

# SECURING OUR COMMUNITIES: FEDERAL SUPPORT TO HIGH-RISK URBAN AREAS

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FIELD HEARING  
BEFORE THE  
SUBCOMMITTEE ON  
EMERGENCY PREPAREDNESS,  
RESPONSE, AND COMMUNICATIONS  
OF THE  
COMMITTEE ON HOMELAND SECURITY  
HOUSE OF REPRESENTATIVES  
ONE HUNDRED FIFTEENTH CONGRESS  
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## SECURING OUR COMMUNITIES: FEDERAL SUPPORT TO HIGH-RISK URBAN AREAS

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Monday, April 23, 2018

U.S. HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON EMERGENCY PREPAREDNESS,  
RESPONSE, AND COMMUNICATIONS,  
COMMITTEE ON HOMELAND SECURITY,  
*Staten Island, NY.*

The subcommittee met, pursuant to notice, at 10:01 a.m., at the Recital Hall, Center for the Arts, College of Staten Island, 2800 Victory Blvd, Staten Island, NY, Hon. Daniel M. Donovan [Chairman of the subcommittee] presiding.

Present: Representatives Donovan [presiding], King, and Payne.

Mr. DONOVAN. The Committee on Homeland Security, Subcommittee on Emergency Preparedness, Response, and Communications, will come to order.

The subcommittee is meeting today to examine Federal counter-terrorism support to high-risk urban areas. I appreciate the effort taken on behalf of all those involved to have this important field hearing take place, and I want to thank the College of Staten Island for hosting us.

This is an official Congressional hearing, so you must abide by certain rules of the Committee on Homeland Security and the House of Representatives. I kindly wish to remind our guests today that demonstrations from the audience, including applause and verbal outbursts, as well as any use of signs or placards, are in violation of the rules of the House of Representatives. It is important that we respect the decorum and the rules of this committee.

I have also been requested to state that photography and cameras are limited to accredited press only.

I now recognize myself for an opening statement.

When I first met then-Speaker John Boehner as a newly-elected Congressman in 2015, I made one request: I wanted a seat on the Homeland Security Committee. I wanted to serve on a committee that addressed so many topics near and dear to my constituents and my city. I was later honored when Chairman Michael McCaul approached me to become the Chairman of this subcommittee. Every day, I get to work on homeland security issues and advocate for resources to help our first responders and strengthen New York City's and our Nation's preparedness. It has been a challenging but fulfilling responsibility.

My subcommittee has made great progress in giving our first responders a voice on Capitol Hill. But the work is never done, and that is why we are here today, to meet and discuss an important

topic that not only affects our constituents, but the entire Nation, Federal support to high-risk metropolitan areas.

On September 11, 2001, the Nation watched as al-Qaeda attacked New York City and Washington, DC by turning planes into weapons. Fast-forward to the present day and New York City and all that it represents remains the No. 1 terrorist target in the world, having experienced five additional attacks since that time. I would be remiss if I didn't mention the hard work of our Federal, State, and New York City officials who have thwarted over a dozen other serious plots against our city.

Just last year, first responders acted bravely as terrorists attacked our city with a pipe bomb and a truck. We are forever grateful to the fine men and women at the New York City Police Department, FDNY, and the Port Authority Police that ran toward these situations without giving it a second thought and saved countless lives. It is because of them and the dedicated and tireless professionals of New York City's Emergency Management that New York City has become a stronger, more resilient, and secure place.

New York City's finest and bravest, and other first responders across the Nation, arrive first at a disaster scene. Several Federal initiatives provide instrumental support to ensure our first responders can handle whatever threat they approach. The Department of Homeland Security and the Federal Bureau of Investigation, through grants, intelligence information sharing, and joint task forces, have become the primary Federal agencies that interact with first responders. We are thankful for both these agencies' work to help our first responders. In most cases, DHS and the FBI stand right behind our first responders during and after a terrorist incident.

DHS, through the Office of Intelligence and Analysis, and the FBI have attempted to create an information-sharing environment in which authorities disseminate accurate information in a timely manner and to the appropriate Federal, State, and local partners. We have made great progress in breaking down the information-sharing stovepipes that existed and have haunted us after September 11, but there seems to be reoccurring challenges regarding terror-related information sharing.

Information sharing is a two-way street, and I believe that the enhancements at both I&A and the FBI's Joint Terrorism Task Force have helped tremendously in creating a better flow of terrorism information between the Federal Government and State and local law enforcement. I am interested in learning from our witnesses more about what needs to be done to create a fully integrated information-sharing environment.

Ensuring first responders have information on the most recent terrorist attacks and other intelligence is only one part of the equation in protecting our homeland. The Homeland Security Preparedness Grants allow first responders to enhance and sustain their capabilities to protect their communities from the evolving terrorist attacks that we face.

Vital grant programs include the State Homeland Security Grant Program, Urban Area Security Initiative, Port Security Grant Program, and the Transit Security Grant Program. Our committee has repeatedly heard from first responders about the importance of

these programs and the capabilities they have helped their jurisdictions attain. In fact, just last week, on the 5th anniversary of the Boston Marathon bombings, we held a hearing concerning those bombings and the recent Austin serial bombings. Law enforcement representatives from Boston and Austin repeatedly emphasized how Federal Homeland Security Grant Programs aided in their response efforts to these attacks, and I am certain we will hear similar sentiments from witnesses on our second panel today.

This committee fully supports these programs, and the committee's DHS authorization bill includes provisions from my legislation, the PREPARE Act, which authorizes robust funding for these programs. I am pleased the House overwhelmingly passed this legislation last year, and I urge the Senate to take action on it without further delay.

In the nearly 17 years since September 11, 2001, we have made great progress in hardening our defenses against terrorists who wish to do us harm. Unfortunately, they are not giving up, and neither can we.

I want to thank all of the witnesses for coming to Staten Island, and I look forward to our discussion about how we can continue to secure our great Nation.

[The statement of Chairman Donovan follows:]

STATEMENT OF CHAIRMAN DANIEL M. DONOVAN

APRIL 23, 2018

When I first met with then-Speaker John Boehner as a newly-elected Congressman in 2015, I made one request—I wanted a seat on the Homeland Security Committee. I wanted to serve on a committee that addressed so many topics near and dear to my constituents and my city. I later was honored when Chairman Michael McCaul approached me to become the Chairman of this subcommittee. Every day, I get to work on homeland security issues and advocate for resources to help our first responders and strengthen New York City's and our Nation's preparedness. It has been a challenging but fulfilling responsibility.

My subcommittee has made great progress in giving our first responders a voice on Capitol Hill. But the work is never done and that's why we are here today to meet and discuss an important topic that not only affects our constituents, but the entire Nation—Federal support to high-risk metropolitan areas.

On September 11, 2001, the Nation watched as al-Qaeda attacked New York City and Washington, DC by turning planes into weapons. Fast-forward to the present day and New York City and all that it represents remains the No. 1 terrorist target in the world, experiencing 5 additional attacks. And I would be remiss if I didn't mention the hard work of Federal, State, and New York city officials to thwart dozens of other serious plots.

Just last year, first responders reacted bravely as terrorists attacked our city with a pipe bomb and a truck. We are forever grateful to the fine men and women at the NYPD, FDNY, and the Port Authority Police that ran toward these situations without giving it a second thought and saved countless lives. It is because of them and the dedicated and tireless professionals of NYC Emergency Management that New York City has become a stronger, more resilient, and secure place.

New York City's finest and bravest, and other first responders across the Nation, arrive first to a disaster scene. Several Federal initiatives provide instrumental support to ensure our first responders can handle whatever threat they approach. The Department of Homeland Security and the Federal Bureau of Investigation, through grants, intelligence information sharing, and joint task forces, have become the primary Federal agencies that interact with first responders. We are thankful for both agencies' work to help our first responders. In most cases, DHS and the FBI stand right beside our first responders during and after a terrorist attack.

DHS, through the Office of Intelligence and Analysis (I&A), and the FBI have attempted to create an information-sharing environment in which authorities disseminate accurate information in a timely manner and to the appropriate Federal, State, and local partners. We have made great progress in breaking down the information-

sharing stovepipes that haunted us after 9/11, but there seem to be reoccurring challenges regarding terror-related information sharing.

Information sharing is a two-way street, and I believe that the enhancements at both I&A and the FBI's Joint Terrorism Task Forces have helped tremendously in creating a better flow of terrorism information between the Federal Government and State and local law enforcement. I'm interested in learning from our witnesses more about what needs to be done to create a fully integrated information-sharing environment.

Ensuring first responders have information on the most recent terrorist tactics and other intelligence is only one part of the equation in protecting our homeland. The homeland security preparedness grants allow first responders to enhance and sustain their capabilities to protect their communities from the evolving terrorist threats we face.

I am disappointed that the fiscal year 2019 budget once again proposes to cut vital grant programs, including the State Homeland Security Grant Program, Urban Area Security Initiative, Port Security Grant Program, and Transit Security Grant Program. Our committee has repeatedly heard from first responders about the importance of these programs and the capabilities they have helped jurisdictions attain. In fact, just last week, the committee held a hearing on the 5th anniversary of the Boston Marathon bombings and the recent Austin serial bombings. Law enforcement representatives from Boston and Austin repeatedly emphasized how grant programs like SHSGP and UASI aided in their response efforts to these attacks. And I am certain we will hear similar sentiments from witnesses on our second panel today.

This committee fully supports these programs, and the committee's DHS Authorization bill includes provisions from my legislation, the PREPARE Act, which authorize robust funding for these programs. I am pleased the House overwhelmingly passed this legislation last year and I urge the Senate to take action on it without further delay.

In the nearly 17 years since 9/11, we have made great progress in hardening our defenses against terrorists who wish to do us harm. Unfortunately, they are not giving up and neither can we.

I want to thank all of the witnesses for coming to Staten Island and I look forward to our discussion about how we can continue to secure our great Nation.

Mr. DONOVAN. At this point, the Chair now recognizes the Ranking Member of this committee, my friend, the gentleman from New Jersey, Mr. Payne, for any opening remarks he may have.

Mr. PAYNE. Good morning. I want to thank Chairman Donovan for holding today's hearing to examine the Federal support to high-risk urban areas.

Everyone here understands that protecting the Nation from bad actors is of the utmost importance. September 11 and subsequent terrorist acts and thwarted plots have taught us that there are people who constantly look for ways to exploit our vulnerabilities. Those bad actors' methods of attack have evolved over time in an attempt to stay ahead of our security enhancements. It is more important than ever before to ensure our first responders have the proper resources to plan for, train, and respond to emerging threats effectively.

In my district, the 10th Congressional District of New Jersey, we know very well the important role that FEMA's preparedness grants play in keeping our citizens safe and secure. My district is home to Newark Liberty International Airport, the New Jersey Transit Authority, the Port of Newark and Elizabeth Main Terminal, and a dense area of industrial facilities that have been referred to as the two most dangerous miles in America. In recent years, events such as the pipe bombs found in Elizabeth, New Jersey, which is a neighboring district, serve as a reminder that there are those with intent and means to do harm.

Of course, we are also situated close to one of the most targeted cities in America, New York City. Time and time again, we have

seen where investing in first responders has helped thwart a response to these attacks. Such incidents underscore the importance of FEMA's funding to State and locals. For these reasons, I have been troubled by the fact that the last two Trump administration budget proposals would make significant cuts to these critical funding streams.

Fortunately, Congress has rejected these misguided cuts, and my hope is that we will continue to reject any proposals that will weaken preparedness and security for those on the ground protecting the public day in and day out. Moreover, Federal first responders funding should be robust and predictable so that our State and local governments can effectively plan for future investments. It is important that I point out that in 2011, we saw FEMA grant funding fall significantly. It is my hope that we can see those funding levels restored. That is what Democrats on the House Homeland Security Committee have worked to do. I intend to continue to fight for preparedness funding as I know that it has been a lifeline to the State and local governments who are already struggling to stretch their budgets.

I thank the witnesses for being here today. I look forward to hearing from them about the importance of the Federal funding to their respective organizations and how we can help support them in their vital missions.

With that, Mr. Chairman, I yield back.

[The statement of Ranking Member Payne follows:]

STATEMENT OF RANKING MEMBER DONALD M. PAYNE, JR.

APRIL 23, 2018

Everyone here understands that protecting the Nation from bad actors is of the utmost importance. September 11 and subsequent terrorist acts and thwarted plots have taught us that there are people who constantly look for ways to exploit our vulnerabilities. Those bad actors' methods of attack have evolved over time in an attempt to stay ahead of our security enhancements.

It is more important than ever before to ensure our first responders have the proper resources to plan, train, and respond to emerging threats effectively. In my district, the 10th Congressional District of New Jersey, we know very well the important role that FEMA's preparedness grants play in keeping our citizens safe and secure.

My district is home to Newark Liberty International Airport, the New Jersey Transit Authority, the Port Newark-Elizabeth Marine Terminal, and a dense area of industrial facilities that has been referred to as "the most dangerous two miles in America."

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Time and time again, we have seen where investing in first responders have helped thwart or respond to these attacks. Such instances underscore how important FEMA's funding is to State and locals.

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Fortunately, Congress has rejected these misguided cuts, and my hope is that we continue to reject any proposals that will weaken preparedness and security for those on the ground protecting the public day in and day out.

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In 2011, we saw FEMA grant funding fall significantly. It is my hope that we can see those funding levels restored, and that is what Democrats on the House Homeland Security Committee have worked to do.

I intend to continue to fight for preparedness funding, as I know that it has been a lifeline to State and local governments, who are already struggling to stretch their budgets.

Mr. DONOVAN. The gentleman yields.

The Chair now recognizes the gentleman from Long Island who was an original Member of the Homeland Security Committee when this was formed back in 2002, served as the distinguished Chairman of the entire Homeland Security Committee, my good friend from Long Island, Mr. Pete King.

Mr. KING. Thank you, Mr. Chairman. I really appreciate the fact that you are holding this hearing. It is absolutely vital because there is no doubt in my mind that New York, northern New Jersey, and Long Island are the No. 1 terrorist targets in the country. The combined Federal, State, and local efforts are absolutely essential if we are going to remain safe, because we have an enemy that will never stop coming at us. Also, it is essential that we receive the funding that we need.

It is a full-time process here in this entire region to protect ourselves, and like Mr. Payne, I have real issues with the cuts by the Trump administration. But before that, I had just as much concern with the cuts proposed by the Obama administration. It appears that too often the administration, no matter who is in power, doesn't quite realize how significant this is. Under the Obama administration, Congress restored the cuts. Under the Trump administration, Congress has as well. I am confident we will do it again this year.

But I also want to make it clear that the men and women of the Department of Homeland Security do an outstanding job, and I look forward again to working with them as we go forward.

Dan, I just want to thank you for the work you have done with this subcommittee. There is probably no subcommittee and no part of the Homeland Security Committee that is more important to the security of New York than Emergency Preparedness. You deal on a day-to-day basis with those who are on the front lines, those who have to protect us while the rest of us are home sleeping. It is the men and women of the NYPD, FDNY, Port Authority Police, and also working with departments of the Federal Government, especially the FBI and Homeland Security, that keep all of us safe.

So I want to thank you for holding this hearing, and I look forward to the witnesses, two expert panels of witnesses. I look forward to it, and I yield back.

Mr. DONOVAN. The gentleman yields. Other Members are reminded they may submit statements for the record.

[The statement of Ranking Member Thompson follows:]

STATEMENT OF RANKING MEMBER BENNIE G. THOMPSON

APRIL 23, 2018

Like all Americans, I remember the shock and horror of September 11, 2001, as we watched the tragedy unfold.

As a Member of Congress, I knew that we had to do everything in our power to provide first responders and State and local governments with resources to respond to the threat of terrorism around the Nation.

Congress established the Department of Homeland Security and charged it with administering new homeland security grant programs, also commonly referred to as

preparedness grants, to provide critical resources to help protect communities from threats.

While New York City has long been a terrorist target, the threat of terrorism is not exclusive to any one type of town or city, unfortunately.

In June of last year, then-Secretary John Kelly testified before the committee that the threat of terrorism “has metastasized around the country, whether it’s New York City, the largest municipality in the country, or some little town in the middle of Arkansas, the potential is about the same in my view for a lone-wolf attack.”

Whether it is a truck bomb in Times Square or ISIS threats on a college campus in Mississippi, State, and local agencies need Federal assistance to detect and disrupt those who would seek to do us harm.

Therefore, we must continue to help these agencies build the capacity to respond to threats.

Given the variety and complexity of threats to our Nation, one would think that the Trump administration would understand that Federal spending on preparedness grants needs to be increased or at a very minimum maintained.

Unfortunately, President Trump’s fiscal year 2018 and 2019 proposed budgets recommended cutting more than \$900 million in preparedness grant funding.

The proposed drastic cuts, if enacted, would have devastated the progress made to address capability gaps in our preparedness.

Further, cuts to preparedness grants would have created tremendous hardship for many towns and cities across the country who would struggle to find the resources to prevent and respond to threats.

Congress has flatly rejected the Trump proposals and, in the case of many preparedness grants, increased funding in the recent omnibus appropriations bill.

As Ranking Member of the Committee on Homeland Security, I have always done my part to make sure State and locals have the resources they need to prepare for and respond to threats.

Ensuring that investments made by the Federal Government in developing response capabilities are not undermined by misguided budget priorities has never been more important, and you will continue to have my strong support in that effort.

Mr. DONOVAN. We are now pleased to have two distinguished panels with us this morning, witnesses who will testify about this important topic.

Our first panel consists of Mr. William Sweeney, Jr., assistant director in charge of the Federal Bureau of Investigations’ New York field office. Welcome, Bill.

Mr. Brian Murphy is the acting principal deputy under secretary for intelligence and analysis for the Department of Homeland Security’s Office of Intelligence and Analysis. Brian, thank you for attending today.

Mr. Thomas DiNanno is the assistant administrator for FEMA’s Grant Programs Directorate. Thank you very much, Tom, for appearing today before us.

Mr. Christopher Currie is the director of homeland security and justice issues at the Government Accountability Office.

I thank you all for being here. The witnesses’ full testimony and their statements will appear in the record.

The Chair now recognizes Mr. Sweeney for any opening remarks he may have.

**STATEMENT OF WILLIAM F. SWEENEY, JR., ASSISTANT DIRECTOR IN CHARGE, NEW YORK FIELD OFFICE, FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE**

Mr. SWEENEY. Good morning, Chairman Donovan, Ranking Member Payne, and Representative King. Thank you for the opportunity to discuss the FBI’s efforts to secure our communities.

The FBI’s mission is to protect and defend the United States against terrorist and foreign intelligence threats, to uphold and en-

force the criminal laws of the United States, and to provide leadership and criminal justice services to Federal, State, municipal, and international agencies and partners.

The area of responsibility for the FBI's New York Field Office covers nearly 5,000 square miles, with a population of more than 13 million people. We also have an extra-territorial responsibility in the New York office where we cover issues from Canada, the United Kingdom, Europe, Western Europe, and all of Africa. We have over 2,000 employees here in New York, with almost an equal percentage of special agents and professional staff on board.

In order to address the threats we face, we know one of the most significant factors that will drive our success is the emphasis we have placed on developing relationships and information-sharing abilities. In a city and region as large as New York, we could not expect to thrive without the support of our local, State, and Federal agency partners. The leadership of those agencies and the men and women that make up the agencies in this region are second to none, from the NYPD, the New York State Police, the Port Authority Police Department, the FDNY, the New Jersey State Police, to name a few. Almost everything we do in the FBI is in partnership with another agency.

Perhaps one of the best examples of that is the FBI's Joint Terrorism Task Force. The first JTTF was established here in New York City in 1980, and the second was formed shortly thereafter in Newark, New Jersey. Prior to 9/11, there were about 1,000 members of JTTFs Nation-wide. Today, there are over 4,000. The total number of JTTFs Nation-wide has also increased since 9/11, to 184.

The mission of the New York JTTF is to enhance communications, coordination, and cooperation between Federal, State, and local government agencies representing the law enforcement, intelligence, defense, diplomatic, public safety, and homeland security communities by providing a point of fusion for terrorism investigations and National security matters.

Thanks to our extensive list of partner agencies and the relationships we share, the JTTFs in New York and in New Jersey are uniquely situated to respond to critical incidents without immediate assistance from other FBI field offices. As the terrorism threat continues to evolve, it is crucial that we maintain this level of capability.

Should a critical incident occur within our area of responsibility, myself or one of my designees is responsible for initiating an appropriate crisis response plan. In most cases, including the recent truck attack carried out by Sayfullo Saipov along Manhattan's West Side Highway in October 2017, executive management can be on scene within minutes. We will begin communicating almost immediately with first responders—in most cases in the city, that is the NYPD and the FDNY—to determine our next steps.

In addition to our 24/7 operations command center, our Joint Operations Center will become operational almost immediately. Here we pool together our resources and partnership abilities made possible through the JTTF, as described above, and we remain in constant communication with FBI headquarters by way of secure video teleconferencing capability.

Components of the FBI's specialized crisis response team will surge resources where necessary to mitigate any immediate threat to the public as we work together with our law enforcement partners to determine what information is necessary to disseminate to the community in the interest of public safety.

In summary, the FBI continues to effectively engage with our local, State, Federal, and international law enforcement partners and intelligence partners to confront the threats we face and protect the communities we serve. Combatting terrorism in all forms remains our No. 1 priority. For this reason, we will continue to draw upon the relationships we have established with our partners, both here at home and abroad, to understand the threats we face, disrupt plots to harm our homeland, and dismantle the potential networks behind them.

Chairman Donovan, Ranking Member Payne, Representative King, thank you again for the opportunity to discuss our efforts to secure our communities. Mr. Chairman, we are grateful for the leadership that you and this committee have provided to the FBI, and we thank you for your continuing support. I look forward to answering any questions you may have.

[The prepared statement of Mr. Sweeney follows:]

PREPARED STATEMENT OF WILLIAM F. SWEENEY JR.

APRIL 23, 2018

Good morning, Chairman Donovan, Ranking Member Payne, and Members of the committee, thank you for this opportunity to discuss the FBI's efforts to secure our communities.

The FBI's mission is to protect and defend the United States against terrorist and foreign intelligence threats, to uphold and enforce the criminal laws of the United States, and to provide leadership and criminal justice services to Federal, State, Tribal, municipal, and international agencies and partners.

There are 56 field offices in cities across the United States and Puerto Rico; about 380 smaller offices, called resident agencies, in cities and towns across the Nation; and more than 60 international offices, called legal attachés, in U.S. embassies world-wide.

The area of responsibility for the FBI's New York Field Office covers nearly 5,000 square miles with a population of more than 13 million people. We have over 2,000 employees here in New York, with an almost equal percentage of special agents and professional staff.

After the 9/11 attacks, the FBI, overall, had to improve the way we analyzed and shared intelligence, and we had to use intelligence to drive our investigations, not the other way around.

We hired hundreds of new translators and surveillance specialists, and we nearly tripled the number of new intelligence analysts.

We integrated our intelligence program with other agencies in the intelligence community, under the director of national intelligence. We stood up the FBI's National Security Branch, the Directorate of Intelligence, and the Weapons of Mass Destruction Directorate. In short, we improved the Bureau's National security capabilities across the board.

Before the September 11 attacks, we collected intelligence principally for the purpose of prosecution. Today, we are collecting intelligence to better understand all threats—those we know about, and those that have not yet become evident. Our mission is not merely to disrupt an isolated plot, but to dismantle the potential network behind it.

Director Wray has recently stated that the FBI currently has approximately 1,000 open ISIS-related investigations, approximately 1,000 open investigations of suspected home-grown violent extremists inspired by various global jihadist movements, and approximately 1,000 open investigations into domestic terrorism.

In order to address these threats, and others, we know one of the most significant factors that will drive our success is the emphasis we have placed on developing relationships and information-sharing abilities. In a city as large as New York, we

could not expect to thrive without the support of our local, State, and Federal agencies. No one agency, working alone, can defeat terrorism or any other of today's threats.

We continue to strengthen relationships with our international law enforcement partners as well. Today, we have 64 legal attaché offices—commonly known as legats—and more than a dozen smaller sub-offices in key cities around the globe, providing coverage for more than 200 countries, territories, and islands.

Each office is established through mutual agreement with the host country and is situated in the U.S. embassy or consulate in that nation.

We work with a host of intelligence community agencies at the National Counterterrorism Center and other fusion centers around the country.

We have also expanded our Joint Terrorism Task Forces, or JTTFs, which were first established here in New York City in 1980. Prior to 9/11, there were about 1,000 members of JTTFs Nation-wide; today there are over 4,000. The total number of JTTFs Nation-wide has also increased since 9/11 to 184.

The mission of the New York JTTF is to enhance communications, coordination, and cooperation between Federal, State, and local government agencies representing the law enforcement, intelligence, defense, diplomatic, public safety, and homeland security communities by providing point of fusion for terrorism investigations and National security matters and efforts.

Currently, the New York JTTF is composed of over 450 personnel, to include law enforcement, analysts, and professional staff, representing over 40 member agencies, and 16 non-member liaison agencies. The NY JTTF area of responsibility encompasses metropolitan New York and extends internationally to Africa, Western Europe, the United Kingdom, and Canada. Thanks to our extensive list of partner agencies and the relationships we share, the JTTF in New York is uniquely situated to respond to critical incidents without immediate assistance from other field offices. As the terrorism threat continues to evolve, it's crucial that we maintain this level of capability.

Additionally, as part of the JTTF, New York has a dedicated Weapons of Mass Destruction ("WMD") investigative squad, which is composed of special agent subject-matter experts in WMD, special agent bomb technicians, and a special agent Hazardous Evidence Response Team leader. The squad is supplemented by several task force officers with WMD expertise, and they're tasked with emergency response, investigation, and WMD preparedness to include training, exercises, liaison outreach, and tripwire development and implementation. All components of the squad actively train and respond with subject-matter experts from our local partner agencies.

It is through partnerships like this that we continue to explore a comprehensive approach to fighting crime. By collaborating on joint investigations and sharing resources and information, we are seeing successes in spite of the threat that remains a top priority for all of us.

#### CRISIS RESPONSE

Should a critical incident occur within our area of responsibility, the assistant director in charge, or equivalent designee, is responsible for initiating an appropriate crisis response plan. In most cases, including the recent truck attack carried out by Sayfullo Saipov along Manhattan's West Side Highway in October 2017, executive management can be on scene within minutes. We will begin communicating almost immediately with first responders, in most cases the New York City Police Department ("NYPD"), to determine our next steps. In addition to our 24/7 operations command center, our Joint Operations Center ("JOC") will become operational almost immediately. Here we will pool together our resources and partnership abilities made possible through our JTTF, as described in detail above, as we remain in constant communication with FBI Headquarters by way of secure video teleconferencing capabilities. Components of the FBI's specialized crisis response team will surge resources where necessary to mitigate any immediate threat to the public as we work together with our law enforcement partners to determine what information is necessary to disseminate to the community in the interest of public safety.

In summary, the FBI continues to effectively engage with our local, State, Federal, Tribal, and international law enforcement partners to confront the threats we face and protect the communities we serve. Combatting terrorism, in all its forms, remains our top priority. For this reason, we will continue to draw upon the relationships we've established with our partners, both at home and abroad, to understand the threats we face, disrupt plots to harm our homeland, and dismantle the potential networks behind them.

Chairman Donovan, Ranking Member Payne, and Members of the committee, thank you again for this opportunity to discuss the FBI's efforts to secure our communities. Mr. Chairman, we are grateful for the leadership that you and this committee have provided to the FBI, and we thank you for your continuing support. I look forward to answering any questions you may have.

Mr. DONOVAN. Thank you for your remarks, Mr. Sweeney.

The Chair now recognizes Mr. Murphy for any remarks he may have.

**STATEMENT OF BRIAN MURPHY, ACTING PRINCIPAL DEPUTY  
UNDER SECRETARY, OFFICE OF INTELLIGENCE AND ANAL-  
YSIS, U.S. DEPARTMENT OF HOMELAND SECURITY**

Mr. MURPHY. Thank you, Chairman Donovan, Ranking Member Payne, Representative King. Thank you for the opportunity to testify today along with my colleagues from the FBI, FEMA, and GAO. In my testimony today, I will describe the current threat environment and how I&A shares intelligence with our State and local partners to support their important work of keeping our local communities safe.

Each year, I&A works with FEMA's Grant Programs Directorate to support the Department's annual Homeland Security Grant Programs' counterterrorism grant programs to provide threat analysis and data to inform their homeland counterterrorism risk assessments. I&A reviews shared intelligence reporting produced by the intelligence community along with State and local threat reporting and other sources to provide FEMA with a relative threat ranking for the top 100 Metropolitan Statistical Areas and States and territories in the homeland. This threat ranking allows FEMA to ensure limited funds are allocated to the cities with the highest risk and informs the Secretary's decisions regarding funding allocations.

The State Homeland Security Program Grants are important components in supporting State and local efforts to prevent terrorist attacks and other catastrophic events, and helps our State and local partners prepare for and respond to significant threats to our Nation.

The threats we face from terrorism today are much more diverse than in the time immediately following the September 11 attacks. We face a serious, persistent, and varied terror threat which will not diminish in the near future. While we have made it harder for terrorists to execute complex, large-scale attacks, changes in technology have made it easier for our adversaries to plot attacks generally, to radicalize new followers to commit acts of violence, and to recruit beyond our borders. The problem is further compounded by the use of simple, do-it-yourself terrorist tactics conveyed via highly sophisticated terrorist marketing campaigns to a global audience.

Similarly, the threat from transnational criminal organizations has and continues to grow. These organizations are highly mobile, maintain sophisticated cross-border networks, and are involved in a wide range of criminal activities including human smuggling and the trafficking of drugs and firearms. These criminal organizations will likely continue to employ and improve their intelligence capabilities through a variety of methods including human, technical, and cyber means. These activities all have a significant impact on the safety, security, and health of citizens in our homeland.

The Department is overhauling its approach to integrating intelligence with operations, changing how we proactively address threats. Success in proactively addressing threats depends on support between and collaboration with our partners, which is the lifeblood of all DHS components.

One of the Department's top priorities to address this evolving threat environment is to more effectively integrate intelligence equities into our operational mission. DHS is utilizing valuable information uncovered by the intelligence community and our law enforcement professionals to adapt quickly to an ever-evolving threat at home and abroad. Driving multi-directional information exchanges with our State and local partners to fill credible information and intelligence gaps is a unique part of I&A's mission. We are the only member of the IC explicitly charged in statute to share intelligence and threat information with State and local partners, and are also responsible for developing intelligence from those partners for DHS and the IC.

In support of this mission, we work closely with all of our components within DHS. I&A deploys intelligence professionals dedicated to providing intelligence and information sharing to our partners. These professionals in the field are one of our most unique and valuable assets. We deploy them across the country to enable regular, direct engagement with our State and local partners, producing timely and actionable intelligence. Their involvement spans the spectrum of activities, from the development of joint intelligence products and reporting locally generated information that we share with the IC. For example, our intelligence professionals covering the New York City area work closely with the NYPD and the New York Fire Department to provide intelligence related to the IC. At least bi-weekly, our intelligence officers brief the NYPD on cyber threats and threats specific to New York.

The collaboration I have discussed is enhanced through FEMA's Homeland Security Grants Program. While only a portion of fusion centers' budgets and other State and local entities are supported through homeland security grants, this grant program plays a crucial role. In fact, those receiving the funds from either the grants program or other areas received a total of \$300 million over the past 5 years. The Homeland Security Grants Program has also been an instrumental tool in driving consistency and standardization in the way in which we share intelligence.

Chairman Donovan, Ranking Member Payne, Representative King, thank you for this opportunity to speak in front of you today. [The prepared statement of Mr. Murphy follows:]

PREPARED STATEMENT OF BRIAN MURPHY

APRIL 23, 2018

INTRODUCTION

Chairman Donovan, Ranking Member Payne, distinguished Members of the committee, thank you for the opportunity to testify today—along with my colleagues from the Federal Emergency Management Agency and the Federal Bureau of Investigation. The men and women of the Department of Homeland Security's (DHS) Office of Intelligence and Analysis (I&A) work diligently to produce timely, actionable intelligence and information to help keep the homeland safe, secure, and resilient, and I am proud to speak to you on their behalf.

In my testimony today, I will describe the current threat environment and how I&A shares intelligence with our State and local partners to support their important work of keeping local communities safe. Each year, I&A works with FEMA's Grant Programs Directorate to support the Department's annual Homeland Security Grant Programs (HSGP) counterterrorism grant programs to provide threat analysis and data to inform their homeland counterterrorism risk assessments. I&A reviews shared intelligence reporting produced by the intelligence community (IC) along with State and local threat reporting and other sources to provide FEMA with a relative threat ranking for the top 100 Metropolitan Statistical Areas and States and territories in the homeland. This threat ranking allows FEMA to ensure limited funds are allocated to the cities with the highest risk and informs the Secretary's decisions regarding funding allocations. The State Homeland Security Program (SHSP) and Urban Area Security Initiative (UASI), grant programs within HSGP, are important components in supporting State and local efforts to prevent terrorist attacks and other catastrophic events, and helps our State and local partners prepare for and response to significant threats to our Nation.

#### PROTECTING THE NATION IN AN EVOLVING THREAT ENVIRONMENT

The threats we face from terrorism today are much more diverse than in the time immediately following the September 11 attacks. We face a serious, persistent, and varied terror threat, which will not diminish in the near future.

While we have made it harder for terrorists to execute complex, large-scale attacks, changes in technology have made it easier for our adversaries to plot attacks generally, to radicalize new followers to commit acts of violence, and to recruit beyond our borders. The problem is further compounded by the use of simple, "do-it-yourself" terrorist tactics conveyed via highly-sophisticated terrorist marketing campaigns to a global audience.

Similarly, the threat from transnational criminal organizations has and continues to grow. These organizations are highly mobile, maintain sophisticated cross-border networks, and are involved in a wide range of criminal activities including human smuggling, and the trafficking of drugs and firearms. These criminal organizations will likely continue to employ and improve their intelligence capabilities through a variety of methods including human, technical, and cyber means. These activities all have a significant impact on the safety, security, and health of citizens in our homeland.

The dangers we face as a people are becoming more dispersed with threat networks proliferating across borders. This shifting landscape constantly challenges our security; as such, we must move past traditional defense and non-defense mindsets. For this reason, the Department is overhauling its approach to integrating intelligence with operations—changing how we proactively address threats. Success in proactively addressing threats depends on support between and collaboration with our partners, which is the lifeblood of successful intelligence efforts.

One of the Department's top priorities to address this evolving threat environment is to more effectively integrate intelligence equities into our operational mission. DHS is utilizing valuable information uncovered by our warfighters, the IC, and law enforcement professionals to adapt quickly to an ever-evolving threat at home and abroad. Driving multi-directional information exchanges with our State, local, Tribal, and territorial (SLTT) partners to fill critical information and intelligence gaps is a unique part of I&A's mission. We are the only member of the IC explicitly charged in statute to share intelligence and threat information with SLTT partners, and are also responsible for developing intelligence from those partners for DHS and the IC. In support of this mission, we work closely with our DHS operational components, including the Countering Weapons of Mass Destruction (CWMD) Office, U.S. Immigration and Customs Enforcement (ICE), and U.S. Customs and Border Protection (CBP); as well as interagency partners, including the Federal Bureau of Investigation and the National Counterterrorism Center to support the integration of SLTT partners into the overall National capability. We also share intelligence that helps front-line operators identify, disrupt, and respond to known and unknown threats. We are committed to continuing our efforts, along with our colleagues in the intelligence community, to ensure that our partners have the threat information they need to protect our communities.

I&A deploys intelligence professionals dedicated to providing intelligence and information sharing support to SLTT partners. These professionals in the field are one of our most unique and valuable assets. We deploy them across the country to enable regular, direct engagement with SLTT partners for collaboration, production, and dissemination of timely, actionable intelligence. Their involvement spans the spectrum of activities, from the development of joint intelligence products with

SLTT partners, to the collection and reporting of locally-generated information that we share with Federal partners and the IC. For example, our intelligence professionals covering the New York City (NYC) area work closely with the New York City Police and Fire Departments to provide timely intelligence and access to IC capabilities. At least bi-weekly, our intelligence officer briefs the NYPD on cyber threats and threats specific to New York.

The collaboration I have discussed is enhanced through FEMA's Homeland Security Grants Program. While only a portion of fusion centers' budgets are supported through homeland security grants, the HSGP plays a critical role in helping build and sustain fusion centers and our decentralized information sharing capability. In fact, Fusion Center investments from the UASI and SHSP have totaled more than \$300 million over the past 5 years. The HSGP has also been an instrumental tool in helping drive consistency and standardization in the way in which fusion centers operate. For example, the annual HSGP guidance identifies a suite of requirements for fusion centers as a requirement for receiving funding. This criteria-based approach allows DHS to influence the operations of the fusion centers, which are owned and operated by State and local entities. Driving toward common and consistent operation of fusion centers across the country will provide long-term, and sustainable benefits, to our collective homeland security efforts.

#### CONCLUSION

Chairman Donovan, Ranking Member Payne, distinguished Members of the committee, thank you again for your continued oversight, support, and the opportunity to testify today. In collaboration with our State and local partners, we will continue to adapt to meet the current threat environment and prepare for the future. I look forward to your questions.

Mr. DONOVAN. Thank you, Mr. Murphy.

The Chair recognizes Mr. DiNanno for any remarks that he may have.

#### **STATEMENT OF THOMAS DINANNO, ASSISTANT ADMINISTRATOR, GRANT PROGRAMS DIRECTORATE, FEDERAL EMERGENCY MANAGEMENT AGENCY, U.S. DEPARTMENT OF HOMELAND SECURITY**

Mr. DINANNO. Thank you, Mr. Chairman. Good morning, Chairman Donovan, Ranking Member Payne, and Representative King. My name is Thomas DiNanno. I am the assistant administrator for grant programs at FEMA in the Department of Homeland Security.

Thank you for the opportunity to discuss how the Department's Preparedness Grant Programs support the Nation's high-risk urban areas.

In recent years, Americans have been called upon to respond to and recover from a number of devastating events ranging from natural disasters to terrorist attacks. In 2017, Americans withstood several unprecedented acts of violence and terrorism. Here in New York, the October 2017 truck attack at the Hudson River Greenway left 8 dead and 11 injured. The 2017 attack at the New York Port Authority's bus terminal is the first known terrorist attack on the U.S. transit system. Both events were supported by DHS-funded assets.

These attacks also indicate a new and emerging threat that we must prepare for and confront. In New York, as in Las Vegas in 2017 and Paris in 2016, public gatherings and crowded places have become a target of terrorism and extreme violence. Also, as recent history has shown, cyber threats are a clear and present danger to our Nation's security. This past month, a ransomware attack against Atlanta virtually paralyzed the city's municipal functions for over a week. Also in March, a similar attack temporarily shut down Baltimore's 9-1-1 system.

Since 2002, DHS has provided more than \$50 billion in preparedness grant funding to State and local partners. In 2017, \$580 million in Urban Area Security Initiative funds funded 33 high-risk urban areas.

Today we sit between two of the Nation's major UASIs, the New York City UASI and the Newark/Jersey City UASI. Both are examples of Federal support provided to high-risk urban areas through DHS.

Since 2002, the New York City urban area has received over \$2.3 billion in UASI funds, while Newark has received over \$400 million in UASI funds. High-risk urban areas also benefit from funding allocated to mass transit systems under the Transit Security Grant Program, managed at FEMA, in partnership with the Transportation Security Administration. In 2017, the Transit Security Grant Program provided \$88 million to 26 urban transit systems Nation-wide. This included over \$38 million to transit systems in the New York and New Jersey urban areas.

Also providing essential resources to the New York and New Jersey urban areas is the Port Security Grant Program. In 2017, the New York and New Jersey port area received over \$20 million through the Port Security Grant Program, and over \$145 million in funds over the last 10 years.

FEMA also manages the Non-Profit Security Grant Program. From 2007 through 2017, over \$182 million were awarded to over 2,500 non-profit organizations Nation-wide. Over that same period more than \$20 million was awarded to non-profit organizations within Newark. Similarly, over \$45 million was awarded to non-profits in the New York City urban area.

To ensure limited UASI funds are allocated to the cities with the highest risk, DHS conducts a yearly risk assessment of the Nation's 100 most populous metropolitan statistical areas, with the support of our colleagues from I&A and the FBI here with us today.

Over the past year the Department, recognizing that threats shift and evolve, has conducted a comprehensive review of the risk assessment process and has instituted several modifications which will take effect this coming grant cycle. Intelligence community analysis of the current threat has highlighted the interests of terrorists to strike soft targets including public events and mass gatherings. Analysis also indicates the use of simple tactics and an increasingly disperse threat.

Based on this information, as well as the lessons learned following recent attacks, the Department will continue to emphasize efforts to enhance security at soft targets and mass gatherings. Our programs must evolve and be flexible as our adversaries continue to try to exploit our weaknesses.

Mr. Chairman, Ranking Member Payne, Members of the committee, thank you again for this opportunity to discuss the Homeland Security Grant Programs. I am happy to respond to any questions you may have.

[The prepared statement of Mr. DiNanno follows:]

## PREPARED STATEMENT OF THOMAS DiNANNO

APRIL 23, 2018

## INTRODUCTION

Good morning, Chairman Donovan, Ranking Member Payne, and Members of the subcommittee. I am Thomas DiNanno, and I serve as the assistant administrator for grant programs at the Department of Homeland Security's (DHS) Federal Emergency Management Agency (FEMA). On behalf of Secretary Nielsen and Administrator Long, thank you for the opportunity to discuss the critical role of the Department's homeland security grant programs in assisting the Nation, particularly the Nation's high-risk urban areas, in preventing, preparing for, and responding to terrorist attacks.

Over the past 10 years, the American people have been called upon to respond to and recover from a number of devastating, if not catastrophic, natural disasters and terrorist attacks: Hurricane Sandy in 2012, which affected much of New Jersey, New York City, and Staten Island; the 2013 Boston Marathon Bombing; the 2015 shooting in San Bernardino, California; and the 2016 pipe bomb attacks in New York City's Chelsea neighborhood and Seaside Park, New Jersey.

More recently, Americans have endured the natural devastation of Hurricanes Harvey, Irma, and Maria, and man-made acts of violence, including the October 2017 Las Vegas shooting; this year's recent school shootings in Parkland, Florida and St. Mary's County, Maryland; the October 2017 truck attack in New York City's Hudson River Greenway; and the December 2017 detonation of a pipe bomb in New York's Port Authority Bus Terminal. Out of deference and respect, we must also acknowledge that we are only a few miles from the site of the September 11, 2001 attacks on the World Trade Center.

Last December, the President released his "National Security Strategy," which provides a road map to better protect the homeland, including guidance on responding to the needs of the American people in the event of a natural disaster or terrorist attack. The Strategy aims to build a national culture of preparedness and resilience in conjunction with State, local, Tribal, and territorial partners and jurisdictions to enable them to prepare and respond to whatever hazards they may encounter. Fostering preparedness and building resilience is also at the heart of FEMA's 2018–2022 Strategic Plan.

During any type of incident, State and local first responders play critical roles in keeping our communities safe. In the face of various hazards and threats, FEMA is committed to ensuring that our communities have the resources needed to prevent, prepare for, mitigate, and respond to a wide range of incidents.

Since its inception, DHS, through the Preparedness Grant Programs, has provided funding to State, local, Tribal, and territorial governments, as well as transportation authorities, nonprofit organizations, and the private sector, to improve the Nation's readiness in preventing, protecting against, and responding to terrorist attacks. These grant funds address the Nation's immediate security needs, enhance public safety, and protect lives and property.

## HOMELAND SECURITY PREPAREDNESS GRANT PROGRAMS

Since 2002, DHS has provided more than \$50 billion in preparedness grant funding to State, local, Tribal, and territorial governments, non-profits, and other community organizations. In fiscal year 2017 alone DHS distributed over \$1.6 billion in preparedness grant funds—with more than \$1 billion in funding provided under the Homeland Security Grant Program (HSGP), which includes the State Homeland Security Program (SHSP), the Urban Area Security Initiative (UASI), and Operation Stonegarden (OPSG).

In addition to the HSGP, other FEMA preparedness grant programs, including the Transit Security Grant Program (TSGP), the Port Security Grant Program (PSGP), Intercity Passenger Rail (Amtrak) Program, and the Intercity Bus Security Grant Program (IBSGP) support efforts to protect the traveling public, secure critical infrastructure and key resources and enhance the security of transportation routes, transit systems, and port facilities.

Together, these programs support the development, sustainment, and delivery of core capabilities essential to achieving the National Preparedness Goal of a secure and resilient Nation.

Among these preparedness grant programs, several have provided significant assistance to high-risk urban areas. These include:

- The Homeland Security Grant Program (HSGP), which includes both the State Homeland Security Program (SHSP) and the Urban Area Security Initiative

(UASI). Since fiscal year 2002, the SHSP has provided over \$11.2 billion to the various States and territories to build and enhance preparedness and response capabilities. Similarly, since fiscal year 2002, UASI has provided more than \$9.4 billion to designated high-risk urban areas.

- The Transit Security Grant Program (TSGP) which, since fiscal year 2002, has provided over \$2.1 billion to the Nation's largest urban mass transit systems to enhance the security of these systems and better protect the traveling public.
- The Port Security Grant Program (PSGP) which, since fiscal year 2002, has provided more than \$2.6 billion to enhance the security of the Nation's major ports and maritime trading and commercial centers.
- The Nonprofit Security Grant Program (NSGP) which, since fiscal year 2007 (the first year in which the program was funded), has provided over \$182 million to individual nonprofit organizations located in designated urban areas and determined to be at particular risk of terrorist attack. This funding is used to enhance the security of their facilities and their members.

#### URBAN AREA SECURITY INITIATIVE (UASI)

Although the Nation's high-risk urban areas may benefit from a number of the preparedness grant programs, the principal preparedness grant program supporting high-risk urban areas is the Urban Area Security Initiative (UASI). Under UASI, funds are provided to address the unique planning, organization, equipment, training, and exercise needs of high-threat, high-density urban areas. UASI funds assist in building an enhanced and sustainable capacity to prevent, protect against, mitigate, respond to, and recover from acts of terrorism. In fiscal year 2017, \$580 million in UASI funds were allocated to the 33 metropolitan statistical areas (MSAs) identified as high-threat, high-density urban areas.

As mandated by the Homeland Security Act of 2002, as amended, and to ensure limited UASI funds are allocated to the cities with the highest risk, the Department conducts yearly risk assessments of the Nations' 100 most populous MSAs. These risk assessments are based on three major factors: The relative threat, vulnerability, and consequences from acts of terrorism faced by each MSA. Threat scores are derived from intelligence data compiled by the DHS Office of Intelligence and Analysis. Vulnerability scores take into consideration information regarding targeted infrastructure that terrorists are deemed more likely to attack, as well as border crossings by air, land, and sea. Finally, consequence scores consider an MSA's population, economic, National infrastructure, and National security indices. The results of these risk assessments, including the scores and relative ranking, inform UASI eligibility and the Secretary's funding allocation decisions.

Over the past year, the Department has conducted a comprehensive review of this risk assessment process to ensure it is keeping pace with evolving threats. Of note, the intelligence community has highlighted the interest and intent of terrorists, including Homegrown Violent Extremists (HVEs), to strike soft targets, including public events, mass gatherings, and other locations where large crowds congregate. The intelligence community assesses that the threat is more dispersed and not necessarily limited to large urban areas. To address the current threat to soft targets, including crowded places and large public gatherings, FEMA has worked with the Department's Office of Operations Coordination to better incorporate Special Events Assessment Rating (SEAR) data, which is processed to attribute events to each participating State, territory, and MSA, into the vulnerability component of the methodology. The modifications to the fiscal year 2018 risk assessment methodology are driven by the emerging threat environment, as identified by the intelligence community, and from extensive stakeholder feedback, to ensure that the resulting risk scores most accurately reflect a State or urban area's relative risk.

Today, we are situated in the midst of two of the Nation's major UASIs. New York City, along with Westchester, Nassau, and Suffolk Counties in New York, comprise the New York City Urban Area. Newark and Jersey City, along with Bergen, Essex, Hudson, Middlesex, Morris, Passaic and Union Counties in New Jersey, comprise the Newark-Jersey City Urban Area. Since fiscal year 2002, the New York City Urban Area has received over \$2.3 billion in UASI funds. And, since fiscal year 2002, the Newark-Jersey City Urban Area has received over \$404 million in UASI funds.

Both of these urban areas have used these funds to secure and protect their citizens, as well as critical assets and resources. Using UASI funds, the Newark-Jersey City urban area has undertaken the Newark-Jersey City Business District Infrastructure Protection Initiative. This initiative is securing critical areas of Newark's and Jersey City's business and downtown districts through increased monitoring and surveillance, enhanced lighting and security fencing at critical sites, and

bollards to regulate traffic and protect structures. Similarly, the New York City urban area has used UASI funds to initiate a Domain Awareness System, which utilizes a variety of means, including physical barriers and enhanced surveillance, to better secure key areas of Manhattan, including the financial district, Times Square, Grand Central Station and Penn Station.

The Newark-Jersey City urban area has also used UASI funds to secure and protect the region's drinking water and water treatment facilities. In 2016, the Newark-Jersey City urban area embarked on and completed a project to harden 13 water treatment and 12 wastewater treatment facilities located within the UASI region against attack. Many of these facilities lacked basic physical protective equipment and were therefore vulnerable. Utilizing UASI funds, all 25 sites have received funding to harden their facilities, including fencing, video assessment systems, and access card systems.

Further, New York City deployed numerous UASI-funded assets in response to the October 31, 2017, terrorist attack in Manhattan's Hudson River Greenway, including a Bell 429 helicopter utilized by the New York Police Department's Special Operations Division to provide aerial video surveillance. This asset enabled real-time assessments that assisted command-and-control coordination. Other UASI-funded assets deployed in the Hudson River Greenway response included cameras, sensor equipment, mapping systems, and aviation life support equipment worn by responding aircrews.

During the December 11, 2017, pipe bomb attack at New York's Port Authority Bus Terminal, preparedness grant funds contributed to the successful response and apprehension of the suspected bomber. The Port Authority Police Department's counterterrorism teams, as well as members of the New York National Guard's Task Force Empire Shield apprehended the suspect and quickly controlled the situation. Both units, as well as their patrol activities, were supported with UASI funds, as well as funds from the SHSP.

#### TRANSIT SECURITY GRANT PROGRAM (TSGP)

High-risk urban areas also benefit from funding allocated to mass transit systems under the Transit Security Grant Program (TSGP). Under the TSGP, funds are used to enhance the physical security of transit systems as well as provide "on the ground" law enforcement patrols. TSGP funds are awarded on a competitive basis directly to the Nation's highest-risk transit systems.

In fiscal year 2017, the TSGP provided \$88 million to 26 urban transit systems. This included over \$16 million to New Jersey Transit, \$2.3 million to the Port Authority of New York and New Jersey, and \$20.9 million to New York's Metropolitan Transportation Authority.

In the New York and New Jersey urban areas, TSGP funds have been well-used. Using \$2 million of fiscal year 2014 TSGP funds, the Port Authority of New York and New Jersey upgraded security at New York's Port Authority Bus Terminal by installing 35 surveillance cameras. This camera installation was the second phase of a larger, multi-year TSGP funded project that enhanced the terminal's security by, among other things, upgrading the Port Authority Bus Terminal's Operations Center with enhanced video monitoring systems and state of the art video management systems.

Using \$1.8 million in fiscal year 2013 TSGP funds, the New Jersey Transit Corporation established and continued directed law enforcement patrols, including canine units, throughout the system. TSGP funding enabled New Jersey Transit to continue proactive efforts in advancing its terrorism prevention and detection programs, which are critical to the protection of the mass transit systems serving the New York/New Jersey metropolitan region.

Also providing critical support to the New York and New Jersey urban areas is the Port Security Grant Program (PSGP). The Port of New York-New Jersey is the largest port on the east coast of the United States and receives 12 percent of the international goods arriving into the United States, which equates to 85 million metric tons of general cargo that ultimately reaches an estimated 35 percent of the American population. The Port of New York-New Jersey consists of 240 miles of shipping channels as well as numerous anchorages and port facilities. Maintaining the security of the Port of New York-New Jersey is an essential part of maintaining the overall security of the New York-New Jersey urban area.

In fiscal year 2017, the New York-New Jersey port area received over \$20 million in PSGP funding. From fiscal year 2010 through fiscal year 2017, over \$145 million in PSGP funds have supported security enhancements throughout the port area. These security enhancements have included increased surveillance systems, installation of security barriers such as fencing and traffic and entry control devices, and

specialized training in security awareness and specialized response, including response to incidents involving improvised explosive devices and suicide bombers. In fiscal year 2017, the New York City Police Department utilized PSGP funds to establish a Unified Command Center to serve port facilities and deployed six specialized Radiation Detection Launches for port patrols.

#### NONPROFIT SECURITY GRANT PROGRAM

A smaller, but nonetheless significant program for its recipients, is the Nonprofit Security Grant Program (NSGP). The NSGP competitively awards grant funding to assist nonprofit organizations that are considered to be at high risk of terrorist attack and located within one of the specific UASI-designated urban areas. NSGP provides up to \$75,000 to nonprofit organizations for training and physical security enhancements, including fencing, surveillance systems, security systems, and lighting. It is also designed to promote coordination and collaboration in emergency preparedness activities among public and private community representatives, as well as State and local government agencies.

From fiscal year 2007 through fiscal year 2017, over \$182 million in NSGP funds was awarded to 2,591 nonprofit organizations across the Nation. Over that same period, more than \$20 million has been awarded under the NSGP to 291 nonprofit organizations within the Newark-Jersey City urban area. Similarly, from fiscal year 2007 through fiscal year 2017, over \$45 million has been awarded under the NSGP to nonprofit organizations within the New York City urban area.

A prime example of NSGP funding put to use locally is the fiscal year 2017 grant awarded to the Beth Rachel School for Girls, located in Brooklyn, New York. The Beth Rachel School is a day school with an enrollment of nearly 1,000 students. NSGP funds enabled the school to improve its overall security by enhancing its surveillance system with upgraded closed circuit television capabilities, and new motion sensors, facial recognition software, and automatic alarms. The School also utilized NSGP funds to replace windows with shatter-resistant glass and reinforced frames.

Also in fiscal year 2017, NSGP-funded security enhancements at Beth Medrash Govaha in Lakewood Township, New Jersey. Unfortunately, Lakewood Township was the site of several acts of anti-Semitic vandalism in 2017, including the defacing of a Holocaust memorial. With an enrollment of over 6,000, Beth Medrash Govaha is one of the Nation's largest Yeshivas. The installation of a NSGP-funded surveillance system not only enhanced the facility's overall security, but led to the identification of an intruder who was observed committing an act of vandalism.

#### LAW ENFORCEMENT AND TERRORISM PREVENTION AND SUPPORT FOR FUSION CENTERS

Per Section 2006 of the Homeland Security Act, FEMA ensures that at least 25 percent of grant funding appropriated for State Homeland Security Programs and UASI is used for law enforcement terrorism prevention activities, including support for State and local fusion centers.

Fusion centers, a critical component of our Nation's homeland security and counterterrorism architecture, provides grassroots intelligence and analytic capabilities within the State and local environment. Fusion center investments represent approximately 7 percent of the total annual funding made available under UASI and SHSP. Fusion center funding is reported by the States, and based on recent reporting over \$60 million dollars in UASI and SHSP funds were dedicated to fusion center support Nation-wide in fiscal year 2016. For the fiscal years 2012 through 2016, this total amounts to more than \$309 million.

Under both the SHSP and the UASI, States and urban areas are required to invest preparedness grant dollars into activities supporting their designated fusion centers. States and urban areas must submit a consolidated investment justification describing the performance areas the funding is intended to support based on the Fusion Center Assessment administered annually by the Department's Office of Intelligence and Analysis (I&A). Each proposed project included in the fusion center investment justification must align to, and reference, specific performance areas of the Assessment that the funding is intended to support. In working with States and urban areas on fusion center support, FEMA maintains a collaborative relationship with I&A. I&A is the Government's executive agent for coordinating engagement with and support to fusion centers and serves as the subject-matter experts on fusion center-related priorities and activities. In turn, FEMA administers and manages preparedness grant programs that make funding available to State and local authorities to increase and sustain the operational capabilities and performance of their designated fusion centers.

## STRATEGIC PRIORITIES

The most important lesson from the challenging disasters of 2017 is that the most successful system is Federally-supported, State-managed, and locally-executed. Particularly over the past year, grantees have tested many practices, programs, and ideas that are more appropriately implemented at the State and local level. These experiences have informed FEMA's 2018–2022 Strategic Plan, which seeks to: (1) Build a Culture of Preparedness; (2) Ready the Nation for Catastrophic Disasters; and (3) Reduce the Complexity of FEMA.

Each of these goals represents a major undertaking, and FEMA will not be able to accomplish them without the help of the entire community. While FEMA plays an essential role in achieving this vision of a prepared and resilient Nation, meaningful improvements will occur only when we work in concert across Federal departments and agencies, as well as with leaders from State, local, Tribal, and territorial governments, non-governmental organizations, and the private sector.

*Build a Culture of Preparedness*

Resilience is the backbone of emergency management, and the most successful way to achieve disaster resiliency is through preparedness. Building a "Culture of Preparedness" within our communities and our governments will support a National effort to be ready for the worst disasters—at the individual, family, community, State, local, Tribal, territorial, and Federal levels.

Everyone should be prepared when disaster strikes. To be prepared, however, we must all understand our local and community risks, reflect the diversity of those we serve, and foster partnerships that allow us to connect with a diverse Nation. People who are prepared will be able to act quickly and decisively in the face of disasters, thereby preventing death and injuries, minimizing loss of property, and allowing for a more rapid and efficient recovery.

*Ready the Nation for Catastrophic Disasters*

Catastrophic disasters, including low- and no-notice incidents, can overwhelm Government at all levels and threaten National security. They are life-altering incidents for those affected, causing a number of fatalities and wide-spread destruction. Catastrophic disasters, whether natural or man-made, disrupt lives and hurt our communities, both economically and socially. Readiness is critical for FEMA and our partners to ensure that the response and recovery missions are appropriately executed and successful.

This goal builds on preparedness and focuses us on enhancing our collective readiness, which is dependent on emergency managers who execute the mission on behalf of Federal and State, local, Tribal, and territorial governments. This requires a scalable and capable National incident workforce that can adapt to a changing risk landscape, integrate with our partners at all levels, and communicate and coordinate effectively in every situation.

*Reduce the Complexity of FEMA*

FEMA must be a modern agency that can adapt to public and governmental priorities, while creating and using innovative solutions for the emergency management mission. A simplified FEMA streamlines survivor experiences, simplifies processes and policies for disaster staff, and improves stewardship of Federal taxpayer dollars.

Connecting with a wide array of experts and stakeholders including academia, religious leaders, and representatives of all types of whole community partners is key to this effort. FEMA will focus on identifying ways to weave preparedness into people's everyday lives, connecting with individuals at places they frequent, and incentivizing positive behavior change using tools like grants, training, and exercises. Furthermore, the agency will continue to encourage programs that train and empower responders. FEMA will continue to work with its Federal, State, local, Tribal, territorial, and other community partners, as well as with Congress, in furtherance of these goals.

## CONCLUSION

Mr. Chairman, Ranking Member Payne, Members of the subcommittee, thank you again for this opportunity to discuss the assistance provided through the preparedness grant programs, especially assistance that supports the Nation's high-risk urban areas. It is the local responders who are first on the scene that are the most critical partners in preparing for and responding to attacks. FEMA is honored to support first responders through the implementation of these programs, and I am happy to respond to any questions you may have.

Mr. DONOVAN. Thank you, Mr. DiNanno.

The Chair now recognizes Mr. Currie for any remarks that he may have.

**STATEMENT OF CHRIS P. CURRIE, DIRECTOR, HOMELAND SECURITY AND JUSTICE TEAM, U.S. GOVERNMENT ACCOUNTABILITY OFFICE**

Mr. CURRIE. Thank you, Mr. Chairman, Ranking Member Payne, Congressman King. I appreciate the opportunity to be here today. It is great to be here in New York. I can't think of a better place to talk about this topic than right here.

Since DHS was created, as was already mentioned, it has provided about \$50 billion to State and local governments and Tribes to strengthen preparedness. Billions more have also come from the Justice Department as well, to strengthen our law enforcement functions. To be clear, this support has made a huge impact. It has been used to purchase better radio systems, response vehicles, better surveillance, and other tools to help communities prepare for bad things to happen.

It is also clear the support has been used in real-life events, some of which have already been discussed today. Also, the Boston Marathon bombing and numerous active-shooter events around the country. So in our view, the question isn't if this support is useful. It is more about are we investing it year in and year out in what is needed most?

Also, these programs need to evolve as the world evolves. For example, right after 9/11 we focused a lot on investing in radio systems for first responders because it was a huge capability gap. However, threats and technologies have evolved. As we build one capability, we have to assess other capabilities where we may fall short. For example, now, how do we adapt this support to better secure our IT systems, or our local election systems?

This brings me to the focus of our work, which really falls into two main areas: No. 1, how do we better assess capability gaps Nation-wide and target our support; and No. 2, how can DHS better manage their grants and oversee how they are used?

First, assessing gaps and targeting funding accordingly has been a long-standing challenge for DHS and a concern for you all in Congress. Most recently, as you mentioned, Mr. Chairman, your committee, through the PREPARE Act and then the DHS Reauthorization Act, emphasized the importance of better assessing gaps and evaluating the impact of these funds.

FEMA has taken some steps to do this, such as requiring States to complete preparedness reports and communities to self-assess their risks and needs. This makes a lot of sense. Communities are in the best position to assess what they need and how much of a risk they face.

However, when it comes to grant allocation, we think that FEMA can do a little bit more across the country to assess the information that they get to better understand the total capabilities that they need and where we need to focus our money, and developing a more quantitative standard of preparedness. Without doing this, it is really difficult to ensure that the data from each jurisdiction are accurate and comparable across the country. It also makes it hard

to understand which capabilities have been developed versus those that have been underfunded.

We recommended that FEMA complete a more quantitative assessment of capability gaps and direct funding accordingly. In the past, FEMA has disagreed with this approach, but it seems that may be changing. For example, in their fiscal year 2019 budget, they are proposing a new grant program that will require grantees to measure results in reducing capability gaps. This is a step in the right direction and likely reflects years of legislation on Congress' part and our past recommendations.

I also want to talk about grant management. It is not an exciting topic to talk about, but managing more than 10 fragmented preparedness grant programs and IT systems to go with it, some dating back to the 1990's, has been another major challenge at FEMA. These grants go to the same jurisdictions for many of the same purposes, at the same time. We have reported that the lack of a consolidated system to manage them makes them susceptible to overlap and potential duplication. It also makes it difficult to even track what investments we are making across all these programs over time.

To its credit, FEMA has taken some action to better manage the grants, but the solution really hinges on a multi-million-dollar IT system that is under development, so implementing this will be a huge challenge at the agency, and we have on-going work assessing that as well.

This concludes my statement. I look forward to the discussion.  
[The prepared statement of Mr. Currie follows:]

#### PREPARED STATEMENT OF CHRIS P. CURRIE

Chairman Donovan, Ranking Member Payne, and Members of the subcommittee: I appreciate the opportunity to participate in today's hearing to provide an update on the efforts of the Federal Emergency Management Agency (FEMA)—a component of the Department of Homeland Security (DHS)—to manage preparedness grants and measure and assess National preparedness capabilities. Our work over the last 7 years has focused on FEMA's efforts to coordinate Federal interagency preparedness and manage and assess the impact of FEMA's preparedness grants on State and local preparedness. As described in more detail below, our recommendations have identified additional steps FEMA can take to improve the efficiency and effectiveness of these efforts, including enhancing coordination and providing guidance on preparedness. FEMA has taken actions to address some of these recommendations, but more fully addressing all of them could lead to additional savings, better services to the public, improved program performance and accountability, and, ultimately, a better-prepared Nation.

Following the Federal response to Hurricane Katrina in 2005, Congress enacted the Post-Katrina Emergency Management Reform Act of 2006 (Post-Katrina Act).<sup>1</sup> In response to the act, among other things, DHS centralized its preparedness grants under FEMA's Grant Programs Directorate (GPD) to better integrate and coordinate grant management. The act also requires that FEMA develop a National preparedness system and assess preparedness capabilities to determine the Nation's preparedness. GPD provides preparedness grants to State, local, Tribal, and territorial governments, as well as transportation authorities, nonprofit organizations, and the private sector, to improve the Nation's readiness in preventing, protecting against, responding to, recovering from and mitigating terrorist attacks, major disasters and other emergencies. In fiscal year 2017, DHS announced the availability of 10 preparedness grant programs totaling more than \$1.6 billion for fiscal year 2017. According to DHS, from fiscal years 2002 through 2017 the Department has awarded over \$49 billion to a variety of DHS preparedness grant programs to enhance the

<sup>1</sup> The Post-Katrina Act was enacted as Title VI of the Department of Homeland Security Appropriations Act, 2007, Pub. L. No. 109–295, 120 Stat. 1355 (2006).

capabilities of State, local, Tribal, and territorial grant recipients to carry out the above activities related to terrorist attacks and other disasters.

My testimony today covers our prior work on FEMA preparedness efforts from March 2011 through February 2016 and selected updates conducted in December 2017 and February 2018. This statement specifically addresses FEMA's efforts to manage preparedness grants and our prior recommendations.

To conduct our prior work, we reviewed relevant Presidential directives, laws, regulations, policies, strategic plans, and key program documents; and interviewed Federal, State, and local officials, among others. More detailed information on our scope and methodology can be found in each of the reports cited throughout this statement. To update our work, we interviewed relevant FEMA officials to obtain updates on efforts to improve coordination among preparedness grant programs. The work upon which this testimony is based was conducted in accordance with generally accepted Government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

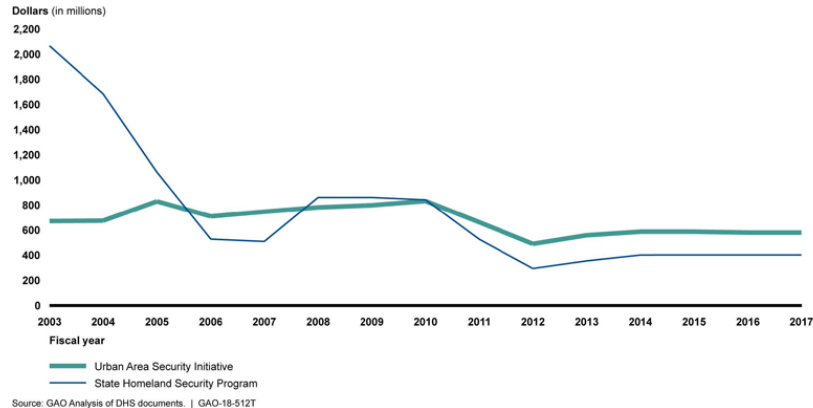
#### BACKGROUND

Over the past decade, the Federal Government has expanded financial assistance to public and private stakeholders for preparedness activities through various grant programs administered by DHS through its component agency, FEMA. Through these grant programs, DHS has sought to enhance the capacity of States, localities, and other entities, such as ports or transit agencies, to prevent, respond to, and recover from a natural or man-made disaster, including terrorist incidents. Two of the largest preparedness grant programs are the State Homeland Security Program and the Urban Areas Security Initiative.

- The State Homeland Security Program provides funding to support States' implementation of homeland security strategies to address the identified planning, organization, equipment, training, and exercise needs at the State and local levels to prevent, protect against, respond to, and recover from acts of terrorism and other catastrophic events. FEMA allocated \$402 million for the program in fiscal year 2017.
- The Urban Areas Security Initiative provides Federal assistance to address the unique needs of high-threat, high-density urban areas, and assists the areas in building an enhanced and sustainable capacity to prevent, protect, respond to, and recover from acts of terrorism. FEMA allocated \$580 million for the program in fiscal year 2017.

The State Homeland Security Program (SHSP), awarded to the Nation's 56 States and territories, and the Urban Areas Security Initiative (UASI), awarded to urban areas based on DHS's risk assessment methodology, are the largest of the preparedness grant programs, accounting for about 60 percent of fiscal year 2017 grant funding. See figure 1 for a history of funding levels for these programs. Eligible candidates for the fiscal year UASI program are determined through an assessment of relative risk of terrorism faced by the 100 most populous metropolitan statistical areas in the United States, in accordance with the Homeland Security Act of 2002, as amended.

FIGURE 1: STATE HOMELAND SECURITY GRANT PROGRAM AND URBAN AREA SECURITY INITIATIVE: ANNUAL ALLOCATIONS, FISCAL YEARS 2003 THROUGH 2017



Note: Amounts presented are actual funding amounts, not adjusted for inflation, and are rounded.

#### FEMA HAS STRENGTHENED ITS COORDINATION, OVERSIGHT, AND ASSESSMENTS OF GRANTS BUT CHALLENGES REMAIN IN THE EFFECTIVENESS OF FEMA'S GRANT MANAGEMENT

##### *FEMA Has Taken Some Steps to Address Coordination Challenges Between Headquarters and Regional Offices, But Some Challenges Still Remain*

In February 2016, we reported that FEMA has taken some steps, but has not fully addressed long-standing preparedness grant management coordination challenges between its headquarters and regional offices.<sup>2</sup> We found that for several preparedness grant programs, FEMA headquarters staff in GPD and regional staff share management and monitoring responsibilities. For example, we found that assessments by GPD and others since 2009 had recommended that regional offices, rather than headquarters offices, be responsible for managing and monitoring preparedness grants to avoid confusion and duplication, and to strengthen coordination with State and local grantees. Further, in July 2011, we found that GPD had efforts under way to regionalize grant management responsibilities and improve coordination of preparedness grants, and that these efforts were consistent with internal control standards.<sup>3</sup> However, GPD officials reported that in 2012 it changed course and decided to continue sharing grant management roles between headquarters and regions, referred to as a hybrid grant management structure. GPD officials told us that they changed course because, among other things, estimates that the costs of regionalization would be greater than the annual savings FEMA identified in an earlier study and concerns that inconsistent program implementation would occur across the regions, and outweighed the potential benefits. GPD officials at that time said they had taken steps to address coordination challenges associated with this hybrid grant management structure.

However, we found in February 2016 that these challenges continue.<sup>4</sup> For example, States and FEMA regional officials told us that GPD staffs in headquarters and regions did not always coordinate their monitoring visits, which can be disruptive to the State emergency management agency's day-to-day operations. FEMA regional

<sup>2</sup> GAO, *Federal Emergency Management Agency: Strengthening Regional Coordination Could Enhance Preparedness Efforts*, GAO-16-38 (Washington, DC: Feb. 4, 2016).

<sup>3</sup> GAO, *FEMA Has Made Progress in Managing Regionalization of Preparedness Grants*, GAO-11-732R (Washington, DC: July 29, 2011). We reported, for example, that FEMA established a task force as an oversight and evaluation mechanism and developed an implementation plan, which includes a phased approach to piloting and delegating specific grants administration functions for preparedness grants to the regions and delineates an approach, including roles and responsibilities, for key implementation activities such as training and communications. On the basis of the results of our review of GPD's plans and efforts to regionalize grant management functions, we did not make recommendations at that time.

<sup>4</sup> Ibid, GAO-16-38.

officials also reported that GPD staffs in headquarters and regions sometimes provided inconsistent guidance to grantees. Further, while GPD officials identified some steps they plan to take to address the challenges, we found that GPD lacked a plan with time frames and goals for addressing them. We recommended that FEMA develop a plan with time frames, goals, metrics, and milestones detailing how GPD intends to resolve long-standing challenges associated with its existing hybrid grants management model, which divides responsibilities between regional and headquarters staff. FEMA, however, did not concur with our recommendation, stating that it disagreed with our characterization of long-standing challenges in managing preparedness grants. As we stated in the report, multiple assessments dating back to 2009 have reported challenges with the hybrid model. As also noted in our report, officials from four FEMA regional offices and officials from three States within those regions provided various examples of a lack of coordination between headquarters and regional staff in managing preparedness grants, including instances that took place in 2014 and as recently as September 2015.

In October 2017, FEMA developed a plan—the Milestone Action Plan—to track efforts aimed at improving coordination issues associated with its hybrid grants management model, as we recommended in February 2016. The plan divides responsibilities for the management of preparedness grants between regional and headquarters staff and describes completed, on-going, and planned efforts taken by FEMA to improve grants management coordination along with steps taken, goals, and time frames, among other things. For example, the plan shows that FEMA developed and finalized the Monitoring Actions Tracker in August 2016, a tool shared by GPD in FEMA headquarters and staff in regional offices. Through the tracker, GPD headquarters and regional staffs are able to view planned and completed monitoring activities related to grants management, as well as the status of any open corrective actions. In addition to developing the Milestone Action Plan, FEMA officials described other efforts taken to improve coordination issues. For example, FEMA officials told us they increased the use of an on-line collaboration tool, which allows for instant information sharing between GPD and the regions. By taking these steps, FEMA should be better-positioned to track and evaluate efforts to improve regional coordination, as we recommended in 2016.

#### *FEMA Has Taken Steps to Increase Oversight Across Preparedness Grant Programs*

FEMA has been delayed in addressing the need for improved coordination among grant programs identified in our prior work. Specifically, we found in February 2012 that multiple factors contribute to the risk of duplication among four FEMA preparedness grant programs—the State Homeland Security Program, Urban Areas Security Initiative, Port Security Grant Program, and Transit Security Grant Program—as these programs share similar goals, fund similar projects, and provide funds in the same geographic regions.<sup>5</sup> Further, we found that DHS’s ability to track grant funding, specific funding recipients, and funding purposes varies among the programs, giving FEMA less visibility over some grant programs. Also, DHS’s award process for some programs-based allocation decisions on high-level, rather than specific, project information, which could further contribute to the risk of duplication. Although our February 2012 analysis identified no cases of duplication among a sample of grant projects, the above factors collectively put FEMA at risk of funding duplicative projects. As a result, in 2012, we included these challenges in our annual report on duplication, overlap, and fragmentation in Federal programs, agencies, offices, and initiatives. FEMA has not yet taken action to fully address our concerns.<sup>6</sup>

We recommended in February 2012 that as FEMA developed its new grants management information system (the Non-Disaster Grants Management System, or ND Grants at that time), that the agency collect project information with the level of detail needed to better position the agency to identify any potential unnecessary duplication within and across the four grant programs. In December 2012, FEMA officials reported that the agency intended to start collecting and analyzing project-level data from grantees in fiscal year 2014. Further, in December 2017, FEMA took actions to identify potential unnecessary duplication across four preparedness grant programs, as we recommended in February 2012. Although the development of FEMA’s grants management information system is on-going, FEMA issued guidance and adopted interim processes to help identify potential duplication across these preparedness grant programs until the system’s capabilities are upgraded over the

<sup>5</sup> GAO, *Homeland Security: DHS Needs Better Project Information and Coordination Among Four Overlapping Grant Programs*, GAO-12-303 (Washington, DC: Feb. 28, 2012).

<sup>6</sup> GAO, *2012 Annual Report: Opportunities to Reduce Duplication, Overlap and Fragmentation, Achieve Savings, and Enhance Revenue*, GAO-12-342SP (Washington, DC: Feb. 28, 2012).

next several years. For example, in fiscal year 2014, FEMA modified a legacy grants data system to capture more robust project-level data—such as project budget data—for the Homeland Security Grant Program, which includes the State Homeland Security Grant Program and the Urban Areas Security Initiative.

In addition, in fiscal year 2017, FEMA procured a software visualization tool and developed a set of standard operating procedures to assist staff in identifying potentially duplicative projects. Specifically, the visualization tool will use grants award data from the Port Security Grant Program, the Transit Security Grant Program, and compare the grant programs named above to highlight ZIP codes that contain multiple projects. These projects will then be analyzed by FEMA officials. According to the standard operating procedure, if duplication is suspected within a particular geographic area, further collaborative reviews should be conducted in coordination with the Office of Chief Counsel to determine appropriate remedies. Using an interim approach to collect more specific project-level data during the grant application process and utilizing the new software visualization tool should help FEMA strengthen the administration and oversight of its grant programs until FEMA implements its long-term solution for the agency's grants management information system.

#### *FEMA Is Validating Grant Performance Data*

In the area of performance assessment, we reported in June 2013 on limitations in FEMA's ability to validate the performance data it collects.<sup>7</sup> Specifically, we found that two of FEMA's preparedness grant programs—Emergency Management Performance Grants (EMPG) and Assistance to Firefighters Grants (AFG) programs—collect performance information through a variety of reporting mechanisms but face challenges in identifying verifiable program outcomes. These reporting mechanisms collect performance data used by FEMA regional offices and headquarters for different purposes. For example, headquarters focuses on the development of future program priorities and on reporting progress toward the National Preparedness Goal, while regions use program information to monitor primary grant recipients for compliance. DHS developed agency priority goals that reflect agency-wide, near-term priorities. According to FEMA officials, the EMPG and AFG programs have an indirect link to a DHS agency priority goal, as well as the National Preparedness Goal, because they support States' level of preparedness for disasters. According to FEMA officials, neither program has a standardized tool with which to validate the performance data that are self-reported by recipients; additionally, the regions are inconsistent in their approaches to verifying program performance data. We concluded that the absence of a formal established validation and verification procedure, as directed by the Office of Management and Budget's Circular No. A-11, could lead to the collection of erroneous performance data.

In our June 2013 report, we recommended that FEMA ensure that there are consistent procedures in place at the headquarters' office and regional level to ensure verification and validation of grant performance data that allow the agency to attest to the reliability of EMPG and AFG grant data used for reporting progress toward goals. DHS concurred with our recommendation and stated that FEMA would explore effective and affordable ways to verify and validate EMPG and AFG grant performance data. In April 2015, FEMA officials reported that FEMA was in the process of developing the data verification and validation checks of EMPG grantee performance reporting. For example, according to FEMA officials, they have revised reporting templates and uniform table definitions to make it easier for grantees to submit accurate, complete, and consistent information on programmatic activities such as the completion of training and exercise requirements. However, these processes have not yet been fully implemented, and FEMA officials have not yet provided similar tools and checklists for the AFG program. In March 2017, FEMA grants management staff provided us with documentation on the process FEMA uses to verify and validate grantee data from the EMPG and AFG grant programs, as we recommended. As a result of having a consistent approach to verifying data, FEMA's efforts should reduce the collection of erroneous performance data.

In addition, as part of our September 2016 review of FEMA Fire Assistance Grant program, we reported that FEMA officials said they planned to develop and implement a consolidated grant management system to integrate data used to manage fire grant programs with the data gathered for FEMA's other preparedness grants, and ultimately better measure the impact of fire grants on National preparedness

<sup>7</sup> GAO, *Grants Performance: Justice and FEMA Collect Performance Data for Selected Grants, but Action Needed to Validate FEMA Performance Data*, GAO-13-552 (Washington, DC: June 24, 2013).

efforts.<sup>8</sup> Specifically, as we reported in May 2016, FEMA plans to develop and implement a new Grants Management Modernization system to provide agency-wide management for all of FEMA's disaster and preparedness grants. Further, we are currently performing an on-going review of FEMA's consolidated grant management system and plan to report on this effort later this year.

*FEMA Has Made Progress Assessing Its Grant Preparedness Capabilities, but Continues to Face Challenges Developing a National Preparedness System*

We also reported in March 2011 that FEMA needed to improve its oversight of preparedness grants by establishing a framework with measurable performance objectives for assessing urban area, State, territory, and Tribal capabilities to identify gaps and prioritize investments.<sup>9</sup> Specifically, we recommended that FEMA complete a National preparedness assessment of capability gaps at each level based on tiered, capability-specific performance objectives to enable prioritization of grant funding. With such an assessment, FEMA could identify the potential costs for establishing and maintaining capabilities at each level and determine what capabilities Federal agencies should provide. We reported in March 2013 that FEMA has made some progress in assessing its preparedness capabilities, but continued to face challenges developing a National preparedness system that could assist FEMA in prioritizing preparedness grant funding.<sup>10</sup> For example, in March 2012, FEMA issued the first National Preparedness Report, which describes progress made to build, sustain, and deliver capabilities. In April 2012, FEMA issued guidance on developing Threat and Hazard Identification and Risk Assessments (THIRA) to facilitate the self-assessments of regional, State, and local capabilities. FEMA requires State, territory, Tribal, and urban area governments receiving homeland security funding to annually complete THIRAs and use the results to determine the resources required to achieve the capability targets they set for their jurisdiction. However, we found in March 2013 that FEMA faced challenges that may reduce the usefulness of these efforts. For example, the National Preparedness Report noted that while many programs exist to build and sustain preparedness capabilities, challenges remain in measuring their progress over time. According to the report, in many cases, measures do not yet exist to gauge the performance of these programs, either quantitatively or qualitatively.

FEMA has taken some steps to address our recommendation. Specifically, FEMA reported in February 2018 that the agency has developed capability-specific performance objectives that will enable a National preparedness assessment of capability gaps, but no such report has been issued at this time. FEMA reported that it plans on implementing new methodology for some core capabilities in December 2018 and for all core capabilities by December 2019, and will be able to provide complete results in 2020. In addition, FEMA reported that they are developing a new Threat and Hazard Identification and Risk Assessment (THIRA) methodology that will assist in measuring the effectiveness of State and urban areas' grant projects in reducing risk. According to FEMA, the new methodology will measure changes in State and urban area preparedness through the use of standardized capability targets and key indicators that will show how FEMA preparedness grants are being used to address gaps in capability targets. This should also lead to a better understanding of the Nation's overall preparedness. Regardless, as of February 2018, FEMA had taken steps to assess preparedness capabilities, but had not yet completed a National preparedness assessment with clear, objective, and quantifiable capability requirements against which to assess preparedness, as we recommended. Developing such an assessment would help FEMA to identify what capability gaps exist at the Federal level and what level of resources are needed to close such gaps.

Chairman Donovan, Ranking Member Payne, and Members of the subcommittee, this concludes my prepared statement. I would be happy to respond to any questions you may have.

Mr. DONOVAN. Thank you, Mr. Currie.

The Chair thanks all of our witnesses for their remarks.

I will now recognize myself for 5 minutes for questions.

<sup>8</sup> GAO, *Fire Grants: FEMA Could Enhance Program Administration and Performance Assessment*, GAO-16-744 (Washington, DC: Sep 15, 2016).

<sup>9</sup> GAO, *Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue*, GAO-11-318SP (Washington, DC: Mar. 1, 2011).

<sup>10</sup> GAO, *National Preparedness: FEMA Has Made Progress in Improving Grant Management and Assessing Capabilities, but Challenges Remain*, GAO-13-456T (Washington, DC: Mar. 19, 2013).

I would like to ask Director Sweeney and Mr. Murphy, if you could just talk about the new threats. Since September 11, we have gotten very good, you have gotten very good, the first responders have gotten very good at protecting our hard targets. I tell people if you want to visit the Empire State Building, please go. If you want to come to the Capitol, please bring your family down to Washington to visit the Capitol. It is very safe.

The evolving threats have come over recent times to soft targets, different methods. We spoke about computer attacks, cyber attacks. When we see these new, evolving threats, many times our Federal agencies will see them maybe before the locals, besides the task force, how do we drill down and get that information to those folks that are going to have to respond, or, in fact, may be able to prevent some of these attacks from occurring? When we are looking at these new, emerging attacks, your availability of having people overseas, I know our local responders have people assigned overseas as well, but a lot of these things occur and come on your radar screen before others' radar screens. Those new, emerging efforts by our enemies, how are we getting that down to our folks on the ground?

Mr. SWEENEY. So your premise is correct, the tactics have certainly shifted over time. I think you could easily argue that the soft target is the No. 1 threat now. The tactics are more simplified, so an individual looking to be part of a terrorist group or a terrorist ideology basically has everything at their fingertips now, a ton of messaging through social media, techniques that are available online that you can pull and resource yourself, and the simplicity of the technique and the cheapness of some of the means to do it.

We do have an advantage, as you discussed, of having folks stationed overseas. We have officers, and I know the NYPD has folks overseas, and with our extra-territorial jurisdiction, this region gets to see a lot of things first. Those pieces of intel and the pieces of information are put into intelligence bulletins. So where that really has an impact is on those agencies that are not part of a JTTF and that don't have the resources to staff somebody into a Federal task force. Through the Fusion Centers around the country and this State, New York State, the CT regions, I think there are 14 regions, those bulletins are pushed to the Fusion Center and then to those regions run by the State police. Each of those regions has a chief that chairs it, and you will see those bulletins get pushed out to all those local agencies, sometimes on a weekly basis.

Enhancements like that and the information sharing that occurs like that I think gives everybody an advantage to see some of those threats that they might not get to experience if they are not sitting on a JTTF and seeing the information firsthand in real time.

Mr. DONOVAN. Mr. Murphy.

Mr. MURPHY. Yes, sir. So, in complement to that, the Department owns the Homeland Security Intelligence Network, or HSIN, which has undergone a lot of technical upgrades in the last couple of months and years. We are now driving all Federal intelligence reporting to that, in partnership with the FBI, ATF, as well as our own component, so that we have a one-stop shop where our State and local colleagues can find the relevant intelligence there.

Its functionality as a search component has vastly increased, where one now has the capability to sort out intelligence products to better inform all of us, both at the Federal Government level as well as the State and local levels. So in terms of pushing the information out, we have tried to make strides in partnership with our colleagues in the State and local world.

Then if I can shift gears to the Suspicious Activity Reporting Program, which has over the years, over the last more recent years trailed off a little bit, we are refreshing that program now. We are becoming a whole lot smarter and more agile to address the wide array of threats that are out there, from cyber transnational organized crime as well as terrorism.

With that, sir, I will take any questions. Thank you.

Mr. DONOVAN. Thank you.

In the short period of time I have, Mr. DiNanno, Mr. Currie, both of you are so intricately involved with our grant programs that allow our locals to use Federal funding to protect the citizens of their municipalities. Are those grants flexible enough to address what Mr. Sweeney and Mr. Murphy spoke about? When they see something that is emerging, they push that information down to the police department, the fire department, OEM, but their grant parameters may not allow them to use funds for that new, emerging threat or that new piece of information. Are the grants flexible enough that they can divert funds to where they need them?

Mr. DiNANNO. Thank you for that question. I will take the first whack at it.

Given the nature of the grant programs, they are an annual allocation, so in and of themselves, because it is once a year, they may not be flexible in that sense. However, once the dollars reach the stakeholder, I know that I personally have signed many requests from State and local jurisdictions to be able to move funds around, and every single person that works for me knows that they work for all the folks here in New York and out here in the audience and the country to try to do exactly that.

That being said, it is, again, an annual process that we have to continue to try to make better and faster. But I have not turned down a request, nor would I see one to support any operational requirement.

Mr. DONOVAN. Mr. Currie.

Mr. CURRIE. Yes. This has been an issue for 15 years. I know in the early days, when we were buying lots and lots of equipment, the States and locals just didn't have the capability. Over time, equipment needs to be maintained, and you need to have someone to operate it, and that was a flexibility that was built in in the later years, that some of the funds could be used to actually maintain and operate that equipment, because it becomes a huge cost.

But I think Congress plays a huge role in that, too, in making it clear what these grant funds can be used for year in and year out, and I don't think it is easy for them to be as flexible sometimes as they need to be without specific direction sometimes from Congress, which you all have provided in legislation recently for certain things, like cybersecurity, for example, and local election assistance. It has been a real grey area about what specific things

can be actually purchased and used in those areas because they are emerging and evolving every day.

So I think there could probably be some more flexibility built into them as well.

Mr. DONOVAN. Thank you for that information.

My time has expired.

The Chair now recognizes the Ranking Member, Mr. Payne.

Mr. PAYNE. Thank you, Mr. Chairman.

Mr. DiNanno, the fiscal year 2018 and 2019 budget proposals, the President has proposed massive cuts to FEMA's preparedness grants by more than \$900 million. Did FEMA engage stakeholders about the impacts of such cuts? What would they have for the planning, training, and execution of their missions?

Mr. DiNANNO. Thank you, Ranking Member Payne, for that question. I am unsure of the exact number that you are referring to. The fiscal year 2019 President's request is approximately \$2.3 billion. That includes, as one of my colleagues on the panel referred to earlier, \$522 million new grant program that would allow us the flexibility to try to meet the emerging threats that my colleagues in the intelligence community here have pointed out, and to also identify those National priorities that we may have seen emerge, for example, after this past storm season and terror season that would be able to focus on priority areas such as gaps in communication, emergency management, information sharing, and that would be in a competitive grant program.

So we think the President's request does adequately reflect the need. Yes, sir, we do talk all the time with our stakeholders.

Mr. PAYNE. They have elaborated on what these cuts would do in terms of their ability to be prepared?

Mr. DiNANNO. Well, sir, it is a constrained budget environment. I think we all know that. Again, I would reiterate to you that we think the President's request does provide the flexibility and the ability to target the priority areas that we would work with our State and local, again whether it is emergency management, police, fire, even cyber. We would be able to address those emerging gaps and put the resources into the hands of the operators as soon as possible.

Mr. PAYNE. I get very concerned from time to time in reference to the cuts that are made to the grants and the funding for homeland preparedness when we always see the military budget escalated. I believe that the homeland budget is as important as the military budget because it defends us here in the homeland. So I tend to try to couple the two with respect to having administrations and people understand that it is just as important as the military budget to defend us here in the homeland.

So I would just really try to keep that in perspective. I think the two are linked, I think the two are important, and we should address the homeland budget in the same manner as the administration looks at the Defense budget.

The President's proposed budget recommended a 25 percent cost match for Urban Area Security Initiative, the State Homeland Security Grant Programs and Transit Security Grant Program, which were already slated for significant cuts. Did the administration con-

sider whether the State and local governments could absorb this cost match?

Mr. DiNANNO. Thank you for that question, sir. Yes. I would point out as I answer this question that cost matches have been successfully implemented in other grant programs. I would point out the Emergency Management Performance Grant, the EMPG program, which is a one-to-one hard match, dollar for dollar, I think that has been very successfully implemented, and I think the success and the cost match comes from that emergency management community really feeling ownership of the program. We administer it. We run it, if you would.

However, the EMPG program is very much a shared responsibility, and any changes that we make to that program have to be done in close consultation with those emergency managers, and part of that I believe comes from the cost match that is included.

We also have implemented cost matches in the Fire Grant Program. Those are also what would be considered a hard match, dollar for dollar, as well as the Port Security Grant Program. Again, I think it gives the stakeholders a real sense of ownership in the program and very much a robust dialog with the folks that work for us, the grant managers, on what is being bought, how it meets the requirements.

So it has been successfully implemented in the past. Any discussions that we have had about the homeland security program match has been in a soft match, not at dollar-for-dollar.

Mr. PAYNE. OK. Thank you.

Mr. Chairman, I will yield back in the interest of time.

Mr. DONOVAN. The gentleman yields.

The Chair now recognizes Mr. King for questions.

Mr. KING. Thank you, Mr. Chairman.

Mr. Sweeney, it has been no secret that years ago there was a breakdown in cooperation and coordination between the FBI and the NYPD in certain areas. Certainly there was a difference in personalities. Since you have come, and probably before that, it seems the situation has improved. Can you tell us what that level of cooperation is now?

Mr. SWEENEY. The level of cooperation, in my opinion, is awesome, seamless. There is zero daylight between the agencies. I think, obviously, a lot of that has to do with the leadership, but it is also the men and women who have come up through the organizations over time are now in different levels. So we all started at a much more junior level. I had the privilege of being on the Jersey task force first, and now on this one. It is seamless.

The NYPD in particular has a command structure that comes with it embedded on the JTTF. So in addition to our special agent in charge, there is an NYPD chief, 4 lieutenants, 9 sergeants, and 100-something detectives that are embedded in every squad. My personal belief is you should not be able to differentiate between the agent, the detective, the trooper, the analyst, the linguist, and when you walk into one of our squad areas, I don't think you would notice the difference. I joke sometimes that usually the NYPD detective has a tie on.

[Laughter.]

Mr. SWEENEY. But other than that, in my opinion it is pretty seamless.

Mr. KING. Thank you. I appreciate that very much. It is encouraging to hear.

Mr. DiNanno, at the outset let me thank you for the work you have done. I am fully aware of that, and I appreciate it.

As far as overall, I look at the UASI budget, the last three budgets, the Obama budget and the two Trump budgets, and in both of them there is significantly less requested than is needed. For instance, going back to the last Obama request, there was \$330 million requested in UASI funding. Congress ended up authorizing and appropriating \$605 million. Under the first Trump budget, he requested \$450 million, and Congress ended up appropriating \$630 million. This year it is \$448 million requested.

Now, obviously there is a breakdown between both administrations and the Congress as to what is needed, and I know you said that even as far as local contributions, it gave the locals more of a sense of ownership. Well, if you take the NYPD, they have well over 1,000 officers already. They certainly have an ownership over what is going on, and whatever they get from the Federal Government is not going to match their expenditures. It seems to me that the threats in many ways are greater than before 9/11. At least on 9/11, they were coming out of Afghanistan. Now we have a multiplicity of terror groups. They can be doing it from their basement. You have ISIS, you have al-Qaeda, you have al-Shabaab, you have Boko Haram, you have al-Qaeda in the Arabian Peninsula. So in many ways the threats are maybe not as great as 9/11, but they are more than 9/11.

Yet, for me to even be talking about these types of cuts when the threats are increasing, and certainly the commitment in New York City, Nassau, Suffolk, Westchester, Rockland, which comprises this zone, this area, I don't know why one administration after another continues to propose these cuts. To me, it can actually be undermining the effort that we need.

I am saying this in a bipartisan way. I agree with Don Payne as far as the Trump budgets, but I felt the same with the Obama budgets. They seem to be always short-changing us when the greatest local effort is being made right here where the greatest threats are.

Mr. DiNANNO. Thank you, Congressman King, for that question. Again, I would point out the \$2.3 billion in the President's budget we think is a substantial commitment and very close to the enacted budget, fiscal year 2018 enacted. But I would also like to point out that specifically with New York and New Jersey, New York has consistently been No. 1, the highest-ranked risk in the country, New Jersey and Newark I think ranked as high as 6 this past year. I recall their draft risk assessment that has recently been sent out perhaps moved it up to 5th. I am unsure exactly. Any risk analysis that we do, ultimately the Secretary does have the discretion when it comes to resource allocations, and again this year we will defer to her when we make recommendations around risk.

So again, specific to the budget, we think the President's request is robust this year at \$2.3 billion, that we can continue to buy down risks Nationally and to build capabilities both locally here in

New York and New Jersey, as well as throughout the rest of the Nation.

Mr. KING. I would just say, not that Mr. Payne needs any defending, but God forbid an attack does come, northern New Jersey and New York City are going to be working together. It is basically going to be one battle zone, one evacuation zone, and one response zone.

I yield back.

Mr. DONOVAN. Many of you came some great distances to be here, so if we could have a lightning round where we each ask just one more question.

I would like to again ask Mr. Sweeney and Mr. Murphy, with these new emerging threats—drones, cybersecurity—do you see any obstacles in your capability as Federal law enforcement officers having capabilities that maybe NYPD and FD and OEM don't have? Are there things that prevent them from doing what they would be able to do better because of the position they are in? Are there clearance problems in disseminating information? A lot of the information we get is Classified, it is Secret, it is Top Secret, some of the stuff is over-classified.

What obstacles do you see in your dealing with our local first responders that you think maybe Congress can clear up? I am going to ask the same to both of you as far as grants and funding of their efforts. What obstacles do you see? Mr. Currie pointed out some of them already. What do you think we could do to help make this situation better?

Mr. SWEENEY. Sir, on the issue of clearances, everybody who is on the JTTF has a clearance through Top Secret, in most cases a sensitive compartmented side of that house as well.

On the issue of passing information to State and local agencies that are not on those JTTFs or not part of the task force where there is a clearance, I don't know if it is something Congress can do. Certainly, the agencies could ensure that they write those products as intelligence products in such a manner that there is no issue with classification, you can push it as easily as possible, and a lot of that is done through analytical writing courses we now put people through that include Fusion Centers. So there are things that could be done that you can speed up that information sharing.

On the threat side, I am not sure I can get into technical capability on some things, especially drones, but certainly the issue of drones is something we all need to look at and how we address those, especially if you are at a large-scale event, what authorities do you have or not have, and what capability do you have to disrupt that? But I don't think I want to get into techniques or tactics.

Mr. DONOVAN. I certainly understand that. Thank you, sir.

Mr. MURPHY. Also with drones, in partnership with our State and locals, I have written a number of products on some of the challenges faced by drones. I will submit those for the record.

Mr. DONOVAN. Thank you.

Mr. MURPHY. You will notice in the product line a couple of what we call FARs or Field Analytical Reports that our officers in the field help generate with our State and local partners and add value to the rest of us back in the District of Columbia and the other Federal partners throughout the country.

So with drones, though—I will go back to that—there are a lot of challenges there with how we look at those and the authorities in place. DHS is a leader in the intelligence world, working with all of you to look at this from a protective standpoint as well. We certainly don't want to interfere with commerce, but at the same time there is a lot that can be done with respect to regulation and working through the threats we face. I will just touch on a couple to illustrate my point.

The number of reports coming back substantially increases, whether it is from our State and locals or other Federal colleagues. We actually track that back in DHS. The interference with aviation, commercial aviation, military sites, et cetera, is laid out in some of these pieces, and it is on the rise and will continue to go in that direction.

The last thing I will address, sir, is just with respect to information sharing. We, along with our other Federal colleagues, continue to strive in that direction. We thank you for lifting the cap on our field personnel that we can deploy. We think nothing replaces face-to-face engagement, so we have three people locally here, and we plan on exploring ways to increase that enhancement so we can bring a full range of DHS equities and intelligence that we for the Department sit on to aide in all these diverse threats to our State and locals and understanding these diverse threats that we all face. Thank you.

Mr. DONOVAN. Thank you.

On the grants side, is there anything that Congress could be doing to make your job easier and help those folks be more effective?

Mr. DiNANNO. I think you raised an important point. When I talked in my Statement about just letting the grants be able to evolve with the threat, I think it is just a huge challenge because the threat changes so much. It is one of the reasons we focus so much on trying to quantitatively assess capabilities, like what a jurisdiction has built versus what it hasn't built. I think you also mentioned the Federal Government having the information that sometimes the States and locals don't. I think injecting that into the grant justifications and the whole local risk assessment process to make sure they understand what their biggest risks are so they can allocate their grant funding to those places is the most important thing here.

Mr. DONOVAN. Thank you.

Mr. CURRIE. Mr. Chairman, thanks for that question. I would like to address the drone issue first.

I have had several mayors and Governors raise this issue with both myself as well as our Secretary. There are, as I understand, some policy impediments that perhaps we could work on together to ensure that the people that our dollars hire and the equipment that our dollars buy, that the policy and the authorities are in place for them to use that effectively against an adversary. Our adversaries are not waiting. We are seeing that in the reporting, and this is, I think, precisely the type of flexibility we need in the program.

Second, to your point on cyber, there is an emerging consensus again among mayors and Governors that that is an emerging

threat, the events that I pointed out in my opening statement, in Atlanta and Baltimore, to highlight that, and we are going to try to address that in the grant programs, and it is all about capacity building, sharing information. I think this is where the Federal Government can and should lead, and I think our programs should be able to support that effort. So, thank you.

Mr. DONOVAN. Thank you all.

Mr. Payne.

Mr. PAYNE. Thank you, Mr. Chairman.

Mr. Sweeney and Mr. Murphy, quickly, if you can describe to the committee whether or not you think that the preparedness grant funding is keeping pace with the threats posed by bad actors, very quickly.

Mr. SWEENEY. Sir, I actually am not up to speed on how the grant funding dollars work, so I probably don't have the best answer for that.

Mr. MURPHY. Sir, as you probably know, we work with FEMA to assess the intelligence risk to the cities. That makes up about 25 percent of the FEMA calculation. I think it has been talked about here that flexibility in terms of how that money is used at the local level is very important, and certainly in certain locations terrorism may not be the primary threat that they face, and having that specificity to be where they need to be with those dollars is important to continue to work on that risk with everybody.

I will yield the rest of my time. Thank you.

Mr. PAYNE. In terms of the flexibility, we know with the evolving threat it needs to be nimble. But sometimes what we find is members of the legislature, the House of Representatives, is that if there is not specificity in the language in the grant, then the money kind of goes wherever it will at the point in time that whoever is sitting in that seat decides where it will go. So that is the one issue with the matter of specificity, although we understand with an evolving threat that we need to be nimble. So we have to try to figure out a balance and how to make sure we really can do both, whichever is most important at the time.

Mr. Currie, sometimes it is difficult to connect the dots on why something like preparedness grants management would be important to a program. Would you talk about the impact that unaddressed management challenges would have over the lifetime of a grants program as big as the preparedness grants and describe your findings if unaddressed could have long-term impacts?

Mr. CURRIE. Sure. Well, there are two areas that we focused on that I talked about. One is assessing capabilities so we know where the grants are going, what they need to be used for. Then two is just internally how you are managing all those different grants.

On the first, on assessing capabilities, not to sound academic about this but I think one of the reasons it is a quantitative assessment of what capabilities you are buying down year in and year out is so important for trying to make these decisions that you just talked about and helping Congress make these decisions. When FEMA and the administration go forward with their proposals, it is like, well, what capabilities have we bought down? What risk have we bought down? Why do we need this funding? What are we going to focus on next?

I think it is critical. Without that, like you said, the money is going out and you are hoping it is being used for the highest risk.

The second piece is just internal management. I talked about that a lot of these programs date back to before DHS existed. Old IT systems' inability to look across the grant programs at any given time and spit out how much money is going out to what jurisdiction, and what is it being used for, that has been pretty much impossible up to this point. So without doing that, how can you look across all the grant programs and figure out what you are buying?

Mr. PAYNE. Thank you very much.

Mr. Chairman, I will yield back.

Mr. DONOVAN. The gentleman yields.

The Chair recognizes Mr. King.

Mr. KING. Thank you, Mr. Chairman.

I want to ask really one question for the panel, and it is more of a statement than a question because I wouldn't want you to give any specifics on the record.

But I am very concerned about the whole issue of mass transit security, specifically rail. Just take New York City. They have millions of passengers every day, a thousand entrances and exits. The Long Island Railroad, Metro North, Amtrak, Penn Station, Grand Central—how much concern is there within the Homeland Security community, the Federal law enforcement community, as to what we can do to provide more protections for mass transit?

Again, I am not looking for any specifics here, but is that an area of concern which you feel is being addressed?

Mr. SWEENEY. Absolutely I feel mass transit is an area of concern. People are obviously addressing it. My personal opinion is there is plenty to do, but definitely an area of concern, especially in this jurisdiction.

Mr. KING. Suppose you compare it, let's say, to an airport, where in many ways it is so easy to secure airplanes. Everyone has to go through certain entrances, leave through certain exits. They have the magnetometers at TSA. They have everything, and really none of that is practical when it comes to mass transit and rail.

Mr. MURPHY. Yes, sir. I mean, we would place it as a very high concern. What I can say in this context, in this environment, is the potential to weaponize such things as fentanyl has been well discussed, but that is just an example of how in an enclosed space environment you could cause a lot of damage.

So from our perspective it remains a high-level concern. That is just one illustration where in a confined space an adversary could produce a lot of casualties very quickly.

Mr. DiNANNO. Congressman King, yes, it absolutely is a concern of mine. I actually had ridden Amtrak up here. Every time I go into a transportation system I am always doing my own personal red team of what you see and what you don't, a lot that you don't see. But in this threat environment, what you do see matters as well.

I would point out that, particularly in the New York urban area, the way this jurisdiction manages their homeland security and urban area grants is like no other. They don't look at strictly the transit problem through the Transit Security Grant Program. They leverage all of their grant programs.

The other point I would make to that is what Mr. Currie said, a couple of terms that he used, and that is about focus. If we don't focus and prioritize the limited dollars that we do have and we do need to work with, I think we absolutely have to do that so that we can drive down on these priorities that seem to be emerging as consensus from the intelligence community. Thank you.

Mr. CURRIE. I agree with you. At GAO we have been raising this concern since you were Chairman of this committee. It is a huge concern. In many ways, mass transit passenger rail is the same issue as you have at a concert, huge numbers of people just in open spaces. So it is a huge issue to address.

Frankly, over the years we have been a bit perplexed about—TSA handles a lot of this on the transportation security side—a little perplexed at the percentage of funding dedicated and programs dedicated to surface transportation versus aviation. It is dwarfed. So grants are a very important part, and they are used by those operators too. It is a huge issue.

Mr. KING. Thank you very much.

Mr. DONOVAN. Well, I would like to thank our witnesses for your testimony, thank my colleagues for their questions. Some of our colleagues who couldn't come today or some of us who may have some other questions may request that you submit answers to those in writing.

We are going to take about a 5-minute break to change over our panel, bring our second panel on. So we will take a 5-minute recess.

[Recess.]

Mr. DONOVAN. We are pleased to welcome our second panel of witnesses.

Our second panel includes NYPD deputy commissioner of counterterrorism and intelligence, John Miller. Thank you for coming today, John.

Chief of FDNY counterterrorism and emergency preparedness, Joe Pfeifer. Thank you, Joe, for coming.

Commissioner of New York City emergency management, Joe Esposito. Joe, welcome.

Chief of security for the Port Authority of New York and New Jersey, John Bilich. Chief, thank you for coming.

The director of New Jersey's Office of Homeland Security and Preparedness, Jared Maples. Jared, welcome.

I want to thank you all for being here today.

The witnesses' full written statements will be appearing in the record. A joint statement from some members of this panel will also be submitted for the record. Without objection, so ordered.

[The joint prepared statement of Mr. Miller, Mr. Pfeifer, and Mr. Esposito follows:]

JOINT PREPARED STATEMENT OF JOHN MILLER, JOSEPH W. PFEIFER, AND JOSEPH J. ESPOSITO

APRIL 23, 2018

Good morning Chairman Donovan, Ranking Member Payne, Congressman King, and Members of the Subcommittee on Emergency Preparedness, Response, and Communications. We are pleased to testify before you today as representatives of the New York City Department of Emergency Management (NYCEM), the New York Police Department (NYPD), and the New York City Fire Department (FDNY)

to discuss how essential Federal funding is to support efforts to secure New York City, the surrounding region and high-risk urban areas across the Nation.

To begin, let us provide a sense of the scale and complexity of the mission in New York City. Homeland security in an urban setting is an immense challenge for first responders. With a population of over 8½ million people, New York City has the highest population density of any major city in the country. Our region also includes a large number of high-profile locations. The most recent addition, the Trump Tower, aside from a Presidential residence was recently was the site of a fire. The greater Tri-State region faces an ever-evolving landscape of security and disaster threats.

This post-9/11 environment has greatly expanded the role that the city's police, fire, and emergency management agencies do each day to keep people safe. For example, the mission of the FDNY is not only to respond to fires, but also respond to medical emergencies, public safety incidents, natural disasters, and acts of terrorism. For the NYPD, this means constant vigilance given that New York City remains in the crosshairs of violent terrorists, more so than any other place in the world. In 2017 alone, NYCEM activated the City's Emergency Operations Center 14 times for a total of 107 days. That includes five winter weather events, two building vacates due to fires, two flash floods, an active shooter at Bronx Lebanon Hospital, a heat emergency, the Port Authority explosion, and Hurricanes Jose and Maria.

In the past 15 years, there have been approximately two dozen terrorist plots against New York City, with targets such as Times Square, the Brooklyn Bridge, John F. Kennedy Airport, the New York Stock Exchange, the subway system, as well as major synagogues and other sites. In most cases, they have been thwarted by the efforts of the NYPD and our local and Federal partners. Tragically, in the last 2 years, 4 attacks have succeeded in striking our city; an explosion in Chelsea in which no one was killed; a white supremacist who murdered an African-American man with a sword as a "practice run" to a larger plot; a terrorist who drove a van into the West Side Highway Running Path which sadly killed 8 individuals; and an ISIS-inspired suicide bomber who set off a home-made explosive device at the Port Authority Bus Terminal subway station that injured 3 individuals and himself.

Working with our Federal, State, and local partners, we meet these challenges through a matrix of specialized training, planning, equipping, preparedness programming, and information and intelligence sharing, all of which are made possible by Federal Homeland Security funding. We have worked diligently to build and execute a protective strategy that has kept this city safe while protecting and upholding the Constitutional rights and liberties accorded to those who live, work, and visit New York City.

September 11 forever changed how NYCEM, NYPD, and FDNY view their missions and the world around us. Following that tragedy, NYPD recognized that we could not defer the responsibility of protecting this city from terrorist attacks to others, and we have continued to prioritize this ever-evolving peril. Soon after 2001, the NYPD became the first police department in the country to develop its own robust counterterrorism capacity. We have expanded our efforts to include international events, gathering intelligence far beyond our borders. Our work, however, cannot happen without the assistance and aid of the Federal Government.

Following the recommendations of a 9/11 Commission Report, the Fire Department leveraged Homeland Security grant funds to create and staff a state-of-the-art Emergency Operations Center (EOC) at FDNY Headquarters. Today, this EOC serves as part of a network to manage complex emergencies and to share information by connecting with local partners like the NYPD and NYCEM, as well as the National Operations Center. Members of FDNY's Rescue operations train with fire departments and first responder agencies from around the country, passing along specialized knowledge that we've developed here in New York. Urban Search and Rescue Team Task Force-1 and FDNY's IMT have provided mutual aid after a number of natural disasters, including New Orleans after Hurricane Katrina, Broome County, New York after Hurricane Irene, Florida after Hurricane Irma, Texas after Hurricane Harvey, and Puerto Rico after Hurricane Maria.

Federal grant funding represents roughly 50 percent of NYCEM's annual operating budget and is vital to our ability to run many of our finest initiatives, including the Ready New York public education program, CERT program, Continuity of Operations Program, Geographic Information Systems, Training and Exercises, Watch Command and Response, and City-wide Incident Management Systems planning. It also funds the Emergency Supply Stockpile, which provides supplies and services to support emergency sheltering for adults, people with special medical needs, people with disabilities and accessibility and functional needs, children, infants, and companion animals. During a coastal storm, the stockpile can meet the

needs of 70,000 individuals in designated evacuation shelters across NYC for up to 7 days.

Over the years, the caliber of people we have been able to attract has played a major role in our ability to protect New York. We have hired civilian analysts who are experts in intelligence and foreign affairs. They study terrorist groups, trends, and methods of attacks. One of our most important institutional strengths is the remarkable diversity in our ranks. The NYPD is fortunate to have a deep pool of foreign-speaking officers. This has allowed us to build a foreign linguist program with more than 1,200 registered speakers of 85 different languages—Arabic, Dari, Farsi, Mandarin, Pashto, Russian, Spanish, and Urdu, to name just a few.

Before concluding, we would like to briefly discuss potential Federal actions that would impact our emergency communications. As you know, the NYPD is the Nation's largest police agency with law enforcement responsibility across the five boroughs. The Department receives nearly 10 million 9-1-1 calls annually and patrols approximately 306 square miles—which accounts for some of the most densely-populated geography in the Nation.

Since September 11, we have greatly improved our radio communications for our personnel, many of whom are responding to crimes in progress. Losing the T-band spectrum would require significant financial investments to replace our existing radio infrastructure. Moreover, alternative spectrum has not been identified to facilitate this relocation, and it is not clear as to whether there is enough spectrum available to accommodate the largest metropolitan areas. The continuity for inter-operable and operable communications is essential, and changes to the T-band system will impact Department operations and the risk of disruption will endanger public safety.

Additionally, while we certainly are encouraged by steps taken by the FCC to improve the Wireless Emergency Alert (WEA) system, we urge the FCC to adopt rules that better allow us to respond to the full range of 21st Century emergencies. When the city issued a wireless emergency alert regarding the Chelsea Bomber in 2016 to every phone in the five boroughs, the millions of New Yorkers who wanted to help were given several lines of text with no picture. In this age of instant access to visual information via social media applications, we need to enhance our country's ability to rapidly, efficiently, and securely deliver comprehensive emergency information, including images, to the public. Pictures provide instant recognition and speak a universal language. They enable rapid response from every potential witness who could save countless lives through fast action. The lack of photographs and other multimedia highlights a weakness in the system and, in the face of emerging threats, the city needs to remain on technology's cutting edge by using public information systems to their fullest capacity to advance its emergency services and capabilities.

In closing, it cannot be emphasized enough how critically important Federal grants are to empowering cities across the Nation, New York City included, to evolve and stay ahead of emerging threats. Preparedness is a race against time to be ready for the next attack or extreme event. For context, understand that the events of 9/11 took place in 102 minutes, less time than this hearing. Every Federal dollar that flows to New York City improves our response so we can save the greatest number of people and pays dividends across the United States. We look forward to a continued partnership with Members of this committee and the Congress so that we are able to sustain existing capabilities and continue to adapt to new threats in order to protect the people of the New York City Urban Area.

Our philosophy is simple: We have to develop the best intelligence available, expand our partnerships, take protective measures to defeat whatever our adversaries might be planning next, react to neutralize all threats and prevent the loss of life.

New York enjoys the distinction of being the safest big city in America. It is also commercially vibrant, culturally diverse, and free. We can claim these successes are due, in no small measure, to the uniformed and civilian members of the New York City Department of Emergency Management (NYCEM), the New York Police Department (NYPD) and the New York City Fire Department (FDNY), and the assistance we have received from the Federal Government, which has been a vital partner in the face of an ever-present threat.

We look forward to a continued partnership with Members of this committee and Congress so that we are able to sustain existing capabilities and continue to adapt to new threats in order to protect the people of the New York City Urban Area. Thank you again for this opportunity to testify today. We are happy to answer any questions you may have.

I now recognize Commissioner Miller for his opening remarks.

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

Mr. MILLER. Thank you, Representative Donovan, and to the committee. I am John Miller, deputy commissioner of intelligence and counterterrorism for the New York City Police Department. On behalf of Police Commissioner James P. O'Neill, I am pleased to testify before your subcommittee today to discuss Federal funding that has supported the NYPD's efforts to secure New York City.

More than any other place in the world, New York City remains in the crosshairs of violent terrorists. It is not speculation; it is imperative data, the consensus of the global intelligence community as well. Since September 11, there have been approximately two dozen terrorist plots against New York City with targets such as Times Square, the Brooklyn Bridge, John F. Kennedy Airport, the New York Stock Exchange, the subway system, as well as major synagogues and other sites. In most cases, these plots have been thwarted by the efforts of the NYPD and the FBI-NYPD Joint Terrorism Task Force.

Tragically, in the last 2 years, four attacks have succeeded in striking our city: An explosion in the Chelsea section of Manhattan in which dozens were injured; a white supremacist who murdered an African American man with a sword allegedly as a practice run to a larger plot; a terrorist who drove a pick-up truck down the West Side Highway which sadly killed 8 individuals and injured others; and an ISIS-inspired suicide bomber who set off a home-made explosive device at the Port Authority bus terminal in the subway station below that injured three individuals, as well as himself.

We have worked long and diligently to build a deterrent that has kept this city safe while protecting and upholding the Constitutional rights and liberties accorded those who live, work, and visit New York City. But the specter of another terrorist attack is always present.

September 11 has changed how the NYPD views its mission and the world around us forever. That work, however, cannot happen without the assistance and aid of the Federal Government. Following the tragedy, the NYPD recognized we could not defer the sole responsibility of protecting this city from terrorist attack to the Federal Government, and we have continued to prioritize this ever-evolving effort.

Soon after 9/11, the NYPD became the first police department in the country to develop its own robust, sophisticated counterterrorism capability. We have expanded efforts to include international events, gathering intelligence far beyond our borders, with police officers staged in 14 posts around the world. Federal funding is critical to our efforts. Over the last 5 years, the NYPD has received an average of \$156 million a year in Federal funding. Notably, on average, \$113 million of that funding each year comes from the Department of Homeland Security, that in the form of DHS grants.

Much credit and much thanks goes to you, Chairman Donovan, Representative King, Representative Payne, and the Members of

this committee. The entire New York Congressional delegation, in fact, has helped us over the years to secure these funds.

The NYPD relies on this funding to protect New Yorkers against terrorist attacks and to strengthen homeland preparedness, including the security of critical transportation and port infrastructure. Over the years, the caliber of people that we have been able to attract into the NYPD has played a major role in our ability to protect this city. We have hired civilian analysts who are experts in intelligence and foreign affairs. They study terrorist groups, terrorist trends, methods of attacks. One of our most important institutional strengths is the remarkable diversity of the ranks of the NYPD. The NYPD is fortunate to have a deep pool of foreign-speaking officers. This has allowed us to build a foreign linguist program with more than 1,200 registered speakers of 85 different languages—Arabic, Dori'o, Farsi, Mandarin, Pashtu, Russian, Spanish, Urdu, just to name a few.

Our personnel also includes trained vapor wake dogs. Not all talent comes on two legs. Our vapor wake dogs are deployed for large-scale events in the city. They are adept at sensing mobile threats and explosive particles. They are trained to avoid the distractions of large crowds and loud noises. They are an invaluable component in our policing strategy. But at \$40,000 to \$60,000 per animal, they are an expensive commodity. But imagine their ability to screen large crowds during an event like the Christmas tree lighting, New Year's Eve, Thanksgiving Day Parade, the New York City Marathon. They have become an integral and invaluable part of our ability to prevent terrorist attacks.

The NYPD provides comprehensive training to our officers responding to explosive, chemical, biological, and radiological incidents. There are a multitude of possible forms that a terrorist attack could take. The Department has to be ready for any scenario at any time.

Federal funds have been vital in training officers to respond to active-shooter scenarios, allowing them to engage and end a coordinated terrorist attack such as the Mumbai attack, or the attack on the Bataclan Theater in Paris. It also provides critical instruction to officers for life-saving techniques that can be implemented before it is safe enough for medical personnel to enter an active crime scene. In a few minutes you will hear from Chief Pfeifer about a lot of the direction we have been going in that vein so that we don't just stop the killing but also stop the dying.

This all comes together in a carefully woven set of programs: 3,000 radiation detectors that our officers are armed with in the streets looking for a radiological threat before it presents itself; 10,000 cameras integrated into our informational systems that can be pushed to NYPD smart phones like this, where officers can access all forms of Department data holdings, and soon we will have, beyond the pilot program, the ability to push video to those phones so that at a crime scene an officer would literally have the ability to take his finger, rewind that camera backward, and see what actually occurred at the time the event was there if it is in an area covered by the camera, and as the network expands we hope that is more areas.

These are growing programs. Take the active-shooter piece that is 11,606 officers who have been currently trained in active-shooter tactics. That is regular patrol officers in addition to the nearly 1,800 specialized officers we now have from the Strategic Response Group, the Critical Response Command, and the Emergency Service Unit with specialized long weapons and heavy vests and helmets for their protection. I daresay that no other municipality in the world, no municipal police department, has the ability to deploy that many specialized people with specialized training and equipment in that field anywhere else in the world.

In the intelligence bureau, our motto is intelligence interdiction to stop the thing before it happens, and prevention. In the counterterrorism bureau, they pick up where intel left off with prevention, but preparedness and the ability to respond with the maximum of effectiveness if the event does occur. We treat every day as if that is the day when the attack that we are not expecting is going to happen, and that is a posture that in a police department where 85 percent of our expenses are personnel-related, the additional funds provided by the Department of Homeland Security and supported by the Members of this committee are essential.

Thank you.

[The prepared statement of Mr. Miller follows:]

PREPARED STATEMENT OF JOHN MILLER

APRIL 23, 2018

Good morning Chairman Donovan, Ranking Member Payne, Congressman King, and Members of the subcommittee. I am John Miller, deputy commissioner of intelligence and counterterrorism for the New York Police Department (NYPD). On behalf of Police Commissioner James P. O'Neill, I am pleased to testify before your subcommittee today to discuss how Federal funding has supported the NYPD's efforts to secure New York City.

More than any other place in the world, New York City remains in the crosshairs of violent terrorists. That is not speculation—it is the consensus of the global intelligence community. Since September 11, 2001, there have been approximately 2 dozen terrorist plots against New York City, with targets such as Times Square, the Brooklyn Bridge, John F. Kennedy Airport, the New York Stock Exchange, the subway system as well as major synagogues and other sites. In most cases, they have been thwarted by the efforts of the NYPD and the FBI-NYPD Joint Terrorist Task Force. Tragically, in the last 2 years, four attacks have succeeded in striking our city; an explosion in Chelsea in which no one was killed; a white supremacist who murdered an African-American man with a sword as a “practice run” to a larger plot; a terrorist who drove a van into the West Side Highway Running Path which sadly killed 8 individuals; and an ISIS-inspired suicide bomber who set off a homemade explosive device at the Port Authority Bus Terminal subway station that injured three individuals and himself.

We have worked diligently to build a deterrent that has kept this city safe while protecting and upholding the Constitutional rights and liberties accorded to those who live, work, and visit New York city, but the specter of an attack is forever present.

This work, however, cannot happen without the assistance and aid of the Federal Government.

September 11 forever changed how the NYPD views its mission and the world around us. Following that tragedy, the Department recognized that we could not defer the sole responsibility of protecting this city from terrorist attacks to the Federal Government, and we have continued to prioritize this ever-evolving peril. Soon after 2001, the NYPD became the first police department in the country to develop its own robust counterterrorism capacity. We have expanded our efforts to include international events, gathering intelligence far beyond our borders.

Federal funding is critical to our efforts. Over the last 5 years, the NYPD has received an average of \$156 million a year in Federal funding. Notably, on average, \$113 million of that funding each year comes from Department of Homeland Security.

city (DHS) grants. Much credit and thanks goes to you, Chairman Donovan, and the entire New York Congressional delegation for their advocacy over the years to secure these funds. The NYPD relies on this funding to protect New Yorkers against terrorist attacks and strengthen homeland preparedness, including the security of critical transportation and port infrastructure.

Over the years, the caliber of people we have been able to attract has played a major role in our ability to protect New York. We have hired civilian analysts who are experts in intelligence and foreign affairs. They study terrorist groups, trends, and methods of attacks. One of our most important institutional strengths is the remarkable diversity in our ranks. The NYPD is fortunate to have a deep pool of foreign-speaking officers. This has allowed us to build a foreign linguist program with more than 1,200 registered speakers of 85 different languages—Arabic, Dari, Farsi, Mandarin, Pashto, Russian, Spanish, and Urdu, to name just a few.

Our personnel also includes our trained vapor wake dogs. Our vapor wake dogs are often deployed at large-scale events in the city. They are adept at sensing mobile threats and explosive particles, and they are trained to avoid the distractions of large crowds and loud noises. They are an invaluable component to our policing strategy.

The NYPD provides comprehensive training to our officers in responding to explosive, chemical, biological, and radiological incidents. There are a multitude of possible forms a terror attack could take, and the Department has to be ready for any scenario. Federal funds are vital in training officers to respond to active-shooter scenarios, allowing them to engage and end a coordinated terrorist attack like the Mumbai attack. It also provides critical instruction to officers in life-saving techniques that can be implemented before it is safe enough for medical personnel to enter an active crime scene.

In addition to staffing our counterterrorism and intelligence units and training our officers, this funding has helped the NYPD create the security infrastructure that has prevented potential attacks. For instance, in an initiative supported by DHS, we have installed radiation detection equipment in neighboring jurisdictions and at key points of entry into the five boroughs so that the city is virtually ringed with an alarm system. This program, called Securing the Cities, includes 150 law enforcement agencies in dozens of nearby cities and towns.

Across the city, we have distributed approximately 3,000 radiation pagers to units throughout the department and nearly 4,000 radiological dosimeters to each Patrol Borough's counterterrorism post. We continue to invest heavily in acquiring and maintaining state-of-the-art equipment to identify, prevent, or disrupt threats. We have installed highly-sensitive detection equipment on the boats and helicopters we use to patrol New York Harbor, as well as vehicles we use to patrol our streets.

Our Domain Awareness System (DAS), a centralized network of security cameras, license plate readers, and chemical and radiological detectors is only possible thanks to help from the Federal Government. DAS makes it possible to scan recorded footage for specific objects and behaviors; an unattended bag; a car driving against the flow of traffic, or a person walking through a restricted area. Using an advanced graphical interface and mapping capability, the DAS retrieves and displays information, providing real-time alerts and the means to quickly utilize relevant information to prevent incidents from occurring or guide our response once an attack has been complete, enabling the NYPD to quickly identify attackers and stop them before they can strike again. The program receives data from more than 14,000 cameras, nearly 700 license plate readers, and strategically placed chemical and radiation detectors throughout the city, providing instant alerts on possible threats in the city. Since it is available as an application on their Department smart phone, the features of the DAS are available at the fingertips of all of our officers.

We place particular emphasis on the subway system in light of its attractiveness as a target and because it is a vital artery that keeps this city running. In excess of 5 million New Yorkers use the subways every day. Protecting this system is one of our top priorities and greatest challenges. The strength of the system, open, 24 hours a day, every day of the year, makes it an appealing target for attackers. After the bombing of the London transit system in 2005, we began screening the bags and backpacks of subway passengers. We maintain posts at each of the 14 underwater subway tunnels. We have expanded uniformed patrols underground and regularly conduct security sweeps in subway cars.

Federal funding also helps ensure that each officer responding to a terror incident has the proper equipment so that they can respond to active shooters or radiological attacks in as safe a manner as possible. The support we receive from the Federal Government in the form of funding and our relationships with our Federal law enforcement partners has been and continues to be invaluable. However, we continue to seek greater funding levels that are commensurate with the severity of the ever-

present threat to our city, which unfortunately consistently finds itself atop the terror target list. With additional funding above and beyond the current levels, the NYPD would further increase deployments in critical areas of the city as well as continue to expand the DAS in order to retrieve critical information and elevate situational awareness.

On the topic of Federal Government support of information sharing, I would like to note that the Department of Homeland Security Office of Intelligence and Analysis ("I&A") certified a Sensitive Compartmented Information Facility (SCIF) at NYPD Headquarters which supports Classified information sharing integral to the NYPD mission. We also have three I&A personnel assigned to New York City to support NYPD in addition to a DHS Special Security Officer (SSO) assigned full time to manage SCIF operations. The DHS intelligence analyst assigned to NYPD sits with our Intelligence Division and he proactively shares DHS and intelligence community information with NYPD that has resulted in leads for existing investigations, new investigations being opened, and two joint finished intelligence products over the past year.

We are also eager to engage with our Federal partners on possible legislation. Federal and local law prohibit the recreational use of drones, or unmanned aircraft systems (UAS), but most drone owners either do not know or do not abide by those restrictions. Consequently, there has been an increase in illegal drone usage in the city, especially at high-profile, mass gathering events. While hobbyists are often times using drones for photography and filming, more evidence is found daily that terrorist groups are encouraging active members and lone wolves to embrace drones as a mass casualty tool. Currently, Federal law prohibits State and local governments from purchasing, owning, or operating technology that would jam any form of authorized radio communications and provides no pathway for State or local governments to apply to the Federal Communications Commission (FCC) for an exception from this prohibition. Working with our partners in Congress, the Department recommends amending Title 47 of the Federal Code to allow State and local governments to purchase jamming technology to use against unmanned aircraft systems in select circumstances with proper oversight.

Our philosophy is simple: We have to develop the best intelligence available, expand our partnerships, take protective measures to defeat whatever our adversaries might be planning next, react to neutralize all threats and prevent the loss of life.

Before concluding, I would like to briefly discuss potential Federal actions that would impact our emergency communications. As you know, the NYPD is the Nation's largest police agency with law enforcement responsibility across the five boroughs. The Department receives nearly 10 million 9-1-1 calls annually and patrols approximately 306 square miles—which accounts for some of the most densely populated geography in the Nation.

Since September 11, we have greatly improved our radio communications for our personnel, many of whom are responding to crimes in progress. I want to comment on the potential relocation of public safety land mobile radio systems from the "T-band." Losing the T-band spectrum would require significant financial investments to replace our existing radio infrastructure. Moreover, alternative spectrum has not been identified to facilitate this relocation, and it is not clear as to whether there is enough spectrum available to accommodate the largest metropolitan areas. The continuity for interoperable and operable communications is essential, and changes to the T-band system will impact Department operations and the risk of disruption will endanger public safety.

Additionally, while we certainly are encouraged by steps taken by the FCC to improve the Wireless Emergency Alert (WEA) system, we urge the FCC to adopt rules that better allow us to respond to the full range of 21st Century emergencies. When the city issued a wireless emergency alert regarding the Chelsea Bomber in 2016 to every phone in the five boroughs, the millions of New Yorkers who wanted to help were given several lines of text with no picture. In this age of instant access to visual information via social media applications, we need to enhance our country's ability to rapidly, efficiently, and securely deliver comprehensive emergency information, including images, to the public. Pictures provide instant recognition and speak a universal language. They enable rapid response from every potential witness who could save countless lives through fast action. The lack of photographs and other multimedia highlights a weakness in the system and, in the face of emerging threats, the city needs to remain on technology's cutting edge by using public information systems to their fullest capacity to advance its emergency services and capabilities.

Over 16 years after 9/11, New York enjoys the distinction of being the safest big city in America. It is also commercially vibrant, culturally diverse, and free. We can claim these successes are due, in no small measure, to the 50,000+ uniformed and

civilian members of the New York City Police Department, and the assistance we have received from the Federal Government, which has been a vital partner in the face of an ever present threat.

Thank you again for this opportunity to testify today. I am happy to answer any questions you may have.

Mr. DONOVAN. Thank you. Thank you, Commissioner.  
Chief.

**STATEMENT OF JOSEPH W. PFEIFER, CHIEF, COUNTERTERRORISM AND EMERGENCY PREPAREDNESS, NEW YORK CITY FIRE DEPARTMENT, CITY OF NEW YORK, NEW YORK**

Mr. PFEIFER. Good morning, Chairman Donovan, Ranking Member Payne, and Congressman King. Thank you for having me here today. I am the chief of counterterrorism and emergency preparedness for the New York City Fire Department.

Homeland security in an urban setting is immensely challenging for our first responders. Our population of over 8.5 million people, New York City has the highest density population of any city in the country. Expand that out to our region of New Jersey and the tri-State area, we have a tremendous amount of responsibility for a mega-city of 20 million people. This includes the United Nations, Trump Tower where just recently there was a serious fire, but this landscape in the tri-State area of an evolving threat involving security and involving disaster management is what we are about.

The post-9/11 environment has greatly expanded the role of the city's fire, police, emergency management agencies to save people, to make it safe for people that come to our area every day. The mission of the New York City Fire Department is not only about responding to fires, but it is also responding to medical emergencies, public safety incidents, natural disaster, and acts of terrorism.

In the last 6 months alone we responded to two separate terrorist attacks, the first in lower Manhattan where the terrorist drove a pick-up truck down a bike lane and killed 8 people, injuring 11; and the second took place in the subway near the Port Authority commuter bus terminal where a terrorist set off a pipe bomb strapped to his body during rush hour.

Working with our Federal, State, and local partners, we need to meet this challenge through a matrix of specialized training, planning, equipping, preparing, information and intelligence sharing, all of which are made possible through Federal homeland security funding. I would like to highlight some of these programs.

Following the recommendation of the 9/11 Commission, the Fire Department leveraged homeland security grant funds to create a state-of-the-art emergency operations center. Today, the emergency operation center at FDNY serves as part of a network of managing complex emergencies and to share information by connecting the local partners like NYPD and OEM, as well as the National Operations Center down in the District of Columbia. Let me give you an example.

When U.S. Airways Flight 1549 had an emergency landing in the icy waters of the Hudson River, not only did we have to coordinate rescue operations from the operations center, but we had to share critical information, like comparing the manifest from LaGuardia Airport of the plane, of who was on the plane and comparing that

to the people who had to go through our hospitals. We learned first that all 155 passengers and crew were alive and rescued. That information was placed on the Homeland Security Information Network and immediately provided this fact to all of government, including the President of the United States. Information is power if we share it, and if we share it in real time.

In the aftermath of the World Trade Center attacks, we developed an instant management team to manage and coordinate complex emergencies. DHS grant funding paid for the extensive funding of the IMTs, as well as full-scale exercises which the teams participated in with partners within New York City and outside of the city. As a matter of fact, just last week the IMT ran a full-scale exercise in up-State New York in a training facility, partnering with NYPD New York State IMT, to practice simultaneous large-scale events involving building collapse and active shooters.

We also created a Center for Terrorism and Disaster Preparedness to develop strategies, emergency response plans, intel products, educational programs, and scenario-based exercises to improve the Department's response to terrorist acts, to natural disasters, and to large-scale incidents.

The work of CTDP has been on the front lines preparing the Department, the city, and the Nation for new and emerging threats. Working with NYPD, we developed multi-agency plans outlining the roles and responsibilities to respond to major incidents.

The Center for Terrorism and Disaster Preparedness has been working with multiple agencies to address the growing threat of vertical terrorism. This is an event where terrorists attack high-rise buildings using semi-automatic weapons, explosives, and the use of fire and smoke as weapons. CTDP conducted a recent study on this topic which I have provided the committee.

To prepare for such an attack, FDNY hosted a vertical terrorism preparedness workshop which we held on the 63rd floor of the new One World Trade Center, with NYPD, with NYSUM, with the Port Authority of New York and New Jersey, with the FBI, with DHS, FEMA, building managers, and trauma center doctors.

As the threat environment changes, we must have first responders also change. This type of research that we are doing at FDNY at our center is preparing our first responders and agencies across not only the city but across the country. We learn together, and we share this information about vertical terrorism.

We also use homeland security grant funding to make smart investments in the core competencies such as building collapse, CBRN, mass casualty incidents. These funds allow us to develop enhanced capabilities in search and rescue, hazardous material mitigation, rescue medic hospital skills, marine operations, and swift water rescues.

A key innovation in the Department's response to mass casualty incidents was the formation of a rescue task force which is made up of first responders who receive specialized training for triage treatment and transport of victims during an active-shooter incident. They are part of the response matrix and are proactive in deploying in high-profile special events like Times Square New Year's Eve and the Thanksgiving Day Parade.

The rescue task force is dependent upon our partners in NYPD for force protection so FDNY medical responders can go into these dangerous areas, go into a war zone to provide triage and to stop the bleeding. What John mentioned before is what we do. Law enforcement goes in to stop the killing, and FDNY goes in to stop the dying.

To do that, each member has ballistic protection and has completed hands-on training in tourniquets and clotting agents. But what is so important for us are these joint exercises that we do between FDNY and NYPD and working with OEM. These things are important. If we don't practice it, it doesn't become real. Only by working together as a team will we be ready for the next extreme event.

These resources were developed with homeland security funding, working in concert with one another to provide a fast and thorough response to mitigate these threats and incidents. I will give you an example.

During the pipe bombing at the Port Authority, what we had to respond to that incident was a rescue task force. We had our medical resources. We brought in our breather units so that if things got bad we would be able to operate with self-contained breathing apparatus for a long period of time. Our rescue and squad companies drew from special training. We had a compressor unit if there was collapse, and mass casualty pods we brought into the scene. Our hazardous material units were dispatched so we could take radiological readings. Even our marine companies that were on the waterways stepped up patrol. The resources that we have developed and maintained using homeland security funding is critical in saving not only the people of New York but the population in the entire region.

One of our marine units is a regional asset. We respond to incidents on the waterway both on the New York and the New Jersey side. We even have a pressurized cabin in case there was an attack with chlorine on the city or the area. We can disperse that cloud through using water because this pressurized cabin can go into an area of contamination.

But working with our security partners, we are preparing for the next type of active-shooter attack, one which could occur on the many ferries that bring thousands of people to work each day. Our workshop focuses on not only stopping the killing by law enforcement and stopping the dying by our medical personnel, but also about stopping the drowning, because we know if there is an active shooter on a boat, on one of our ferries, that people will jump in the water to escape the shooting. Such a comprehensive approach of preparedness cannot be done without this grant funding.

Members of our rescue operation are trained to these high levels, and we work with our urban search-and-rescue teams, our IMTs, not only to protect the city of New York and the region but also to be an asset for the rest of the country.

During Hurricane Katrina, we sent our team down to New Orleans. During Hurricane Irene, we sent our teams up to Broome County in up-state New York. Just recently we sent our teams of urban search-and-rescue and management teams to Texas for Hur-

ricane Harvey, Florida for Hurricane Irma, and Puerto Rico for Hurricane Marie.

Preparedness is a race against time, to be ready for the next attack or the next extreme event. The events of 9/11 took place in 102 minutes, which is less time than this hearing today. Every Federal dollar that flows to the FDNY improves our response so we can serve the greatest number of people and pay dividends across the United States. We are looking forward to continuing to partner with this committee and with Congress, and to adapt to the newer threat environment so we can protect the urban area of New York City and the tri-State area.

Thank you so much for allowing me to share the experiences of FDNY and for your support in high-risk urban areas.

[The prepared statement of Mr. Pfeifer follows:]

PREPARED STATEMENT OF JOSEPH W. PFEIFER

APRIL 23, 2018

Good afternoon Chairman Donovan, Ranking Member Payne, Congressman King, and Members of the Subcommittee on Emergency Preparedness, Response, and Communications. My name is Joseph Pfeifer and I am the chief of counterterrorism and emergency preparedness for the New York City Fire Department. Thank you for the opportunity to discuss the importance of Federal support to High-Risk Urban Areas.

Homeland security in an urban setting is an immense challenge for first responders. With a population of over 8½ million people, New York City has the highest population density of any major city in the country. Our region also includes a large number of high-profile locations, including the United Nations and Trump Tower, which was the site of a fire very recently. The greater Tri-State region faces an ever-evolving landscape of security and disaster threats. This post-9/11 environment has greatly expanded the role that the city's police, fire, and emergency management agencies do each day to keep people safe. The mission of the New York City Fire Department (FDNY) is not only to respond to fires, but also respond to medical emergencies, public safety incidents, natural disasters, and acts of terrorism.

In the last 6 months alone, we've had to respond to two separate terror attacks. The first occurred in Lower Manhattan when a terrorist drove a pickup truck down a bike path killing 8 people and injuring 11 others, and the second took place at the subway near the Port Authority commuter bus terminal when a terrorist set off a pipe bomb strapped to his body during the morning rush hour.

Working with our Federal, State, and local partners, we meet this challenge through a matrix of specialized training, planning, equipping, preparedness programming, and information and intelligence sharing, all of which are made possible by Federal Homeland Security funding. I'd like to highlight a few of the key programs today.

Following the recommendations of a 9/11 Commission Report, the Fire Department leveraged Homeland Security grant funds to create and staff a state-of-the-art Emergency Operations Center (EOC) at FDNY Headquarters. Today, this EOC serves as part of a network to manage complex emergencies and to share information by connecting with local partners like the NYPD and NYCEM, as well as the National Operations Center.

When US Airway Flight 1549 crashed in the icy waters of the Hudson River, not only did we coordinate rescue operations from the Operations Center, but we also shared critical information. By comparing the manifest we received from LaGuardia Airport with everyone taken off the plane going through our medical triage and hospitals, we were the first to learn that all 155 passengers and crew were alive and rescued. That information was placed on the Homeland Security Information Network and immediately provided this fact to all in government including the President of the United States. Information is power if it is shared and delivered in real time.

In the aftermath of the World Trade Center attacks, we developed an Incident Management Team (IMT) to manage and coordinate complex emergencies. DHS grant funds pay for the extensive training of IMT members, as well as full-scale exercises, which the team participates in with partner agencies including NYPD and New York State Police. Last week, the IMT ran a Full-Scale Exercise at an up-State

training facility, partnering with the NYPD and the NYS IMT to practice managing simultaneous large-scale incidents involving a building collapse and an Active Shooter.

We also created the FDNY Center for Terrorism and Disaster Preparedness (CTDP) to develop strategies, emergency response plans, intelligence products, educational programs and scenario-based exercises to improve the Department's response to terrorist attacks, natural disasters, and other large-scale incidents. The work of CTDP has been on the front lines of preparing the department, the city, and the Nation for new and emerging threats. Working with the NYPD, we developed a multi-agency plan outlining roles and responsibilities to respond to an Active-Shooter Incident.

CTDP has also been working with the NYPD to address the growing threat of Vertical Terrorism, where terrorists attack high-rise buildings with semi-automatic weapons, explosives, and the use of fire as a weapon. CTDP conducted a recent study on this topic, which I have provided to the committee. To prepare for such an attack, FDNY hosted a Vertical Terrorism Preparedness Workshop last year on the 63rd floor of the new 1 World Trade Center, with NYPD, NYCEM, the Port Authority of NY/NJ, the FBI, DHS, FEMA, building managers, and Trauma Center doctors. As the threat environment changes so must first responders. This is the type of research and preparation that other first responder agencies across the country can learn from and use to improve their own response to Vertical Terrorism Incidents.

We also use Homeland Security grant funds to make smart investments in other core competencies such as building collapses, CBRN, and Mass Casualty Incidents. These funds have allowed us to develop and enhance our capabilities in search and rescue, hazardous material mitigation, Rescue Medic treatment skills, Marine Operations, and Swift Water rescues.

A key innovation in the Department's response to mass casualty incidents was our formation of the Rescue Task Force, which is made up of first responders who have received specialized training to triage, treat, and transport victims during an Active-Shooter incident. They are part of our response matrix and are proactively deployed at high-profile events such as New Year's in Times Square and the Macy's Thanksgiving Day Parade.

The Rescue Task Force depends upon NYPD for force protection so that FDNY medical responders can triage and stop the bleeding in order to save lives in a warm zone. Each member of the team is outfitted with ballistic protective equipment for protection and has completed hands-on training to apply tourniquets and clotting agents. But what are vital to this initiative are the joint full-scale exercises between FDNY and NYPD that are conducted by CTDP. Only by working together as a team will we be ready for the next extreme event.

The resources that we've developed with Homeland Security funding work in concert with one another to provide a fast, thorough response and mitigation to threats and incidents. To give one example, when the pipe bomb went off at the Port Authority during rush hour, the Rescue Task Force was mobilized and responded to the scene. FDNY Re-breather units responded wearing a specialized Self-Contained Breather Apparatus, allowing them to operate underground for much longer than with standard issued equipment. FDNY Rescue and Squad Companies responded, drawing on their specialized training to respond to incidents underground and in confined spaces, and carry rescue equipment and tools. FDNY Compressor Unit and Mass Casualty Incident pods were staged at the scene. HazMat and Tech Engine Units responded to conduct atmospheric testing for radiation and HazMat/WMD materials at the scene. Marine Operations ran on-going stepped-up patrols of the harbor after the attack to conduct a survey of ships docked in the Port.

The resources that we have developed and maintain using Homeland Security funding are critical in serving not only the people of New York City, but the population of the entire region. Our Marine Unit is a regional asset that works with the United States Coast Guard to responding to incidents in waterways in and around New York. They respond to incidents in other jurisdictions, such as responding to massive fires in New Jersey. They have a pressurized cabin that allows the fireboats to disburse a chlorine vapor cloud or respond to the nuclear power plant at Indian Point.

Working with our Port Security Partners, we are preparing for a new type of active-shooter incident, one of which could occur on the many water ferries that bring thousands of people to work each day. Our workshops have focused on not only of "Stopping the Killing" by law enforcement and "Stopping the Dying" by our medical personnel, but also on "Stopping the Drowning," because we know people will jump in the water to escape from being shot. Such a comprehensive approach prepares us for the unthinkable.

Members of Rescue operations train with fire departments and first responder agencies from around the country, passing along specialized knowledge that we've developed here in New York. Urban Search and Rescue Team Task Force-1 and our IMT have provided mutual aid after a number of natural disasters, including New Orleans after Hurricane Katrina, Broome County, New York after Hurricane Irene, Florida after Hurricane Irma, Texas after Hurricane Harvey, and Puerto Rico after Hurricane Maria.

Preparedness is a race against time to be ready for the next attack or the next extreme event. The events of 9/11 took place in 102 minutes, less time than this hearing. Every Federal dollar that flows to the FDNY improves our response so we can save the greatest number of people and pays dividends across the United States.

We look forward to a continued partnership with Members of this committee and the Congress so that we are able to sustain existing capabilities and continue to adapt to new threats in order to protect the people of the New York City Urban Area.

Thank you for allowing me to share FDNY's experience on the topic of Federal Support to High-Risk Urban Areas and I am happy to answer any questions.

Mr. DONOVAN. Thank you, Chief. For a community so dependent on ferry service, your testimony was compelling.

John, not that yours wasn't compelling either.

[Laughter.]

Mr. DONOVAN. The Chair now recognizes my good friend, the commissioner of OEM, Joe Esposito.

**STATEMENT OF JOSEPH J. ESPOSITO, COMMISSIONER, NEW YORK CITY EMERGENCY MANAGEMENT DEPARTMENT, CITY OF NEW YORK, NEW YORK**

Mr. ESPOSITO. I am not going to be compelling.

[Laughter.]

Mr. ESPOSITO. Good morning, Chairman Donovan, Ranking Member Payne, Congressman King, Members of the Subcommittee on Emergency Preparedness, Response, and Communications. I am Joe Esposito, the commissioner of New York City Department of Emergency Management. It is my honor to be here to talk about the importance of homeland security grant funding for our city.

To begin, allow me to give you a sense of the scale of our work, the mission of emergency management in New York City. We had a busy year in 2017. We activated the city's Emergency Operations Center 14 times, for a total of 107 days. That includes five winter weather events, two building vacates through major fires, two flash floods, an active shooter at Bronx Lebanon Hospital, a heat emergency, the attack on the Port Authority, and Hurricanes Jose and Maria.

We were activated for 73 days for Hurricane Maria, and during that time we helped coordinate the operations of a hurricane reception center at the Julia de Burgos Latino Cultural Center in Spanish Harlem that assisted over 2,000 households. We deployed almost 300 city staff to Puerto Rico and the U.S. Virgin Islands to assist in recovery operations. In addition, the New York City Urban Search and Rescue team, which is managed by my shop, we deployed 190 members to Texas and Puerto Rico over the course of three hurricanes to assist in water rescue, evacuations, and wellness checks. The team brought in food, water, and medical supplies, as well as repairing generators for hospitals in isolated areas of Puerto Rico.

In 2017, we monitored more than 3,000 incidents and sent our city-wide incident coordinators to 759 incidents such as water main

breaks, fires, suspicious packages, and power outages. Our Notify NYC sent out more than 1,500 messages. In September we launched a Notify NYC mobile application that, in addition to growth in our traditional subscribership, now puts us at almost 725,000 registrants.

We held and participated in 91 interagency exercises to make sure that plans are understood, and this is our protocols for these plans, ready to be implemented as needed.

Our community outreach and engagement activities continue to grow as we participated in almost 1,000 Ready New York events, with more than 110,000 people attending, and we distributed more than 1 million emergency planning guides.

We graduated 12 new classes from our Community Emergency Response Teams, our CERT teams. These are volunteers. They are taking our total to just about 1,300 volunteers throughout the city. We hosted the Disaster Volunteer Conference in June, and a Disabilities Access and Functional Needs Symposium in December.

All of this is accomplished with the support of the Federal Government through various grants. We work with City Hall Office of Emergency Management and Budget, the city's Congressional delegation, and our partner agencies to push for full homeland security funding which supports our critical operations.

In the past year New York City Emergency Management secured \$25 million in Federal funding preliminarily from the Urban Area Security Initiative grant. That grant provided \$139 million in total to the city last year.

I chair the New York City Urban Area Working Group made up of New York City, Nassau and Suffolk Counties on Long Island, Westchester County, Yonkers, and the Port Authority of New York and New Jersey. The working group is instrumental in linking and coordinating regional activities, including joint training and exercises, public education and outreach, and the development of response protocols. This summer, New York City will host the National Homeland Security Conference. This is an annual meeting of local homeland security and emergency manager professionals from the Nation's largest metropolitan areas. It has become the best-attended and most highly anticipated homeland security and emergency management conference of the year, and it focuses on emergency response principles at all levels of the government.

We recommend the Members of the subcommittee consider coming, maybe addressing the conference. We have a number of different venues. We would love to see you come and be some of our keynote speakers.

Federal grant funding represents 50 percent of the budget at Emergency Management. That is our annual operating budget of \$50 million, and it is vital to our ability to run many of our finest initiatives, including the Ready New York public education program, our CERT, our volunteer program, our continuity of operations program, our geographic information system, our training and exercises which both gentlemen talked about, our watch command and response, and the city's incident management system planning.

It also funds the emergency supply stockpile, which provides supplies and services to support our emergency sheltering for adults,

people with special medical needs, people with disabilities and accessibility and functional needs, children, infants, and companion animals.

During a coastal storm or any emergency, the stockpile can meet the needs of 70,000 individuals in designated evacuation shelters across the city, up to 7 days, and once that system goes in place, we have a back-up system where contractors will come in and re-supply as the need arises.

So thank you for the opportunity to testify today. I look forward to continue working with Congress on the issues pertaining to emergency preparedness and response, and I am happy to answer any questions.

[The prepared statement of Mr. Esposito follows:]

PREPARED STATEMENT OF JOSEPH J. ESPOSITO

APRIL 23, 2018

Good morning Chairman Donovan, Ranking Member Payne, Congressman King, and Members of the Emergency Preparedness, Response, and Communications Subcommittee. I am Joe Esposito, commissioner of the New York City Department of Emergency Management (NYCEM), and it is my honor to be here to talk about the importance of homeland security grant funding to our city.

To begin, allow me to give you a sense of the scale of our work and mission in New York City. Our agency just had a busy year. In 2017, we activated the city's Emergency Operations Center 14 times for a total of 107 days. That includes five winter weather events, two building vacates due to fires, two flash floods, an active shooter at Bronx Lebanon Hospital, a heat emergency, the Port Authority explosion, and Hurricanes Jose and Maria.

We were activated for 73 days for Hurricane Maria and, during that time, helped coordinate the operation of a Hurricane Reception Center at the Julia De Burgos Latino Cultural Center that assisted more than 2,000 households. We deployed 299 city staff to Puerto Rico and the U.S. Virgin Islands to assist in recovery operations. In addition, the New York City Urban Search and Rescue Team, which is managed by NYCEM, deployed 190 members to Texas and Puerto Rico over the course of three hurricanes to assist in water rescues, evacuation, and wellness checks. The team brought in food, water, and medical supplies, as well as repaired generators for two hospitals in isolated areas of Puerto Rico.

In 2017, we monitored more than 3,000 incidents and sent our city-wide incident coordinators to 759 incidents, such as water main breaks, fires, suspicious packages, and power outages. Notify NYC sent out more than 1,500 messages. In September, we launched the Notify NYC mobile application that, in addition to growth in our traditional subscribership, now puts us at almost 725,00 registrants. We held or participated in 91 interagency exercises to make sure plans are understood and necessary protocols for plans are ready to be implemented as needed.

Our community outreach and engagement activities continue to grow as we participated in almost 1,000 Ready NY events with more than 110,000 people attending and distributed more than 1 million emergency planning guides. We graduated 12 new classes of Community Emergency Response Team (CERT) volunteers, taking our total to 1,300 volunteers throughout the city. We hosted a disaster volunteer conference in June and a Disabilities, Access, and Functional Needs Symposium in December.

All of this is accomplished with the support of the Federal Government through various grants. We work with City Hall, OMB, the city's Congressional delegation and our partner agencies to push for full homeland security funding which supports critical operations. In the past year, NYCEM secured \$25 million in Federal funding, primarily through the Urban Areas Security Initiative grant, which provided \$139 million in total to the city last year. I chair the New York City Urban Area Working Group, made up of New York City, Nassau and Suffolk counties in Long Island, Westchester County, Yonkers, and the Port Authority of New York and New Jersey. The Working Group is instrumental in linking and coordinating regional activities, including joint training and exercises, public education and outreach, and the development of response protocols. This summer, New York City will host the National Homeland Security Conference, an annual meeting of local homeland security and emergency management professionals from the Nation's largest metropoli-

tan areas. It has become the best attended and most highly anticipated homeland security and emergency management conference of the year as it focuses on emergency response disciplines at all levels of government. We recommend the Members of this subcommittee consider attending and would be happy to discuss this more with you.

Federal grant funding represents roughly 50 percent of NYCEM's annual operating budget of \$50 million, and is vital to our ability to run many of our finest initiatives, including the Ready New York public education program, CERT program, Continuity of Operations Program, Geographic Information Systems, Training and Exercises, Watch Command and Response, and City-wide Incident Management Systems planning. It also funds the Emergency Supply Stockpile, which provides supplies and services to support emergency sheltering for adults, people with special medical needs, people with disabilities and accessibility and functional needs, children, infants, and companion animals. During a coastal storm, the stockpile can meet the needs of 70,000 individuals in designated evacuation shelters across NYC for up to 7 days.

Thank you for the opportunity to testify today. I look forward to continue working with Congress on issues pertaining to emergency preparedness and response. I am happy to take your questions.

Mr. DONOVAN. Thank you, Commissioner.  
The Chair now recognizes Chief Bilich.

**STATEMENT OF JOHN BILICH, CHIEF SECURITY OFFICER, THE  
PORT AUTHORITY OF NEW YORK AND NEW JERSEY**

Mr. BILICH. Thank you and good morning, Chairman Donovan, Ranking Member Payne, and Congressman King. My name is John Bilich. I am the chief security officer of the Port Authority of New York and New Jersey. Thank you for inviting me to speak about this critical topic of securing our critical infrastructure assets and our strong partnership with State, local, and Federal stakeholders.

The Port Authority of New York and New Jersey conceives, builds, operates, and maintains infrastructure critical to New York and New Jersey's transportation and trade network. The assets we protect include 5 airports, including JFK, Newark, and LaGuardia, the largest aviation system in the country; 2 tunnels; 4 bridges, including the GWB, the world's busiest bridge; the Port Authority bus terminal, of which 8,000 buses pass through on a weekday Monday to Friday; the PATH rail system; the ports of New York and New Jersey; and, of course, the World Trade Center Complex.

We utilize a robust, multi-layered security approach to protect the Port Authority's customers, the general public, employees, and critical infrastructure. The layers in this methodology include intelligence; measuring risk through a layer assessment process to drive investment in capital security and deployment; police prevention and interdiction methods; operational security measures to include contract security resources; the deployment of available and developing technologies; engineer-hardened solutions; Office of Emergency Management to include response and recovery; Federal, State, and regional partnerships; and, of course, we measure effectiveness off audit and revise; and training, training, and training. The multi-layered security approach is applied to all our facilities.

Human assets. Our policing strategy is intelligence-led as the Port Authority Police Department has presence in 28 Federal, State, and local law enforcement task forces to include the FBI, JTTF, and both New York and New Jersey. We are confident that we are connected to receive important and actionable intelligence and information. Our PAPD is a highly competent, professional police

agency. It has a police command assigned 24/7 at each Port Authority critical infrastructure facility. Our policing methods include patrols, high-visibility emergency service units, dedicated counterterrorism teams, as well as the assignment of explosive detection canine and radiation detection capabilities.

Our police presence is supplemented by a contract security guard force of over 1,400 security officers who are trained in behavioral recognition techniques and counterterrorism awareness. These security officers are posted at critical locations throughout the system, and also staff a 24/7 security operation center.

In addition to our human assets, we have made significant investments in our capital security projects as directed by our periodic program of risk assessments that inform our investments to further strengthen our facilities. Since 2002, the Port Authority has spent over \$1.4 billion in hardening its critical infrastructure, and for the coming years we plan to spend nearly another \$700 million to protect these assets.

The use of technology is also of paramount importance. In addition to CCTV, we have robust control systems, intrusion detection systems, detection devices to help protect against CBRN threats and, of course, extensive background and criminal history checks of anyone having access to a Port Authority facility, including outside contractors. In addition, we have created a new cybersecurity program to better monitor and respond to suspicious activities occurring on our network, therefore strengthening our capability to protect our critical information and our important industrial control systems.

The Port Authority operates a 24/7 cyber security operation center that can receive and respond to threats to our network and equipment at any time, day or night.

The Port Authority has its own Office of Emergency Management that is vital to this multi-layered protection approach. They lead our agency's Business Continuity Program. They manage and administer agency-wide security grants.

I know the very important role for OEM is to plan and execute agency-wide training and full-scale exercises. These remarkable training programs, exclusively funded by grants that we receive from the Federal Government, involve both agency personnel and our regional first responders. To date, over 30,000 Port Authority staff and regional partners received emergency response training focused on active-shooter response, rail emergencies, aircraft emergencies, active terrorism, and other natural and man-made hazards.

Grant funding. The Port Authority maintains as a top priority, as evidenced by our investments in resources to make that purpose. Currently agency-wide, 24 percent of all personnel and 22 percent of the operating budget are allocated to security.

The Federal grant funding programs are vital to the continuation of our security programs, which can never remain static or, even worse, fall behind against the backdrop of an ever-evolving threat landscape. A critical resource in this fight against those who wish to do us harm is this grant program. The funding source is essential to help us continue the security mission. Grant programs including but not limited to the Transit Security Grant Program, the

Urban Area Security Initiative, and the Port Security Grant Program have long supported Port Authority security initiatives, including our counterterrorism initiatives, our police training and equipment, our World Trade Center Transportation Hub Security Initiatives, our cybersecurity programs, protection of our PATH underwater tunnels, protection of columns at the Port Authority bus terminal, our bollard protection, our installation of CCTV, and our maritime resiliency planning.

Reducing the funding levels for these programs will have a direct and negative impact on the Port Authority's financial ability to maintain security at the necessary levels to meet the threat. Additionally, an increase in the period of performance from grant awards from 3 years to 5 years would allow us to plan larger-scale and more effective security programs.

Also, eliminating caps on the number of projects an agency can apply for would be extremely beneficial. Currently, the Port Security Grant Program only allows for the application of three to five projects.

I would also like to highlight the importance of Federal funding for canine teams. By screening the traveling public for explosives and explosive residue, canine teams provide a necessary layer of protection and are a critical element to the Port Authority counterterrorism program. As funding for these teams was recently called into question, we ask that the Federal Government reconsider reducing funding.

The importance of information sharing and collaboration with our Federal partners. We have a strong working relationship with various Federal agencies and programs to include DHS Office of Science and Technology, DHS Office of Health Affairs with the Biowatch Program, the TSA Office of Requirements and Capability, DOD, DARPA's Radiation Detection Program, the DHS Safety Act Office. These partnerships are critical to the information sharing regarding emergency security technology and have led to the development and piloting of a variety of programs at the Port Authority's vast array of multi-modal facilities.

These research arms of the Federal Government also need adequate funding to support the development and testing of future technologies which aim to increase the efficiency and effectiveness of detection devices, screening devices, police personal safety devices, and so on. Additionally, the ability for Federal entities to provide guidance on product capabilities will greatly aid agency decision makers in their selection of effective and proven technologies and equipment that would best protect the public and the infrastructure they depend upon.

In closing, I would like to thank the Members of the Subcommittee on Emergency Preparedness, Response, and Communications and our Congressional delegation for their continuing support that allows us to better serve our employees and customers, and better protect our regional critical transportation infrastructure. Thank you.

[The prepared statement of Mr. Bilich follows:]

## PREPARED STATEMENT OF JOHN BILICH

APRIL 23, 2018

## ABOUT THE PORT AUTHORITY

The Port Authority of New York & New Jersey conceives, builds, operates, and maintains infrastructure critical to the New York/New Jersey region's transportation and trade network. These facilities include America's busiest airport system, including: John F. Kennedy International, LaGuardia, and Newark Liberty International airports, marine terminals and ports, the PATH rail transit system, six tunnels and bridges between New York and New Jersey, the Port Authority Bus Terminal in Manhattan, and the World Trade Center. For more than 90 years, the Port Authority has worked to improve the quality of life for the more than 18 million people who live and work in New York and New Jersey metropolitan region.

## PORT AUTHORITY NEW YORK AND NEW JERSEY TRANSPORTATION ASSETS

The Port Authority builds, operates, and maintains critical transportation and trade assets that fall under our 5 lines of business:

- Aviation
- Rail
- Tunnels, Bridges, and Terminals
- Ports
- Commercial Real Estate

Our aviation assets include 5 airports: John F. Kennedy International Airport, LaGuardia Airport, Newark Liberty International Airport, Teterboro Airport, and Stewart International Airport. The Port Authority airports move an estimated 125 million passengers annually.

Our rail and surface transportation assets include the: Trans-Hudson Rail System (PATH), George Washington Bridge, Bayonne Bridge, Goethals Bridge, Outerbridge Crossing, the Port Authority Bus Terminal, George Washington Bridge Bus Station, Journal Square Transportation Center, Holland Tunnel and Lincoln Tunnel. Over 115 million vehicles travel over PA's bridges and tunnels annually.

Port Authority also manages ports that transport vital cargo throughout the New York and New Jersey region. The Port of New York and New Jersey is the largest on the East Coast and the third-largest port in the United States and moves over 3.6 million cargo containers annually.

The Port Authority also owns and manages the 16-acre World Trade Center site, home to the iconic One World Trade Center.

## OUR MULTI-LAYERED APPROACH TO SECURING OUR ASSETS AND PROTECTING THE PUBLIC

To protect the Port Authority's customers, the general public, employees, and critical and iconic infrastructure, the Office of the Chief Security Officer (OCSO) utilizes a robust multi-layered security approach which allows for the development, implementation, and management of programs that preserve life and property, increase safety and security, and support the agency's business objectives by strengthening our resilience and continuity of operations. With these measures in place—there is no single point of failure. Our multi-layered approach is explained in detail below.

*Intelligence-Led*

The Port Authority Police Department (PAPD) implements intelligence-led policing to ensure our resources are effectively deployed to prevent potential threats to our customers, employees, and facilities. The PAPD has presence in 28 Federal, State, and local law enforcement task forces, to include: The Federal Bureau of Investigation Joint Terrorism Task Force (FBI JTTF) in New York and New Jersey which allows for shared intelligence across many agencies; the New York and New Jersey High-Intensity Drug Trafficking Areas (HIDTA) task force and the New Jersey State Police Regional Operations Intelligence Center (ROIC) that allows for the immediate exchange of important, timely, and actionable intelligence for both sides of the Hudson.

Additionally, we have a dedicated Intelligence Unit that is responsible for preparing and distributing intelligence bulletins related to transportation and security, producing daily reports specific to domestic and global transportation issues, and participating in the New York Police Department's Lower Manhattan Security Initiative, which is a key provider of day-to-day actionable intelligence relative to rou-

tine conditions like large events and demonstrations to current and emerging threats.

These combined resources result in the agile, flexible, effective, and efficient deployment of security and law enforcement resources that are responsive to current and developing threats and conditions.

#### *Risk Assessments*

The protection of critical infrastructure is driven by all-hazards risk assessments which are performed on a regular basis to better understand changes in threats and vulnerabilities related to our facilities. Our periodic multi-hazard assessments look across all agency assets and prioritize our risk so we can guide our security investments accordingly. This risk-based approach allows for efficient and effective allocation of human assets and financial resources.

#### *Police Interdiction Activities*

The PAPD is comprised of over 1,900 uniformed police officers operating across 13 Port Authority facilities. The department also includes a Criminal Investigations Bureau, Special Operations Division, which includes an Emergency Services Unit and a Canine Unit (K-9), and an Aircraft Rescue and Firefighting component at the Port Authority airports.

Through visible uniformed police presence and in partnership with other law enforcement agencies, the PAPD suppresses crime and utilizes counterterrorism measures to thwart potential adversaries seeking to cause harm or disruption by way of an attack. PAPD also deploys high visibility patrols (THREAT Teams) and specialized services to enhance basic patrol functions utilizing intelligence-led policing concepts.

#### *Operational Security Measures and Security Agents*

The Port Authority implements civilian security programs to supplement our police department activities and increase the levels of protection at our facilities. These programs safeguard Port Authority facilities from threats to physical infrastructure, unauthorized access to restricted areas, cybersecurity attacks, and breaches of protected security information.

Additionally, the Port Authority employs over 1,400 unarmed Uniformed Contract Security Agents to guard our facilities and keep our employees and customers safe.

#### *Technology*

A critical element of a robust multi-layered approach is the development and maintenance of advanced technology systems to support both security and resiliency. Significant investments have been made in the areas of Closed Circuit Television (CCTV), access control systems, and our perimeter intrusion detection system (PIDS). We are engaged with several Federal agencies to develop and pilot new and emerging technologies that show promise in addressing the security challenges of today.

In addition, we have created a new cybersecurity program to better monitor and respond to suspicious activities occurring on our network, therefore strengthening our capability to protect our critical information and industrial control systems. The Port Authority operates a 24/7 cybersecurity operations center that can receive and respond to threats to our network and equipment.

#### *Engineered Hardening Solutions*

Since September 11, 2001, we have made over \$1 billion in asset hardening investments. Although faced with the challenge of retrofitting security features into existing facilities, we have implemented a multitude of hardening solutions such as bollard placement, fencing installation, tunnel and guard post hardening, floating barriers, facade glazing, flood mitigation systems and no trespassing signage. Prospectively, these protective measures are built into new developments or the renovations of existing assets.

#### *Office of Emergency Management*

The Port Authority enhances resiliency, response, and recovery through our Office of Emergency Management (OEM). The OEM champions programs that provide the Port Authority with the resources, support, and capabilities to prepare for, respond to, recover from, and mitigate against all-hazards. The OEM is organized into three core mission areas:

*Emergency Management.*—Supports the Incident Command response structure at Port Authority during events or incidents. Additionally, responsible for all-hazard planning and training for agency personnel and regional partners who will support our response activities to emergencies at our facilities located in New York and New

Jersey. Through the use of tabletop and full-scale exercise, over 30,000 Port Authority staff and regional partners have been trained on such topics as Active Shooter response, PATH rail emergencies, terror attacks and other hazards.

*Grant Management.*—Administers and manages all Federal and State Homeland Security Grants that allows us to harden our assets, invest in technology, initiate new programs, and provide for enhanced police protective services.

*Risk Management and Resiliency.*—Responsible for coordinating and implementing the agency-wide all-hazard risk assessment and oversees the Port Authority Business Continuity program.

These programs are regularly adapted to meet the needs of the Port Authority with an impact range that stretches from individual employee preparedness to agency-wide, corporate-level resiliency.

#### TERRORISM REMAINS IN THE FOREFRONT

With battlefield victories abroad, it is easy to think the war on terrorism is over and yet, we are reminded by acts of violence every day in this country and abroad that the fight goes on. In just a 2-month period in late 2017, New York City experienced 2 terrorist events that are emblematic of the changing nature of the threat—from large-scale, organized attacks to lone-wolf, self-initiated ones often using crude and/or hand-made weapons.

On October 31, 2017, a person drove a rented pickup truck into cyclists and runners for almost a mile of the Hudson River Park's bike path in Lower Manhattan, New York City. This vehicle-ramming attack killed 8 people and injured 11 others. After crashing the truck into a school bus, the driver exited, apparently wielding 2 guns (later found to be a paintball gun and a pellet gun). A flag and a document indicating allegiance to the terrorist group Islamic State of Iraq and Syria (ISIS) were found in the truck. The Federal Bureau of Investigation (FBI) charged 29-year-old Sayfullo Saipov, who had immigrated to the United States from Uzbekistan in 2010, with providing material support for a terrorist organization.

Roughly 6 weeks later, on December 11, 2017, a pipe bomb partially detonated in the subway station adjoining the Port Authority Bus Terminal in Midtown Manhattan, New York City, injuring 4 people including the suspect. This event occurred in a passageway roughly 100 feet from the Port Authority Bus Terminal, a building through which roughly 250,000 commuters traverse daily. It was the courageous acts of our Port Authority police officers who subdued the suspect, Akayed Ullah, preventing him from causing further harm to our city. We are all extremely proud of their courage and dedication.

These acts are an ever-present reminder that we must always continue to maintain a strong security posture.

#### THE IMPORTANCE OF FEDERAL GRANTS AND PROGRAMS

The Port Authority maintains security as a top priority as evidenced by the investments in resources it makes to that purpose. Currently, agency-wide, 24 percent of personnel and 22 percent of the operating budget are allocated to security. Additionally, since 2002, more than \$1.4 billion dollars has been spent on capital security projects and another \$700 million in capital security projects have been identified for the coming years.

The Federal grant funding programs are vital to the continuation of our security programs, which can never remain static or, even worse, fall behind against the backdrop of the ever-evolving threat landscape just described.

A critical resource in this fight against those who wish to do us harm is the Federal grant program. This funding source is essential to help us in continuing the security mission.

Grant programs including but not limited to the Transit Security Grant Program (TSGP), Urban Area Security Initiative (UASI), and the Port Security Grant Program have long supported Port Authority security initiatives, including:

- Counter Terrorism Initiatives
- Police Training and Equipment
- WTC Transportation Hub Security Initiatives
- Cybersecurity Programs
- Protection of the PATH Under-River Tunnels
- Protection of Columns at the Port Authority Bus Terminal (PABT)
- Bollard Protection Initiatives
- Installations of CCTV and Access Control Systems at PATH, Ports, and the PABT
- Maritime Resilience Planning

Reducing the funding levels for these programs will have a direct and negative impact on the Port Authority's financial ability to maintain security at the necessary levels to meet the threat.

Additionally, an increase in the period of performance for grant awards from 3 years to 5 years would allow us to plan larger-scale and more effective security projects.

Also, eliminating caps on the number of projects an agency can apply for would be extremely beneficial. Currently, the Port Security Grant Program only allows for applications of 3 to 5 projects.

I would also like to highlight the importance of Federal funding for canine teams. By screening the traveling public for explosives and explosive residue, canine teams provide a necessary layer of protection and are a critical element to the Port Authority counterterrorism program. As funding for these teams was recently called into question, we ask that the Federal Government reconsider reducing funding.

#### THE IMPORTANCE OF INFORMATION SHARING AND COLLABORATION WITH OUR FEDERAL PARTNERS

The Port Authority understands the importance of maintaining strong relationships with our Federal partners, to include:

- DHS Office of Science and Technology (DHS S&T)
- DHS Office of Health Affairs (BioWatch Program)
- TSA Office of Requirements and Capabilities Analysis (TSA-ORCA)
- DOD Defense Advanced Research Projects Agency (DARPA)

These relationships are critical to information-sharing regarding emerging security technologies and have led to the development and pilot of a variety of programs at Port Authority's vast array of multi-modal facilities.

These research arms of the Federal Government also need adequate funding to support the development and testing of future technologies which aim to increase the efficiency and effectiveness of detection devices, screening devices, police personal safety devices, and so on.

Additionally, the ability for Federal entities to provide guidance on product capabilities will greatly aid agency decision makers in their selection of effective and proven technologies and equipment that would best protect the public and the infrastructure they depend upon.

#### CLOSING REMARKS

In closing, I would like to thank the Members of the Emergency Preparedness, Response and Communications subcommittee for inviting me to testify on behalf of the Port Authority of New York and New Jersey regarding this critical topic of protecting our passengers.

The Port Authority operates the busiest and most important transportation facilities in the region; as such, we take on the tremendous responsibility of maintaining safety and security. The Port Authority will continue to make enhancements to its policing and security programs and systems in an effort to stay current and adapt to the ever-changing threat landscape. I would like to thank our Congressional delegation for their continuing support that allows us to better serve our employees and customers and better protect our regional critical transportation infrastructure.

Mr. DONOVAN. Thank you, Chief.

The Chair now recognizes Director Maples.

#### STATEMENT OF JARED M. MAPLES, DIRECTOR, OFFICE OF HOMELAND SECURITY AND PREPAREDNESS, STATE OF NEW JERSEY

Mr. MAPLES. Chairman Donovan, Ranking Member Payne, and Representative King, thank you for the opportunity to testify before you today. I am honored to speak on behalf of the dedicated professionals of the New Jersey Office of Homeland Security and Preparedness, who are working tirelessly to ensure the safety and security of the State of New Jersey, with responsibility to lead and coordinate New Jersey's counterterrorism, cybersecurity, and emergency preparedness efforts.

Today my remarks will focus on the work we are doing in New Jersey under Governor Murphy's leadership to reflect national priorities while building local capabilities to address risk and protect our communities. I will also discuss the resources necessary to maintain our ability to meet a constantly-evolving threat landscape, our preparedness needs, and the importance of partnerships, vertical integration, and continuous improvement.

DHS has prioritized identifying and mitigating National systemic risk. As we prioritize our efforts, we must look to the essential functions and systems that are vital to the safety and security of our communities. At all levels of government, we must work together in partnership and continue to evolve our focus. In doing so, we must ensure that resource investments reflect National trends and priorities and not rely on constrained methods of analysis and allocation.

States continue to build capabilities that address their distinctive risk factors. Those factors contribute to the Nation's risk profile. In New Jersey, we have a number of risks inherent to the region that make its security important not only for its residents and visitors, but also to the entire country. Our geographic location, involvement in financial markets, transportation infrastructure, and population density are all characteristics vital to the State, region, and National profile.

As threats evolve, so do tactics. Recently we have seen an evolution toward the use of unsophisticated methods to cause mass harm. This paradigm shift requires a move to rethink priorities at the strategic level to ensure the right capabilities are built to prevent, protect against, respond to, and recover from acts that are difficult to predict but easy to execute. Such ease of operation highlights a need for first preventers, as well as first responders.

In New Jersey, we have established cyclical programs founded in risk management principles to identify missing capabilities, triage and build the capabilities we need, teach and test them with our partners, and evaluate the process to begin again. We do this in all 21 counties of New Jersey. These programs build relationships, a holistic understanding of interdependencies and common vulnerabilities, and an awareness of capabilities available to identify and mitigate risk. However, these programs can only go as far as the resources available to them.

My office serves as the administrator of all Homeland Security Grant Program funding for the State of New Jersey, the principle purpose of which is to build, sustain, and deliver National preparedness capabilities essential to achieving the National Preparedness Goal at the local level. Aside from financial support to buy down risk, DHS and FEMA have provided support to our efforts through both technical assistance and piloted programs.

Of course, the most tangible support to States from the Federal Government to buy down risk is funding. In Federal fiscal year 2017, New Jersey was allocated approximately \$8 million in State Homeland Security Grant Program funding and approximately \$20 million in Urban Area Security Initiative funding for the Jersey City/Newark area. We understand that resources are finite; thus, we strive to leverage funding both efficiently and effectively, know-

ing that spending the funds we are provided in a strategic, prioritized way can substantially buy down risk.

Looking toward the future, our efforts to enhance capabilities through strategic planning and proper stewardship of grant funds will continue to support our dynamic risk environment.

The threats we face are not static, so the methods we use to evaluate them and allocate resources cannot be either. We must be forward-leaning to create cyclical programs that continuously improve upon our preparedness.

Over the past 14 years, the stream of funding has created some reliance among the States. While initially designed to provide a capital infusion of funding for target capabilities after September 11, 2001, Federal Homeland Security Grant funds are now a resource on which many States and urban areas rely to sustain core capabilities. This reliance, combined with any downward variation in funding levels, creates a significant impact not only on a State's ability to pursue new capabilities, but simply the ability to maintain current ones.

DHS and FEMA have prioritized strengthening grants management, increasing transparency, and improving data analytics. We welcome continued discussions on current funding allocation methods and innovative ways to incentivize further capability building among States.

Chairman Donovan, Ranking Member Payne, and distinguished Members of the subcommittee, I thank you again for the opportunity to testify today. By acting together, and with the necessary resources available, we will continue to adapt to meet the current threat environment and effectively prepare for the future. I look forward to your questions and yield back to the Chairman.

[The prepared statement of Mr. Maples follows:]

#### PREPARED STATEMENT OF JARED M. MAPLES

APRIL 23, 2018

#### INTRODUCTION

Chairman Donovan, Ranking Member Payne, and Members of the subcommittee, thank you for the opportunity to testify before you today. I am honored to speak on behalf of the dedicated professionals of the New Jersey Office of Homeland Security and Preparedness, who are working tirelessly to ensure the safety and security of the State of New Jersey.

My office develops policies, analyzes trends, shares information, and enhances capabilities to prevent, protect against, respond to, and recover from natural and man-made incidents. Our strategic activities observe the tenets of the National Preparedness System, while our implementing activities strive to build capabilities identified in the National Preparedness Goal. We undertake our mission in steadfast cooperation with other State agencies, including the New Jersey State Police, and with our many local government partners, including those in the Jersey City-Newark Urban Area.

Today, my remarks will focus on the work we are doing in New Jersey under Governor Murphy's leadership to reflect National priorities, while building local capabilities to address risk and protect our communities. I will also discuss the resources necessary to maintain those programs and continue to meet a constantly-evolving threat landscape, our preparedness needs, and the importance of partnerships, vertical integration, and continuous improvement.

#### REFLECTING NATIONAL PRIORITIES

The U.S. Department of Homeland Security (DHS) has prioritized identifying and mitigating National systemic risk. As we prioritize our efforts, we must look to the

essential functions and systems that are vital to the safety and security of our communities.

At all levels of Government, we must work together in partnership and continue to evolve our focus. In doing so, we must ensure that resource investments reflect National trends and priorities, and do not rely on constrained methods of analysis and allocation.

Partnerships, both vertical and horizontal, are a foundational component of securing our communities, the essential functions contained within, and our collective infrastructure systems. They allow for formalized mechanisms of information sharing, coordination, and deconfliction of efforts. Our partnerships provide beneficial leverage for limited resources and ensure investment through coordination.

DHS and the Federal Emergency Management Agency (FEMA) have prioritized building a culture of preparedness and readying the Nation for catastrophic incidents. In New Jersey, we have adopted several Federal initiatives, like the Hometown Security Initiative, to strive for these goals, empowering whole communities to build their own capabilities and strengthen resilience from the bottom up.

#### BUILDING CAPABILITIES

States continue to build capabilities that address their distinctive risk factors. Those factors contribute to the Nation's risk profile. In New Jersey, we have a number of risks inherent to the region that make its security important not only for its residents and visitors, but also to the entire country. Our geographic location, involvement in financial markets, transportation infrastructure, and population density are all characteristics vital to the State, region, and National profile.

As threats evolve, so do tactics. Recently, however, we have seen an evolution toward the use of unsophisticated methods to cause mass harm. This paradigm shift requires us to rethink priorities at the strategic level to ensure the right capabilities are built to prevent, protect against, respond to, and recover from acts that are difficult to predict, but easy to execute. Such ease of operation highlights a need for first preventers, as well as first responders.

In New Jersey, we have established cyclical programs founded in risk management principles to identify missing capabilities, triage and build the capabilities we need, teach and test them with our partners, and evaluate to begin the process again. We do this in all 21 counties of New Jersey.

Through New Jersey initiatives such as the Domestic Security Preparedness Task Force, we have created and manage programs that address risks, recognizing inherent risk factors that may cause cascading effects across the State, region, and Nation. The Task Force is a statutory body that was created after September 11, 2001 to coordinate emergency preparedness efforts across agencies, industries, and disciplines in New Jersey.

These programs build relationships, a holistic understanding of interdependencies and common vulnerabilities, and an awareness of resources available to identify and mitigate risk. Together, these programs are designed to reach private and public-sector decision makers as well as local stakeholders.

Since I began serving as director, we have created a number of new capabilities-based programs. We focus significant efforts toward helping the private sector build the capabilities it needs to contribute to the strength and resilience of the State. We recognize that common vulnerabilities exist across multiple sectors of the State's economy and infrastructure, and we strive to leverage resources to most efficiently increase capabilities to mitigate these common risks.

Other capability efforts, like the supply chain resilience program, which was developed in partnership with FEMA to identify vulnerabilities in individual supply chains, single points of failure across supply chains, and the consequences of those systems failing, were developed to ensure vertical integration of New Jersey into National priority risk areas. This integration will help New Jersey mitigate risk to nodes vital to both local and National supply chains.

Still others, like our mass gathering resilience program, address common vulnerabilities at locations where people gather, and recommend resource investment strategies to reduce risk. With shared, common vulnerabilities, mass gathering locations are often unfortunately the primary target for actors looking to cause as much harm as possible. Which is why we are looking for ways to demonstrably reduce the risk of successful attacks on soft targets, by taking a whole-of-Government approach to engage with the private sector and develop solutions.

However, these programs can only go as far as the resources available to them.

## BUYING DOWN RISK

My office serves as the administrator of all Homeland Security Grant Program funding for the State of New Jersey. The principle purpose of which is to build, sustain, and deliver National preparedness capabilities essential to achieving the National Preparedness Goal established under Presidential Policy Directive 8.

We also prepare the State's Threat and Hazard Identification and Risk Assessment (THIRA) and the State Preparedness Report (SPR), which are recurring requirements from FEMA. The THIRA/SPR process helps the State assess core capabilities and ensure that resources, such as trainings and exercises, are provided based on priorities and the areas of greatest need. This effort presents a unique opportunity for the State to identify, analyze, and manage the risks we face based upon the 32 core capabilities, but also allows us to ensure vertical integration and awareness with Federal, State, and local partners.

Aside from financial support to buy down risk, DHS and FEMA have provided support to our efforts through both technical assistance and piloted endeavors. For instance, FEMA's National Training and Education Division shared its National Training and Education System (NTES) tool with New Jersey, allowing us to replicate their systematic, data-driven methodology to measure and focus training programs. This tool helps analyze the training programs used to build identified capabilities, summarizing progress and highlighting capability areas that may need attention while validating what is reported in the SPR.

Of course, the most tangible support to States from the Federal Government to buy down risk is funding. In Federal fiscal year 2017, New Jersey was allocated approximately \$8 million in State Homeland Security Program funding and approximately \$20 million in Urban Area Security Initiative for the Jersey City—Newark area. We understand that resources are finite; thus, we strive to leverage funding in the most efficient and effective ways, knowing that spending the funds we are provided in a strategic, prioritized way can substantially buy down risk.

We use our grant funding in a variety of ways to support activities including the State's fusion center, equipment for first responders, cybersecurity, and planning personnel. When the opportunity arises, we pursue competitive initiatives such as the Complex Coordinated Terrorist Attacks program to build capabilities for these very focused and specific risk areas. Looking toward the future, our efforts to enhance capabilities through strategic planning and proper stewardship of grant funds will continue to support our dynamic risk environment.

## CONTINUING TO INNOVATE

The threats we face are not static, so the methods we use to evaluate them and allocate resources cannot be either. We must be forward-leaning to create cyclical programs that continuously improve upon our preparedness.

However, over the past 14 years, the stream of Federal funding has created some reliance among States. While initially designed to provide a capital infusion of funding for target capabilities after September 11, 2001, Federal homeland security grant funds are now a resource on which many States, and urban areas, rely to sustain core capabilities. This reliance, combined with any downward variation in funding levels, creates a significant impact not on States' ability to pursue new capabilities, but simply the ability to maintain current ones.

As we move forward in partnership, at all levels of government, toward the same goal of security, we in New Jersey are committed to continued innovation to build capabilities and reduce risk. DHS and FEMA have prioritized strengthening grants management, increasing transparency, and improving data analytics. We welcome continued discussions on current funding allocation methods and innovative ways to improve and incentivize further capability building among States.

## CONCLUSION

Chairman Donovan, Ranking Member Payne, and distinguished Members of the subcommittee, I thank you again for the opportunity to testify today. By acting together, and with the necessary resources available, we will continue to adapt to meet the current threat environment and effectively prepare for the future. I look forward to your questions.

Mr. DONOVAN. Thank you very much, Director.

I say this at every hearing that we conduct, that we don't waste witnesses' time. This committee, every hearing that we have held, we have had a product come out of it from the testimony of all witnesses.

Chief, Don hosted us in a field hearing back last year when we talked about transit grants, and one of the issues that came up was the ability to perform within the 3-year time period of the grant, and I passed legislation in the House that extends that now to 4 years, and we are waiting for the Senate to act on that. So your testimony is invaluable to us, and we will act on it.

I would like to ask all of you—I have specific questions, but I would like to ask all of you how can we help better? What are the obstacles that you see in dealing with the Federal Government? What are the regulations, the things that are in place, that are obstructing you from doing your job better? What are the things that we don't have in place that you would like to see come to fruition to allow you to protect our city and, in turn, our entire Nation better than you already do? You do an incredible job already.

Mr. ESPOSITO. I will start. The cooperation that I see with the Federal Government, the State, the city, it has never been better, and keeping that funding going would be the most important thing. But the funding that we do get, again, it is 50 percent of my operating budget, very important to maintain it. If we were to lose part of that, I would have to close some of my doors. I mean, as I said earlier, 70,000 people we can supply for 7 days. That is something directly related to the grants.

Originally when those grants came out, a lot of the agencies bought a lot of new equipment, the maintenance of that. But there was a limit on the percentage of money to be spent on personnel. At this point in the grant process, I think it would be helpful, I know for my agency, if we could stretch that a little bit, instead of keeping it at 50 percent, be able to spend a little more on personnel. We do the maintenance of the equipment, so we would like to maybe hire some more people. We are doing more, and we need people to do some of those things. So if we could adjust that a bit, we would appreciate that.

Also, maybe be able to put some of the money to capital projects. My agency, and I know their agencies, are always growing. We could use more space. A lot of times the city does not have the money to expand our buildings, our facilities. I maintain three warehouses, one in Long Island, one in Jersey, and one in Brooklyn. If we could use some of that money for capital projects, extending my building or some of these factories, that would be very helpful.

Mr. DONOVAN. Thank you.

Mr. BILICH. I would just like to add a little different than the funding stream, more of a formalized relationship with DHS science and technology and the TSA as it relates to emerging technology, what works. We go through a very time-consuming process of looking to identify technology, and then we go through the very cumbersome process of procuring it, and then, of course, implementing it.

As Congressman King had mentioned earlier, the whole notion that we have tremendous throughput through open transportation facilities, we have a multi-layered approach in looking to safeguard folks, but detection types of capabilities that are now being developed, while maybe not at light speed, is something that we would like to be in front of. Frankly, I think the vetting of that and the

trial and error should be done at the Federal level and then identified to the locals to implement, rather than all of us individually looking at all the different types of things that are out there.

Mr. MILLER. I would like to pick up on the shoulders of both of my colleagues, which is I don't want to spend too much time on money because it always boils down to grant funding, but our grant funding has been reduced a little bit at a time every year, and our threat picture has not been reduced. It is actually more changed and increased in many measures.

Aside from the funding, we are facing additional challenges that call for increased research, development, technology, all of which costs money, but also potentially legislation. One area which I do not need to introduce the committee Members in detail to is encryption. We are in a place where we are increasingly finding that we are going darker and darker, to the point where we are already dark on communications between terrorist groups, because communications providers and hardware manufacturers who make the telephones have designed them in such a way that no legal process, no order from a New York State Supreme Court justice, or a Supreme Court justice of the United States, can grant the access that for over 250 years in this country has been available to judicial process from an independent court with probable cause. This is an increasing factor in investigations where we have come, possibly as a victim of our own success, to be expected to prevent these terrorist acts before they happen.

Another area is the area of drones. Increasingly, we are seeing terrorist groups overseas not only experiment with but execute deadly operations using drones or unmanned aerial vehicles. There are increased numbers of civilian sales across the country, and while in New York we have laws because of the type of air space we are in between three airports that govern the use of drones, we have few paltry tools to prevent the use of drones in a terrorist attack. Legislation that would allow for that has not been forthcoming.

Right now, if we had the technology, say working with DHS science and technology, to develop ways to take over a drone—disable it, land it, or otherwise control it—that would be considered air piracy under the current statutes, even if executed by a legitimate law enforcement agency like the New York City Police Department.

So I think we need to take a hard look at these things. It will be easy to pass this law, to focus on this legislation, to develop this technology after an incident using a drone as a weapon occurs on U.S. soil. We have already seen it overseas. I think it would be worth all of our time to focus on this while it is still hard on the idea that, in the long run, that may be easier.

Mr. PFEIFER. The value of grant money is that we can think about the next attack. Too often, when we think about grants, it is how do you maintain what you have, how do you do what everybody else is doing. But that is not enough. As John talked about, about drones, what does that next type of attack look like? By maintaining the grants, it allows us to think that way and share that information across other jurisdictions.

One of the areas that we are thinking about at great length and working with the partners at this table is cyber attack. Too often we think of a cyber attack as just a bunch of people on a keyboard causing havoc. Well, what we are considering now is a cyber attack with physical consequences, physical effects. So as we move forward, that is our next challenge and why we need support from the Federal Government, that we are able to not only manage the cyber side of the attack but also the physical effects.

I think, Congressman Payne, your comments earlier that homeland security is just as important as military budgets, I think that moving forward, as we think about the value of grant funding, it is protecting the homeland, and the budgets also protect our military folks overseas.

Mr. BILICH. Just one other thing I wanted to add. The importance of the continuation of funding, many have spoken about the evolving threat. We have spent over \$100 million on bollards, but it was all about the VBIT threat. Then, of course, after the most recent events have happened both abroad and just at the doorstep of the World Trade on the West Side Highway, we had to take another look and we initiated three additional projects, because it is the new threat, and that is going to continue to happen. So the continuation of what is available and the nimbleness in that money to be able to adjust is paramount.

Mr. MAPLES. I would put a fine point on all these gentlemen's comments and just say I think providing incentives for innovation, which I mentioned in my comments, as far as ability to create and enhance those programs to get out ahead and prevent are going to be vital going forward. That is the flexibility in how grant guidance goes out, what we can do within the grant programs themselves with DHS and FEMA I think are going to be huge pieces, and I would echo that partnership from Jersey's perspective. It really is regional. Any of the attacks that have been referenced have had some nexus to New Jersey. Sayfullo Saipov, for example, rented the truck in New Jersey for the West Side Highway.

So we want to make sure we have the ability to work within the region and coordinate directly. We have fantastic partnerships from the Federal to the local level. Commissioner Miller and I were together just a couple of days ago, actually, on Friday, and those partnerships get us through these issues. But we can do more to focus the funding innovation together on the front end to get out ahead of them.

Mr. DONOVAN. Thank you, Director.

The Chair now recognizes the Ranking Member, Mr. Payne.

Mr. PAYNE. Thank you, Mr. Chairman.

Just to piggyback on Mr. Maples' point just now, we are just linked by commonality between the two areas. It is just a fact of life. With the first attempt to take down the Towers from the bottom, the terrorists that perpetrated that were living in Maplewood, New Jersey, in my district, before they attempted that attack. So we are always going to be linked in this commonality around security.

Let me ask you, Mr. Maples, the grants under the Urban Area Security Initiative and the State Homeland Security Grants Program are determined, in part or in whole, by FEMA's risk assess-

ment. Do you believe that the risk assessment formula and the methodology provided an accurate assessment of the risk in New Jersey?

Mr. MAPLES. I would say for the most part, yes, but there is definitely room for improvement. You mentioned the word “transparency,” and when I look at the qualitative measurement of the risk inherent to the algorithm, I think there is probably some more room for transparency, and also inclusion of those regional issues we talked about.

We really can go down the list of all these incidents that have happened, and there has been a nexus—whether they be planned, trained for, attacked from, rented, whatever the issue may be—in New Jersey, and I think it would definitely be more beneficial to have a little bit more transparency into that problem itself, the computation of those risks and how we actually approach them.

So I think while our threat level has remained somewhat static—Tom DiNanno mentioned that we went from 7 to 6, or 6 to 5 on that last draft—I would say I don’t know that that is fully represented in what we are risking or what we are dealing with in New Jersey. We are members of the executive and also to the detective level of the JTTFs in Newark, New York, and Philadelphia. So we actually have this broad brush across this region that is a little bit different and very unique across the country, and I think it would be beneficial to show that regional approach in the funding allocation as tied to the risk assessment.

Mr. MILLER. Mr. Ranking Member, I think just to expand on that—and far be it from me as the representative from the NYPD to lobby for money for New Jersey—

[Laughter.]

Mr. DONOVAN. You are always welcome to.

[Laughter.]

Mr. MILLER. Well, my real point is it is an important partnership, because the partnership between New Jersey’s Office of Homeland Security and Emergency Preparedness, as well as the Newark JTTF, and New York City is seamless. As you point out, the 1993 World Trade Center bombers operated from New Jersey, built the bomb in New Jersey, lived in New Jersey, leveraged a New Jersey chemical company to buy the components to make that bomb.

But if you look at the 9/11 attackers, a full cell of 9/11 pilots and operators lived and trained in New Jersey, having apartments in Patterson. Mr. Almonte and Mr. Alessa, both of whom tried to join a designated foreign terrorist organization, al-Shabaab, were right across the river in New Jersey while discussing and plotting attacks there, and in New York City. The West Side attacker who drove that pick-up truck, Sayfullo Saipov, lived in Patterson, New Jersey as well. The Chelsea bomber, Ahmed Rahimi, came out of the Perth Amboy/Linden area, where he was captured in a shoot-out with Linden, New Jersey police officers who knew of his description.

So I think when we factor the New Jersey piece in, in terms of targets, it may not be as rich a target environment as New York City in some ways, though it has public transportation and urban areas, but you cannot separate it within this UASI from the New

York threat. History has told us that over and over again, which is the attack may be more likely in New York City, but it is also more likely that the plotting and the planning of that attack may not be.

Mr. PAYNE. Thank you.

I will yield in the interests of time and maybe come back.

Mr. DONOVAN. Certainly. The gentleman yields.

The Chair recognizes Mr. King.

Mr. KING. Thank you, Mr. Chairman.

Seeing Mr. Miller, Mr. Pfeifer, Mr. Esposito, it is like old home week, except that the threats are still there. They are different threats after all these years. Mr. Bilich, you are with the NYPD.

So I guess I would ask how receptive you find the Federal Government to listening to what you have to say. The reason I ask that is every year, when we say \$300 million cut from UASI and all these numbers, it seems like we are going through the same motions every year.

Do you have an audience down there? Do you have people who are receptive? I am not saying they have to agree with you on everything, but do you have an on-going dialog as these threats are changing? I mean, the threats today, there is still al-Qaeda, ISIS, those threats, but the nature of the threats are changing every month, every year certainly. Do you have an audience?

If I could go to Mr. Miller, I will call him by his first name.

Commissioner.

[Laughter.]

Mr. MILLER. I am glad we are so informal.

[Laughter.]

Mr. MILLER. We have always had a hotline to DHS under successive secretaries. We have been able to meet personally with the DHS Secretary. The DHS Secretary will be in New York this week at the Leadership and Counterterrorism Conference, where we will have a separate audience with her to pass on those concerns, although typically, as I am sure you are aware, our communications with DHS are crystal clear, and because of their intelligence and analysis function, they are read into the threat. It is not that they don't understand the threat.

To us, the hazard can always be when that leaves DHS and goes into the Office of Management and Budget, sometimes it doesn't come out the same way it went in.

Mr. KING. If I could just interrupt you there, if I would, and I am not trying to create a feud. I already have one with Mulvaney. How much of this problem comes from Management and Budget as opposed to Homeland Security? I am not trying to put you on the spot with them. But, I mean, Mulvaney is out to screw New York whenever he can, and is this another manifestation of it?

Mr. MILLER. Well, this has always been a challenge for us, and it started with the first discussions about reimbursing New York City for the extraordinary efforts around the protection package for Trump Tower before the election and after the election.

So, from where I sit, I do not fully understand the internecine battles or the strange machinations that occur between an Executive branch agency, the Office of Management and Budget, and our appropriators, but I do appreciate this committee's understanding

of those and their voice for us in those discussions to fight to keep those appropriations where they should be, because you as well understand the dynamics of this threat environment, which are extreme.

Mr. KING. Since we are on a first-name basis, Chief?

[Laughter.]

Mr. PFEIFER. Just to follow up with John, the relationship with DHS, and particularly intelligence and analysis, we have this back and forth collaboration. We actually do a secure CVIT on a regular basis, and that is important.

I think what you are seeing here is that, with the people at the table, with the people down in the District of Columbia, that we are creating this network fusion of information. It is no longer this one agency and they do all the work. It is this fusion that comes among the people at this table, some of the people from the last panel with the FBI. It is sharing information, sharing intelligence, and challenging each other to look at the problem from different perspectives.

Now, when it comes to the Office of Management and Budget, that is a little different. That is more of a political fight or a political challenge between the city and the Federal Government which we are always looking to limit those cutbacks, because the work we have to do is tremendous, and it is not stopping.

Mr. KING. Mr. Esposito.

Mr. ESPOSITO. Look, I think we will see what comes out of this committee to see if we are heard or not. But I think we are being heard, for the most part. Just to give you an example, we use the wireless emergency alert system. It has only been in place since 2012, but we only used it in New York 8 times. We used it during a couple of snowstorms, during Hurricane Sandy, but most recently during the Chelsea bombing, and it worked well, but we had some limitations to it. We brought those limitations to your attention, and we made some changes.

So we are being heard. We think there are more changes that could be done with that. We are going to be a lot more effective. But I think the work of this committee goes a long way in having us being heard in the District of Columbia, so I want to thank you for that.

Mr. KING. I think last year the committee did almost double the amount of UASI funding that was requested by the administration.

Mr. Bilich.

Mr. BILICH. Yes, sir. I would say that the relationship with DHS is very strong, very receptive to our needs, particularly as it relates to our concerns with both the sharing of information related to security technology and so on. When it comes to the actual grants, the question that you posed, I am always a bit perplexed at how we don't get things. I mean, I think all our applications are data-driven. They are based on risk. I think we have the highest risk in the Nation in our area. So anytime we get less than what we ask for, I think that they are not using the same methodology that we are.

Mr. KING. Mr. Maples.

Mr. MAPLES. First of all, my background, I came from CIA, spent most of my career there, and one of my mentors said to me when

I first started that you should build relationships like your life depends on it, because it does. I would say in New Jersey, certainly, we are bringing that to the table, and that goes from the Federal down to the local level.

In my experience over the last 9 months that I have been the director, our relationship with DHS has been good. We definitely don't always agree on everything, but I have noticed some reception. We are having the engagement and conversation, and that is a big start in addition to being able to appear before you distinguished gentlemen to have this conversation and let us voice our concerns, but then also open our arms and let us say we are here and want to make sure we participate in partnership as well.

Mr. KING. If I could just say in closing, I have been with the committee now the whole 15 or 16 years, whatever it is. I think Don and Dan would agree with me, that when you look at the rest of the country, nothing compares to New York and New Jersey. You take the whole New York region, the Jersey region, they are doing together probably more than the rest of the country combined as far as local and State efforts. So I want to thank all of you and your agencies and departments for the work you do. Thank you.

Mr. DONOVAN. Maybe do a lightning round, one question each, and I think I know the answer to this, but I would love to get it on the record.

In 2012, Congress created FirstNet, which would require emergency responders to get off the T-Band by 2020 so they could auction off the T-Band. I understand this is an incredible risk doing this, to our public safety. It is an incredible expense and effort that would have to be undertaken by our emergency responders.

Can you just, in 30 seconds each, tell me how this requirement of your communications, getting off of T-Band and onto FirstNet, will affect the public safety?

Mr. MILLER. I think, first of all, getting off of T-Band, we have nowhere to go that offers that same capability. FirstNet isn't ready. FirstNet isn't capable of delivering what we have on T-Band now. It can deliver other things, but picture it as if somebody said your headquarters is decrepit and not up on technology and we are going to move you into a brand-new building, and then they said this will be the date you will move out, and the brand-new building wasn't there and it wasn't ready and it didn't have anything in it. That is the position we are being put in by the idea that there is this impending deadline coming up where we are going to have to leave this real estate within the radio band where there is no guarantee on the other side that there is anything capable for a major urban area like New York City, or even smaller major urban areas, that can handle the kinds and types and volume of radio traffic, push to talk, voice communications, and so on.

The new system would rely on things like Wi-Fi, things like fiber, but things that have failed in multiple disasters. If you look at everything from 9/11 to the Northeast blackout, pick your disaster, the one thing that has always held up in New York City, when everything else broke down, was our radio system. Until we see something that has equal or greater capability, we need to stick with what we have.

Mr. DONOVAN. Thank you.

Chief, quickly.

Mr. PFEIFER. I would second that, too. Our communications is critical. We need to be able to talk to each other, and to go to a system that is not proven is not only very difficult but it is a great risk. So we are skeptical on making that transition unless we can prove it out.

Mr. DONOVAN. Mr. Esposito.

Mr. ESPOSITO. I mean, look, I was involved with this in my prior life with the FirstNet a long time ago, and not much was said about giving up T-Band back then. It was a great system. It is going to let us communicate Nation-wide, all the emergency responders. It is a terrific piece of equipment, but we just can't give up the T-Band. That is how we communicate now, especially with these folks, and they wouldn't be able to communicate properly if we give up the T-Band. So we just can't do that.

Mr. DONOVAN. Effect on public safety, Chief?

Mr. BILICH. Not much more I could add. We have the same concerns.

Mr. DONOVAN. Thank you.

Mr. Ranking Member.

Mr. PAYNE. Thank you, Mr. Chairman.

Really quickly, even with your organizations receiving grant funding, we know that there are still quite a few unmet needs. What are the security-related needs that currently go unmet, and what are the funding gaps in FEMA's preparedness grants? If you could quickly give one example.

Mr. Miller.

Mr. MILLER. I think one of the critical areas we face has already been covered by the discussion today in the earlier panel and here, which is we have a massive transit system that carries 5.6 million people a day. If it were a major city, it would be a huge American urban area. Yet, it is extraordinarily safe in that we have about one index crime there a day, so very safe from crime, very well-policed.

But mass transit has been a favorite target of terrorists. I don't need to enumerate the plots. I know you all know those from your work. It is a place where we are always looking to build capability. But because of the size and complexity of the system, it would require additional assistance.

Mr. PAYNE. Thank you.

Chief.

Mr. PFEIFER. The concern that I have is mass transit because it is always a concern with such large amounts of people. But the concern that was brought up earlier is our high-rise buildings, because they hold massive amounts of people, and that is what we are really concerned about, that this could be the next 9/11 type of attack. So we need support from the Federal grants to look into it, develop procedures, and to share those procedures across the country.

Mr. PAYNE. Thank you.

Mr. ESPOSITO. I said it earlier, just some of the restrictions that are on some of the spending of the money. We have the equipment. We can always use new equipment when new things come up, but

a little bit of flexibility in how we can spend it with the personnel, and maybe some money to go to some capital improvements.

Mr. BILICH. Our facilities are—we have this mix of both new and old, and the area itself is old, and there is a lot of aging infrastructure. The ability to sort of continually harden that, we have made a tremendous investment in doing that, but there is still a ways to go. As it relates to the new facilities that we are building, the capital security elements are baked into the design, and that also probably ups the cost by about 30 percent. So the recognition that we have these older types of facilities that we have to secure, and it is going to be—our region is an older region than other areas of the country. So I think that is an important part of it.

Mr. MAPLES. I would just continue to emphasize the point of innovation. So we need to maintain the capabilities but then also the ability to innovate as threats emerge and evolve, cyber being a huge one that was mentioned in the last panel as well. There are emerging threats that are out there that we have to be able to invest in up-front to try to get ahead of those problems, items like mass gatherings, vehicles ramming soft targets, those kinds of issues. We want to make sure we hit head-on, up-front, and be able to innovate into those areas—training, exercise, awareness.

I want to make sure we mention the Suspicious Activity Reporting System. It has been very effective in New Jersey. I want to do more. I want to innovate throughout that process.

That is where I would finish up.

Mr. PAYNE. Thank you.

I will yield back.

Mr. DONOVAN. Thank you, Mr. Payne.

The Chair recognizes Mr. King.

Mr. KING. All of you heard enough from me over the years. I just want to thank you for your testimony today, thank you for the great work you do, and ask you to continue to do it. Thank you very much.

Mr. DONOVAN. That is why he is the distinguished former Chair.  
[Laughter.]

Mr. DONOVAN. I want to thank our witnesses for their testimony and the Members for their questions.

The Members of the subcommittee may have some additional questions for our witnesses that we will ask you to respond to in writing.

Pursuant to Committee Rule VII(D), the hearing record will be held open for 10 days.

Without objection, the subcommittee stands adjourned.

[Whereupon, at 12:29 p.m., the subcommittee was adjourned.]

## APPENDIX

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QUESTIONS FROM RANKING MEMBER DONALD M. PAYNE FOR THOMAS DiNANNO

*Question 1a.* In March, we saw two substantial cyber attacks on public infrastructure in major urban areas. Atlanta experienced a wide-spread ransomware attack that impacted the Atlanta Police Department and even the wireless network of Atlanta International Airport. The second attack saw impacts to Baltimore's ability to dispatch emergency calls—this is especially alarming when you consider Baltimore's 9–1–1 system receives more than 1 million calls each year.

With these types of events occurring, are there new priorities that you are looking to fund?

*Question 1b.* Particularly, are you looking at areas to help improve cyber capabilities to avoid what we saw in Baltimore and Atlanta?

Answer. Cyber threats are a significant concern for our Nation's security and must be vigorously addressed. Beginning with the fiscal year 2018 preparedness grant cycle, FEMA will provide additional guidance in the Homeland Security Grant Program (HSGP) Notice of Funding Opportunity (NOFO) regarding cybersecurity and will require recipients under the State Homeland Security Grant Program (SHSP) and Urban Area Security Initiative (UASI) to submit one investment in support of the State, territory, or urban area cybersecurity efforts.

Grant-funded cybersecurity investments must support or otherwise be associated with the systems and equipment that are considered allowable costs under HSGP.

When requesting funds for cybersecurity, applicants are encouraged to propose projects that would aid in the implementation of all or part of the Framework for Improving Critical Infrastructure Cybersecurity ("The Framework") developed by the National Institute of Standards and Technology (NIST). The Framework provides a common organizing structure to help organizations understand, communicate, and manage their cyber risks.

Additionally in fiscal year 2018, SHSP and UASI recipients must include their chief information security officer (CISO) and chief information officer (CIO) on their senior advisory committee and urban area working group.

*Question 2.* In the "Budget in Brief" document submitted along with the President's budget proposal, there was an all-hazards "Competitive Preparedness Grant Program" described in fewer than 30 words. The grant program would cost \$522 million. My staff still has not seen details about the grant program, which is especially troubling given that the budget proposal included so many cuts to current grant programs. Please provide an in-depth explanation of the Competitive Preparedness Grant Program, including what the program would accomplish and the eligibility criteria.

Answer. The new grant program which FEMA is now referring to as the Emerging Threat Competitive Grant Program is envisioned as an emerging threats/all-hazards preparedness grant program that would require grantees to measure results in reducing preparedness capability gaps and would also require robust evaluation. The Emerging Threat Competitive Grant Program legislative proposal is undergoing DHS and OMB review and will be shared with Congress once completed.

The reasons underlying the need for the Emerging Threat Competitive Grant Program are based on the Nation's need to meet the challenges of a changing and evolving threat environment. The preparedness grant programs must evolve to meet new and evolving risks. The emerging threats facing the Nation today have significantly changed since the inception of the current preparedness grant programs. The proposed Fiscal Year 2019 Emerging Threat Competitive Grant Program would help address the dynamic risk environment by introducing an agile program informed by lessons learned from catastrophic disasters, terrorist incidents, and other incidents. The new program would allow applicants to competitively apply for funding that would reduce capability gaps and address emerging threats from acts of terrorism, natural disasters, and all other hazards.

The key difference envisioned between the proposed program and current programs is that FEMA would create a set of National priorities to drive innovative solutions and investments that address emerging threats, while States continue to use traditional funding sources to maintain existing preparedness capabilities. In addition, this grant will address all hazards as opposed to current grant programs which require a terrorism nexus. Finally, since this program will be fully competitive, a robust evaluation process will be used to ensure that projects have effective outcomes. To ensure the program reflects the current risk landscape, FEMA will have the ability to shift the program's priorities to address emerging threats.

