrorism training programs, similar to its request for a GAO evaluation of DHS training (H.R. 1544, Section 6). GAO could be asked to review individual courses, training curricula, training audiences, and training facilities. After conducting a review of these courses, GAO might be able to identify any duplication of training and possible alternatives for consolidating or coordinating this training. This option would require Congress to work with GAO to set a mutually acceptable scope and time for the evaluation.

**Interagency Task Force.** Congress might direct, through statutory and conference language, the federal departments and agencies that provide counter-terrorism training to establish an interagency task force to review their counter-terrorism programs. Because of the lead role DHS provides in counter-terrorism training, Congress could consider directing DHS to chair the task force. Once the training has been reviewed, the task force could be directed to coordinate and consolidate the training as necessary. This option, however, could result in "turf" disputes and federal departments and agencies attempting to protect training programs and the funding associated with them.

Mr. KING. Thank you, Mr. Reese, for your testimony.

Actually, before we go on to the other witnesses, I want to thank all of you for your patience in sitting here this morning. The first panel went on longer, then we had the vote, which also further delayed things. So I really want to tell you we do appreciate it.

The Chair now recognizes Mr. Steven Edwards, Director of the Maryland Fire and Rescue Institute.

Mr. Edwards?



**STATEMENT OF STEVEN EDWARDS**

Mr. EDWARDS. Good morning. My name is Steven Edwards. I am currently the Director of the Maryland Fire and Rescue Institute at the University of Maryland, College Park. Thank you for listening to my comments this morning, as I welcome the opportunity to speak before this committee.

As an emergency services educator and trainer, the process and end result of preparing the nation's first responders to deal with weapons of mass destruction and terrorism is paramount. Firefighters and emergency medical personnel have to be properly trained and equipped to deal with these emerging threats, in addition to their regular duties. The core subject matter, as well as the delivery system, must ensure that there is a comprehensive national strategy that best serves the general population, as well as the first responders. Unfortunately, this just does not exist.

Shortly after the events of 9/11, many leaders in the fire service organizations and state and local fire training academies looked forward to working with the Office of Domestic Preparedness to receive guidance as well as national standard curriculum to ensure each state and locality was prepared to respond as necessary. What we have received to date is little or no training curriculum, minimal communication and an antiquated training delivery system.

We sit bewildered as to why ODP would ignore established training systems at the state and local level. Prior to the events of 9/11, ODP established a Federal Training Consortium of five schools to deliver terrorism response-level training. Only these selected schools could participate in the system and you had to be invited by ODP to be a part of this group. Amazingly, after 9/11 when the entire world changed and intense training in terrorism response to unprecedented levels was required, ODP kept the same system in place.

An existing network of public safety training academies has served the needs of the nation's first responders for decades. These academies are found at the state and local level and have experienced and highly qualified instructors. Each of the 50 states has a state fire training organization. Collectively, the state fire training academies train over 800,000 students each year in an array of emergency services training programs. Hundreds of millions of dollars in infrastructure, faculty and support personnel have been invested in these academies over the years.

As an example, the Maryland Fire and Rescue Institute has trained emergency responders for 75 years. Imagine our dismay and the dismay of our entire Fire Service in our state to have such a system ignored by the Office of Domestic Preparedness. Last year in correspondence to ODP, I requested our state be allowed to share in and teach selected ODP terrorist and response training courses. This request was denied by ODP.

Interestingly, at the same time our institute was not deemed appropriate to teach ODP courses at the local level, we were training the United States Secret Service on fire procedures for the protection of the President. DHS and ODP have instructed state fire academies they can use federal funds to develop terrorism response training curriculum in their own respective states. Actually, this makes little sense. What is needed is a comprehensive national

training strategy for terrorism response training courses, not 50 states going their own separate directions with training course material.

Regarding the cost of programs to the taxpayer and the efficiency with which they are delivered by ODP, Congress should be concerned and examine more closely the ODP methodology for administering training programs. For example, the ODP Training Consortium can fly in three instructors from Texas to teach a course in Maryland, where I can have an instructor walk from his or her second-floor office down to our classroom at the academy and teach the same course if it was available. It does not take an accountant to figure out which method is more costly.

The ODP method of training course delivery simply does not take advantage of existing training resources at the state and local level. My state and others attempt to deliver training courses as close to the students as possible and to reduce costs and increase flexibility with regard to class schedules. Much of the nation's fire service is volunteer-based, and they need to attend training courses on nights and weekends since they work their regular jobs during the week. All state fire academies understand this and work to provide training when the audience is most available. Unfortunately for the hundreds of thousands of volunteers who need training, the ODP Consortium teaches their programs Monday to Friday during normal work hours.

In February of 2005, the International Association of Fire Chiefs at a summit that was conducted in Washington, D.C. and attended by 16 major national fire and rescue associations. The summit grew out of frustration and concern regarding a number of issues at DHS. At this historic summit, five goals were agreed upon including "to ensure the most effective utilization of training resources, the Department of Homeland Security should be required to work more closely with the National Fire Academy, national fire service organizations providing fire service-related training, and state and local fire training academies regarding the use of curriculum and the delivery system for terrorism response training."

In April of 2005, the Congressional Fire Service National Advisory Council, which includes almost 50 fire service organizations, met and approved the summit recommendations by way of unanimous resolution. The issue of access to ODP training curriculum and delivery of programs is a major concern of the entire fire service within the United States. Failure to recognize the qualifications of state and local instructors and work with such a proven system is a lost opportunity.

A partnership needs to be developed where ODP works with state and local training academies to delivery needed terrorism response training in a format best suited for the success of the students. The state and local training academies are structured to deliver training in an efficient manner and do this where the response personnel live and work, in conjunction with other training priorities. It is clear that there needs to be a better system. State and local fire training academies are committed to working with the new leadership in the Department of Homeland Security to review current terrorism response delivery systems and make im-

provements where warranted. We simply want our students to be prepared to the highest extent possible.

Thank you.

[The statement of Mr. Edwards follows:]

PREPARED STATEMENT OF STEVEN T. EDWARDS

Good Morning, my name is Steven Edwards. I am currently the Director of the Maryland Fire and Rescue Institute at the University of Maryland at College Park. I also serve as the Chair of the Congressional Fire Service Institute National Advisory Committee, Chairman of the Board of the Safety Equipment Institute, and I am the immediate past President of the North American Fire Training Directors, among other state and local appointments. Previous to these positions I served with the Prince George's County Fire Department for 25 years, retiring as Fire Chief. Thank you for listening to my comments this morning as I welcome the opportunity to speak before this committee.

As an emergency services educator and trainer the process and the end result of preparing the nation's first responders to deal with weapons of mass destruction and terrorism is paramount. Firefighters and emergency medical personnel have to be properly trained and equipped to deal with these emerging threats in addition to their regular duties. The course subject matter as well as the delivery system must ensure that there is a comprehensive national training strategy that best serves the general population as well as the first responders. Unfortunately, this just does not exist.

Within the Department of Homeland Security training and preparedness for terrorism response has been centralized within the Office of Domestic Preparedness (ODP) and the Office of State and Local Government Coordination and Preparedness. Shortly after the events of 9-11 many of the leadership of fire service organizations and state and local fire training academies looked forward to working with ODP to receive guidance as well as national standard curriculum to ensure that each state and locality was prepared to respond if necessary. What we have received to date is little or no training curriculum, minimal communication, and an antiquated training delivery system. We sit bewildered as to why ODP would ignore established training systems at the state and local level.

Prior to the events of 9-11, ODP established a federal training consortium of five schools to deliver terrorism response level training. Only these selected schools could participate in this system and you had to be invited by ODP to be a part of this group. Amazingly, after 9-11, when the entire world changed and intense training in terrorism response to unprecedented levels was required, ODP keep the same system in place. The issue is not with the training programs of the ODP consortium schools or the quality of what they present, which for the most part is good. The issue is simply that this current system is inefficient, ineffective, and does not take advantage of existing training systems and networks.

America's fire service consists of over 30,000 fire departments staffed by approximately 1.2 million career and volunteer firefighters. The fire service responds to over 22 million emergencies each year and provides a number of emergency services to the public. There is no question that in the event of a terrorism event that the fire service will be called upon to respond in the first critical moments and provide valuable life saving services. Fire departments have attempted to greatly improve upon their ability to respond to these types of events and have made substantial progress since 9-11, in spite of the inadequate attempts of ODP to provide essential training services on a broad scale.

An existing network of public safety training academies has served the needs of the nation's first responders for decades. These academies are found at the state and local level and have experienced and highly qualified instructors in fire and rescue, emergency medical services, law enforcement, corrections, and others. I will restrict my comments to fire and rescue training academies, but I know that other public safety disciplines share my concerns.

Each of the fifty states has a state fire training organization. Collectively the state fire training academies train over 800,000 students each year in an array of emergency response training programs. Hundreds of millions of dollars in infrastructure, faculty and support personnel have been invested in these academies over the years. The state fire training academies are represented by the North American Fire Training Directors (NAFTD). This group meets on a regular basis to review and discuss issues of concern to them. Over the past four years nothing has been discussed more than the issue of how can we get ODP to work more effectively with our training systems.

The Maryland Fire and Rescue Institute (MFRI), instructs over 30,000 fire, rescue, and emergency medical service students each year. Our main training facility is located in College Park and we have six regional training centers strategically located throughout the state. MFRI has over 60 full time faculty and staff and over 600 field instructors who work on a part time basis to instruct classes as needed. MFRI has trained emergency responders for 75 years. Imagine our dismay and the dismay of the entire fire service in our state to have such a system ignored by ODP. Last year in correspondence to ODP, I requested that our state be allowed to share in and teach selected ODP terrorism response training courses. This request was denied by ODP. Interesting that at the same time our Institute was not deemed appropriate to teach ODP courses at the local level, we were training the U.S. Secret Service, in fire procedures for the protection of the President.

State fire academies have been instructed that they can use federal funds to develop terrorism response training curriculum in their state. ODP has established a review system to approve these courses. Our experience has been that this system is burdensome and a very lengthy process. The course reviews are conducted by the consortium schools, which in my opinion have no incentive to encounter more courses that they may have to compete with. Actually, this process makes little sense. What is needed is a comprehensive national training strategy for terrorism response training courses, not fifty states going their own direction with training course material. ODP could learn from many other federal agencies such as the National Fire Academy, the Emergency Management Institute, and others. When they develop a training course it is immediately handed off to the states to teach in a coordinated manner, with results returned for accountability purposes. This is an efficient system that serves the best interest of all first responders.

Regarding the cost of the programs to the taxpayer and the efficiency in which they are delivered by ODP, there are many questions. For example, the ODP training consortium can fly in three instructors from Texas to teach a course in Maryland, or I can have an instructor walk from his/her second floor office down to the classroom at our academy and teach the same course if it were available. It does not take an accountant to figure out which method is more costly. The ODP method of training course delivery simply does not take advantage of existing training resources at the state and local level.

My state and others attempt to deliver training courses as close to the students as possible to reduce costs and to increase flexibility with regard to class schedules. Much of the nation's fire service is volunteer based and they need to attend training courses on nights and weekends, since they work their regular job during the week. All state fire academies understand this and work to provide training when the audience is most available. Unfortunately for the hundreds of thousands of volunteers who need to be trained, the ODP consortium teaches their programs Monday to Friday during normal work hours.

All state fire training academies keep historical records of who is trained within their state. It is important that these records are available for certification and legal purposes. Since ODP does not work with the state systems we have no way of knowing who has been trained by ODP in our various states. Better coordination on this issue would improve this system for the benefit of the students and have training records maintained in an appropriate data base.

Most of the state fire academy curriculum and instructors meet national certification and accreditation standards reviewed and verified by independent third party organizations, such the National Professional Qualifications Board, the International Fire Service Accreditation Service, and the American Council on Education among others. I am not aware of the standard to which ODP instructors and contractors are evaluated to in order to maintain quality in their instructional process. In the past ODP has stated that their courses "address complex subjects and often require specialized facilities or equipment" and therefore cannot be taught at the state and local level. I strongly disagree with this assertion and since their system for qualifying instructors appears to be less than what the state and local fire training academies utilize, I do not see how they came to this conclusion. Effective in 2004, ODP does allow state and local hazardous materials instructors to teach their awareness level courses without further qualification.

In February of 2005, the International Association of Fire Chiefs (IAFC) led a summit that was conducted in Washington DC and attended by sixteen of the major national fire and rescue associations. This summit grew out of frustration and concern regarding a number of issues at DHS. At this historic summit five goals were agreed upon, including:

*"To ensure the most effective utilization of training resources, the Department of Homeland Security should be required to work more closely with the National Fire Academy, national fire service organizations providing fire service related training,*

*and state and local fire training academies regarding the use of curriculum and the delivery system for terrorism response training.”*

In April of 2005 the Congressional Fire Service Institute National Advisory Committee met and approved the summit recommendations by way of a unanimous resolution. The CFSI National Advisory Committee consists of over fifty national fire service related organizations. The issue of access to ODP training curriculum and delivery of programs is a major concern of the entire fire service within the United States.

The current ODP strategy of having a few limited training schools is inefficient and is simply not capable of delivering training courses in large volumes. Failure to recognize the qualifications of state and local instructors and work with such a proven system is a lost opportunity.

In April of 2005 after a meeting with Mr. Matt Mayer, Acting Director of the Office of State and Local Government Coordination and Preparedness action was initiated to address some of the above noted concerns. He has agreed to develop a process whereby state and local academies, with the concurrence of their State Administrative Agency, may request standardized curriculum for courses identified by SLGCP for institutionalization. This is a good start, but it needs to be followed up on and actually implemented. The state and local fire training academies anxiously await review of this process.

A partnership needs to be developed whereby ODP works with the state and local training academies to deliver needed terrorism response training in a format best suited to the success of the students. The state and local training academies are structured to deliver training in an efficient manner and can do this where the response personnel live and work, in conjunction with other training priorities. It is clear that there needs to be a better system. The state and local fire training academies are committed to work with the new leadership at the Department of Homeland Security to review the current terrorism response delivery system and make improvements where warranted. We simply want our students to be prepared to the highest extent possible.

Mr. KING. Mr. Edwards, thank you for your testimony. You have certainly given us something to think about.

Now, Sheriff McGowan, Chairman of the National Sheriffs' Association, Weapons of Mass Destruction Committee.

Sheriff McGowan?

#### **STATEMENT OF PATRICK MCGOWAN**

Sheriff McGowan. Mr. Chairman and members of the committee, I would like to thank you for the opportunity to appear today to present to you an overview of the National Sheriffs' Association contributions to our nation's homeland security.

I am Sheriff Pat McGowan, Hennepin County Sheriff from Minneapolis, Minnesota. I have been in law enforcement for over 30 years and am currently Chair of the National Sheriffs' Association Weapons of Mass Destruction Committee.

NSA has been providing sheriffs and other criminal justice practitioners with resources, technical assistance, information and opportunities for professional development since its inception in 1940. In 1999, 2 years prior to the 9/11 attacks on our nation, the NSA, using funds provided by the Office for Domestic Preparedness, initiated an executive-level WMD event preparedness prevention and response training program.

Since that time, NSA and ODP have developed a close working relationship to ensure effective training in the areas of community partnerships, jail evacuation and first responder training. We are pleased with the progress we have made in developing appropriate courses and greatly appreciate the outreach that ODP has undertaken to ensure that our nation's sheriffs receive the training they require to protect our country and to prevent terrorist activities.

I am proud to say NSA has maintained its position at the forefront of the War on Terrorism. As a result, sheriffs across the country have been able to provide training for their command staff, a variety of other first responders, and members of their local communities for several years. As each community and its responders refine their preparedness skills and their response capabilities, our country becomes stronger.

Each of our programs addresses a critically important sector and dramatically enhances the preparedness of our citizens and emergency responders. Whether NSA conducts a course in a large urban area or in a small rural community, participants find that the information and training that they receive is both timely and relevant to their circumstances.

Focus groups composed of individuals according to their knowledge and expertise provide initial guidance for course structure and content. Their initial input has guided the NSA as it has developed a framework for each course. But as the scope and direction of national security initiatives have changed, the NSA has been equally quick to respond. The original WMD executive course, for example, which focused on WMD awareness, has been completely updated and now focuses on managing the event. This new course focuses more upon prevention and preparedness, echoing the requirements of HSPD 8.

NSA programs have been developed to have the maximum impact possible at both the local and national levels. The executive-level program was our first program developed to train and prepare sheriffs, staff, and executives of other agencies for a WMD event. In the period between 1999 and 2003, this training was delivered to over 6,000 sheriffs and other members of the emergency response community in 38 states. Feedback on this course has been extremely positive. This program is unique in that it provides opportunity for law enforcement executives to examine and then modify their jurisdiction's emergency plan in the context of the most up-to-date information across a broad range of subjects.

It directs executives to identify, cultivate and document roles and responsibilities within their own agency and in cooperation and coordination with other first responder agencies. Executives are then able to identify threats, vulnerabilities and resources within their own jurisdictions more easily. The NSA recognized that whenever a WMD or terrorist incident may occur, local first responders, along with their citizens, will provide the initial response to this event.

Their level of preparation will dictate the effectiveness of the initial response. Later, the degree to which citizens and responding agencies are able to mutually support one another will shape the successful outcome of any response. The NSA community partnership and awareness training develops a dynamic partnership between citizens and responding agencies. Since its first pilots were completed in 2003, the course has trained nearly 1,700 participants from jurisdictions all across our nation. This program helps to increase community awareness of the risks and hazards posed by weapons of mass destruction.

The results of this program have been striking. Personnel from a variety of public safety agencies have started working in cooperation with citizens from all sectors, civic and business leaders, teach-

ers, senior citizens and representatives of the faith-based community. Thanks to these new partnerships, many potential hazards and new resources have been discovered. The NSA jail evacuation course has been designed to address the needs of small and large jails in rural and urban jurisdictions and to prepare them to evacuate in the event of a terrorist attack or WMD event, while at the same time ensuring the safety of their respective communities.

The specific challenges posed by jail evacuations have attracted the attention of DHS, ODP and out nation's sheriffs. Since 2003 when pilots for this program were first developed, participants from all regions of the country have received training. Forty programs have been conducted over the past 13 months; participants have included officials from state and federal prisons, private detention facilities, police departments, fire and rescue and emergency managers. Thirty-two more programs are scheduled prior to Thanksgiving, 2005.

The NSA First Responder Program focuses on actions required in the initial phase of a response, that crucial 15 to 30 minutes that elapses between the occurrence of the event and response by the first responder teams. With an emphasis on safety and teamwork, participants learn that actions taken in the first moments of an incident set the stage for future success or failure. This program is currently awaiting final approval from ODP, but a long waiting list has already been compiled.

Inquiring agencies include the United States Secret Service, TSA, FBI, our country's military, as well as our international law enforcement colleagues in Ontario and Toronto. In this course, instruction and tabletop exercises, coupled with practical exercises, prepare participants to train members of their own agencies.

Members, since NSA began conducting counterterrorism training in 1999, we have learned many lessons. Our goal is to ensure our training reflects the best practices, incorporates national standards where appropriate, is realistic, and is flexible to address the various needs of each community.

In conclusion, I would like to say that the National Sheriffs' Association has always taken a leading role in providing counterterrorism training across the country and that we have been doing so long before 9-11. The effectiveness and relevance of NSA training initiatives can be verified by the current demand for our training programs, as well as our course evaluation data. The continued level of interest shown by agencies and organizations both within the United States and from the international community further confirms our success.

I want to thank the committee for the opportunity to be here today and to discuss the effectiveness of antiterrorism training and to share NSA's experience and successes. I am happy to answer any questions that you may have.

[The statement of Mr. McGowan follows:]

PREPARED STATEMENT OF SHERIFF PATRICK D. MCGOWAN

Mr. Chairman and members of the Committee: Thank you for the opportunity to appear before this distinguished panel to present to you an overview of the National Sheriffs' Association's contributions to our nation's homeland security.

The National Sheriffs' Association (NSA) believes that the Office of Sheriff is one of our nation's most vital institutions. Sheriffs throughout the country interact with

citizens and a wide variety of other agencies, at many levels. Their influence and impact upon the country cannot be understated.

There are 3,087 sheriffs across the country representing both rural and urban jurisdictions. Many of them have influence over hundreds of square miles, while others serve in very densely populated cities.

The National Sheriffs' Association is a non-profit organization, chartered in 1940. Since its inception, the organization has consistently dedicated itself to raising the level of professionalism among sheriffs, their deputies, and others in the field of criminal justice and public safety so that they may perform their jobs in the best possible manner, in service to the people of their communities.

In support of that mission, NSA provides sheriffs and other criminal justice practitioners with resources, technical assistance, information, and opportunities for professional development. Through its annual conferences, NSA also provides valuable opportunities for networking and interacting with our fellow criminal justice professionals. The NSA is committed to the quest of continually enhancing the services it provides to sheriffs, law enforcement personnel, and the public safety community.

In 1999, the NSA using funds provided by the US Department of Homeland Security, Office for Domestic Preparedness initiated an Executive Level WMD event preparedness, prevention, and response training program. In the years that followed, the success of this initial course led to the development of additional programs: Community Partnership Training, Jail Evacuation Training, and First Responder Training were each conceived and designed to fill gaps in our nation's preparedness training.

Since that time, NSA and ODP have developed a close working relationship to deliver training to our Nation's first responder community. NSA firmly believes that ODP's training program is making significant inroads into the training needs of the first responder community, particularly the sheriffs. We are pleased with the progress that ODP has made in developing appropriate courses and greatly appreciate the outreach that ODP has undertaken to ensure that our Nation's sheriffs receive the training they require to prevent terrorist activities and protecting our country.

Close, open, and creative communication between ODP and the NSA has led to the development of programs that are well suited to the challenges facing our country. With collaboration from ODP, NSA has been able to ensure that as the nature of the threats evolve and change, the training offered by NSA evolves as well, allowing sheriffs the opportunity to meet those new challenges head on.

The support of the federal government through the ODP has allowed the NSA to maintain its position at the forefront of the war on terror. Sheriffs across the country have been able to train their command staff, a variety of first responders, and members of their local community for several years. As each community and its responders refine their preparedness skills and their response capabilities, our country becomes stronger.

There is more to be done, and the National Sheriffs' Association is more than ready to take up the challenge!

### **BACKGROUND**

The National Sheriffs' Association has taken a leading role in the nation's fight against terrorism. The Homeland Security and Weapons of Mass Destruction programs at NSA have been designed to respond flexibly to the needs of jurisdictions and communities across the country.

The programs developed by the National Sheriffs' Association were developed in response to the many requests from sheriffs across the nation. The NSA recognized that if specific sectors of the population were adequately prepared, then a coordinated and mutually supportive response would likely occur, resulting in a more effective and efficient outcome.

Each program addresses a critically important sector and dramatically enhances the preparedness of citizens and emergency responders, should a terrorist event occur in their community, or in a nearby community.

Whether NSA conducts a course in a large urban area, or in a small rural community, participants find that the information and training that they receive is both timely and relevant to their circumstances. In an ever-changing world, we constantly need to provide new information, raise new questions, and address unique circumstances, if we are truly going to prepare the Nation.

The NSA's Homeland Security and WMD training initiatives began in April 1999 after the association received a \$250,000 grant to develop an Executive Level Training Curriculum for Sheriffs, and to conduct pilot that training in five locations.



In May 2000, the Association received another \$600,000 award to conduct an additional 14 training programs.

In September 2001, \$700,000 was awarded for the continuation of this project through October 2002, including funds to conduct an additional 10 WMD Incident Risk and Crisis Communication training sessions.

In October 2002, \$2 million was awarded, extending the project through September 2003.

In January 2003, the project scope was expanded to include 3 new training programs:

- (1) Jail Evacuation Planning Program, which initially conducted 4 pilot projects. Predicated on the success of these pilot programs, NSA started delivering regular training in May 2004;
- (2) Community Partnerships & Awareness Program, which also conducted 4 pilot projects and began offering trainings in May 2004.
- (3) First Responder: Train-the-Trainer Program, which is currently in the course development stage, with trainings anticipated to begin in June 2005.

In October 2003, NSA \$2 million was awarded to continue the project through September 2004. And In October 2004, \$3 million was awarded for continuation of the WMD training programs through September 2005.

### ***Introduction to NSA Homeland Security Training Program Initiatives***

NSA training has been developed with the practical needs of law enforcement and first responder agencies and personnel in mind. Focus groups, composed of individuals invited to participate, according to their knowledge and expertise, provided initial guidance for course structure and content.

Focus group input guided the NSA as it developed a framework for each course, and then provided a context for its selection of Subject Matter Experts (SMEs). The SME team was then tasked with the development of course content and delivery strategies.

The NSA was often fortunate to obtain the services of SMEs, who are national and international leaders in their fields. And because of the expertise of these individuals, NSA has been able to provide cutting edge, up-to-the-minute information in such areas as Explosives and Booby Traps (*First Responder Course*) and NIMS (*First Responder, Jail Evacuation, and Managing the Event—A Leadership Guide for All-Hazard Events*) as a direct result of the caliber of SME retained by the NSA.

Upon completion, each course draft was presented in a series of pilot programs, which were utilized to fine-tune program material and delivery. The programs were then released, and the NSA began delivering training to Sheriffs' jurisdictions across the country began.

NSA training programs have been specifically designed to provide up-to-date information to participants. They demand participation in a range of activities, bringing this new information to life, as scenarios and table-top exercises tailored for the host jurisdiction are undertaken in both cooperative groups and individual settings.

Cooperative group activities encourage immediate partnering between agencies, and foster long-term networking within the jurisdiction. Activities designed for the individual demand that each participant consider the current status of their agency. Actions necessary to improve the prevention and response capabilities of the agency are then determined, laying the foundation for focused action once participants return to their agencies and communities.

As the scope and direction of national security initiatives changes, the NSA has been quick to respond. The original *WMD Executive Course* for example, which focused on WMD awareness, has been completely updated, and now focuses on *Managing the Event—A Leadership Guide for All-Hazard Events*. This new course focuses more upon prevention and preparedness, echoing the requirements of HSPD #8.

The Community Partnerships program has gradually reshaped itself to help launch Neighborhood Watch and Citizen Corps programs in communities where these initiatives have not yet been implemented.

### ***Features of the NSA Homeland Security Initiatives Training Programs***

The constituency of the National Sheriffs' Association provides a single platform from which training and information initiatives may be launched across the country, penetrating every state, and almost all jurisdictions. The office of Sheriff serves as a central agency within each jurisdiction that is able to marshal the resources of other law enforcement and responding agencies, as well as the resources and energies of the citizens.

NSA programs have been developed to have the maximum impact possible at both local and national levels.

Thus, the *WMD Executive Program (now Managing the Event—A Leadership Guide for All-Hazard Events)* was developed first, in order to prepare Sheriffs, their command staff, and executives of other agencies for a WMD or all-hazard event. This broad-based program fosters organization at a local, jurisdictional level. It also provides each jurisdiction's leaders with the necessary skills and knowledge to move their community's prevention and response programs forward in a way that reflects current federal government initiatives (e.g. NIMS implementation).

Armed with new information, our nation's sheriffs soon began asking for additional and specialized training which would include the handling of jail inmates, and citizen awareness.

*Managing the Event—A Leadership Guide for All-Hazard Events* provides a solid foundation for specialized training, designed for specific enforcement and community sectors. The *Jail Evacuation* program, *Community Partnerships* program, and the *First Responders* program were the result.

Each focused upon a sector of the overall national response plan that had thus far been ignored or poorly served. Each was designed to mobilize its target audience, leading to new levels of preparedness, new awareness directed towards prevention, and a new capacity for effective and efficient response in the event of an incident.

The NSA now provides four training programs for the nation's Sheriffs. These programs are:

1. Managing the Incident—A Leadership Guide to All-Hazard Events
2. Community Partnerships and Awareness
3. Jail Evacuation
4. First Responder Train-the-Trainer

### ***1. Managing the Incident - A Leadership Guide to All-Hazard Events***

***“I am enthusiastic about this program. Sheriff Oxley of Monmouth County, NJ should be commended for taking a proactive approach on this important initiative,” said Sheriff Ferrell.***

***“The bottom line is cooperation and mutual aid which we will talk about all day. One person or one agency can't do it all. Sheriff Oxley saw the value and importance up front.”***

The National Sheriffs' Association's *WMD Executive Course* was designed to prepare Sheriffs to plan, equip and train their agencies to respond effectively to a terrorist incident. In the period between 1999 and 2003, the training was delivered to over 6,000 Sheriffs and other members of the emergency response community, in 38 states.

IN 2004, the NSA and ODP agreed to completely revise the program. The result was *Managing the Event—A Leadership Guide for All-Hazard Events*. Four pilots of the new program have been delivered (training 225 participants), and the course is now scheduled for ODP review in July 2005.

Feedback on the new course has been extremely positive, and numerous demands for this new course are already being received by the NSA office.

*Managing the Incident—A Leadership Guide to All-Hazard Events*, focuses upon the needs of law enforcement executive staff. In 2004, an advisory group composed of Sheriffs from large and small jurisdictions convened in order to identify shortcomings in existing WMD courses. The course which evolved from this beginning took as its primary objective the training of law enforcement executives to recognize and effectively deal with terrorist and all-hazard events.

The program is unique. It provides opportunity for law enforcement executives to examine and then modify their jurisdiction's emergency plan in the context of up-to-date information across a wide range of crucial subjects.

The program includes instruction and activity-based learning whereby:

- Participants will receive an update on the latest WMD information. This topic is ever-changing, and correct and timely information is crucial to effective planning and response.
- It is important, should a terrorist or all-hazard event occur, each responding agency knows its duties, responsibilities, and limitations. The program allows executives to identify, cultivate, and document roles and responsibilities within their agencies, and in cooperation and coordination with other agencies, thus enhancing the efficiency of response.

- Executives identify threats, vulnerabilities and resources within their own jurisdictions. The extent to which an agency has completed this task is the extent to which a successful resolution of an all-hazard or terrorist event may be obtained.
- Communications, including media issues, are carefully studied by participants. Such subjects as, responding to the media, Public Information Officer (PIO) hiring and training, and communications with citizens, are introduced. Various activities allow participants to actively experience the demands of this element of an overall response, allowing them to better develop a response plan suitable for their jurisdiction's requirements.
- Gathering, analyzing and sharing information with the proper agencies is a vital component to the success of our nation's ongoing war on terrorism. *Managing the Incident—A Leadership Guide to All-Hazard Events* provides information on these processes, and it links law enforcement executives to the nation's network of intelligence agencies.
- A regularly updated overview of the National Incident Management System (NIMS) as it applies to law enforcement executives responding to terrorist acts and all-hazards events is provided. Funding options are also discussed, making it possible for law enforcement executives to build upon plans with additional training, and crucial equipment.

## 2. Community Partnerships and Awareness Training

***“This was very informative with regards to the ability of private citizens to actually assist with a WMD or just an area wide emergency.”***

The NSA recognized that, should an all-hazard or terrorist incident occur in a community, local first responders and local citizens will have to deal with the situation themselves. Their level of preparation will dictate the effectiveness of the initial response. Later, the degree to which citizens and responding agencies are able to mutually support one another will shape the successful outcome of an event.

The NSA Community Partnerships and Awareness Training develops a dynamic partnership between citizens and responding agencies. The program also serves to initiate Neighborhood Watch programs in communities where the program may not have been activate. Other programs, such as Citizen Corps, VIPS, and CERT, are also introduced as important factors in each community's overall preparedness.

Since its first pilots were completed late in 2003, the course has trained almost 1,700 participants from jurisdictions across the nation.

Unique elements of the program include:

- Law enforcement agencies are trained to independently continue this training in their jurisdictions, at future community meetings.
- Increased community awareness of the risks and hazards posed by Weapons of Mass Destruction. Training intended to provide sufficient information for citizens to tentatively identify agent types, and to respond accordingly, is also provided.
- Building of a Community Resources Database (CRD) is initiated. The CRD may be used as a supplement to existing local emergency databases, or which may serve as the primary community resource or citizen database, and may be utilized in the event of a terrorist attack.
- Initiation of collaborative partnerships that can be activated in times of crisis.
- Development of a community mobilization plan, to be activated in an emergency situation.
- Practical experience of response options possible during an emergency situation via a table-top exercise.
- Establishment of an on-going planning and training processes for community preparedness.
- All course attendees receive an interactive *Weapons of Mass Destruction* CD, which may be referenced in order to broaden their knowledge, and which may be used at future community meetings.
- The program initiates a community-wide Neighborhood Watch program, which now contains anti-terrorism training as well as anti-crime elements, should this program not exist already within the community.

The results of this program have been striking. Personnel from a variety of law enforcement and response agencies work in cooperation with citizens representing a broad cross-section of the community—from civic and business leaders, to teachers and senior citizens, to representatives of the faith community.

Arising from these new partnerships were hazards and resources previously unrecognized by the Sheriff's office or other response agencies. During one program, for example, citizens expressed their concern over a large dam, situated in an ad-

joining state that would devastate their community if ruptured. The Sheriff's office and other responding agencies were thus able to add this hazard to their list for immediate and close attention.

At another training, a clergyman revealed that, situated below his church, there was a fully equipped fall-out shelter, which he was currently using for storage. The clergyman, it was discovered, was the only person aware of this facility, which had been constructed during the Cold War, and then forgotten. He offered the facility to the Sheriff for use as a Command Post, should it ever be required.

### 3. Jail Evacuation

***Although we routinely work on evacuation plans for natural disasters, we have done virtually nothing in the areas covered by this class. It has opened my eyes to a whole new field of concern; we need to take extensive preparatory measures.***

The NSA Jail Evacuation Course has been designed to address the needs of small and large jails in rural and urban jurisdictions, preparing them to evacuate in the event of a terrorist attack or an all-hazards event. The specific challenges posed by jail evacuation have attracted the attention of DHS, ODP and the nation's Sheriffs.

Since 2003, when pilots for the program were first delivered, 2,274 participants from jurisdictions in all regions of the country have received training. 40 programs have been conducted over the past 13 months. 62 jurisdictions, 241 counties, as well as officials from prisons, private detention facilities, and Police Departments, Fire & Rescue and Emergency managers have attended. The course has also been hosted by the Departments of Corrections in two states. 32 more programs are scheduled prior to Thanksgiving 2005.

When examining the NSA Jail Evacuation program, it should be noted that:

- This program started due to the numerous requests from sheriffs who had recognized the need to develop plans for evacuating inmates, staff, visitors, etc. from their jails in the event of an all-hazards event, or a direct attack on the facility, or in the event that the jail is close to a primary terrorist target.
- Jails meet or exceed terrorist target criteria - They contain high concentrations of people, and they are the most expensive government buildings to construct. An attack or all-hazard event could kill or injure many individuals, and destroy or render uninhabitable a crucial facility.
- In the event of uncontrolled mass escape or release, dangerous inmates may be freed to again prey upon a vulnerable civilian population. A properly prepared jail evacuation plan, developed as attendees take part in the program, minimizes these effects.
- Most inmates currently housed in jails are of a pre-trial status, and therefore presumed innocent. Jails without an evacuation plan are vulnerable to legal processes which may result in massive liabilities. In the past, facilities not having planned and practiced for fires have lost large lawsuits. The outcome of this course is that attendees are able to develop an evacuation plan appropriate for the unique requirements of their own facility.
- Captured terrorists are often detained in local jails. This taxes existing (and already strained) resources, and also increases the likelihood that the facility itself may become a target for an attack.
- The program has also provided the first WMD and all-hazard planning and information material to be obtained by some jurisdictions and counties.

Jails, and the specific challenges that evacuation of a jail presents both jail administrators and the general community, have received little attention. Currently, the NSA Jail Evacuation program is unique, providing essential training that prepares jail personnel to respond to a hazardous event. The safety and well-being of each community and its citizens are maximized by the training and planning guidelines provided by the program.

### 4. First Responder

***"This was one of the best classes I've attended in a long time."***

The NSA First Responder Program focuses on the actions required in the initial phase of a response—the crucial fifteen to thirty minutes that elapses between occurrence of the event, and response by incoming emergency teams. With an emphasis on safety and teamwork, participants learn that actions taken in the first moments of a CBRNE incident set the stage for success.

The NSA First Responder program recently completed its third and final pilot. A total of 79 participants from across the country, representing law enforcement personnel as well as such agencies as Fire Departments and the military, received training as the pilot programs were delivered.

News of the effectiveness and relevance of this program has begun to spread by word of mouth, and the NSA office is currently receiving inquiries from a variety of federal and state agencies, as well as from NSA members. A waiting list is currently filling, as the program awaits final ODP review. Inquiring agencies include the US Secret Service, TSA (Transportation Safety Admin), FBI, the US Navy, US Marines, US Air Force, and an international inquiry from Canada's Chatham Kent Police Service (Ontario), and the Toronto Police Service Intelligence Support.

This course was specifically designed to rapidly and efficiently train a large number of people across the country. Course instruction and table-top exercises coupled with practical exercise, prepare participants to train the members of their own agency to:

- Perform an assessment of the building and perimeter of the building.
- Focus on potential facility security vulnerabilities, and prepare a documented pre-planned response. (CIRP mission folder is placed on CD for emergency use.)
- Safely approach an incident, take command, and anticipate the needs of a rapidly escalating Hazmat incident using Unified Command.
- Set perimeters, set isolation zones, communicate safe routes of travel to other responders, protect evidence, apprehend suspects, and begin protective actions and plan for rescue, mass decontamination, and staging areas.
- Identify booby traps, improvised explosive devices (IEDs), & secondary devices.
- Implement searches for explosive devices.
- Identify and protect evidence for use in prosecutions.
- Utilize NIMS-recommended strategies to respond to an all-hazard or terrorist event. Transfer control from one level of command to the next, up to and including a federal response. The course reviews IC100, IC200 (encouraging participants to complete online exams upon return to their agency), and required documentation of the incident at each level of command.
- Respond to an all hazards incident, stressing areas of crowd control, perimeters, and evacuations.
- Identify resources available through mutual aid, state and federal agencies.
- Take care of themselves by teaching stress inoculation and reduction, which is a factor that may affect responders during and/or after a stressful situation or event.
- Provide a resource disk with over 600 resource documents, publications, websites, and book titles for the trainer.

### *Lessons Learned*

The NSA has learned that a variety of training approaches maximize the ability of any community or agency to respond with efficiency and effectiveness to an all-hazard event: The lessons learned may be applied by a specific training agency, or they may be considered by those responsible for the National Training Program. Lessons learned by the NSA include

1. Train trainers—If the training offered by an organization prepares participants to train members of their community or agency, then the effect of the training provided is compounded.
2. Develop courses that involve participants from a variety of agencies in activities specific to their own community's unique circumstances. The networking that develops from such experiences can take on a life of its own, greatly enhancing the partnerships required for effective prevention and response.
3. Specifically target training to address the needs of specific groups within law enforcement agencies, response agencies, and within the general community.
4. Use membership organizations as major training partners. These organizations are able to readily communicate with their constituents across the nation. This provision allows for efficient notification of program availability, and it also permits a smooth vehicle for participant feedback. The effectiveness of the NSA's communication machine provides a model for this approach.
5. Develop programs using a consultative approach—Initial development should be characterized by focus groups composed of ultimate participant representatives. This maximizes the ability of course developers to provide meaningful and relevant training.
6. Utilize subject matter experts well-versed in their fields. Search out leaders and innovators currently working in and contributing to their discipline. This ensures cutting edge and up-to-date content.

7. Incorporate jurisdiction/agency-specific activities and exercises—This immediately enhances prevention and response capability, and contributes long-term to the community's development of a viable and effective response plan.

### ***Challenges***

The National Sheriffs' Association recognizes the following challenges in future years. These include:

1. Ensuring that sufficient federal funding is continued, thereby allowing training of law enforcement agencies, response agencies, and the training of citizens across the nation, to continue uninterrupted.

2. Reflect the current federal governments drive to develop methods and approaches that encourage agencies to train, plan and work together. The NSA will continue to explore means by which it might continue to foster combined NSA training of such agencies as the Secret Service and military with law enforcement personnel.

3. Maintaining and strengthening the partnership between the Department of Homeland Security and the Office of Domestic Preparedness, and the National Sheriffs' Association. To date, this partnership has led to the development and implementation of crucial training in jurisdictions across the country, with the end result being communities today are better prepared to prevent or respond to an all-hazards event or a terrorist attack.

### ***Conclusion***

The National Sheriffs' Association has taken a lead role in providing training for its own member sheriffs across the country. However, sheriffs' offices have served as a center from which NSA programs have been delivered to a wider audience consisting of other (local, state, and federal) law enforcement agencies, other first responder agencies (such as fire departments and EMS Services), state and federal agencies, the military, and our civilian population.

NSA's Weapons of Mass Destruction Committee in cooperation with the NSA Training Division have identified specific flaws in the nation's existing training infrastructure. Where train-the-trainer was not appropriate, the NSA's focus upon establishment of long-term projects directed towards better preparing agencies and communities to respond to an all-hazard event provided a powerful model for future course development.

The effectiveness of NSA training initiatives to date can be clearly seen in course evaluation data. A further demonstration of the relevance of NSA training programs may be verified in the current demand for training programs being delivered across the country. The level of interest shown by agencies and organizations both within the United States, and from the international community, furthers confirms our success.

Mr. KING. Mr. McGowan, thank you for your testimony and for your service.

The Chair now recognizes Captain Jack Reall of the National Fire Academy Board of Visitors. Captain Reall?

### **STATEMENT OF JACK REALL**

Captain Reall. Thank you, Mr. Chairman, committee members.

I am Jack Reall, Captain of the Columbus, Ohio Fire Division and President of the Columbus Firefighters Union. I am a member of the National Fire Academy Board of Visitors. I have also instructed first responders in every jurisdiction represented by these two committees.

I am here before you today to offer testimony on the status of homeland security training and its impact on my members and colleagues. DHS funding provides opportunities all over the country in a variety of formats. However, it is generally divided into two specific areas: national training facilities and state and local grants. National training facilities provide high-quality and high-

impact training opportunities, but they have some efficiency issues. The Noble Training Facility in Anniston, Alabama offers a unique training environment utilizing chemical-bioterror live agents. The Nevada test site utilizes radiological facilities to create real-world scenario-based environments that would be unfamiliar to most first responders. The Tunnel in West Virginia also offers environmental issues that have only been experienced at the World Trade Center and are usually not able to be recreated for training.

Although each of these facilities and the others I did not mention have benefits to first responders, their impact is minimal. Why? Because most of the first responders do not have access to these facilities. Staffing concerns at home inhibit our ability to attend these worthwhile sessions. Even though these programs are free, they cause considerable costs to our jurisdictions that eliminate opportunities. Even if our firefighters and paramedics took their own vacation time to attend these facilities, many localities would be hard-pressed to allow for the leave due to the increased cost of staffing. Less than .05 percent of my members has participated in training at any of the national facilities.

The National Fire Academy is another story. They have a long-standing relationship with the state and local training academies and stretch the dollars as far they possibly can. They have the added benefits of being able to share training development initiatives with local training academies and give a synergistic effect to every dollar being spent.

However, even the National Fire Academy has drawbacks. Again, they have the same staffing issues as the other national facilities. They also focus much of their impact on the management aspect of the Fire Service. Not that this is bad. We are all well aware that effective management will result in better performance even at the lowest level. However, our firefighters responding every day to tens of thousands of emergencies nationwide need to be directly impacted by homeland security dollars. The National Fire Academy offers a cost-effective and useful indirect impact of these monies.

State and local grants to provide training are also an opportunity for many of our first responders. However, they are not consistent in quality or in curriculum. Many of these courses do not meet nationally accepted criteria or consensus-based standards. Additionally, many of these grants are misadministered by state agencies, and without adequate intervention by the Office of Domestic Preparedness inconsistencies arise that inhibit training.

As an example, I have instructed structural collapse rescue techniques to first responders throughout the nation and overseas. I have developed the curriculum and mechanism for training Ohio's first responders. I utilized the same exact program for another state. Inconsistencies with administration of ODP and DHS funding mechanisms have caused Ohio's state agency administering these funds to deny the training to first responders, while the other state has funded eight classes in 90 days. These inefficiencies lead most firefighters to believe there is no overall strategy for the effective utilization of these funds.

It is apparent to me that the over-emphasis on grant processes and guidelines has caused us to get the process right, but yet lose the progress. My observations are that regardless of the mecha-

nism, too little training is making its way to the frontline firefighters and first responders. Too much emphasis is placed on special retraining programs and niche opportunities, while tens of thousands of firefighters continue to put their lives on the line every day with little or no additional training on homeland security issues.

Quality and consistency of those training programs that are offered and provided through a federal funding mechanism are across the spectrum. Much of the state and local grants, state pass-through funding and UASI grants are over-utilized for everyday law enforcement operations, with little left over for other members of the first responder community.

As a union president, I make an attempt to absolve the stereotype of just being the naysayer who identifies problems. I try to offer solutions to every problem. My recommendations are based on what I feel has worked for my members. The last WMD training that all of our firefighters participated in was the 120 Cities Training Program provided as part of the Nunn-Lugar-Domenici Act. Since then, we have had sporadic participation in WMD training for first responders. I felt this program worked because it brought quality, consistent, high-impact training to us. Our staffing impact was minimized due to the fact that our firefighters were still available should a catastrophic event occur. We also did not have to backfill for travel days and allocate resources for shift changes to allow for out-of-town training.

This was the most effective type of training for the dollars spent. It is much more effective to pay for travel and lodging of a few instructors versus the travel and lodging of many students. Most businesses have utilized this method for training employees for years. This training should be administered nationally and delivered locally. This assures consistency in quality. It also allows for a broad overview of effectiveness of the training.

Firefighters and other first responders nationwide would be able to be evaluated on the effectiveness of the training every day, rather than just an annual exercise in one area of the country involving a few hundred responders. By utilizing this method of training for the majority of the programs and opportunities also allows for a more quick, concise and accurate determination that funding is being provided to the first responder groups that need it most.

I ask that you consider my thoughts and recommendations when providing direction for future funding of national training programs through the use of taxpayer money. Every taxpayer in the nation contribute to this revenue source. Therefore, every responder to those taxpayers should be afforded the training programs.

Just as a side note, my state program is one of the 115 institutionalized courses that have not been approved. It has been waiting for quite some time.

I appreciate the opportunity to speak to all of you. Thank you.  
[The statement of Mr. Reall follows:]

PREPARED STATEMENT OF JACK REALL

Good Morning Gentleman and Gentle ladies,  
I am Jack Reall, Captain in the Columbus, Ohio, Fire Division and President of the Columbus Fire Fighters Union.



I am here before you today to offer testimony on the status of Homeland Security Training and its impact on my members and colleagues. DHS Funding provides opportunities all over the country in a variety of formats. However, it is generally divided into two specific areas; National Training Facilities and State and Local Grants.

National Training Facilities provided high quality and high impact training opportunities, but they have some efficiency issues. The Noble Training Facility in Anniston, Alabama offers a unique training environment utilizing chem-bio terrorist live agents. The Nevada Test Site utilizes radiological facilities to create a real-world scenario-based environment that would be unfamiliar to most first responders. The Tunnel in West Virginia also offers environmental issues that have only been experienced at the World Trade Center and are usually not able to be recreated for training. Although each of these facilities, and the others I did not mention, has benefits to first-responders, their impact is minimal. Why? . . .because most of our first responders do not have access to these facilities. Staffing concerns at home inhibit our ability to attend these worthwhile sessions. Even though these programs are free, they cause considerable costs to our jurisdictions that eliminate opportunities. Even if our fire fighters took their own vacation time to attend these facilities, many localities would be hard pressed to allow for the leave due to increased costs of staffing. Less than one-half of one percent of my members has participated in training at any of the national facilities.

The National Fire Academy is another story. They have a long-standing relationship with State and Local Training Academies and stretch the dollars as far as they possibly can. They have added benefits of being able to share training development initiatives with local training academies and give a synergistic effect to every dollar being spent. However, even the National Fire Academy has drawbacks. Again, they have the same staffing issues as the other National Facilities. They also focus much of their impact on the management aspect of the Fire Service. Not that this is bad. We all are aware that effective management will result in better performance at even the lowest level. However, our firefighters responding every day to tens of thousands of emergencies nationwide need to be directly impacted by our Homeland Security dollars. The National Fire Academy offers a cost-effective and useful indirect impact of these monies.

State and Local Grants to provide training are also an opportunity for many of our First Responders. However, they are not consistent in quality and in curriculum. Many of these courses do not meet nationally accepted criteria or consensus-based standards. Additionally, many of these grants are mis-administered by State Agencies and without adequate intervention by the Office of Domestic Preparedness, inconsistencies arise that inhibit training. As an example, I have instructed Structural Collapse Rescue techniques to first responders throughout the Nation. I developed the curriculum and mechanism for training Ohio's First Responders. I utilized the same exact program for another state. Inconsistencies with administration of ODP and DHS funding mechanisms have caused Ohio's State Agency administering these funds to deny the training to First Responders while the other state has funded 8 classes in 90 days. These inefficiencies lead most firefighters to believe that there is no overall strategy for the effective utilization of these funds.

"It is apparent to me that the overemphasis on grant processes and guidelines has caused us to "get the process right, yet lose the progress."

My observations are that, regardless of the mechanism, too little training is making its way to the frontline firefighters and first responders. Too much emphasis is placed on specialty training programs and niche opportunities, while our tens of thousands of firefighters continue to put their lives on the line everyday with little or no additional training on Homeland Security Issues. Quality and consistency of those training programs that are offered and provided through our Federal Funding mechanism are across the spectrum. Much of the State and Local Grants, State "pass-through" funding and UASI grants are over utilized for everyday law enforcement operations with little left over for other members of the first responder community.

As a Union President, I make an attempt to absolve the stereotype of just being the naysayer who identifies problems. I try to offer solutions to every problem. My recommendations are based on what I feel has worked for my members. The last WMD training that all of our firefighters participated in was the 120 Cities training provided as a part of the Nunn-Luger-Dominici Act. Since then, we have had sporadic participation in WMD training for first responders. I felt this program worked because it brought quality, consistent, high-impact training to us. Our staffing impact was minimized due to the fact that our firefighters were still available should a catastrophic event occur. We also did not have to backfill for travel days and allo-

cate resources for shift changes to allow for out of town training. This was the most effective type of training for the dollar spent. It is much more effective to pay for the travel and lodging of a few instructors versus the travel and lodging of many students. Most businesses have utilized this method for training employees for years. This training should be administered nationally and delivered locally. This assures consistency and quality. It also allows for a broad overview of the effectiveness of the training. Firefighters and other first responders nationwide would be able to be evaluated on the effectiveness of the training everyday, rather than just with an annual exercise in one area of the country involving a few hundred responders. By utilizing this method of training for the majority of the programs and opportunities also allows for a more quick, concise, and accurate determination that funding is being provided to the first responder groups that need it most.

I ask that you consider my thoughts and recommendations when providing direction for future funding of National Training Programs through the use of taxpayer money. Every taxpayer in the Nation contributes to this revenue source, therefore every first responder to those taxpayers should be afforded these training programs. Thank you.

Mr. KING. Thank you very much, Captain Reall.

And now for the purpose of introducing our next witness, I recognize the gentleman from New Mexico, Mr. Pearce.

Mr. PEARCE. Thank you, Mr. Chairman. I request unanimous consent to introduce Dr. Romero.

Mr. KING. Without objection.

Mr. PEARCE. I would like to introduce Dr. Romero, who is Vice President for Research and Economic Development at the New Mexico Institute for Mining and Technology. It is one of the leading scientific institutions in the nation and is located in the Second District of New Mexico, which makes it even better.

In his capacity as Vice President, Dr. Romero oversees the university's homeland security programs, including the Playas Training Center, the International Law Enforcement Academy, and the Antiterrorism Assistance Program. Dr. Romeo also leads the university's research on explosions and incendiary devices, which explains why he has trouble getting on airlines these days.

Dr. Romero is also the immediate past Chairman of the National Domestic Preparedness Consortium that coordinates first responder training in the area of weapons of mass destruction. The Playas Training Center was simply just a concept that Dr. Romeo was integrally involved in. It is a mining town that had been vacated. It has all the components of a regular town.

Mr. Romero several years ago saw the potential and encouraged New Mexico Tech to buy that town from the mining company. Now, we are holding homeland security training exercises there. Just during Memorial Day, I had an interesting visit and watched a full-scale project there. Dr. Romero's leadership in coordinating university expertise with the Department of Homeland Security has contributed greatly to our first federal first responder training programs. We look forward to hearing Dr. Romero's testimony.

Thank you, Mr. Chairman.

Mr. KING. Dr. Romero?

#### STATEMENT OF VAN ROMERO

Mr. ROMERO. Mr. Chairman and Mr. Pearce, thank you very much.

Mr. Chairman, Ranking Members, members of the committee and my fellow colleagues, I testify before this panel today as a member of the community that played an active role in homeland

defense issues well before there was a Department of Homeland Security. I currently serve as the Research Vice President at New Mexico Tech, which is one of our nation's leading explosive research institutes. Prior to becoming Vice President, I was the Director of the University Explosives Research Program. During that time, I worked with others to initiate the National Domestic Preparedness Consortium, NDPC, to coordinate first responder training in the area of weapons of mass destruction and served as the Chairman of the Consortium from 2001 to 2005.

As a result of the Oklahoma City bombing, the NDPC was formally recognized by the administration and Congress. This tragic event illustrated that first responders needed additional preparedness to deal with WMD. NDPC was formed by incorporating the specific areas of expertise in WMD from each Consortium member. The Consortium gives the government the best and brightest researchers from top-notch research institutions.

The concept of the NDPC is simple: train the trainer. The Consortium enhances and underpins training programs at our nation's state and local levels to prepare for and respond to events of terrorism involving weapons of mass destruction.

The first step taken by NDPC was to develop courses to augment the basic training received by first responders. Next, the Consortium began to deliver these courses to first responder communities, both on our campus and in their home cities. In fact since 1998, the Consortium is responsible for risk-based training being delivered to over 600,000 first responders from all 50 states, the District of Columbia and our four U.S. territories.

These courses were developed and reviewed in coordination with other federal agencies including the Center for Disease Control and Prevention, the Department of Energy, the Department of Management Institution, the Environmental Protection Agency, the Federal Bureau of Investigations, the Federal Emergency Management Agency, the National Fire Academy and the Public Health Service, among others, all selected by the Office of Domestic Preparedness. This has resulted in courses that consistently receive strong positive reviews from the first responder community.

Having been active for the past eight years, we have learned a number of important lessons. I would like to discuss with you a few of the lessons that we have learned since the formation of the NDPC.

The first lesson to be learned is that education is an important component of training. This is vastly different from military training that is designed to prepare warfighters for known threats and relies on predetermined courses of action. Enemy actions are anticipated and countermeasures are practiced during training. We must avoid the shortcoming of training of first responders by only training them to respond to the last attack. Today's threats require more education than training. If the first responders are educated to understand the possible threats and the ability of existing technology to deal with these threats, they have a better chance to modify their actions to address unforeseen attacks.

Further, the time available for the training of first responders is limited compared to that of the warfighter. Currently, it is estimated that there are five million first responders that require var-

ious levels of counterterrorism education. The vast majority of these students require only a short awareness course that can be provided at their workplace. The NDPC has developed and instituted a model that can be scaled up to address the need to train five million first responders and meet the challenge.

Second, first responder programs need to focus on prevention as well as response, as you have heard today. Because of events like 9/11 and Oklahoma City, we tend to fixate on preparing first responders to respond to an event. While this is an important mission for these programs, it should not be the only mission. First responders are in the community every day and if properly trained they have the ability to recognize potential terrorist activity.

For example, one first responder, a fireman, that attended an NDPC course on explosive devices recognized the ingredients of a bomb during a routine call in New Jersey. Based on his findings, the FBI was called in and the tenant of the apartment was taken into custody. This simple act may have stopped a terrorism attack. First responders learn these with hands-on training of the type that they receive today from the National Domestic Preparedness Consortium. I believe that through education, other examples of interdiction have occurred and occur every day at our ports, our borders and within our cities and countryside.

Third, we must have consistent training in standards to address our nation's training needs. It is vitally important that our first responders in Miami have the same basic knowledge as our first responders in Seattle. As we develop solutions to WMD problems, it is essential that the entire country benefit. Firemen, policemen and EMS personnel need to have the same basic knowledge skills. First responders need to plan and train together because they will respond together. Consistency is best achieved via a single source of training.

Fourth, most of the training needed is at the awareness level and can fit into current training programs that exist for the first responder community as exemplified by those who testified with me today. The vast number of existing delivery mechanisms for this group dictates that a large number of courses are best suited to deliver the required training, hence the dilemma. To be effective, you need to have one consistent message, and to be efficient you need to have multiple sources to deliver the message.

The Office of Domestic Preparedness, in conjunction with the National Domestic Preparedness Consortium, has developed a system that addresses this dilemma. NDPC courses are developed via a rigorous review process and are required to meet standards. Instructors also are reviewed and meet the NDPC standards. Technical-level courses are delivered by subject matter experts and on a train-the-trainer basis. Courses at the awareness level are designed to be delivered in the field by personnel that have taken the technical-level courses. This ensures consistency, while providing multiple delivery sources.

In my opinion, the nation can achieve first responder training that is both effective and efficient by establishing national standards, focusing training on response as well as prevention, minimizing the number of delivery sources for technical-level training, and maximizing the number of delivery sources for awareness-level

training. At New Mexico Tech, we have been involved in supporting our nation's defense since World War II. At that time, we developed a proximity fuse which was used to defeat suicide bombers that were attacking our Pacific Fleet. We used technology to beat suicide bombers 50 years ago and I am convinced that we can use technology to defeat them now.

But developing the technology is only the first step. The technology will be useless if first responders are not trained to use it. An effective and efficient antiterrorism assistance program for first responders will ensure that we maximize our country's resources to defend our homeland.

Thank you, and I will be happy to answer any questions.  
[The statement of Mr. Romero follows:]

PREPARED STATEMENT OF DR. VAN ROMERO

Mr. Chairmen, Ranking Members, Members of the Committee and my fellow colleagues:

I testify before this panel today as a member of the community who has played an active role in homeland defense issues well before there was a Department of Homeland Security. I currently serve as the Research Vice President at New Mexico Tech, which is one of our nation's leading explosives research institutions. Prior to becoming the Research Vice President, I was the Director of the University's Explosives Research Programs. During that time, I worked with others to initiate the National Domestic Preparedness Consortium (NDPC) to coordinate First Responder Training in the area of weapons of mass destruction (WMD) and served as the chairman of the consortium from 2001 to 2005.

As a result of the Oklahoma City bombing, the NDPC was formerly recognized by the Administration and the Congress. This tragic event illustrated that first responders need additional preparation to deal with WMD. The NDPC was founded by incorporating the specific area of expertise in WMD of each member in the consortium. The consortium gives the government the best and brightest researchers from these top-notch research institutions.

The concept of the NDPC is simple: train the trainers. The Consortium enhances and underpins training programs at the national, state and local levels to prepare for and respond to events of terrorism involving weapons of mass destruction, including Biological, Nuclear/Radiological, Incendiary, Chemical and Explosive (BNICE) devices.

The first step taken by the NDPC was to develop courses to augment the basic training received by First Responders. Next the Consortium began to deliver these courses to the First Responder community, both on our campuses and in their home cities. In fact, since 1998 the Consortium has provided risk-based training to over 600 hundred thousand First Responders from all 50 States, the District of Columbia and the four US territories.

These courses were developed and reviewed in coordination with other federal agencies including the Center for Disease Control and Prevention (CDC), the Department of Energy (DOE), the Emergency Management Institute (EMI), the Environmental Protection Agency (EPA), the Federal Bureau of Investigation (FBI), the Federal Emergency Management Agency (FEMA), the National Fire Academy (NFA) and the Public Health Service (PHS), among others, all selected by the Office of Domestic Preparedness (ODP). This has resulted in courses that consistently receive strong, positive reviews from the First Responder Community.

Having been active over the past eight years, we have learned a number of important lessons, and I would like to discuss with you a few of our "lessons learned" since the formation of the NDPC.

The first lesson to be learned is that education is an important component of training. This is vastly different from military training that is designed to prepare war fighters for known threats and relies on predetermined courses of action. Enemy actions are anticipated and counter-measures are practiced during training. We must avoid a shortcoming of training for first responders by only training them to respond to the last attack. Today's threats require more education than training. If first responders are educated to understand the possible threats and the ability of existing technology to deal with the threats, they have a better chance to modify their actions to address unforeseen attacks.

Further, the time available for the training of first responders is limited compared to that for war fighters. Currently, it is estimated that there are five million first responders that require various levels of counter-terrorist education. The vast majority of these students require only a short awareness course that can be provided at their place of work. The NDPC has developed and instituted a model that can be scaled up to address the need to train five million first responders and meet that challenge.

Second, First Responder programs need to focus on prevention, as well as response. Because of events like 9/11 and Oklahoma City, we tend to fixate on preparing First Responders to respond to an event. While this is an important mission for these programs, it should not be the only mission. First Responders are in the community every day and, if properly trained, have the ability to recognize potential terrorist activity. For example one First Responder that attended an NDPC course on explosive devices recognized the ingredients of a bomb during a routine call in New Jersey. Based on his findings, the FBI was called in and the tenant of the apartment was taken into custody. This simple act may have stopped a terrorist attack. First responders learn these things with hands-on training of the type they receive today from the NDPC. I believe that through education, other examples of interdiction have occurred and occur every day—at our ports, borders, within our cities and countryside.

Third, we must have consistent training standards to address our national training needs. It is vitally important that our First Responders in Miami have the same basic knowledge as our First Responders in Seattle. As we develop solutions to WMD problems it is essential that the entire country benefit. Firemen, police and EMS personnel need to have the same basic knowledge. First Responders need to plan and train together because they will be responding together. Consistency is best achieved via a single source of training.

Fourth, most of the training need is at the awareness level and can fit into current training programs that exist for the First Responder community as exemplified by those testifying with me today. The vast numbers and existing delivery mechanism for this group dictates that a large number of sources are best suited to deliver the required training. Hence the dilemma, to be effective you need to have one consistent message and to be efficient you need to have multiple sources delivering the message.

The Office ODP in conjunction with the NDPC, has developed a system that addresses this dilemma. NDPC courses are developed via a rigorous review process and are required to meet standards. Instructors are also reviewed and must meet the NDPC standards. Technical level courses are delivered by subject matter experts and train the trainer based. Courses at the awareness level are designed to be delivered in the field by the personnel that have taken the Technical level courses. This insures consistency while providing for multiple delivery sources.

It is my opinion the Nation can achieve First Responder training that is both effective and efficient by:

- (1) Establishing National standards for all First Responder programs;
- (2) Focusing training programs on both response and prevention;
- (3) Minimizing the number of delivery sources for technical level training; and
- (4) Maximizing the number of delivery sources for awareness level training.

At New Mexico Tech, we have been involved in supporting our nation's defense since World War II. At that time we helped develop the proximity fuse, which was used to defeat suicide bombers that were attacking our Pacific Fleet. We used technology to defeat suicide bombers 50 years ago and I am convinced that we can use technology to defeat them now. But developing the technology is only the first step. The technology will be useless if First Responders are not trained to use it. An efficient and effective anti-terrorism training program for First Responders will ensure that we maximize our country's resources to defend our homeland.

Thank you, I would be happy to address any questions the members may have on this important issue.

Mr. KING. Thank you, Dr. Romero.

Before we start the questions, without objection I would ask that the charts of Mr. Reese be made a permanent part of the record.

Mr. Meek?

Mr. MEEK. Very quickly, because I know that we are under time restraints, I just want to tell our panelists we appreciate your testimony here today and that all of the information will be placed into the record. Like our first panel, we know that we have, some peo-

ple say in the country we have New York City and then we have the rest of the environment. Through unfortunately sacrifice and loss of life, New York City has gone through an experience like no other city. What I was speaking to in the first panel, my questions were mainly along the lines of what is happening in the rest of the universe? What is happening with all of the first responders? And how can you move towards uniformity?

I have had an opportunity to go over your testimony and I heard you, I was in the anteroom there for a minute, when you all were talking about how we do need to come together. So I want to let you know that it did not fall on deaf ears. We have the subcommittees here that will have to carry out action. We have already in H.R. 1544, but we have to do more. That is just the beginning. The more we find duplication, prioritized money that is being spent in other areas of training, it will help us to be able to have the resources to do what we need to do to resolve some of the issues that many of you have brought to our attention.

Mr. Chairman, thank you.

Mr. KING. Thank you, Mr. Meek.

I think it is really a point well taken. The more we look into these issues, we realize how different parts of the country have different problems. The last thing we need is duplication because every dollar that is spent the wrong way is really a dollar wasted and a dollar that could be used to save human life.

With that, Chairman Rogers?

Mr. ROGERS. Thank you, Mr. Chairman.

Mr. Edwards, I start with you, speaking of duplication. You made reference in your remarks to 50 different state programs that you are having to deal with. What did you mean? I did not understand exactly what you were making reference to.

Mr. EDWARDS. Each state has a state fire training organization. Some are attached to universities and colleges. Some are part of state government. Some are a freestanding board or commission and may work directly for the Governor's office. But each state has a state fire training organization that coordinates and works with the local fire departments in that state to provide training. Collectively, the 50 states are training about 800,000 students per year.

Mr. ROGERS. This is separate and apart from first responder training that we are providing in the Consortium of schools or Consortium of institutions like the Center for Domestic Preparedness? This is separate and apart from that?

Mr. EDWARDS. Yes. These are state agencies in most cases. What our issue is, we would like to be able to work more closely with ODP and take advantage of some of that curriculum. The Consortium schools do a great job. There is no question about that. We use them in our state. The problem is one of capacity in the system. You cannot have five schools train the nation's 1.2 million firefighters.

Mr. ROGERS. That brings me to the second thing I wanted to visit. I represent a very rural, relatively poor congressional district. Most of the fire protection that we have, and for that matter first responder protection, is volunteer units. It is not practical for many of these people to leave their jobs and go away for a week or two

weeks of training at CDP. And this goes also to Mr. Reall's comments.

If we were to provide funding that allowed for backfill of these employees, not only within sheriffs' departments and police departments, but for other employers, do you think this would be a practical way to make sure that training is extended to these volunteer units? Or do we need to look at more aggressive outreach programs where we are sending trainers out to these volunteer units? Or is it the train-the-trainer concept?

I am looking at both of you to give me a response.

Mr. EDWARDS. Just some comments on that. I think in most states the system is there. We are training, and I am speaking for states with a fire and rescue service, not law enforcement and others, but the system is already there. The system has been in place for decades. The problem is there is no communication and there is no working relationship with ODP in the state and fire training academies. If there was, and like I say, we requested to share in the curriculum to be able to use their already-developed curriculum that has been paid for by the federal dollar and for work with ODP to tell us what instructor requirements will be necessary, what course requirements and how we could deliver that. We were turned out. I do not understand that at all.

Mr. ROGERS. The state training programs you are making reference to are paid for with Federal dollars?

Mr. EDWARDS. Paid for with what?

Mr. ROGERS. Did you say the state training programs are paid for with Federal dollars?

Mr. EDWARDS. No, the training courses that are developed by the Consortium are paid for with federal dollars. We just want to have access to them so we can deliver within our system and deliver training where the firefighters live and work. Particularly with volunteers, they cannot travel large distances to receive training programs. In the State of Maryland, we operate six regional training centers that are fully staffed regional training center to provide training out where the firefighters are at.

We just need help with the curriculum. I have not even asked for any money. All I want is to be able to share the curriculum, to know what the requirements are, to train fire and rescue personnel and report that back to DHS. As an example, the National Fire Academy, EMI, and the NIMS curriculum, when they develop a course it is immediately handed-off to state and local fire handed off to state and local fire training academies and they teach it. They assist in teaching it. With ODP, they do not allow state fire academies to teach their curriculum. That has caused a huge problem.

Mr. ROGERS. Captain Reall, what is the best way for us to go about this? Is it to backfill resources or is it more aggressive outreach and communication—the kind of communication Mr. Edwards is making reference to?

Captain Reall. I think that there is a combination of best ways. If you are looking for the cheapest way, if you are looking for the most effective way in terms of retention, there are combinations of ways depending on what you consider the best way. I would say that a combination of those two things. A more aggressive out-



reach, like the Doctor said, a more aggressive outreach for those lower-level courses has got to be done. We are not getting that out there. But backfill costs to allow people to attend those special opportunities that are great, like the CDP.

Mr. ROGERS. How effective is the train-the-trainer component of what we do?

Captain Reall. It has been very effective for at least fire and EMS education for decades. I guess from my perspective, I am looking to fix this program for my next 15 years of my career. I am not at the end of it. I am in the middle of it. I have to get this fixed so that I do not have a problem for the rest of my career.

Mr. ROGERS. And your number one fix would be what? What would you want this committee to take away from your comments?

Captain Reall. I would like to have more cooperation between ODP and the training mechanisms that are out there right now, whether you consider it self-certification or whatever it might be, but I think we are all saying the same thing. We have to get that stuff out there to our first responders.

Mr. ROGERS. Thank you.

Thank you, Mr. Chairman.

Mr. KING. Congressman Pearce?

Mr. PEARCE. Thank you, Mr. Chairman.

Mr. Romero, you discussed awareness training versus the maximizing of awareness training and minimizing technical training. Mr. Edwards is saying that we ignoring state and local programs. Can you discuss the relationship between those two concepts and ODP's choices?

Mr. ROMERO. Yes, Mr. Pearce, Mr. Chairman.

There is, as I stated, a need to get out into the community and deliver at the local level the awareness-level training, but you need to have experts delivering that training. All of us know that first responders have very specific, very tough questions when they attend these classes. If we do not have people who are very knowledgeable in the training that they are delivering, they will not be listened to. So from the Consortium's standpoint, we look to bring people from the various training academies to the Consortium classes and give them that expertise so that they can go back home and deliver a consistent message.

Again, we have point sources for the very technical-level training, like the Center for Domestic Preparedness where you are actually exposed to real live agents. That does not occur anywhere in the country. So take people there, make them experts, and then let them go back to their home jurisdictions and train as many people as they can.

Mr. PEARCE. How do you avoid other duplicities in the Consortium and its approach?

Mr. ROMERO. The Consortium was formed to span the waterfront if you will with WMD. We have heard today that Nevada Test Site focuses on radiological and nuclear. New Mexico Tech focuses specifically on explosive devices because we are the explosive experts. At the Center for Domestic Preparedness, it is the chemical aspect of WMD. At LSU, they focus on the biological and at Texas A&M they focus on the coordination, command and control.

So the Consortium members themselves span the waterfront to try and cover all aspects of WMD so that people who come to the courses then have all of that expertise, and again can go home and be the local expert.

Mr. PEARCE. And that is the concept you are referring to, education versus training. We educate them; they then go and train. Is that correct?

Mr. ROMERO. That is correct, Mr. Pearce. We make them the experts and then they go home. At New Mexico Tech when a student takes our course, they can actually receive two hours of college credit in chemical engineering that can be transferred to any university in this nation. That is the level of education that we are providing them.

Mr. PEARCE. Tell me a little bit about how many people you all have trained at New Mexico Tech and basically how that then has filtered out through the nation.

Mr. ROMERO. We currently train on the order of about 400 students a week in our courses. To date, we have trained 13,000 trainers. Those trainers in turn have gone out and trained an additional 130,000 first responders from across the nation. So we are currently betting a multiplying factor of about 10 to 1. There is a little bit of a lag because as we train more and more people, it takes a while before their numbers start coming back to us.

Mr. PEARCE. Mr. Edwards, do you have any comments on this whole line of thought we have been talking about here?

Mr. EDWARDS. A couple of comments. One is the concept of training the trainer is very good as long as they work within a system. Individuals attend the Consortium classes at the school sites. Then they come back and we do not know who they are training. I maintain all the training records for the State of Maryland fire and rescue personnel and historical database. We have over 600,000 student records. You cannot just send someone to a 2-week course and send them back and have them just start training ad hoc within the existing system.

That is why I am saying there needs to be better coordination at the state and local level with ODP to develop a partnership and develop a system that works for everybody, not just sending people to a school for 2 weeks and going back and saying they are an expert. They are most likely not an expert in that regard, and they need to work within a system to provide that training so it is structured and it is what the departments need and it is done in a timely and cost-effective manner.

Mr. PEARCE. If they are not coming home as experts, are they capable at least of creating the awareness, that is the awareness that Dr. Romero mentioned? And is that such a big deal in your eyes, simply the awareness of how short we are of skills?

Mr. EDWARDS. I guess some of them are and some of them are not. I know in our state, we have state statutes that you have to be certified to be an emergency services instructor. A lot of people who attend these Consortium schools are not recognized as instructors in the State of Maryland, so they can go to these courses and come back, but due to state law they are not allowed to teach in the fire and rescue environment. That is what I mean by having these systems work together and have the synergy of all the sys-

tems for the betterment of the fire and rescue service as one system, not a bunch of separate systems spread out all over the country.

Mr. PEARCE. Thank you, Mr. Chairman. My time has expired. I thank you.

Mr. KING. Mr. Reichert?

Mr. REICHERT. Thank you, Mr. Chairman.

First, I would like to take this opportunity to welcome my good friend Sheriff McGowan from Minnesota, actually the President of the major country sheriffs' association at one time, and he and I were members of that organization up until last year, the National Sheriffs' Association. So welcome, Sheriff.

I agree with my colleague from Florida. We need to do a lot more. We passed the first responders bill last month, I think it was. The purpose of that is to un-jam the logjam of monies that have been held up for training and equipment. The training and equipment is all well and good, and you have talked about some of the pitfalls and some of the weaknesses in the training across the country. But there are other costs I would guess that are associated with the training that we have not even really touched on.

I wonder, Sheriff, first if you could comment on just around the homeland security issue and training and the management of training, what are the costs to your agency?

Sheriff McGowan. First off, every time you send somebody out to go to training, as was mentioned before by Commissioner Kelly, you have to take that person off the street. If they are holding a critical job or they are in a critical position, somebody has to be hired to backfill them. And when you backfill a person, you are taking him normally off of a day off for somewhere like that and you are paying him time-and-a-half. So you are actually spending in one day of training three times of what your costs are.

Also, once we train people, I think Representative, one of the things that we fail to realize is how do we make use of that training when it comes back to us? That is the critical component. How do we make use of that? How is it going to protect our country? How is it going to make us safer and more responsive? That is where I come to is if I could ask you ladies and gentlemen for any assistance, please let us use money to backfill our positions where we are providing assistance at a federal level to help.

I have personnel signed up to the terrorism task forces. I do not get reimbursement for that. That means we go without a position. I go without somebody to answer a rape call or a robbery call, a murder call, a person that is in distress. From major county sheriffs and major city chiefs, National Sheriffs', I am sure the firefighters are the same way. Please allow us to backfill where we have given people to supplement the national effort. That is absolutely critical for us.

Mr. REICHERT. I thought that might be your answer.

Would anyone else on the panel like to address that question? I would assume that in the fire business, you would have the same experience.

Captain Reall. I would agree with that. We are often asked how much of our budget goes towards homeland security. I would say all of it because that is what we do. It does matter if it is a fire

caused by terrorist activity or natural disaster or whatever, we are doing it every day. We are providing intelligence to our partners in law enforcement. We have for years.

I was a little bit distressed to find out that we only get intelligence back from the police commissioner when it is deemed appropriate. From our perspective, how many drug labs are shut down from intervention from paramedics or firefighters when they go to an emergency call because somebody is having trouble breathing, and then they notify the law enforcement agency. We need that kind of communication going back and forth.

Mr. REICHERT. It certainly has to be a team effort.

Just again to touch on some of the other issues associated with this topic, you can be trained, and I think someone made this statement, but when you come back is it worthwhile and does it apply. But you can also be trained and then you need to be retrained and you need to be updated in training. How do you manage that within your organizations? You have to manage the training records of your employees. Does that take additional resources and personnel? Anyone on the panel.

Mr. EDWARDS. If I can just comment on that. That is a very serious issue. We train about 30,000 students a year at the Maryland Fire and Rescue Institute, University of Maryland. A lot of that training is training people who need recertification. They need to be kept current with skills. That is a very expensive part of our training program. In addition to that, with volunteer service, you have a lot of people who enter and leave the service, so you are constantly training and retraining people because you have attrition. The same is in the career service as individuals retire and you have to train new employees to take their place.

The ability to train, that is why I believe their needs to be a national training strategy developed. There needs to be standard national training objectives that we can work toward. And then that system needs to be put out in the state and local departments for the training to take place in thousands of points throughout this country, with the results reported back in a way of not only having the initial training, but the recertification training with that so we know we are training to a certain standard and we are not just developing our own standard or each state having their own separate standard. We need a national standard program.

Mr. REICHERT. Thank you, Mr. Chairman.

Mr. KING. Thank you, Mr. Reichert.

Our lease on this room is about to expire. Fortunately, everyone has had a chance to ask their questions. I really want to thank all the members of the panel for your testimony.

I would just mention to Sheriff McGowan that my understanding of H.R. 1534, the legislation we passed last month, does allow reimbursement for backfilling. It still has to work its way through the Senate.

Sheriff McGowan. Mr. Chairman, may I ask, is that going to be for personnel that we put into terrorism task forces? Is that going to allow me to backfill my position? Because, Mr. Chairman, everything that we go to today, what Commissioner Kelly talked about which you spent a lot of time on, it all starts with information. You talked a lot about prevention earlier. Prevention starts from infor-

mation. That information does not come from across the pond somewhere else to us. It comes from within a local community. It is local officers establishing and knowing what is going on in their communities.

We become part of an intelligence center, but for me to put people over there to ensure that we have coordination not only with my agency, but with other police departments, with federal agencies, with state law enforcement, we need to have that information center or intelligence center. If we cannot put people over there and get the money back for them, it is going to come to, because I will explain to you in my agency.

I have about 800 men and women that work for me. I only get funded to 95 percent. So at any given time to meet my budget, I have to keep 40 vacancies. When I start subtracting out bodies going to different places, that is an additional vacancy that I do not have a man or woman to answer a call, to investigate a crime, to work on a prevention program at a local level. That is why, please, it is so critical. And from everywhere that I have been involved in at the national level, this is the number one concern that I hear from colleagues of mine around the country.

Mr. KING. We have to end on that because of the time. It is my understanding of H.R. 1544 that is applies to terrorism prevention. Again, we will have to work that through and work closely with you on it as it is interpreted.

With that, on behalf of Chairman Rogers, I want to thank all the members. I thank all the panelists. I especially want to thank the Ranking Members for their cooperation in putting this together.

The members of the committees may have some additional questions for the witnesses. We would ask if you would respond to those in writing. The hearing record will be held open for 10 days.

Without objection, the committee stands adjourned.

Thank you very much.

[Whereupon, at 12:57 p.m., the subcommittee was adjourned.]

#### FOR THE RECORD

#### ADDITIONAL QUESTIONS TO THE WITNESSES

#### DR. VAN ROMERO RESPONSES TO QUESTIONS

Congressman Pearce: We heard a lot of discussion regarding the need for ODP to increase its cooperation with the local jurisdictions during the testimony. **From the Consortium view point, will this solve the problems that were discussed?**

#### **Response from Dr. Van Romero:**

Increased cooperation and communication is always a good idea, but both cooperation and communication are two way processes. A number of the problems discussed have been addressed by ODP via the State Point of Contacts. It appears to me that there is a break between the state and local jurisdictions. For example, there was a lot of discussion about the lack of funds to pay for overtime when a First Responder is away at training. **This is simply not true.** ODP has authorized states to provide funds to local jurisdictions for overtime to backfill positions that are vacated due to training out of the funds ODP provides to the state. Obviously, the state and local jurisdictions are not coordinated on this issue.

A concern was expressed that students that return from the Consortium courses do not train others. Very meticulous records are kept on the number of First Responders that are trained by participants in the Consortium courses. Some participants have trained over 1000 fellow First Responders in their home jurisdictions. However, it is true that there are a number of participants that never train their colleagues. These participants should not be sent to the Consortium courses. The se-

lection criterion however, is between the local jurisdiction and the State Point of Contacts. They need to do a better job of selecting the participants for the courses.

It was also stated that “Unfortunately for the hundreds of thousands of volunteers who need to be trained, the ODP consortium teaches their programs Monday to Friday during normal work hours”. This again is not true. Consortium courses that are delivered in local jurisdictions are routinely delivered during off hours and on weekends. The Consortium works with the State Point of Contacts to deliver the courses to their specification. If a jurisdiction wants a course delivered during off hours, all they have to do is work with the State Point of Contact to arrange it with the Consortium.

I could point out other misconceptions, but that would simply be “piling on”. The point is yes, there needs to be better cooperation and communication, but it appears that the link that most needs improvement is the link between local jurisdictions and the State Point of Contact.

In reference to your letter dated July 8, 2005, below are answers to your questions regarding my testimony to the Subcommittee on Emergency Preparedness, Science and Technology and the Subcommittee on Management, Integration and Oversight joint oversight hearing entitled “The National Training Program: Is Anti-Terrorism Training for First Responders Efficient and Effective?” on Thursday, June 23, 2005. Please let me know if you require additional information.

**(1) What is the role of the National Domestic Preparedness Consortium members in the Office for Domestic Preparedness process for approving requests from States and Urban Areas to provide terrorism preparedness training to their personnel using homeland security grant funding?**

**Response:** Training allocations for resident and mobile training courses are established by ODP for each State/Territory based upon risk. The specific choice/approval of participants for resident courses and venues for mobile training is determined by the State/Territory training point of contact within the state administrative agency. If a participant cancels prior to a scheduled course, a replacement is chosen from a list that is pre-approved by the State/Territory training point of contact.

**(2) Of fiscal year 2004 funding from the Office for Domestic Preparedness, what percentage has been spent by the Energetic Materials Research and Testing Center (EMRTC) at the New Mexico Institute of Mining and Technology on course materials, instructor salaries; travel costs, lodging, meals, administrative costs, overhead, and other costs?**

**Response:** Fiscal year 2004 funding was awarded effective October 1, 2004 and will run through September 30, 2005. Therefore, we only have actual expenditures for FY 2004 funds through June 2005. Below is a breakdown of these expended funds as requested.

10/01/2004—06/30/2005 (present).		
Description .....	Actual	Percent of Total
Course Materials & Training Support .....	\$2,657,918.66	25.58%
Instructor Costs .....	3,845,371.08	37.01%
Participant Lodging, Meals, & Air Fare .....	3,169,019.91	30.50%
Administrative Costs .....	101,963.14	0.98%
Overhead .....	564,811.58	5.44%
Equipment .....	50,150.82	0.48%
<b>Total .....</b>	<b>\$10,389,235.19</b>	<b>100.00%</b>

**(3) What types of off-site training courses does EMR TC provide within the State and local jurisdictions, and to what extent are State, local, or private entities utilized by EMRTC to provide such mobile training?**

**Response:** The current ODP Homeland Security training strategy designates the State/Territory as the source for awareness level training. This capability is promulgated to the States/Territories via train-the-trainer programs for execution at State/Territory designated training academies and established training venues. Trainers that have been to train-the-trainer Consortium courses are provided support material so they can deliver the course in their home jurisdiction utilizing local infrastructure and capabilities.

Specialty and advanced ODP/NDPC training which requires specific equipment and/or facilities are delivered by NDPC instructors to the State/Territory at their request. Specifically, EMRTC instructors deliver specialized, advanced “mobile” training at the request of the State/Territory training point of contact within the

state administrative agency. These courses are delivered at the locations specified by the State/Territory training point of contact.

RAYMOND W. KELLY RESPONSES TO QUESTIONS

**Question 1.: Is the New York City Police Department expected to provide National Incident Management System (NIMS) training to its personnel in time to meet the implementation deadlines during fiscal years 2005 through 2007? How have the National Training Program and homeland security grant assistance helped in meeting NIMS requirements? What are the obstacles and potential solutions to training law enforcement personnel on new incident command procedures?**

The NYC Office of Emergency Management, with the approval of the Department of Homeland Security, created the Citywide Incident Management System (CIMS) for use by New York City in place of the National Incident Management System (NIMS). This system is fully compliant with the NIMS incident command structure in terms of roles, responsibilities, terminology and procedures. CIMS will enable New York City emergency response agencies to coordinate activities with federal, state and local agencies. In addition, CIMS recognizes the unique size, structure, needs and capabilities of New York City's emergency response agencies and incorporates them into the CIMS protocol. All uniformed members of the NYPD from the rank of Police Officer through Bureau Chief have received one-day of CIMS training and NYPD will provide this training to future hires. This will meet the implementation deadlines for fiscal years 2005 and 2007. DHS grant assistance has enabled the City to conduct this training without impacting the Department's daily patrol strength.

**Question 2.: How may terrorism prevention, preparedness, and response training provided by the Department of Homeland Security be better designed and delivered to account for the unique needs of the New York City Police Department?**

Terrorism prevention, preparedness and response training provided by DHS has increased readiness to respond to terrorist incidents, particularly those involving a component. For example, NYPD has worked with the Center for Domestic Preparedness (CDP) to create two key training courses: The Law Enforcement Protective Measures (LEPM) course, which was utilized to provide Chemical, Ordnance, Biological and Radiological (COBRA) Operations-level training to approximately 12,000 members of the NYPD and the WMD Law Enforcement Threat, Hazard Recognition and Emergency Actions Training (THREAT), a course that enables all NYPD COBRA-trained personnel to meet the annual training standards mandated by the Occupational Safety and Health Administration (OSHA). The development of these courses was expedited by the full-time, on-site assignment of a CDP representative directly to NYPD. This CDP representative was instrumental in obtaining DHS certification for these courses, a requirement under grant funding rules. There is a need for a representative from the DHS Office of Domestic Preparedness (DHS/ODP) Urban Area Security Initiative Working Group to be based in New York City to serve in the same role. This would enhance the ability of NYPD to develop and certify courses in disciplines under the control of ODP in a timely manner. It is important that training development process has the flexibility to respond quickly to evolving terrorist tactics and technological developments. The presence of DHS/ODP representatives capable of assisting NYPD in the self-certification of training courses will serve this important goal.

The partners in the DHS training consortium have tremendous expertise in first responder training. In addition to first responder training, however, the focus of NYPD continues to be the development of the skill sets required to become effective "first preventers." NYPD seeks to train our personnel to identify and apprehend terrorist operatives prior to an attack, during the surveillance, planning and preparation phases. Therefore, greater focus must be placed on the development and implementation of training in disciplines such as surveillance and counter-surveillance techniques, the development and utilization of confidential informants, and intelligence analysis and analytical writing.

**Question 3.: Which types of terrorism preparedness courses are most appropriately provided at Department of Homeland Security training centers as opposed to NYPD facilities?**

DHS provides many specialized training courses across the country that have been attended by NYPD personnel. Some of these courses are best delivered at their present locations. For example, the "WMD Technical Emergency Response Training" course provided at the Center for Domestic Preparedness, located in Anniston, Ala-

bama, and the “Response to Terrorist Bombing” and “Prevention and Response to Suicide Terrorism” courses provided at the Energetic Material Research and Testing Center, located in Socorro, New Mexico, cannot be duplicated at NYPD facilities. The ability to expose the student, in a controlled, tactically sound and intrinsically safe learning environment, to weaponized chemical agents and high yield explosive devices make the training experience unique to these facilities. It simply would not be practical to conduct this type of training within the confines of New York City.

Training courses that are not site specific, however, could be exported to an NYPD facility through the “train the trainer” concept. Qualified NYPD instructors can be trained by DHS personnel at an NYPD facility. The NYPD instructors obtain certification and required training material from DHS and can then act as force multipliers by delivering the training to the general NYPD training population at an NYPD facility. This method has been used in the past with instructors and courses from the Center for Domestic Preparedness, the Bechtel Nevada WMD Training Program and LSU National Center for Biologic of Counter Terrorism Education. This system produces savings, not only in travel expenses, but also in travel time. This directly impacts readiness, since more members can be trained at a cost of fewer days off patrol. This is more cost effective and efficient and produces the ability to train large numbers of NYPD personnel. All DHS training courses that are not site-specific should be made available to NYPD in this manner. The on-site presence of representatives would further enhance the process and would enable the Department to rapidly certify the courses and meet the parameters and standards required to utilize DHS grant funding to deliver the training.

