

**The Subcommittee on Economic Development, Public
Buildings, & Emergency Management**

Hearing on

**H.R. 525 Preparedness Against Domestic Terrorism Act
2001**

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PURPOSE

The Subcommittee on Economic Development, Public Buildings, and Emergency Management will meet on Wednesday, May 9, at 2:00 p.m., in room 2253 Rayburn House Office Building. The purpose of this hearing is to receive testimony on H.R. 525, a bill to amend the Robert T. Stafford Act to update Title VI of the Act and to provide coordination for federal efforts with regard to preparedness against terrorist attacks in the United States. The hearing will also address proposals offered by the Administration.

BACKGROUND

The Robert T. Stafford Disaster Relief and Emergency Assistance Act (P.L. 93-288, as amended) has provided the basis for federal assistance to state and local governments impacted by a significant disaster or emergency since its enactment in 1974. Created by a Presidential Reorganization Plan in April 1979, the Federal Emergency Management Agency (FEMA) has primary responsibility for administering this type of assistance. FEMA relies on the authority granted in Title VI of the Stafford Act, entitled "Emergency Preparedness," to serve as a statutory basis for assisting in preparing the nation for all hazards. Although FEMA has interpreted Title VI to include preparedness against terrorist attacks, the statute does not explicitly reflect this practice.

In response to recent terrorist attacks in the United States, including the bombings of the World Trade Center in 1993 and the Alfred P. Murrah Federal Building in Oklahoma City in 1995, federal efforts were stepped up to address preparedness against terrorist attacks. These efforts have resulted in the creation of training programs and response teams designed to assist emergency responders when dealing with the consequences of a terrorist attack.

Some of these programs were directed by Congress and enacted into law. These laws include the Antiterrorism and Effective Death Penalty Act of 1996 (P.L. 104-132) and the Defense Against Weapons of Mass Destruction Act of 1996 (P.L. 104-201), commonly known as the Nunn-Lugar-Domenici Act (NLD).

Under the Antiterrorism and Effective Death Penalty Act of 1996, the Attorney General, in consultation with the FEMA Director, was directed to make grants to provide specialized training and equipment to enhance metropolitan fire and emergency service capabilities. The NLD tasked the Department of Defense (DOD) with enhancing the domestic preparedness for responding to terrorist use of weapons of mass destruction. The NLD training program, the Domestic Preparedness Program, has been transferred from DOD to the Department of Justice (DOJ) at the direction of the FY 2001 Commerce, Justice, State and Judiciary Appropriations bill (P.L. 106-553).

In addition to FEMA's Stafford Act responsibility for preparation, former President Clinton's Presidential Decision Directive 39, signed June 21, 1995, designates FEMA as the lead Federal agency for "consequence management" in the event of a terrorist attack. The term "consequence management" is defined as measures that alleviate the damage or suffering caused by an event such as a terrorist attack. The same Directive designates the Federal Bureau of Investigation (FBI) as the lead for "crisis management," or law enforcement. Including FEMA and the FBI, more than 40 departments and agencies receive funding for federal programs for terrorist attack preparedness.

During the 106th Congress, the Committee held hearings to examine these programs on June 9, 1999 and April 6, 2000. Testimony from state and local emergency responders during these hearings revealed several major problems in the current federal framework. Dr. Amy Smithson, a Senior Associate with the Henry L. Stimson Center, echoed these concerns during this Subcommittee's joint hearing on April 24, 2001. First, in the absence of an organized federal effort, federal agencies have created a massive structure of uncoordinated, fragmented and often duplicative programs – many of which do not address the needs of the state and local responders. Second, the entity created to coordinate these programs, the FBI's National Domestic Preparedness Office (NDPO), has not met the expectations of the response community.

In four years, funding for federal terrorism programs has nearly doubled from \$6.5 billion in FY 1998 to a budget request of \$11.1 billion for FY 2001. As testimony from this Committee's previous hearings indicates, federal programs were created in the absence of a comprehensive national strategy. In addition, most programs were created independent of each other, with little or no coordination between the agencies. This lack of organization has resulted in programs that are fragmented

and often duplicative. Dr. Smithson's testimony characterized the spending effort as "buckshot across over 40 federal agencies" and that it had veered "far off track."

There are currently more than 90 terrorism preparedness training courses offered by DOD, DOJ, FEMA, the National Fire Academy, the Environmental Protection Agency and other federal agencies. Although created independently, several of these courses teach extremely similar content. As one witness noted, after attending two federal training programs back to back, "How many ways can you bake the same chicken?"

Testimony from both the General Accounting Office (GAO) and the Congressionally commissioned "Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction" (the Panel) indicate that there is a great need for overarching coordination among the federal agencies involved in terrorism preparedness. GAO and the Panel also agreed that federal efforts will never be coordinated without defining an end state of preparedness for emergency responders. When asked who should coordinate federal efforts for terrorism preparedness during the first hearing, Chicago's Fire Chief John Eversole answered: "Whoever you give that to, you better give them a big whip and a chair so they can crack that whip and make everybody jump in line because I find the competition between federal agencies intolerable and certainly demeaning to the locals."

In response to repeated requests of state and local emergency responders for assistance, DOJ created the NDPO within the FBI. It was intended to be a "one-stop shop" for information and assistance. As testimony from previous Committee hearings indicated, state and local emergency responders were hopeful that NDPO would assist them in navigating the myriad of federal programs. The Panel also expressed support for the coordination concept behind the creation of the NDPO.

Although the NDPO has been in existence since October 1998, it received its first funding from FY 2001 appropriations and is only now becoming fully operational. Due to its slow start, emergency responders have expressed serious disappointment in the effectiveness of the NDPO. In addition, some responders have criticized the placement of the office within the FBI. Traditionally, state and local responders have had a difficult relationship with the FBI. The NDPO does not have the authority to coordinate the programs of other federal agencies. At best, it could take inventory of the federal programs, but has not accomplished even this task.

H.R. 525
The Preparedness Against Domestic Terrorism Act of 2001

H.R. 525 represents the view that (1) there is no national strategy for preparedness against terrorist attacks; (2) despite the multitude of existing federal preparedness programs, there is no defined end-state to determine at what point communities are prepared for a terrorist attack involving a weapon of mass destruction; (3) federal efforts are not coordinated resulting in fragmented and overlapping programs; (4) emergency responders insist there must be a single entity in charge of coordinating federal efforts; and (5) this entity must have authority over all federal agencies.

The bill, introduced by Representative Wayne Gilchrest, amends the Stafford Act to reflect emerging threats from terrorism. It also establishes a Presidential Council within the Executive Office of the President to coordinate government wide efforts for improving domestic preparedness against the consequences of terrorist attacks. H.R. 525 has 42 co-sponsors and is supported by the National League of Cities, the International Association of Fire Chiefs and the Joint Commission on Accreditation of Healthcare Organizations. A similar measure, H.R. 4210, passed the House unanimously under suspension of the rules during the 106th Congress.

H.R. 525's Council will be responsible for creating a national strategy for domestic preparedness to eliminate duplication of efforts and define an end state for preparedness. The Council will participate in agency budget development, making recommendations to accomplish the goals of a defined national strategy. The bill will also assist state and local emergency responders in navigating the nearly two hundred federal preparedness programs through the creation of a federal program inventory. In creating this inventory, the Council will evaluate all existing programs, thereby ensuring a coordinated framework of programs that furthers the goals of the national strategy.

Attached for your information are copies of H.R. 525 and a section-by-section analysis of the bill.

H.R. 525
**The Preparedness Against Domestic Terrorism Act of 2001 Section-by-Section
Summary**

Section 1. Short Title; References

The short title of this Act is the “Preparedness Against Domestic Terrorism Act of 2000.”

Section 2. Finding and Purposes

Finds that there is duplication of federal efforts and that planning and development of early detection, warning, and response capabilities against terrorist use of chemical, biological and radiological agents needs to be strengthened. The purpose of this Act is to update the Stafford Act to de-emphasize Cold War era threats and reflect emerging threats from terrorism. In addition, this Act will better organize and coordinate federal efforts in preparing to address new threats.

Sections 3 through 5. Technical Changes

Sec. 3. Definition of Major Disaster

Expands the Stafford Act’s current definition of “major disaster” to include (regardless of cause) acts of terrorism and other catastrophic events.

Sec. 4. Administration of Emergency Preparedness Programs by the President

Replaces specific references in Title VI of the Stafford Act to “the Director of Federal Emergency Management Agency” (FEMA) with “the President.” This amendment will make Title VI consistent with all other titles of the Stafford Act.

Sec. 5. Definitions

Expands the definitions of several terms used in the Stafford Act (such as the term “hazard”) to specifically include weapons of mass destruction. Also includes the pre-deployment of personnel and other resources in the definition of “emergency preparedness,” and uses the Nunn-Lugar-Domenici Act (P.L. 104-201) definition for “weapons of mass destruction” (WMD).

Section 6. Detailed Functions of Administration

Changes the preparation of federal response plans and programs for emergency preparedness as mandatory rather than voluntary function. Specifically includes consideration of WMD terrorism and the concept of prevention in creating these plans and programs. Expands current reference to shelters to include equipment and clothing. Requires FEMA to conduct training and exercise programs.

Section 7. Repeals

This section repeals Sections 615 and 622 of the Stafford Act. These sections are

superfluous, outdated, or are addressed in other sections of the Act. Sec. 615 enabled funds to be used for natural hazards. Title VI already addresses all hazards, natural and man-caused. Sec. 622 set out security requirements. These requirements, first set out in 1950 in the Civil Defense Act, are outdated and are now inconsistent with standards established in subsequent Executive Orders and OPM regulations.

Section 8. Funding for Emergency Preparedness

For fiscal years 2001-2003, authorizes such sums as may be necessary for government-wide programs for domestic terrorist preparedness spending. States that funding for agency programs will be coordinated by the President through the President's Council on Domestic Terrorism Preparedness established in Sec. 9 (see below).

Section 9. Subtitle C – President's Council on Domestic Terrorism Preparedness (Council)

Sec. 651. Establishment of Council

Establishes the Council within the Executive Office of the President. The Council consists of voting and non-voting members. Voting members include the President, the Federal Emergency Management Director, the Attorney General, the Secretary of Defense, the Assistant to the President for National Security Affairs, the Secretary of Health and Human Services, the Secretary of Veteran's Affairs, the Director of the Center for Disease Control and additional members as appointed by the President. Non-voting members include the Office of Management and Budget Director and the Director of the CIA.

Although the President is designated to serve as chairman, he may appoint an Executive Chairman for the Council. This Chairman is subject to Senate confirmation if he is not already serving in a confirmed position. In addition, the Chairman will be required to testify before Congress when requested. The Council must hold its first meeting within 90 days after the enactment of this Act.

Sec. 652. Duties of the Council

The Council is required to draft a domestic terrorism preparedness plan. (The plan is described in Sec. 653) The Council is also tasked with duties including reviewing State and federal government programs every two years; creating a state and local advisory group; establishing voluntary minimum standards for State and local preparedness; assisting in the implementation of State and local terrorist attack

preparedness programs; coordinating and overseeing federal agency programs and their compliance with the preparedness plan; and evaluating emergency medical capabilities and making recommendations based on that evaluation. The Council is provided the authority to make recommendations to department and agency heads regarding that department or agency's terrorist attack preparedness programs. If the Council finds that an agency's policies are not in compliance with the domestic terrorism preparedness plan, he is required to notify the agency of this non-compliance.

Sec. 653. Domestic Terrorism Preparedness Plan and Annual Strategy

Within 180 days after appointment, the Council must develop a five-year plan for federal efforts to enhance domestic preparedness against a terrorist attack. The plan will describe the specific role of pertinent federal government entities, list an inventory of all federal programs, and include an implementation strategy for each year of the plan including measurable objectives to be achieved. Upon completion, the Council will transmit the plan and annual implementation strategies to Congress. The plan and annual implementation strategies provided to Congress will also include a list of individuals that the Council consulted with in the creation of the plan. This section provides for a classified annex to the plan. The plan will also address an evaluation of risks against transportation, infrastructure and energy facilities.

Section 654. National Domestic Preparedness Budget Budget Development and Transmission

The Council is required to develop a consolidated budget recommendation to implement the five-year plan. In formulating this budget, the Council will consult with agencies with responsibilities under the plan. This budget recommendation is then submitted to the Office of Management and Budget. Agencies submit budget requests to the Council just prior to submission to OMB. Should OMB's budget proposal differ from the Council's recommendation, OMB must provide the Council with a written explanation justifying the differences. These explanations are available for Congressional review once the President's budget has been submitted to Congress.

Sec. 655. Voluntary Minimum Standards for State and Local Programs

The Council must direct the establishment of minimum standards for State and local capabilities with regard to equipment, exercises and training. These standards will serve as guidelines.

Sec. 656. Powers of the Council

This section provides the Council with general authorities for hiring staff, using detailees and other administrative functions.

Sec. 657. Role of Office in National Security Council Efforts

This section designates the Council as the principal advisory to the National Security Council (NSC) on Federal efforts to assist state and local governmental entities in domestic terrorist attack preparedness matters. At the direction of the President, the Council may participate in meetings and the working group structure of the NSC.

Sec. 658. Executive Director and Staff of Council.

The President will appoint an Executive Director to oversee the day to day operations of the Council. He may hire such full time staff as necessary to complete the functions of the Council. The Executive Office of the President will provide administrative support for the Executive Director and his staff on a reimbursable basis.

Sec. 659. Coordination with Executive Branch Departments and Agencies

This section directs agencies to cooperate with the Council, and to provide written notification to the Council of proposed policy changes relating to the plan.

Sec. 660. Authorization for Appropriations

The Council is authorized \$9,000,000 for FY 2002 and such sums as may be necessary through 2006. Funds are to remain available until expended.

WITNESSES

PANEL I

The Honorable Wayne Gilchrest (MD-01)
U.S. House of Representatives

[The Honorable Earl Blumenauer \(OR-03\)](#)

U.S. House of Representatives

Panel II

[Mr. Joe M. Allbaugh](#)

Director

Federal Emergency Management Agency

[Mary Lou Leary](#)

Acting Assistant Attorney General

Office of Justive Programs

Department of Justice

[Mr. Charles Cragin](#)

Acting Assistant to Secretary of Defense for Civil Support

Department of Defense

International Association of Fire Chiefs

Panel III

Mr. Raymond Decker

Director for Diffuse Threat Issues

Defense Capabilities and Management Team

U.S. General Accounting Office

Panel IV

[Ms. Ann Simank](#)

Chairman, Public Safety and Crime Prevention Committee

National League of Cities

[Mr. Edward Plaughter](#)

Fire Chief, Arlington County, Virginia

International Association of Fire Chiefs

Mr. Gary McConnell

Director

Georgia Emergency Management Agency

**The Honorable Earl Blumenauer
Member of Congress**

**Testimony before the Subcommittee on Economic Development,
Public Buildings, and Emergency Management**

Hearing on H.R. 525, The Preparedness Against Domestic Terrorism Act of 2001

May 9, 2001

I appreciate the Committee's attention today to an issue of such importance to our national security. We all hope there will be no reason to test the steps H.R. 525 would require the Administration to take to better prepare for and respond to a terrorist attack. Sadly, however, the threat to our country from terrorism remains very real.

I would like to direct my comments today on a specific provision in HR 525 that addresses the risk of terrorist attacks against transportation, energy, and other infrastructure facilities. Providing safe and accessible transportation choices is part of a livable community where families are safe, healthy, and economically secure.

For the 350,000 people who work in public transportation, and the more than 14 million people who ride transit each work day, ensuring their safety from acts of terrorism is just one step towards the larger goal of providing them a safe working environment and transportation option. According to the most recent records of the U.S. Department of Transportation's Office of Intelligence and Security (OIS), in 1998, attacks against transportation and transportation infrastructures accounted for 42 percent of all international terrorist attacks reported by the US State Department. In that year, 1,033 violent incidents against transportation occurred worldwide, representing nearly a 20 percent increase over 1997, and a 107 percent increase since 1995.

Terrorist attacks against transportation targets are not new, and assessments from the intelligence community indicate that the threat of terrorism against airplanes, subways, buses, and railways has increased in recent years. We need look no further for evidence of this than the nightly news or morning newspaper. Attachment One summarizes terrorist attacks involving public transportation since 1927. Mass transit systems and infrastructure in the United States have figured prominently in numerous acts of terrorism and extreme violence. The Long Island Rail Road shootings, the World Trade Center bombing, the sabotage induced derailment of Amtrak's *Sunset Limited* in Arizona, and the Fulton Street firebombings are just some of the most vivid examples of the vulnerability of the U.S. transportation sector to acts of terrorism and extreme violence.

Combined, these acts resulted in 14 fatalities and more than 1,000 injuries. Just last week in Los Angeles, a city bus was hijacked by a gunman and crashed during a police chase through downtown, killing one person and injuring seven others. The emergence of both domestic terrorist groups and loose networks of émigrés receiving support and direction from hostile foreign power means that, highly motivated and capable extremists committed to terrorism have developed the capacity to commit terrorist activity in this country.

The evolution of terrorism impacts all sectors of our society, and perhaps no single sector is more susceptible to the changing nature of modern terrorism than public transportation. According to a 1997 Transportation Research Board report, since 1991, public transportation has been the target of 20 to 35 percent of worldwide terrorist attacks. According to OIS findings, buses and rail remain the targets of choice for terrorists, accounting for 34 percent of all violent acts against transportation, and the greatest number of casualties. This should come as no surprise given the relatively easy access to transportation targets and the challenge in developing effective security measures on our public transportation systems. Many systems have no security measures, or response plans in place for dealing with this threat. After all, transit agencies are in the business of "moving people," not fighting terrorism.

While many people in the transportation industry acknowledge the importance of chemical, biological, or nuclear threats

against their agencies, these threats are not as immediate as those derived from more traditional forms of terrorism involving explosives and firearms. It does not require a bomb to destroy the lives of a 100 bus passengers, merely an angry person with a gun threatening the lives of the driver or passengers to put the lives and safety of the entire group of passengers at risk. A recent survey of transit agencies found that over 90 percent had experiences with bomb threats, over 50 percent with hate crimes, and almost 30 percent with hijacking and multiple victim shootings. In responding to terrorist events, almost 60 percent of transit agencies surveyed felt that they were not well prepared to deal with these kinds of activities.

For those passengers riding public transit, flying in the airways, driving on our freeways, and the hundreds of thousands of people who work in transportation, we can and must do better in preparing for and responding to terrorist attacks and threats. Towards this goal, I have worked with Congressman Gilchrist and this Subcommittee to include two small provisions into HR 525 that specifically address the unique threat and challenge that terrorism presents to transportation facilities, particularly public transit. I appreciate the support of this Committee and my colleague from Maryland to try and incorporate these modest provisions.

Section 651 of this bill establishes a President's Council on Domestic Terrorism Preparedness. In addition to such important federal agencies as FEMA, DOD, NSA, HHS, and the Center for Disease Control and Prevention, **the Department of Transportation should be added as a voting member of the Council.** Given the already high percentage of terrorist events involving transportation and infrastructure facilities, the Secretary of Transportation is an important player to have at the table in developing a national Domestic Terrorism Preparedness Plan, and is in the best position to understand the potential budgetary impacts and requirements necessary to improving security and response on our nation's airlines, railways, buses, and subways.

In developing a national terrorism preparedness plan, both Federal and state laws to combat terrorism should be examined. Consultation with representatives of transportation service providers and representatives of employees of such persons should occur in the development of the annual plan, and the Secretary of Transportation is in the position to facilitate this discussion and represent all modes of transportation in developing a national preparedness plan.

The second provision I feel is important to improving this already strong legislation, would **broaden the definition of terrorist attacks, specifically as it relates to**

Section 653 (f) – attacks against transportation, energy, and other infrastructure facilities. This is key to ensuring that our nation's transportation systems are fully prepared for the breadth of potential terrorist actions that are most prevalent in the transportation sector, should they occur. For the purposes of this subsection, the definition should be changed to **include terrorist and "quasi-terrorist" attacks**; defined as the use of force or violence, or the *threat of force or violence by one or more persons* to achieve a clear criminal, ideological, political, social, or religious agenda.

This broader definition is critical to our ability as a nation to successfully address the scope of the potential terrorist threat to the transportation sector. Too frequently, those people working in transportation industry face risks from criminal acts beyond those defined as "terrorism" in this bill. We need to do more, both at the state and federal levels to ensure protection and prosecution of the many kinds of assaults that threaten operators and passengers. Attachment Two highlights some recent assaults and violent attacks against mass transit operators and facilities, all of which put the lives of passengers in danger.

Based on the prevalence of explosives in our society and the wide range of motivation for using them, many transit police organizations consider a broader range of activities falling within the terrorist spectrum than are currently specified by the FBI in interpreting terrorist activity. Remember, it only takes one person acting alone and with the means to seriously injure a plane, rail or bus operator to endanger the lives of all passengers.

I appreciate the Subcommittee's consideration of these two issues specifically related to transportation and infrastructure that our Committee is particularly well suited to address. I commend my colleague, Congressman Gilchrist, for working to advance such important legislation to improve the safety for all Americans.

Attachment One: Terrorist and Quasi-Terrorist Attacks on Mass Transportation in the United States

A

Ø August 6, 1927: Two bombs explode in two New York City subway stations, one in the 28th St IRT (Lex Line) station and the 28th St (B'way) BMT station. "[The bombs] injured many persons, one of them it was believed, fatally." (NYT 8/6/1927)

Ø December 7, 1993: Armed gunman, Colin Ferguson, kills 6 and injures 17 passengers aboard a Long Island Railroad train during rush hour.

Ø December 15 and 21, 1994: Edward Leary explodes two homemade bombs on the New York City subway system, injuring 53 people, in an apparent attempt to extort money from the New York Transit Authority.

Ø October 9, 1995: "Sons of the Gestapo" sabotage Amtrak's Sunset Limited train, causing a derailment in the Arizona desert, killing one and injuring 65 others.

Ø November 27, 1998: A deranged passenger on a Seattle Metro bus shot and killed bus operator and ATU Local 587 member Mark McLaughlin, causing the bus to careen off a bridge and resulting in the death of one passenger and injuring 32 others.

Ø May 2, 2001: A shooting suspect hijacked a city bus in Los Angeles and held a gun to the driver's head as police chased the bus through downtown until it crashed into a minivan, killing the minivan driver and injuring seven others.

Attachment Two: **Recent Assaults on Mass Transportation in the U.S.**

Ø **May 2, 2001:** A shooting suspect *hijacked* a city bus in Los Angeles and held a gun to the driver's head as police chased the bus through downtown until it crashed into a minivan, killing the minivan driver and injuring seven others. (Source: The New York Times, May 2, 2001)

Ø **March 6, 2001:** A SEPTA bus driver was *beaten* by a group of passengers who boarded his bus in Philadelphia, Pennsylvania. (Source: The Inquirer, March 7, 2001)

Ø **January 30, 2001:** Gunmen fleeing a robbery in Hillsdale, Missouri *fired at least one shot* at a moving bus, injuring a passenger aboard the bus. (Source: St. Louis Post-Dispatch, January 31, 2001)

∅ **January 29, 2001:** Passengers ducked for cover aboard a Pierce Transit bus in Tacoma, Washington, when *gunfire aimed at the vehicle* punched a nickel-sized hole in two ventilation windows some 18 inches above the seated passengers. (Source: Seattle Post-Intelligencer, January 30, 2001)

∅ **January 24, 2001:** Gang members *shot* at a group of rivals who were riding in a Durham Area Transit Authority bus in Durham, North Carolina, *injuring* a teenage girl and causing the bus driver to speed away with more than 20 passengers aboard. At least five bullets penetrated a side window of the bus. (Source: The News and Observer, January 26, 2001)

∅ **January 5, 2001:** Commuter rail service was suspended for two hours at Wavelry Station in Belmont, Massachusetts while bomb squad officers investigated a bomb threat. (Source: The Boston Globe, January 6, 2001)

∅ **December 20, 2000:** A 29-year-old man *hijacked* a Metropolitan Area Transit bus in Council Bluffs, Nebraska, ordered the bus driver to drive “expeditiously” to Omaha and *assaulted and threatened to kill* a female passenger on board the bus. (Source: Omaha World-Herald, December 23, 2000)

STATEMENT OF
JOE M. ALLBAUGH
DIRECTOR
FEDERAL EMERGENCY MANAGEMENT
AGENCY
BEFORE THE
JOINT HEARING
OF THE COMMITTEES ON
APPROPRIATIONS, ARMED SERVICES AND
INTELLIGENCE
U.S. SENATE
MAY 8, 2001

Introduction

Good morning, Mr. Chairman and Committee members. I am Joe M. Allbaugh, the Director of the Federal Emergency

Management Agency (FEMA). I thank you for this opportunity to discuss Federal terrorism-related programs and activities with the distinguished Members representing the various Committees assembled for this extraordinary set of hearings.

I would like to provide an overview of the FEMA responsibilities in terrorism preparedness and response, describe our roles in consequence management, and discuss programs and activities we are undertaking in conjunction with our Federal, State and local partners to enhance the capabilities at all levels of government for responding to the effects of terrorist incidents.

Authorities and Responsibilities

FEMA is the lead Federal agency for all-hazard emergency management activities involving mitigation, preparedness, response, and recovery. FEMA's involvement in terrorism preparedness and response is based on statutory authorities, Executive Orders and Presidential directives. As the designated lead agency for terrorism consequence management under Presidential Directives 39 and 62, FEMA coordinates Federal disaster and emergency assistance programs and activities in support of State and local governments.

In response to terrorist incidents, FEMA coordinates the Federal consequence management activities for the President using the structures of the interagency Federal Response Plan to provide the needed Federal resources to augment the State and local efforts. As we do in natural disasters, this involves measures to

protect public health and safety, restore essential government services, and provide emergency relief to governments, businesses, and individuals affected by the disaster or the consequences of a terrorist act.

In the area of preparedness, FEMA provides planning and technical guidance, conducts assessments, provides and supports training, and sponsors and supports exercises with other Federal departments and agencies to ensure the Federal government is prepared to respond to any contingency, including the consequences of terrorist incidents. In this regard, FEMA also supports local and State terrorism preparedness efforts by providing technical guidance; planning, training, and exercise assistance; and funding to support State and local terrorism preparedness activities.

Federal Response Plan

In an actual or potential terrorist incident, FEMA uses the structures and resources of the Federal Response Plan (FRP) to manage the Federal consequence management response activities. The FRP, first published in 1992 and recently updated, has been used in the past several years to respond to numerous disasters and emergencies declared by the President, including the Oklahoma City bombing in 1995, as well as hurricanes, tornadoes, floods and earthquakes.

The Plan brings together twenty-six Federal departments and agencies and the American Red Cross to organize Federal disaster response and recovery efforts and coordinate them with

an affected State. Most importantly, it provides a known and flexible framework under which local, State and Federal officials can orchestrate their response to a disaster or emergency and make the most effective use of all available resources. FEMA has developed a special annex to the FRP to address the unique requirements for responding to a terrorist incident.

FEMA's Domestic Preparedness Focus

We rely on the FBI and others in the intelligence and law enforcement communities to assess these threats and communicate information about their likely occurrence. Based on the assumption that any area in the country could be the potential target for such an attack, we continue to emphasize the following key considerations to ensure the broadest coverage for the implementation of domestic terrorism preparedness activities. These include programs and activities to ensure that:

- State and local first responders and emergency management personnel are the focus of Federal programs.
- Needs of the whole nation, particularly local jurisdictions beyond the largest cities and metropolitan areas, are addressed with plans, training, exercises and equipment.
- Existing all hazards plans, capabilities and systems are utilized as the foundation for addressing the unique requirements of WMD.

- Initial training is reinforced and sustained with refresher information and updated instruction.

FEMA Programs and Activities

FEMA terrorism preparedness and consequence management activities are focused mainly in the areas of planning, training and exercises, to include assessments and grants to the States.

Planning

In the area of planning, the responsibility for developing plans and implementing response falls heavily on the States and the local governments. FEMA is applying its experience gained in responding to natural disasters to guide the development of terrorism consequence management preparedness plans and procedures at the local, State and Federal levels. In 1997, we published the FRP Terrorism Incident Annex describing policies and structures of the Federal government for coordinating crisis management and consequence management activities.

In that a fundamental goal of the planning effort is to assist in the development of State and local plans for dealing with WMD contingencies, FEMA grant assistance is being provided to enhance planning resources and capabilities at the State and local levels of government. FEMA has developed a special attachment to its all-hazards Emergency Planning Guide for State and local emergency managers that addresses developing terrorist incident annexes to State and local emergency operations plans. This planning guidance was developed with

the assistance of eight Federal departments and agencies in coordination with the National Emergency Management Association and the International Association of Emergency Managers representing State and local governments.

The overall Federal planning effort is being coordinated with the FBI utilizing existing plans and associated planning structures whenever possible to help ensure that crisis and consequence management plans are in place across the nation. In this regard, we also are a signatory with the FBI and other key agencies to the recently published United States Government Interagency Domestic Terrorism Concept of Operations Plan (the CONPLAN) that further describes the linkages between crisis management led by the FBI, and consequence management, led by FEMA.

In addition to refining the use of the FRP, one unique way we continually validate our planning concepts is by developing plans to support the response to special events, such as we are now doing for 2002 Olympic Winter Games that will take place in Utah.

FEMA has implemented the Rapid Response Information System (RRIS), which contains an inventory of key Federal assets that could be made available to assist State and local response efforts, and a database on chemical and biological agents and protective measures.

And we continue to refine our Federal plans and procedures with other departments and agencies to ensure response operations

are timely and meet the critical resource needs for response to these kinds of incidents.

Training

In the area of training, FEMA has developed and delivered a number of terrorism-related courses for State and local emergency management personnel and first responders. FEMA is utilizing existing programs, networks and facilities to help support the training delivery.

In particular, we are using the National Emergency Training Center, which includes the National Fire Academy and the Emergency Management Institute, as well as State fire and emergency management training systems to deliver terrorism-related training to State and local responders. FEMA continues to emphasize the "train-the-trainer" approach to leverage existing capabilities with performance objectives to accomplish training goals and uses distance education capabilities such as the Emergency Education Network to expand the offerings.

The National Fire Academy (NFA) has developed courses for first responders in the fire community and others areas. The NFA has developed and fielded several courses in the *Emergency Response to Terrorism (ERT)* curriculum, including a Self-Study course providing general awareness information for responding to terrorist incidents that has been distributed to some 35,000 fire/ rescue departments, 16,000 law enforcement agencies, and over 3,000 local and State emergency managers in the United States and is available on FEMA internet site.

Other courses in the curriculum deal with Basic Concepts, Incident Management, and Tactical Considerations for Emergency Medical Services (EMS), Company Officers, and HAZMAT Response. Over one thousand ERT instructors representing every State and major metropolitan area in the nation have been trained under this program. The NFA is utilizing the Training Resources and Data Exchange (TRADE) program to reach all 50 States and all major metropolitan fire and rescue departments with training materials and course offerings.

Over 112,000 students have participated in ERT courses and other terrorism-related training. In addition, some 57,000 copies of a Job Aid utilizing a flip-chart format guidebook to quick reference based on the ERT curriculum concepts and principles have been printed and distributed.

FEMA also uses the Emergency Management Institute (EMI) to develop and deliver some 35 training courses such as the Integrated Emergency Management Course on Terrorism that incorporates a terrorist attack scenario. This 4½-day team-building program includes classroom instruction and a tabletop exercise specifically tailored for emergency response leaders from a particular community or jurisdiction.

EMI also has developed and delivered a number of other terrorism-related courses such as the Senior Officials Workshop, and those dealing with incident command, mass fatalities, and emergency response to criminal and terrorist incidents.

A new course is being developed that will assist State and local emergency planners develop terrorism incident plans. EMI utilizes the State Emergency Management Training Officers (STOs) network to distribute materials and instruction to the emergency management community in all 50 States and six territories.

FEMA's course development efforts also have enhanced initiatives of both the Department of Justice and the Department of Defense. DOJ has been using the *Emergency Response to Terrorism* curriculum in its training program; the Department of Defense used the Senior Officials Workshop in its Domestic Preparedness Program that is now transferred to the Department of Justice.

Exercises

In the area of exercises, FEMA is working closely with the interagency community and the States to ensure the development of a comprehensive exercise program that meets the needs of the emergency management and first responder communities. In May 2000, we participated in the TOPOFF exercise and continue to work with other departments and agencies to learn from the results of that and other exercises.

In 1997-1998, FEMA conducted a series of Regional seminars on terrorism preparedness in each of the ten FEMA Regional Offices. A second round of these seminars is planned for later this year. In addition, exercise templates and tools are being

developed for delivery to State and local officials.

In addition, lessons learned from other emergency preparedness programs dealing with chemical stockpiles, radiological emergencies, and hazardous materials are used to further terrorism preparedness capabilities. GAO has noted that some aspects of these programs can serve as models to support terrorism preparedness efforts.

Grants

In FY 2001, FEMA is distributing \$16.6 million in terrorism consequence preparedness assistance grants to the States to support development of terrorism preparedness and response capabilities. FEMA is developing additional guidance to provide greater flexibility for States on how they can use this assistance. Another \$4 million in grants is being provided to State fire training centers to deliver first responder courses developed by the National Fire Academy.

Capability Assessments

FEMA and the National Emergency Management Association jointly developed the Capability Assessment for Readiness (CAR) process to assess operations, readiness, and capabilities of States, Territories, and Insular Areas to mitigate against, prepare for, respond to, and recover from all disasters and emergencies. CAR is a self-assessment that focuses on 13 core elements addressing major emergency management functions. It includes assessments on terrorism preparedness relative to

planning, procedures, equipment and exercising. FEMA's CAR report presents the composite pictures of the nation's readiness based on an analysis of all self-assessments.

Conclusion

In responding to a terrorism incident, local responders will be the first to arrive at an incident site and may be forced to manage operations at the scene on their own for hours.

The focus of Federal programs must be on ensuring that the local and State responders on the front lines of a terrorist attack will be adequately prepared to deal with the situation.

Terrorism preparedness requires planning, training and exercising on a regular basis, with equipment and other support, to ensure maximum readiness to respond to an actual incident.

From our consequence management perspective, we recognize the extreme importance of viable State and local response plans, training and exercises as critical to the capability building effort.

I thank the Committee Members for this opportunity to describe FEMA's activity. I look forward to continuing to work with the Committee members on this and other issues.

STATEMENT

OF

MARY LOU LEARY
ACTING ASSISTANT ATTORNEY GENERAL
OFFICE OF JUSTICE PROGRAMS

BEFORE THE

SUBCOMMITTEE ON ECONOMIC DEVELOPMENT,
PUBLIC BUILDINGS
AND
EMERGENCY MANAGEMENT
COMMITTEE ON TRANSPORTATION AND
INFRASTRUCTURE
U.S. HOUSE OF REPRESENTATIVES

ON

MAY 9, 2001
WASHINGTON, D.C.

Mr. Chairman and Members of the Subcommittee:

My name is Mary Lou Leary and I am the Acting Assistant Attorney General for the Department of Justice's Office of Justice Programs (OJP). On behalf of the Department, I wish to thank you for this opportunity to discuss the critical issue of preparing our nation to better respond to incidents of domestic terrorism, including incidents involving weapons of mass destruction.

Addressing the issue of terrorism, including the issues of domestic terrorism and homeland defense, is a principal priority of the President and the Attorney General. Both firmly believe that one of the nation's most fundamental responsibilities is to protect its citizens, both at home and abroad, from terrorist attacks. And to do that, both are committed to ensuring that the federal government has a comprehensive, coordinated, and unified strategy to counter and respond to these threats, as well as to ensure that adequate resources are available to support these efforts.

Equally important is their commitment to state and local jurisdictions, to state and local emergency response agencies and the men and women who serve in them, and to the American people, that the federal government will work with them as partners to protect lives and ensure public safety. Included in that partnership is the federal government's commitment to assist state and local jurisdictions prepare for such incidents, and if such incidents should occur, to help ensure that they respond effectively. A critical point is that if such an incident were to occur in an American community, it will be that community's emergency response agencies and public officials, who will be called upon to respond, manage, and mitigate the incident during its crucial initial hours.

During much of the last decade, Mr. Chairman, the Department has focused an increasingly greater amount of resources on responding to both domestic and overseas terrorism. Much of the Department's efforts have been devoted to planning and coordinating activities with other federal agencies, and working increasingly more closely with state and local jurisdictions. As you are aware, much of the federal coordination is done through the National Security Council, including its various sub-groups such as its Policy Coordinating Committee on Counter-Terrorism and National Preparedness. And, since 1998, the Department has been the lead agency for developing and updating on a yearly basis, the Five-Year Interagency Counter-Terrorism and Technology Plan - or more simply, the Five-Year Plan.

Also since 1998, the Office of Justice Programs has played an increasingly greater role in the Department's homeland defense efforts based on the need to work closer and better with state and local jurisdictions and the emergency response community. As you know, Mr. Chairman, the Office of Justice Programs is the Justice Department component responsible for working directly with state and local jurisdictions, agencies, public officials, and various public service disciplines in a wide-range of public safety areas including the preparation and response to incidents of domestic terrorism. In carrying out this mission, OJP is dedicated to working as partners with states, counties, cities and other municipalities to provide them with the resources and assistance required to help them do their jobs better. Our goal has always been, and remains, "capacity building." OJP judges its success by the success of those we work with.

Currently OJP has several offices and a number of specific activities that are assisting American communities better prepare for, and respond to, any act of domestic terrorism that might occur. This includes providing, through OJP's Office for State and Local Domestic Preparedness Support (OSLDPS), equipment, hands-on training, support for "real-life" situational exercises, and technical assistance to state and local emergency response agencies and public officials. This includes supporting, through OJP's National Institute of Justice (NIJ) and its Office for Science and Technology, research and development activities to provide the emergency response communities with better and improved technologies and equipment. This also includes the efforts of OJP's Office for

Victims of Crime (OVC) to work with state and local communities to approach and plan for the human consequences of terrorist incidents - dealing with the victims and survivors or such events.

More specifically:

Since its inception in Fiscal Year 1998, OJP's Office for State and Local Domestic Preparedness Support has made significant progress working with state and local jurisdictions. This includes:

I. Established a national-scope training development and delivery program for emergency response personnel, public officials and other state and local agencies involved in a terrorist incident response. As part of this effort OSLDPS has established six national training centers under the National Domestic Preparedness Consortium, including the establishment of OJP's first responder training center, the Center for Domestic Preparedness in Anniston, Alabama. Also as part of this training effort, OSLDPS provides for training to be delivered on-site in local communities, and through various distance learning mechanisms such as closed-circuit television broadcasts and tele-conferences. OSLDPS's training, which serves the needs of police, fire, HAZMAT personnel, state and local emergency management, and state and local public officials, has trained over 60,000 since 1998.

II. Provided equipment grants to all 50 states, the territories

and the district of Columbia. During Fiscal Years 1998 and 1999, grants were also provided directly to the nation's 157 largest jurisdictions.

III. Implemented a nationwide assessment of WMD threat, risk, response needs and capabilities to provide a means to better target resources. Each state, territory, and the District of Columbia is currently completing this assessment as well as developing individual plans addressing how each will improve its abilities to respond to terrorist incidents.

IV. Developed a program to ensure that state and local agencies, together with federal agencies, are able to test their resources through exercises. At the national level, these included the TOPOFF (Top Officials) Exercises conducted in Fiscal Year 2000, as well as several localized exercises. In all cases, whether a national level or local level exercise, OSLDPS coordinated its activities with other federal agencies to avoid duplication and to maximize the value of the exercises.

V. OSLDPS is also in the process of completing the Nunn-Lugar-Domenici Domestic Preparedness Program. As you may know, the responsibility for this program was transferred from the Department of Defense to the Department of Justice in Fiscal Year 2000.

Additional progress has been achieved by OJP's National Institute of Justice, specifically its Office of Science and

Technology. This includes:

VI. Since 1997, pursuant to the Anti-Terrorism and Effective Death Penalty Act of 1996, NIJ has worked with federal agencies and private sector groups to supply the emergency response community with improved technologies. NIJ's research and development activities have included working with both the Departments of Defense and Energy, the Sandia National Laboratory, the Centers for Disease Control and Prevention, and others. NIJ efforts have resulted in advances in a number of technologies including improved communications and detection devices.

VII. In cooperation with the Commerce Department's National Institute of Standards and Technology, NIJ is working in the area of developing safety and performance standards for equipment used by emergency responders when responding to terrorist incidents. Much of this work has focused on the protective clothing worn by responders when responding to incidents involving chemical and biological agents.

OJP's Office for Victims of Crime has also made strides in this area as well. For much of the past decade OVC has worked with the families of the victims of the Pan Am Flight 103 attack and the families of the victims of the bombing of the Murrah Federal Building in Oklahoma City. OVC's goal is to ensure that victims of such attacks receive the care and assistance they require, as well as to develop information to assist other

communities across the nation if such events occur elsewhere.

Mr. Chairman, these are just some of the key highlights of OJP activities. They are however representative of OJP's broad approach to assisting state and local communities prepare for and respond to incidents of domestic terrorism. This is a task I believe OJP does well and effectively, and these are activities that build on OJP's 30 years of experience working directly with state and local jurisdiction.

It is important to mention, Mr. Chairman, that in providing this assistance, OJP has actively and consistently consulted and partnered with other federal agencies to ensure that federal efforts support and complement one another, to ensure that the federal "message", particularly in areas of training, is consistent, to build on the synergy of federal agencies working together, and, to avoid duplication. For example, in the development of OJP's first responder training, OJP has included other federal agencies such as FEMA, the FBI, HHS and others in reviewing both the development and delivery of training courses. Further, OJP is in the process of working with other federal agencies involved in providing emergency response training, such as FEMA's National Fire Academy, to develop a unified selection of courses to not only avoid duplication, but to better inform the emergency response community of available federal resources. Another example is the TOPOFF 2000 exercise which involved, aside from several state and local jurisdictions, the cooperation, coordination, and participation of 27 federal agencies. This included FEMA, our co-chair for TOPOFF.

In conclusion, I want to re-state the Attorney General's absolute commitment to addressing the issues relating to both overseas and domestic terrorism, to utilizing federal resources in an effective manner, and to ensuring that state and local jurisdictions have the resources and training required to help protect the lives of our nation's people.

Mr. Chairman, that concludes my statement. I am happy to answer any question that the Subcommittee may have.

STATEMENT BY

CHARLES L. CRAGIN

**ACTING ASSISTANT TO THE SECRETARY OF
DEFENSE
FOR CIVIL SUPPORT**

**BEFORE THE
UNITED STATES HOUSE OF
REPRESENTATIVES
COMMITTEE ON TRANSPORTATION AND
INFRASTRUCTURE
SUBCOMMITTEE ON ECONOMIC
DEVELOPMENT, PUBLIC BUILDINGS, AND
EMERGENCY MANAGEMENT**

NATIONAL PREPAREDNESS AGAINST

WEAPONS OF MASS DESTRUCTION

Good afternoon, Mr. Chairman and other distinguished members of this subcommittee. Thank you for the invitation to testify before you today on the Department of Defense's continuing efforts to support national preparedness to respond to acts of terrorism directed at the United States, its territories and possessions. The Department commends you for addressing this complex topic and applauds your efforts to improve and enhance Federal efforts to assist state and local emergency preparedness and response personnel in preparing for domestic disaster response, regardless of its cause.

The Department of Defense's role in supporting national domestic combating terrorism preparedness is to be prepared to provide, when requested, available military forces and capabilities to support domestic requirements specified by the Attorney General of the United States or the Director of the Federal Emergency Management Agency. The interagency organizational structure, led by the efforts of the National Security Council, has enabled us to improve Federal coordination and enhance domestic preparedness for domestic chemical, biological, radiological, nuclear or high-yield explosive (CBRNE) incidents. While we have made real strides to improve interagency coordination, we recognize that this is an evolutionary, not revolutionary process.

At DoD, weapons of mass destruction (WMD) consequence management is defined as emergency assistance to protect public health and safety, restore essential government services, and provide emergency relief to those affected by the consequences of an incident involving CBRNE agents, whether released deliberately, naturally, or accidentally. Consequence management is one element of the Department's approach to combating terrorism.

U.S. Government CBRNE Combating Terrorism Preparedness

CBRNE combating terrorism preparedness has been, and continues to be, one of the nation's top priorities. It is a fact that no one single agency or Department is responsible for combating terrorism in America. Rather, there are policy, technical, operational, law enforcement, R&D, and intelligence elements, among others, that must be coordinated and integrated.

In the event of a terrorist attack, those closest to the problem are going to be the first to respond. However, we presume that if the attack results in catastrophic consequences, state and local capabilities are likely to be quickly overwhelmed. If a civilian authority requests federal support, the lead federal agency, FBI or FEMA, is likely to request support from other federal agencies, including DoD.

Late yesterday, President Bush announced his plan to establish a comprehensive, seamlessly integrated and harmonized federal

government effort to assist state and local governments in managing the consequences of a chemical, biological, radiological, and nuclear attack on America's citizens. He announced that Vice President Cheney would oversee the development of a coordinated national effort to achieve that goal, and that an Office of National Preparedness would be established within the Federal Emergency Management Agency to implement the weapons of mass destruction (WMD) consequence management aspects of the Vice President's effort.

The President stated that the new Office of National Preparedness will coordinate all federal programs dealing with WMD consequence management within the many federal departments and agencies, and work closely with state and local governments to ensure their WMD consequence management planning, training and equipment needs are addressed. He also asked FEMA to work closely with the Department of Justice, in its lead role for crisis management, to ensure that all facets of the nation's response to the threat from weapons of mass destruction are coordinated and cohesive. Asserting that "no governmental responsibility is more fundamental than protecting the physical safety of our Nation and its citizens," the President said he would chair periodic meetings of the National Security Council to review these efforts, and looked forward to working closely with Congress to meet this challenge.

The Department stands ready to work with the Office of National Preparedness, and the Vice President to support efforts to develop a preparedness strategy for federal, state and local governments to do the best possible job of preparing for and

defending against weapons of mass destruction.

DoD's Role in Domestic Combating Terrorism Activities

In recognition of the likelihood of a terrorist event, a number of steps have been undertaken by the Department to address this critical area. First, we sought to define more clearly what the Department's role should — and should not — be. We do not view our support to combating terrorism activities in the United States as “Homeland Defense,” but rather, as “Civil Support.” This reflects the fundamental principle that DoD is not in the lead, but there to support the lead federal agency in the event of a domestic contingency. Likewise, we are sensitive to the concerns of civil libertarians and others regarding federal military operations on US soil.

Four principles have been established to guide DoD's response in the event of a domestic CBRNE contingency. First, there will always be an unequivocal chain of civilian accountability and authority for all military support to civil authorities. Second, DoD's role is always to provide support to the lead civilian federal agency. Third, though our capabilities are primarily warfighting capabilities, the expertise that we have gained as a result of the threats we have faced overseas can be applied in the domestic arena as well. We also bring communications, logistics, transportation, and medical assets, among others that can be used for civil support. Fourth, our response will necessarily be grounded in the National Guard and Reserves as our “forward deployed” forces for domestic support operations.

DoD Organization for Combating Terrorism

In 1999, an Assistant to the Secretary of Defense for Civil (ATSD(CS)) was appointed within DoD to provide a focal point within the Department for policy coordination on all CBRNE consequence management activities and to represent DoD at interagency working groups and policy forums which had been set up for the specific purpose of increasing coordination and cooperation between agencies and departments with capabilities and expertise to contribute to CBRNE consequence management. The Department also stood up, as part of the 1999 revision to the Unified Command Plan, the Joint Task Force-Civil Support (JTF-CS) at U.S. Joint Forces Command in Norfolk, Virginia. The JTF-CS, commanded by an Army National Guard Major General, was stood up to better plan, organize and prepare the Departments' military assets to support domestic consequence management responses to CBRNE incidents. Consistent with our principle of ensuring an unequivocal chain of civilian accountability and authority, the Secretary of Defense or Deputy provides direct civilian oversight over JTF-CS.

Secretary Rumsfeld has recently announced two key decisions that demonstrate the priority and commitment of the Department and its senior civilian leadership regarding the Department's role in combating domestic terrorism. First, he has made it clear that any deployment of military forces in support of domestic combating terrorism activities will require his or the Deputy's direct authority.

Second, consistent with Section 901 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, the Secretary announced his decision to consolidate civilian oversight responsibility for the Department's combating terrorism activities in the office of the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict [ASD(SO/LIC)]. This action establishes one senior civilian official to advise the Secretary and Deputy Secretary on all DoD combating terrorism policies, programs and activities, and ensures "that every policy issue and operational activity relating to combating terrorism receives the personal attention of the most senior leaders in the Department." When the new ASD(SO/LIC) is appointed, he or she will speak for the Department regarding all its combating terrorism support activities, and serve as the focal point for receiving all external requests for military support to combat terrorism. The Secretary has directed that "all DoD components shall perform their combating terrorism activities consistent with the policy established by, and in full coordination with the ASD(SO/LIC)."

The responsibilities of the ATSD(CS) will cease to exist on May 31, 2001, and be absorbed under the ASD(SO/LIC), when that new principal is appointed. In the event the ASD(SO/LIC) has not been appointed by June 1, 2001, the Deputy Secretary of Defense will perform those responsibilities and execute those authorities until such appointment.

The Department's combating terrorism activities are grouped

into four areas:

- Antiterrorism – defensive measures taken to reduce vulnerability to terrorist acts;
- Counterterrorism – offensive measures taken to prevent, deter, and respond to terrorism;
- Terrorism consequence management – preparation for and response to the consequences of a terrorist incident; and
- Intelligence support - collection and dissemination of terrorism-related information.

Our antiterrorism efforts cover a broad array of activities: physical security; vulnerability assessments; training; and research, development, testing, and evaluation. Defensive measures include limited response and containment by local military forces. Additionally, the Department has initiated an Installation Pilot Program to enhance the preparedness of first responders on military installations.

In terms of counterterrorism, U.S. Special Operations Command's Special Operations Forces (SOF) offer a wide variety of skills to prevent, deter, and respond vigorously to terrorist acts against U.S. interests, wherever they occur. SOF counterterrorism units receive the most advanced and diverse training available and continually exercise – often with foreign counterparts – to maintain proficiency and develop new skills.

The Department possesses an array of capabilities in both the active and reserve components that can be task-organized to

support civil authorities in partnership with other federal agencies dealing with the consequences of a terrorist incident. In providing assistance, the Secretary of Defense must consider how and whether the Department's special capabilities and expertise are necessary to respond to an act or threat of terrorism and that the provision of such assistance will not adversely affect the military preparedness of the Armed Forces.

Twenty-seven National Guard "Weapons of Mass Destruction Civil Support Teams" have been established to support Governors' as part of their state emergency management response capability for CBRNE incidents. Congress has also authorized an additional five teams. These teams are in varying stages of development. Once operationally certified for deployment, these teams will help identify the nature of the attack, provide technical assistance to state and local authorities in mitigating their response, and provide advice to state and local first responders managing the consequences of CBRNE terrorist incidents.

The Department has been actively involved in other preparatory activities relating to domestic CBRNE Consequence Management preparedness, including participating in the interagency exercise Top Officials (TOPOFF) and the Domestic Preparedness Program (DPP), a federal training and equipping program designed to enhance the nation's 120 largest cities' preparedness to respond to CBRNE incidents. Consistent with Presidential direction, the Department transferred lead responsibility for major portions of the DPP to the Department of Justice on October 1, 2000. The DoD continues to provide

technical assistance to the Department of Justice as requested, and as required by law. The Department's Chemical-Biological Rapid Response Team remains a fielded military unit available exclusively for domestic use.

Our intelligence support programs principally involve personnel and funding associated with intelligence activities associated with protecting lives and property, reducing risks, and expanding opportunities for operational success through early detection and definition of threats to U.S. forces.

The Department is also an active interagency partner in the medical and non-medical R&D arenas for domestic CBRNE consequence management; with the Departments of Health and Human Services, Agriculture and Veterans Affairs on vaccine and pharmaceutical production and stockpile issues, and with many players on modeling and simulation, decontamination, detection and identification systems, among others.

Consequence Management Support to Civil Authorities

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The lead federal agencies – State, Justice, and FEMA – are the primary interagency partners in DoD's supporting efforts to combat terrorism. Additionally, the Department of Defense works with and relies on the CIA, Department of Treasury, Department of Agriculture, Environmental Protection Agency, Department of Energy, Department of Health and Human Services, Department of Transportation, and state and local authorities for expertise. DoD has many capabilities, both technical and operational, within its structure that could be used

to assist civil authorities in mitigating and managing the consequences of a domestic CBRNE incident.

To coordinate Department-wide combating terrorism consequence management efforts, the Department's Weapons of Mass Destruction (WMD) Preparedness Group ensures that the Department efficiently marshals its consequence management resources and its many capabilities in support to the LFA in accordance with the Federal Response Plan (FRP) and its Terrorism Annex.

Our planning efforts to support the LFA emphasize our natural skills and organizational structure, which are the foundation of the Department's greatest strength – the ability to rapidly mobilize resources. As we leverage our capability to mobilize large amounts of materiel and personnel in shortened timeframes, the Department can offer a myriad of support to the LFA in order to augment overwhelmed and exhausted first responders. For example, the Department has mobile field hospitals, robust medical assets, transportation, logistics, communications, chemical/biological/radiological reconnaissance, decontamination, mortuary affairs, search and rescue teams, and chaplains available for use, if such capabilities are requested.

Other Special CBRNE CM Assets

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Additionally, the Department maintains other assets that, if not otherwise committed, may be employed (if their capabilities are requested by the LFA) under JTF-CS command and control,

such as:

- Marine Corps Chemical Biological Incident Response Force (CBIRF): A unit tailored for short notice decontamination of chemical and/or biological agents.
- Army Technical Escort Unit: Trained in chemical, biological, and explosive ordinance disposal.
- Chemical-Biological Rapid Response Team: Team comprising experts in the detection, neutralization, containment, dismantlement, and disposal of WMD.
- Army Medical Research Institute of Infectious Diseases (USAMRIID): Develops vaccines, drugs, and diagnostics to protect U.S. military personnel from biological warfare agents.
- Navy Medical Research Institute (NMRI): Maintains biological diagnostic capability. Developed the “fly-away” portable biological agent diagnostic kit, used for UNSCOM inspections, among others.
- Army Medical Research Institute for Chemical Defense: Conducts applied research on the pharmacology, physiology, toxicology, pathology, and biochemistry of chemical warfare agents.
- Army Explosive Ordnance Disposal (EOD) units: Units comprised of experts in the detection, neutralization, containment, dismantlement, and disposal of bombs and explosive devices capable of

causing mass casualties.

DoD's Support Role Emphasized to Lead Federal Agencies

Interagency coordination in combating terrorism is advanced and practiced, on a daily basis, with Department of Defense counterparts at FBI, Justice, State, FEMA, and other organizations. There are several working groups organized through the National Security Council (NSC) that facilitate interagency cooperation. The National Security Advisor chairs a Policy Coordination Committee on Counter-terrorism and National Preparedness, which has four subordinate standing working groups. The new role of the ASD(SO/LIC) as the single focal point for all external coordination on DoD combating terrorism activities will streamline our participation in these working groups and ensure widespread communication to all participating components of the Department.

- The Counter-terrorism Security Group focuses on preventing and responding to foreign terrorism in America and against Americans and American interests abroad. The Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict and the Joint Staff J3 are members of this committee.
- The Assistant Secretary for Special Operations and Low-Intensity Conflict and the Joint Staff J3 are members of the Preparedness Against Weapons of Mass Destruction Group, striving to prevent WMD attacks in the United States and developing robust response and consequence management

capabilities against domestic WMD incidents.

- The Assistant Secretary for Command, Control, Communications and Intelligence represents the Department on the Information Infrastructure Protection and Assurance Group, which deals with threats to America's cyberspace.
- The Deputy Undersecretary of Defense for Policy Support represents the Department on the Continuity of Federal Operations Group that assures the continued operation of the constitutional offices and federal departments and agencies in the event of disruptive disasters.

Additionally, the Assistant to the Secretary of Defense for Civil Support (to be replaced by the Assistant Secretary of Defense for SO/LIC) and the Director of Military Support are members of the FEMA-chaired Catastrophic Disaster Response Group (CDRG). This division of labor allows the Department to focus separately and specifically on crisis management, consequence management, and information operations, thereby greatly streamlining and enhancing its effectiveness in all areas of interagency coordination.

The Department's capabilities are tested through a variety of exercises, many of which involve the interagency. For example, last year, senior policy makers took part in TOPOFF to assess the USG's ability to respond to domestic terrorism. Although there are lead agencies for dealing with terrorism, no single entity can combat terrorism on its own. All federal organizations work together to leverage comparative

advantages, and to produce a seamless USG response to terrorism. As terrorism evolves, so does the USG response and the number of organizations needed to fully counter the threat.

Nunn-Lugar-Domenici First Responder Domestic Preparedness Program

In 1996, Public Law 104-201, also known as the Nunn-Lugar-Domenici legislation, designated the Department of Defense as the LFA to develop a program to improve the capability of federal, state, and local emergency response agencies to prepare for and respond to terrorist incidents involving weapons of mass destruction (WMD). In coordination with other key federal agencies the Department developed and implemented the Domestic Preparedness Program (DPP).

From 1997 to September 2000 the Department, with its federal agency partners, conducted "train the trainer" training for approximately 28,500 emergency responders in 105 of the nation's largest cities. In addition to this training the following exercises were conducted: 104 chemical weapons tabletop exercises, 67 chemical weapons functional exercises, 68 biological weapons tabletop exercises, and three national Federal, state, and local exercises. Additionally, the Department provided training equipment loan packages valued at approximately \$300,000 each to 68 of the 105 cities, and training equipment loan packages worth approximately \$20,000 to the remaining 37 cities.

The DPP ensured widespread distribution of critical information

by maintaining a web site and establishing a Chemical - Biological (CB) Hotline, a CB Helpline, and CB equipment-testing program. The Department also established an Improved Response Program, which was designed to work collaboratively with responders from across the nation to develop practical, real-world solutions to response problems identified during the DPP sponsored training and exercises. These solutions were then widely distributed to the emergency response community via the DPP web site and CB Helpline.

The Department provided assistance to the Department of Justice in establishing the National Center for Domestic Preparedness at Fort McClelland, Alabama. This center is training first responders from all functional areas, including fire, HAZMAT, and law enforcement. This training includes the use of live chemical agents in the Chemical Defense Training Facility, a facility that was developed and operated by DoD.

On 1 October 2000, the LFA responsibility for this program was transferred to the Department of Justice (DOJ). However, the Department continues to assist the first responder community by maintaining a readily accessible CB database, co-chairing the Improved Response Program with DOJ, and sustaining the CB equipment-testing program.

Other Examples of Interagency Coordination

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The depth and breadth of interagency cooperation and communication that has taken place to enhance preparedness to combat terrorism has improved significantly within the last two

years. The following examples highlight the results of such cooperation between DoD and the Department of Health and Human Services:

- **Prevention:** DoD complies with the same DHHS regulations for sending or receiving the select agents, as well as guidelines for laboratories handling the select agents. In fact, DoD scientists assist in developing the laboratory guidelines. DoD also has been engaged with the State Department in efforts to engage former BW scientists in the former Soviet Union. This included extensive efforts by DoD veterinarians to establish U.S. standards for laboratory animal research at Russian facilities. DoD scientists have been involved with the mentioned biological defense research on smallpox virus at CDC-Atlanta.
- **Infectious Disease Surveillance:** The Army Medical Research Institute of Infectious Diseases (USAMRIID) is one of only two laboratories capable of serving as a Level D laboratory in their Laboratory Response Network (LRN). DoD's Global Emerging Infections System is developing a rapid syndromic surveillance system for the National Capital Region named ESSENCE (Electronic Surveillance System for Early Notification of Community-based Epidemics).
- **Medical and Public Health Response to Mass Casualty Events:** DoD has a key role in responding to the Federal Response Plan and the National

Disaster Medical System (NDMS), especially patient movement, but its role is not limited to that...as is commonly thought. TRANSCOM and the Air Force Surgeon General's office are involved in developing a MOU with the NDMS to strengthen the patient movement piece within the U.S. DoD conducted several satellite broadcasts to physicians nationwide on the Medical Response to Biological Warfare and Terrorism and Medical Response to Chemical Warfare and Terrorism.

- National Pharmaceutical: If required in an event, DoD could augment the pharmaceuticals in the stockpile, and could assist in transport of drugs to the required site. A government-owned, contractor-operated (GOCO) vaccine production facility is the long-term strategy for Biological Defense (BD) vaccine production. This facility will provide the capability to manufacture multiple vaccines and assure the availability of these vaccines to the military. A GOCO vaccine facility could augment HHS vaccine requirements, and HHS agreed to provide modest funding this year to join this long-term effort.
- Research: The mission of USAMRIID is to develop medical countermeasures to biological warfare agents, and the mission of the Army Medical Research Institute of Chemical Defense (USAMRICD) is to develop medical countermeasures to chemical warfare agents. Their experience and research is the basis for much of

today's efforts. DoD laboratories, particularly USAMRIID, have been extensively involved in joint HHS-DoD efforts to develop diagnostics and medical countermeasures and to conduct research to understand the pathogenesis of the disease and the molecular composition of the viruses and bacteria. DoD works closely with the FDA during development of a countermeasure to ensure compliance, and has offered great assistance in reviewing and advising the issues associated with new production of the anthrax vaccine at BioPort.

Thank you again for the opportunity to testify before this subcommittee and provide you with an overview of our domestic combating terrorism support activities. The Department of Defense is committed to working with its interagency partners, and Congress to establish and maintain effective programs and policies that will enhance the preparedness, at all levels of government, to respond to and mitigate the awful consequences of a domestic CBRNE incident.

TESTIMONY OF ANN SIMANK
COUNCILMEMBER, OKLAHOMA CITY, OKLAHOMA
on behalf of
THE NATIONAL LEAGUE OF CITIES
before the
HOUSE TRANSPORTATION AND INFRASTRUCTURE
SUBCOMMITTEE
ON ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS,
AND EMERGENCY MANAGEMENT
Wednesday, May 9, 2001

Chairman LaTourette and Members of the Subcommittee, the National League of Cities (NLC) is pleased to have this opportunity to share its views on H.R. 525, the "Preparedness Against Domestic Terrorism Act of 2001." I am Ann Simank, Councilmember from Oklahoma City, Oklahoma. I also serve as Chair of the National League of Cities' Public Safety and Crime Prevention Policy Committee.

The National League of Cities is the nation's oldest and largest association representing municipal interests in Washington, DC. NLC's membership includes more than 135,000 local elected officials from 18,000 cities and towns, representing 225 million Americans throughout the United States. Our member cities range in population from the nation's largest cities of New York and Los Angeles to its smallest towns and villages.

On behalf of the National League of Cities' membership and President, Dennis Archer, Mayor of Detroit, Michigan, as well

as the City of Oklahoma City, I want to express my gratitude to Representative Wayne Gilchrest and other sponsors for introducing the Preparedness Against Domestic Terrorism Act of 2001. NLC has expressed its support of a comprehensive national domestic preparedness plan for more than three years; and, I hope that we will be successful in securing the enactment of such legislation this year.

As you all know, Oklahoma City was devastated by the 1995 bombing of the Alfred P. Murrah Federal Building. This act of terrorism shattered the lives of many citizens and public servants, destroying their families as well as their health and economic well-being. Another severe consequence of the bombing is that many of our first responders are still devastated by the horror caused by such a massive terrorist incident.

First, had it not been for the disaster management training Oklahoma City received from the Federal Emergency Management Agency (FEMA), and the support from other federal and state agencies--before and after the bombing--we would not have been able to mitigate such an immense and catastrophic disaster. Secondly, the lessons we learned from the tragic bombing indicate the need for better coordination among all levels of government in order to achieve an effective state of national domestic preparedness. The Preparedness Against Domestic Terrorism Act of 2001 would help us accomplish this objective by setting a precedent for domestic preparedness at the federal level, improving federal interagency planning and coordination of resources for early detection, prevention, and response to terrorist attacks involving weapons of mass

destruction.

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The National League of Cities applauds the federal government's efforts in establishing training programs for local first responders; providing grants to help improve local domestic preparedness capabilities; dedicating more emergency services personnel to help local first responders in the event of a terrorist attack; and focusing more on efforts to address on-line threats of terrorism such as cyber attacks that could ruin a city's grid system, damage infrastructure, and virtually shut down vital public services. These components are essential to the federal government's network of assistance to local governments in preventing and responding to weapons of mass destruction.

However, in noting these resources, I must reiterate the need for better coordination and direct assistance to local governments. Better organization at the federal level will enable states and local governments to improve their own early detection, warning, and response capabilities against the use of chemical, biological, radiological, and technological weapons of mass destruction. All too often, we as local elected officials hear the concerns of our police, fire fighters, and EMS personnel about the need for a coordinated system for domestic preparedness. Again, NLC believes that H.R. 525 will address this urgent need, authorizing the establishment of the President's Council on Domestic Terrorism to oversee the coordination of all federal resources for domestic preparedness.

I would like to share the National League of Cities' position on specific provisions of the Preparedness Against Domestic Terrorism Act of 2001, denoting current constraints in geographic limitations, equipment and training, emergency communications systems, and information sharing.

NLC's *National Municipal Policy* (Section 6.01, D) states that federal government actions to combat and respond to domestic terrorism should include shared decision-making responsibility with local jurisdictions. As immediate responders to a crime scene of a terrorist threat or attack, local governments are often the only responders from the time of the occurrence to at least twenty-four hours afterwards. In this regard, local governments must be provided with the equipment, training, and necessary intelligence to play a leading role in the effort of prevention and emergency response.

In reviewing H.R. 525, Section 652 ("Duties of the Council"), we have found that the designation of one federal entity as a primary point-of-contact for local governments is most feasible for notification of potential threats and requests for federal resources and information. Also, the implementation of a biennial review of state and local disaster response plans and capabilities is a good idea. This review will help all levels of government in determining specific training and technology needs and to assess potential threats and geographic constraints. With regard to regional needs, I urge that the Council take special note of the needs of smaller jurisdictions that are just as vulnerable to weapons of mass destruction as larger cities.

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Regional planning and cooperation are critical, especially for rural areas. In many instances, it could take several hours before federal response teams arrive at the scene of a terrorist incident affecting smaller jurisdictions and remote areas.

To quote a statement in a *Washington Post* article last year on how capable medium-sized cities are in preventing and responding to weapons of mass destruction, “We are all going to be dead ducks” if small and medium-sized communities are left behind in getting the appropriate training, equipment, and other resources. Mr. Gerald Arenberg, founder of the National Association of Police Chiefs, expressed his frustration with the lack of federal funds and resources dedicated to smaller cities and towns. “Several million dollars were appropriated by Congress to prepare first responders,” Mr. Arenberg stated. He went on to say that the funds “never really got down to the local level.”

NLC also recognizes the legislation’s requirement to set voluntary minimum standards for state and local domestic preparedness programs, as described in Section 655. We understand that these standards are to be used as guidelines with regard to equipment, exercises, and training. NLC is concerned that many cities may not receive needed resources because they cannot financially or physically meet these mandates or

guidelines.

Mr. Chairman and members of the Subcommittee, there must be some assurance that local governments will have direct and flexible access to these vital funds and resources. The constraints local governments face in acquiring sufficient emergency communications systems present strong evidence for such direct funding. First responders in Oklahoma City had to resort to runners who relayed information between agencies because of the lack of interoperability among the emergency communications systems used by federal, state, and local authorities. This is an area where the Council should develop immediate recommendations for regional planning and direct federal assistance. Regionally-based training that builds on shared emergency response networks would help many jurisdictions of all sizes improve their domestic preparedness and emergency response capabilities.

In Section 653 of the legislation, which authorizes the domestic preparedness plan and implementation strategy, NLC applauds your commitment to ensure direct consultation with state and local officials. This measure will help guarantee the accomplishment of a truly comprehensive national domestic preparedness plan essential to acquiring sufficient public safety communications, equipment, and training for state and local first responders. Recent reports indicate that overall, the United States is not adequately prepared to handle a large-scale terrorist incident.

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One immediate approach to help address this problem locally is further education on the federal role in crisis management, involving local law enforcement agencies to resolve threats of terrorism, and the federal role in consequence management, involving all facets of emergency response.

Section 653 also addresses the Council's implementation of a national policy for sharing certain classified information on threats or potential threats of terrorism with local law enforcement agencies on a need-to-know basis. This function is crucial to any comprehensive preparedness plan. For example, certain inadequacies which occurred in the wake of the Oklahoma City bombing have been noted, including the fact that a federal inmate, who was to be put to death that day, had been indicted for trying to bomb the Murrah building in the 1980s. Notices to local authorities on similar information and other pertinent intelligence will help cities and towns become more aware of potential threats and could even help prevent acts of terrorism.

Mr. Chairman, before I conclude my remarks, I would like to note a National League of Cities' publication, titled Domestic Terrorism: Resources for Local Governments. When NLC's Public Safety Committee began studying this issue, we found that at least 43 separate federal agencies are involved in

domestic terrorism preparedness. This prompted us to publish a local officials' guide. So you can see that we really do need the establishment of a Presidential Council on domestic preparedness to provide a central clearinghouse of information and resources for local first responders.

Finally, the challenges we face to prepare all levels of government for terrorist incidents are indeed complex and multifaceted. Large scale evacuations, public health emergencies, the detection of explosives and other hazardous materials, and the diffusion of cyber threats on-line are just a few of the challenges we confront in the face of a terrorist threat or attack. The Preparedness Against Domestic Terrorism Act acknowledges the critical role that local governments have in being the first responders to the scene of a terrorist incident. The National League of Cities looks forward to working with you as this crucial piece of legislation moves forward toward final passage; and we will certainly underscore the need for sufficient funding for this legislation in the appropriations process.

Mr. Chairman and members of the Subcommittee, I appreciate your leadership on this issue, and I would be happy to answer any questions that the Subcommittee may have at the appropriate time.

Thank you.



**Preparedness Against
Domestic Terrorism Act of
2001
H.R. 525**

Statement by Chief Edward Plaughter

presented to

Subcommittee on Economic

**Development, Public Buildings
and Emergency Management**

of the

**Committee on Transportation
and Infrastructure**

U.S. House of Representatives

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Good afternoon, Mr. Chairman, I am Edward Plaughter, chief of the Arlington County Fire Department in Virginia. Arlington County Fire Department provides emergency services that include fire prevention and suppression, hazardous materials response, local search and rescue and emergency medical services.

I also serve on the Terrorism Committee of the International Association of Fire Chiefs on whose behalf I appear today. First, I would like to thank the Committee for its continued interest in ongoing terrorism preparedness efforts and its recognition of local public safety agencies as the primary responders to these events.

I know that this and other Committees of the Congress have heard testimony from fire chiefs in the past. We as a group have emphasized the role of local public safety personnel, particularly fire fighters, in responding to incidents of terrorism. When emergencies occur, time is our enemy. It has been my life's experience that local personnel will work alone in the crucial hours following an event. I can not emphasize this point enough.

In explaining ourselves to Congress, we have asked for assistance in training and equipping fire fighters to deal with what is being called "Weapons of Mass Destruction" terrorism. We have spoken of the need to enhance existing capabilities rather than creating new ones.

Arlington County, Fairfax County and other surrounding jurisdictions have participated in federal preparedness efforts since their inception, including the Nunn/Lugar/Domenici program formerly administered by the Defense Department and training programs provided by the Department of Justice and the Federal Emergency Management Agency. As a region, we also staff and equip a team we developed as the model for the

Department of Health and Human Services' Metropolitan Medical Response System program.

Last year's TopOff exercise, sponsored by the Justice Department, took place in the DC metro area and involved numerous federal response agencies in addition to those local personnel who would be dispatched by the 911 system. All of these federal initiatives to assist us in preparing for the contingency of terrorist attack have had a positive impact on our level of preparedness.

However, as both participants and observers of our national effort to prepare states and local communities for the threat of terrorism in America, we believe that steps need to be taken by both Congress and the administration to craft a well-ordered national strategy. It has been my experience, shared by many of my colleagues in other jurisdictions, that efforts undertaken to-date at the federal level, while by themselves are valuable, would greatly benefit from an increased level of coordination and accountability. Efforts that may be duplicative or worse, contradictory, lead to confusion at the local level and expend precious federal resources unnecessarily. Efforts underway at the federal, state and local levels of government ought to be better synchronized for the benefit of public safety.

In my view, a more focused effort would be more effective than what we now have. At the federal level, there is certainly expertise located in different agencies that should be leveraged to create the most effective preparedness effort possible. It seems to me, and to many of my colleagues, that this could be

better accomplished by designating one federal official with responsibility and authority to coordinate and deliver these programs. We have in the past requested a single-point-of-contact in Washington whom we can access for answers and provide input as we move forward. It would also be best if that official were not at the same time responsible for managing additional responsibilities on a day-to-day basis. Who that official is, or where he or she works, is not for the fire service to say.

Quantifying our efforts is also an issue. We as a nation have thus far not attempted to define, quantifiably, what an acceptable level of preparedness is. Without clear, attainable preparedness goals, it is difficult to make progress in any arena. In the fire service, we have a good idea of what it takes to support a measurable level of service to our communities. More importantly, we know what we must bring to the fireground to put the fire out. We also have a clear understanding of the tasks that fire fighters must be able to perform to succeed. It is our view that an overarching strategy should be adopted that would better define local preparedness for response to terrorist incidents.

We would suggest that our efforts coincide with a strategy that would facilitate and encourage both the interagency coordination and the development of "performance objectives" that clearly define the tasks which first responding agencies need to perform in order to mitigate a terrorist incident. Institutionalizing this approach nationwide would still leave plenty of room for experimentation and innovation by state and

local officials. It provides for flexibility that would ensure better preparation among local first responders by focusing on those areas in which a particular community's level of preparedness is deficient when measured against the established performance goals and objectives. We also request that the strategy provide a framework that avoids the one-size-fits-all approach that has to an extent been employed in the past. Such a strategy would consider existing local, state, regional and federal response assets and require their inclusion in a local planning effort.

Existing assets would include local hazardous materials response teams, emergency medical services and Metropolitan Medical Response Systems, where available. State assets would include any assets available to state governments, including National Guard and other assets that may be available to a particular state. Regional assets would include Urban Search and Rescue teams, located in the various FEMA regions, and the National Guard Civil Support Teams that are being put in place around the country. Federal assets are too numerous to name completely, but include the FBI's HazMat Response Unit, and the Defense Department's recently created Joint Task Force for Civil Support. These are all examples of existing assets, though not the complete list that should be included in the overarching strategy.

In addition, we request that whatever support programs and grant funding that is available be used to assist first responder agencies in meeting performance objectives developed to identify those actions which must be taken to mitigate a terrorist incident.

Perhaps most importantly, the overarching strategy I have outlined would provide us with not only a clear goal to work towards but defines the most important goal of all: adequate preparedness.

Hinging funding efforts on interagency planning that includes local, state and federal response agencies would, in my opinion, contribute markedly to our national preparedness effort, providing the capability and assets necessary to meet performance objectives established and ensuring the highest level of public safety in the event of an incident of terrorism.

I say this to make a final point. Federal assistance provided toward that end is important. It has been used to help us in our national effort. Assistance and help are the key terms here. We in Arlington County and in communities around the country have spent far more in local tax revenues on terrorism preparedness than we have received from other sources. Local expenditure, at least in Arlington County, will continue for as long as a threat exists. My point is merely that the character of terrorism warrants an orderly, focused national effort that should enhance, and not replace, the local one.

Mr. Chairman, I appreciate the opportunity to testify before this Committee. I am happy to answer any questions you may have.

