

**ASSESSING THE FRAMEWORK AND COORDINATION OF THE NATIONAL EMERGENCY COMMUNICATIONS PLAN**

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**HEARING**

BEFORE THE

**SUBCOMMITTEE ON EMERGENCY COMMUNICATIONS,  
PREPAREDNESS, AND RESPONSE**

OF THE

**COMMITTEE ON HOMELAND SECURITY  
HOUSE OF REPRESENTATIVES**

ONE HUNDRED TENTH CONGRESS

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## ASSESSING THE FRAMEWORK AND COORDINATION OF THE NATIONAL EMERGENCY COMMUNICATIONS PLAN

Tuesday, July 15, 2008

U.S. HOUSE OF REPRESENTATIVES,  
COMMITTEE ON HOMELAND SECURITY,  
SUBCOMMITTEE ON EMERGENCY COMMUNICATIONS,  
PREPAREDNESS, AND RESPONSE,  
*Washington, DC.*

The subcommittee met, pursuant to notice, at 10:08 a.m., in Room 311, Cannon House Office Building, Hon. Henry Cuellar [Chairman of the subcommittee] presiding.

Present: Representatives Cuellar, Dicks, Lowey, Christensen, Etheridge, Dent and Miller.

Mr. CUELLAR. Good morning. The Subcommittee on Emergency Communications, Preparedness and Response will now come to order. The subcommittee is meeting today to receive testimony regarding assessing the framework and the coordination of the National Emergency Communications Plan.

Again, good morning to all of you all for being here with us. On behalf of the Members of the subcommittee, let me welcome our witnesses from the Department of Homeland Security, the State and local governments, the first responders community and the private sector.

At the outset, I would like to again express my concern about the timeliness of receiving the witnesses' testimony, in particular the Department of—the Homeland—the committee rule requires that we receive testimony 48 hours in advance of the hearing so Members will have ample time to review and develop the follow-up questions. I hope this rule will be honored in the future.

On a positive note, today's hearing will give the witnesses an opportunity to discuss emergency communications and the first-ever stand-alone interoperable grant program that the DHS authorized in Public Law 110-53, the Implementing the Recommendations of the 9/11 Commission Act, or more simply known as the 9/11 Act.

Since 2003, the Department of Homeland Security has awarded approximately \$9.5 billion to State, territories, local and tribal governments to help them strengthen their preparedness and responsibilities before, during and after an incident. Of that amount, \$2.9 billion has been spent on emergency communications, making it the single largest use of grant dollars. Although an impressive amount, the reality of the situation is that addressing the Nation's

emergency communications system may range from \$60 billion to \$100 billion.

In order to ensure that these grant funds are being spent in a way that advances interoperable emergency communications, Congress required the Department of Homeland Security to complete a National Emergency Communications Plan, the NECP, as a condition to distributing those interoperability grants to recipients. The NECP is the principal document that incorporates the Federal, the State, the local, the tribal and the private sector input to define national goals, specify objectives, recommend solutions, identify shortfalls and provide a roadmap for achieving emergency communications for the purposes of the parties and the public in general.

The NECP was originally due to Congress on April, 2008. Unfortunately, the Department of Homeland Security missed a critical deadline in large part due to the fact that DHS did not hire a permanent director for the Office of Emergency Communications until December 2007. In anticipation of the NECP, as was promised by DHS to reach Congress this month, the subcommittee proposed a hearing to both congratulate DHS on meeting a critical deadline and to provide Congress an opportunity to review the plan. Unfortunately, this last Friday, I was told that the NECP, although completed by the Department, it is still under review by the Office of Management and Budget.

As you know, I represent Laredo, Texas, a border community which would greatly benefit from effective coordination among the Federal, State and local players. Clearly, the NECP would go a long way to advance communication goals for the first responders, as well as CBP, which both play major roles in responding to border security-related threats and emergencies.

I am very concerned that this additional setback of the NECP may delay the receipt of the fiscal year 2008 Interoperability Emergency Communications Grant Program, the IECGP, which as you know ends on September 30. My own State of Texas is anticipating the allocation of \$3.5 million. The delayed submittal of the NECP is yet another example of the State and local governments meeting the federally imposed deadline only to have the Federal Government not meet their own deadlines.

So to move on with this hearing, I look forward to hearing from Under Secretary Jamison on what the NPPD has done to support the Office of Emergency Communications, more commonly known as the OEC, and the furtherance of the NECP.

Mr. Essid, this subcommittee is looking forward to learning about your coordination efforts to develop a statutorily mandated NECP and the next steps to advancing national emergency communications at all levels.

Mr. Mirgon and Chief Werner, I am especially interested in how representatives of the State and local governments and the first responders community, your perspectives, how they were incorporated in the State communications interoperability plan and the NECP.

Finally, Mr. Alagna will inform the subcommittee of the role that the private sector, a key component, played in contributing to the NECP.

I look forward to a robust discussion about the Federal Government contribution to the NECP as represented by the Emergency Communications Preparedness Center, as well as other impacting developments.

In closing, I continue to stress the importance of adequately addressing the issue of providing first responders with reliable and, of course, the resilient emergency communications during times of disasters. The lack thereof is our Nation's silent threat. We must do all our due diligence now before an emergency. We must work together to encourage the sound governments, improve coordinated planning efforts to address the interoperability challenges we face today, not after another natural disaster or terrorist attack. If our first responders can't talk, lives will be lost.

The Chair now recognizes my friend, the Ranking Member of the Subcommittee of Emergency Communications, Preparedness and Response, the gentleman from Pennsylvania, Mr. Dent, for an opening statement. Mr. Dent.

Mr. DENT. Thank you, Mr. Chairman. I am pleased that you have decided to hold this hearing today to talk about the National Emergency Communications Plan. This Plan will be an important milestone in our efforts to strengthen interoperable emergency communications at all levels of government.

This Plan was required by the Post-Katrina Emergency Management Reform Act, which this committee wrote in 2006 to define national goals and objectives to achieve interoperable emergency communications. The Plan will be the first of its kind and will help ensure that the billions of dollars spent on emergency communications each year are used effectively.

Last week, we were informed that the national plan would not be available for discussion at today's hearing. Therefore, I joined Chairman Cuellar and Chairman Thompson in sending a letter to the Department requesting that the subcommittee receive the executive summary of the Plan. I was disappointed that the Department was unable to meet this request.

I would note that, while disappointed that the interagency process has delayed the Plan's delivery to Congress and that we are unable to discuss it fully today, I do commend the Office of Emergency Communications for its hard work in putting the Plan together. With only a handful of permanent staff and some contract support, the OEC has not only completed the draft of the national plan but also recently completed its first biennial Progress Report on Emergency Communications and the first phase of the National Baseline Assessment. The Office has also reviewed the State-wide Communication Interoperability Plans submitted by all 56 States and territories and coordinated with FEMA's Grant Programs Directorate to develop the grant guidance for the new Interoperable Emergency Communications Grant Program that was issued on June 20.

I was pleased to see that the Commonwealth of Pennsylvania will receive significant funding through the program this year.

While much has been accomplished, the OEC does not yet have sufficient staff to fulfill its important mission and meet its statutory deadlines. When Congress created the OEC, it was intended to serve as the primary Federal office for national interoperable

emergency communications policy, planning, and analysis. This is a critically important mission that requires more staff than the eight or so currently on board.

It is my understanding that the National Protection and Programs Directorate, of which OEC is a part, has been working to quickly hire full-time staff. I look forward to receiving an update on this effort and discussing with Under Secretary Jamison and Director Essid how the Department is ensuring that the OEC is properly resourced and supported by the DHS leadership.

I also look forward to discussing with our witnesses how the process for developing the National Emergency Communications Plan incorporated stakeholder input from various disciplines and jurisdictions and how they plan to help implement the Plan once it is released.

Again, I thank the witnesses for taking the time to be with us today. I thank Chairman Cuellar, and I yield back at this time.

Mr. CUELLAR. Thank you, Mr. Dent.

Other Members of the subcommittee are reminded that, under the committee rules, opening statements may be submitted for the record.

At this time, we will start off with the witnesses' testimony. I welcome our panel of witnesses that we have here.

Our first witness is Mr. Robert Jamison, who is the Under Secretary for the National Protection and Programs Directorate at the Department of Homeland Security. Mr. Jamison leads the NPPD in its mission to reduce the risk of both physical and virtual threats and their associated human elements. Prior to Mr. Jamison's appointment to the DHS, he served for over 3 years as the Deputy Administrator for the Federal Transit Administration at the U.S. Department of Transportation; and we welcome you, Mr. Secretary.

I also welcome back our second witness, Mr. Chris Essid, who has previously testified before the committee. Mr. Essid is the Director of the Department of Homeland Security Office of Emergency Communications within the NECP. He also served as the first interoperability coordinator for the Commonwealth of Virginia. He has served on the SAFECOM Emergency Response Council. Also, Mr. Essid is a veteran of the U.S. Army and holds a masters degree in public administration.

Our third witness is Chief Charles Werner, who is a 30-year veteran of the Charlottesville, VA Fire Department and personally serves as its fire chief. Chief Werner also serves as the SAFECOM Executive Committee Chair and member of the Virginia State-wide Interoperability Executive Committee, the Communications Committee and the National Public Safety Telecommunications Council of Governing Board.

I also understand, Chief, that you have served 30 years already. We see this from the great Daily Progress paper. Congratulations on being there for 30 years.

I was walking this morning—early this morning and knocked on his window. He was already preparing. I want to say that early this morning, before 8 o'clock, I saw the Chief preparing. So he said the hardest part is trying to keep it under 5 minutes.

Our fourth witness is Mr. Richard Mirgon, who currently serves as the Director of Technology Services for Douglas County there in

Nevada and also as the First Vice President of the Association of Public Safety Communications Officials. He is the founder of the Nevada Chapter of the National Emergency Association and the Nevada Chapter of the APCO. Mr. Mirgon served 4 years in the United States Air Force as an intelligence analyst assigned to a national security agency and holds a bachelors degree in public service. Welcome.

Our fifth witness is Mr. Michael Alagna. Mr. Alagna manages Motorola's strategic plan for the Federal Government and the international wireless communications programs. He has been designated to represent Motorola's industry Executive Subcommittee for the National Security Telecommunications Advisory Committee and the Communications Sector Coordinating Council. He also serves as the Vice President of Motorola's Integrated Solutions Group and chairs the State and local working group. He also received a bachelors degree from the University of Maryland and a masters degree in administration from Central Michigan University. Welcome.

We are pleased to have all of you all here today, and we appreciate your testimony. Without objection, the witnesses' full statements will be inserted into the record.

I now ask each witness to summarize his statement for 5 minutes, beginning with Mr. Jamison.

Again, welcome, sir.

**STATEMENT OF HONORABLE ROBERT D. JAMISON, UNDER SECRETARY, NATIONAL PROTECTION AND PROGRAMS DIRECTORATE, DEPARTMENT OF HOMELAND SECURITY**

Mr. JAMISON. Thank you, Mr. Chairman and Ranking Member Dent and Members of the subcommittee. I appreciate the opportunity to discuss the ongoing work of the Office of Emergency Communications within the National Protection and Programs Directorate and our efforts to improve communications for emergency responders and Government officials throughout our Nation.

NPPD has a diverse risk reduction mission with some important initiatives that are vital to securing the homeland. Some of the Directorate's current priorities are securing the chemical sector, establishing in the air and sea environments the collection of biometric information from visitors exiting our country and leading an interagency effort to improve the security of cyberspace.

Another top priority is the mission of the Office of Emergency Communications to enable emergency responders and Government officials to continue to communicate during any disaster. It is a mission that resonates with the American public as well as with the Secretary and with all of us at NPPD charged with implementing its critical goals.

Since Congress established the OEC, the Directorate has been focused on ensuring that the office has been ramping up resources to deliver the mission. In particular, we need to make sure that we have strong leadership in place to deliver on goals and to manage the agency through transition and to ensure that the staff is on board to get the job done.

My staff and I have been focused on two important priorities. In December of last year, we brought on Chris Essid as OEC's Direc-

tor. Chris' background in the field and as the State of Virginia's first interoperability coordinator enables him to relate to the issues. Having someone in the Director's role that understands the intricacies of Government and the realities of the field serves OEC well.

In tandem with bringing on strong leadership to focus priorities, securing adequate staffing levels is a Directorate-wide challenge. I have established a task force to address staffing shortages and have charged them with facilitating the hiring process, including accelerating the identification of qualified individuals and decreasing the number of days from tentative job offer to start date.

Since the staff task force has been in place, we have reduced the time to tentative offer by over 45 percent. OEC, a relatively small office of 37 people, is benefiting from those initiatives with 13 new hires scheduled to come on board in the coming weeks.

In an effort to bring additional leadership to this area, we have also recently hired a seasoned manager with human capital experience. Michael Capps is our Director of Resource Administration.

The Office of Emergency Communications is on track to deliver the National Emergency Communications Plan which will represent a critical step forward in improving the state of emergency communications for personnel across the country. The NECP will be the first national strategy for emergency communications and will drive measurable improvements and interoperability and continuity of communications for emergency responders Nation-wide. The NECP will be delivered shortly to ensure that there will be no impact of the release of the fiscal year 2008 grant funds.

OEC will drive the implementation of the NECP by providing targeted technical assistance to State, regional, local, territorial and tribal government officials by developing grant guidance that aligns with NECP priorities and by coordinating the Federal NECP activities.

The events of 9/11 have concentrated our national attention on the importance of emergency communication. While we have made progress, we still have much work left to do. As we roll out the NECP, we are focusing OEC's efforts on results, improved capabilities and interoperability in the field. A focus on results will drive the requirements for technical assistance grants and other programs.

I am grateful for the committee's continued support, and Chris and I look forward to answering any questions you may have.

[The statement of Mr. Jamison and Mr. Essid follows:]

PREPARED STATEMENT OF ROBERT D. JAMISON AND CHRIS ESSID

JULY 15, 2008

Thank you Chairman Cuellar, Ranking Member Dent, and Members of the subcommittee. It is a pleasure to be here today to address the Office of Emergency Communications' (OEC's) development of the National Emergency Communications Plan (NECP) and our other efforts over the past year to improve communications for emergency response providers and Government officials across the Nation.

Before turning to the development of a strategic national plan, we would like to address Congress' creation of the Office and the important mission that it assigned to OEC. As we approach the seventh anniversary of the attacks of September 11, we are constantly reminded of the need for emergency responders and Government officials to communicate seamlessly to manage incidents and restore essential services in the aftermath of an incident.

As we have learned through after-action reports and assessments of the Nation's emergency communications capabilities, there continue to be technological, organizational, and jurisdictional challenges affecting emergency responders' ability to communicate effectively during crisis events. This can impact our response and recovery for large-scale events such as Hurricane Katrina, as well as countless regional and localized incidents that take place every day.

Ensuring the effectiveness of emergency communications, however, is not something the Federal Government can accomplish on its own: it requires partnering with the tens of thousands of emergency response providers and coordination across disciplines, jurisdictions, and all levels of government.

Recognizing the challenges associated with emergency communications, Congress established OEC to be the focal point within the Federal Government to strengthen and coordinate interoperable emergency communications in collaboration with Federal, State, local, and tribal partners. Further, aware of the need for an overarching strategy to guide National planning and coordination for emergency communications, Congress directed OEC to develop the first NECP and update it periodically, in coordination with stakeholders at all levels of government.

Since becoming operational on April 1, 2007, OEC has been focused on establishing an effective organization to achieve these critical mission requirements. This includes integrating the three interoperability programs transferred from other DHS entities—the Federal wireless programs under the Integrated Wireless Network; the Interoperable Communications Technical Assistance Program (ICTAP); and guidance, tool, and template development by the SAFECOM program. The day-to-day administration of OEC programs and initiatives is being carried out by three branches that report directly to the Director's Office: the Multi-Jurisdictional Communications Services (MCS) Branch, the Federal Communications Services (FCS) Branch, and the Policy, Planning and Analysis Branch.

OEC is working to assess the emergency communications landscape and to identify what is and what is not working; develop plans to reverse deficiencies in emergency responders' communications capabilities; collaborate on initiatives with our Federal, State, and local partners; and work with our partners to implement programs and activities that target gaps and make measurable improvements in emergency communications.

#### PLANNING

##### *National Emergency Communications Plan*

The National Emergency Communications Plan will serve as a strategic roadmap to help drive measurable improvements in the areas of interoperability, operability, and continuity of communications for emergency responders across the Nation. The Plan seeks to build on the substantial progress that we have made collectively as a Nation and will be the guiding force behind OEC's strategic planning and implementation activities going forward.

As a key first step in developing the NECP, OEC worked to incorporate within the framework of the Plan the requirements under Title XVIII of the Homeland Security Act of 2002 (Pub. L. 107-296), as amended by the fiscal year 2007 DHS Appropriations Act. Among the many requirements, the legislation calls for the NECP to include recommendations for expediting the standards process, identifying emergency communications capabilities, and providing short- and long-term solutions, time frames, and benchmarks for ensuring communications interoperability and operability. Implementing the Recommendations of the 9/11 Commission Act of 2007 (Pub. L. 110-53) added a requirement for the NECP to include a date by which our stakeholders expect to achieve a baseline level of interoperability, and OEC worked closely with the emergency response community to address this specific element.

In addition to these legislative directives, OEC analyzed pertinent emergency management documentation and initiatives for possible recommendations and solutions for improving emergency responders' communications capabilities. This included numerous after-action reports, studies, and strategy documents that address communications interoperability and operability issues, such as *The Federal Response to Hurricane Katrina: Lessons Learned*, *The 9-11 Commission Report*, *The National Governors Association 2007 State Homeland Security Directors Survey*, and the SAFECOM 2006 National Interoperability Baseline Survey.

##### *State-wide Communication Interoperability Plans*

To develop targeted NECP initiatives that build on the findings and recommendations from these key source documents, OEC leveraged its ongoing work in the area of State planning. On December 3, 2007, all 56 States and territories submitted their State-wide Communication Interoperability Plans (SCIPs) in accordance with

the requirements of both the Public Safety Interoperable Communications (PSIC) Grant Program and the Homeland Security Grant Program. This marked a critical milestone for the Nation. Now, all 56 States and territories have SCIPs that address a common set of requirements and guidelines.

OEC played an important role in the development and approval of the SCIPs, working side-by-side with State and local communities to provide related guidance and technical assistance. OEC offered assistance in the preparation of these plans to all 56 States and territories and conducted SCIP development workshops for the 30 States and five territories that requested such help. OEC's technical assistance team also supported the development of PSIC Investment Justifications.

Earlier this year, OEC, in partnership with the Federal Emergency Management Agency (FEMA) and the Department of Commerce's National Telecommunications and Information Administration, conducted a preliminary and final review process to evaluate and approve the SCIPs and communicated final feedback and approval decisions to the States and territories in April. The SCIPs provided valuable information about the current interoperability environment within each State and territory. This information was leveraged for the NECP, particularly with respect to current State initiatives to address communications gaps. Moving forward, OEC will work with the States to ensure that future versions of their SCIPs are aligned with the NECP goals and objectives, in part through the grant funding States receive under the Interoperable Emergency Communications Grant Program.

#### COORDINATION AND COLLABORATION

Stakeholder involvement was the single most important element in the NECP development process. Title XVIII directs OEC to develop the NECP in cooperation with State, local, and tribal governments; Federal departments and agencies; emergency response providers; and the private sector. OEC established various working groups to coordinate plan development and ensure that this diverse set of stakeholders provided feedback and input at each step of the NECP process. These stakeholder forums will be critical in the implementation of the NECP and all areas of OEC's mission going forward.

- *SAFECOM Executive Committee (EC)/Emergency Response Council (ERC).*—The SAFECOM EC and ERC, managed jointly by OEC and the Office for Interoperability and Compatibility within DHS' Science and Technology Directorate, are composed of emergency responders at every level of government. The SAFECOM EC provides strategic recommendations on emergency responder needs from the practitioner and policymaker perspective at all levels of government. The SAFECOM ERC serves as a vehicle to collect a broad base of public safety community input on emergency responder user needs and participates in project action teams to develop work products and identify user needs. The EC/ERC were the primary mechanisms for coordinating State and local feedback on the NECP; they formed an NECP Work Group that included more than 40 first responders, elected officials, and public safety communication officials from around the Nation, as well as representatives from some Federal agencies.
- *Emergency Communications Preparedness Center (ECPC).*—Title XVIII directs the ECPC to serve as the focal point and clearinghouse for intergovernmental information on interoperable emergency communications and coordinate Federal input to the Plan. To facilitate Federal participation in the NECP process, the ECPC formed a Focus Group comprising representatives from numerous DHS agencies as well as the Department of Defense, Department of Justice, Department of Commerce, Department of Treasury, Department of the Interior, the Federal Communications Commission, the National Guard, and others.
- *Critical Infrastructure Partnership Advisory Council (CIPAC).*—The CIPAC, developed by DHS, is a key partnership between Government and critical infrastructure/key resource owners and operators; it provides a forum for stakeholders to engage in a broad spectrum of activities. OEC worked within the CIPAC structure to facilitate NECP discussions through a cross-sector working group that included private sector representatives from the communications, information technology, and emergency services sectors, as well as State, local, territorial, and tribal government officials.
- *Federal Partnership for Interoperable Communications (FPIC).*—The FPIC is a voluntary organization of Federal, State, local, and tribal emergency communications users, managers, and planners that serves as a forum to build partnerships and collaboratively address policy and technical challenges related to spectrum, standards and technology, and security. Through the FPIC, DHS and other Federal departments and agencies are engaged in resource sharing initiatives with State and local agencies across the Nation.

- *NECP Federal, State, Local Focus Group.*—To facilitate cross-governmental discussions and perspectives about the Plan, OEC organized a focus group consisting of Federal, State, and local representatives with significant experience in public safety communications and emergency response activities.

OEC worked closely with each of these stakeholder groups to develop the core strategic elements of the NECP, including the overall vision for the Plan, which calls for emergency response personnel at all levels of government, and across disciplines, to communicate as needed, on demand, and as authorized. To help us realize that vision, the Plan provides goals, objectives, and initiatives for improving emergency communications capabilities at the Federal, State, and local levels. The Plan reflects the fact that there is no simple solution for solving emergency communications challenges. In addition to technology, we must also focus on improvements in governance and coordination, planning, usage, and training and exercises.

#### IMPLEMENTATION—POLICY/GUIDANCE/ASSISTANCE

The NECP will serve as the first national strategy to guide decisionmaking and better integrate Federal, State, local, and private sector emergency communications efforts. It will be a living document subject to periodic review and updates by OEC, in coordination with its stakeholders. Although implementation of the NECP will be a shared responsibility among all levels of government, OEC will be the lead Federal entity for managing the Plan, working closely with our partners to meet milestones and achieve stated goals. In this role, OEC will monitor achievement of the NECP's recommended milestones and initiatives and will coordinate with our stakeholders to assess progress in reaching the Plan's goals.

OEC will help drive NECP implementation through the provision of targeted technical assistance to State, regional, local, territorial, and tribal government officials; the development of grant guidance that aligns with NECP priorities; and the coordination of Federal NECP activities through the ECPC and FPIC. OEC will manage overall implementation of the NECP, but, for this to be a successful Plan, the emergency response community must take ownership of the proposed initiatives and actions, and dedicate itself to meeting the key benchmarks. We cannot achieve the NECP's goals without the support and commitment of the Federal, State, and local communities that helped craft the Plan and that play such an important role in the implementation.

As previously stated, the NECP will be the strategic driving force behind everything OEC does as an organization. It will help integrate emergency communications efforts at the Federal, regional, State, and local levels, and it will better align national resources and initiatives under a common strategy. This includes OEC's technical assistance and grant guidance work.

#### *Grants*

OEC is responsible for developing and coordinating grant guidance for all departmental grant programs funding interoperable communications. In addition, OEC will work with other Federal agencies to maximize the allocation and expenditures of emergency-response, communications-related grant dollars across the Federal Government. OEC's annual SAFECOM Recommended Federal Interoperable Communications Grant Guidance outlines recommendations for grant funding eligibility, including applicants and activities, application criteria, guidelines, and resources, to help Federal grant programs use their funds to strengthen interoperability within the emergency response community.

In addition, OEC has been working to implement Section 1809 of the Homeland Security Act, which established the Interoperable Emergency Communications Grant Program (IECGP) to "improve local, tribal, State-wide, regional, national and, where appropriate, international interoperable emergency communications." OEC has worked in partnership with the FEMA Grant Programs Directorate to execute the IECGP, for which \$50 million was appropriated in fiscal year 2008. OEC has focused on ensuring that the IECGP is consistent with the priorities and initiatives of the NECP and the SCIPs. Grant guidance for this program was released in June.

Under the IECGP, States are required to report to OEC annually on their progress in implementing their SCIPs, and OEC must annually submit a report on grant allocation and any progress in implementing SCIPs and improving interoperability. These reporting requirements will enable OEC to measure the progress of States and territories in implementing their SCIPs and assess Nation-wide progress in achieving the goals and objectives set forth in the NECP.

#### *Technical Assistance*

Another important element of OEC's mission is the provision of technical assistance to State, local, tribal, and territorial governments through the ICTAP. OEC's

MCS Branch leads our technical assistance efforts and supports requests for a range of interoperability issues, including engineering, governance, training, regional planning, and the Web-based Communication Assets Survey and Mapping (CASM) tool funded through ICTAP. Since the NECP attempts to resolve many of these same issues, OEC's technical assistance programs will pursue a more strategic approach for addressing gaps and improving capabilities.

Over the last year, OEC has supported numerous requests for technical assistance, including engineering-related issues on radio channel planning and use, interoperability needs assessments, and the integration of voice and data technologies. We helped Urban Areas address gaps in governance and standard operating procedures (SOPs) identified during the 2006 Tactical Interoperable Communications Plan (TICP) process and helped States develop their Regional TICPs. OEC also established an agreement with FEMA to provide gateway training for emergency response personnel participating in the Commercial Equipment Direct Assistance Program Conference in New Orleans, Louisiana.

Further, OEC offers ongoing assistance through CASM, which collects and displays interoperable communications information to improve emergency responders' communications planning. In 2007, OEC enhanced the tool's functionality, and CASM was used by stakeholders throughout the country. At the end of 2007, CASM contained information on 60 States and Urban Areas, and there are currently more than 1,100 CASM user accounts.

Historically, technical assistance programs have successfully enhanced emergency communications capabilities jurisdiction by jurisdiction, in response to requests from individual agencies. Going forward, OEC will develop targeted technical assistance offerings that align with gaps in the current capabilities and initiatives identified in the NECP.

The development and implementation of the NECP depends on OEC's successful relationship with our stakeholders under the SAFECOM program. SAFECOM brings Federal, State, and local stakeholders together to improve interoperability by developing tools, best practices, and methodologies for emergency response agencies. SAFECOM is an important resource for achieving the vision and advancing the goals and objectives of the NECP.

OEC and its SAFECOM stakeholders are currently developing two key tools that will foster NECP implementation and address gaps identified in SCIPs: *The Governance Sustainability and Strategic Planning Implementation Methodology*, which provides guidance and lessons learned in creating and sustaining an effective State-wide communications interoperability governance structure through SCIP implementation, and *The Capabilities Assessment Guide*, which will help practitioners develop and execute a capabilities assessment for communications interoperability. The guide will also demonstrate numerous ways for users to inventory interoperability assets, including the application of CASM, in their overall assessment process.

#### *Cross-border Interoperability Initiatives*

Cross-border interoperability is critical in enabling emergency response providers to coordinate and mitigate threats posed by criminal activity such as drug and human trafficking and terrorism. Through the FCS Branch, OEC is leading several initiatives in support of the NECP that improve cross-border communications interoperability among domestic (e.g., Federal, State, local, and tribal agencies) and international partners (e.g., Canada and Mexico), including:

- *2010 Olympics/Northwest Expansion Project*.—OEC is supporting the 2010 Olympics Security Committee Communications Interoperability Working Group in its efforts to ensure effective interoperability during the Olympic and Paralympics Games, including coordinating the development of an Integrated Interoperable Communications Plan and related training and exercises for all applicable Federal, State, local, tribal, and non-governmental organization emergency response providers.
- *U.S.-Mexico High-Level Consultative Commission on Telecommunications (HLCC)*.—OEC is leading the HLCC Security Communications Task Group's development and implementation of a long-term solution to improve communications among emergency response providers on both sides of the border to combat border violence and improve public safety.

#### MEASUREMENTS AND REPORTING

OEC's current levers and incentives for driving NECP implementation include the provision of technical assistance to State, regional, local, and tribal government officials; the development of grant guidance and programs (such as the IECGP); and the coordination of Federal emergency communications activities through the ECPC

and FPIC. In addition, Title XVIII directs OEC and its Federal partners to submit to Congress a number of periodic assessments and reports concerning progress made in improving emergency communications Nation-wide.

One such report is OEC's Biennial Progress Report, which presents an assessment of operable and interoperable emergency communications capabilities across all levels of government. DHS submitted OEC's first Progress Report to Congress earlier this year. In addition, DHS submitted the first phase of OEC's National Communications Capabilities Report (NCCR) to Congress in April. This phase of the NCCR evaluates emergency communications capabilities, provides an understanding of emergency response capabilities needed, and summarizes Federal and State interoperable frequencies and public safety systems and equipment currently in use.

The NCCR indicates that Federal, State, local, and tribal governments currently have varying levels of available capabilities to address emergency communications needs and that additional work is needed to formalize and broaden governance structures, standardize interagency SOPs and agreements across regions and surrounding States, manage communications assets, increase backup capabilities, and improve training programs and exercises. OEC used NCCR data to develop the NECP, including a baseline for measuring interoperability and operability assurance capabilities.

OEC will leverage other Title XVIII reports and assessments to monitor progress in achieving NECP goals and objectives, including the annual progress reports under the IECGP, the Regional Emergency Communications Coordination Work Group annual reports, and the ECPC annual strategic assessment.

#### CONCLUSION

Mr. Chairman and the committee, thank you for your continued support for such a vital part of the overall homeland security mission. OEC is committed to achieving a unified vision for the Nation, one that enables emergency responders to communicate as needed, on demand, and as authorized, at all levels of government and across all disciplines. We are extremely proud of the efforts the Office has made over the past year to meet this challenge, improve interoperable communications for the emergency response community, and ensure the sustainability of communications in an all-hazards context.

We will be happy to answer any questions you may have.

Mr. CUELLAR. Thank you for your testimony.

I now recognize Director Essid to summarize his statement for 5 minutes.

#### **STATEMENT OF CHRIS ESSID, DIRECTOR, OFFICE OF EMERGENCY COMMUNICATIONS, DEPARTMENT OF HOMELAND SECURITY**

Mr. ESSID. Thank you, Chairman Cuellar, Ranking Member Dent and Members of the subcommittee. It is my pleasure to be here today to highlight the initiatives to improve emergency communications for responders and Government officials across the Nation.

As we approach another anniversary of the September 11 attacks, we are reminded of the need for emergency responders to communicate seamlessly, regardless of the size or scope of an event. While we have made significant progress, our after-action reports and capabilities assessments show that we still have technological, organizational and jurisdictional challenges affecting emergency communications.

Congress created the Office of Emergency Communications to be the Federal focal point for strengthening communications for our Nation's emergency responders. As OEC's new Director, my top priority has been to implement a strategic approach to improving interoperable communications Nation-wide. The key initial step has been the National Emergency Communications Plan.

OEC has set an aggressive timeline for developing the NECP and established a planning framework that was collaborative, inter-

disciplinary and intergovernmental. The plan will set national goals and objectives for enhancing emergency communications over the next several years. It also will include recommendations and milestones to guide measurable improvements in the areas of governance, planning, technology, training and exercises and disaster communications capabilities.

Another milestone was reached last April with the approval of the State-wide communications interoperability plans. As of March, 2007, only 8 States had interoperability plans. Now all 56 States and territories have approved State-wide plans that address a common set of requirements and guidelines.

Beyond their value to the States, this planning process has provided OEC with an understanding of State and local interoperability efforts, which helps us better target grant funding for interoperable communications. Historically, technical assistance programs have enhanced emergency communications capabilities jurisdiction by jurisdiction in response to individual requests from agencies. Since OEC commenced operations, we have provided more than 275 technical assistance visits to States and localities throughout the Nation.

Going forward, OEC will develop targeted technical assistance offerings that target gaps in the current capabilities and initiatives identified in the State-wide plans and in the national plans.

One technical assistance success story is our National Interoperability Field Operations Guide. This guide is a convenient collection of channel information and other technical reference material for radio technicians in the field. It is a bestseller. We can't keep it in print. Thus far, it has had over 90,000 downloads off a Web site from first responders all over the Nation.

With support from the Department and NPPD leadership, OEC has completed an assessment of the emergency communications landscape. We have helped State and local stakeholders develop policy and plans to address deficiencies in emergency responders' capabilities, and we are implementing programs and initiatives such as the technical assistance in grants to close the gaps and make measurable improvements in emergency communications.

Also, the Nation will soon have a strategic plan in place that ties all of these activities together in a strategic, forward-looking process.

OEC recognizes the importance of interoperability, and it remains a critical capability. We stand committed to supporting our first responders and incident managers through a coordinated, practitioner-driven national policy framework.

Mr. Chairman and committee Members, thank you for your continued support.

Mr. CUELLAR. Thank you for your testimony.

At this time, I now recognize Mr. Richard Mirgon to summarize his statement for 5 minutes.

**STATEMENT OF RICHARD MIRGON, DIRECTOR, TECHNOLOGY SERVICES, DOUGLAS COUNTY, MINDEN, NEVADA ON BEHALF OF THE ASSOCIATION OF PUBLIC-SAFETY COMMUNICATIONS OFFICIALS (APCO) INTERNATIONAL**

Mr. MIRGON. Thank you, Chairman Cuellar, Ranking Member Dent, Members of the Subcommittee on Emergency Communications, Preparedness and Response for this opportunity to appear before you today on behalf of the Association of Public Safety International, more commonly known as APCO.

My name is Richard Mirgon. I am the Director of Technology Services for Douglas County in Nevada. I have over 30 years of public safety experience where I have worked from a police officer to a Department head running public safety communications. I am also currently serving as the First Vice President of APCO International.

APCO International was established in 1935 and today is the Nation's largest public safety communications organization, with nearly 15,000 members who build, supply, manage and operate communications systems for police, fire and emergency services throughout the country.

APCO would like to thank and recognize the leadership of Chairman Benny Thompson and all the Members of the House Homeland Security Committee and the U.S. Congress for its thoughtful legislation mandating the National Emergency Communications Plan and the Office of Emergency Communications.

Additionally, we would like to recognize and thank the personal leadership within the U.S. Department of Homeland Security for developing and delivering the NECP. Specifically, we would like to thank the Director of the Office of Emergency Communications, Chris Essid; the Assistant Secretary of Cybersecurity and Communications, Greg Garcia; the Deputy Under Secretary and Under Secretary for the National Protection and Programs Directorate, Scott Charbo and Robert Jamison; Deputy Secretary Schneider; and, of course, Secretary Chertoff for their leadership of the NECP.

As we have all heard, the No. 1 challenge to interoperability is funding. However, it is not entirely about funding equipment. It is also about funding the proper planning, coordination and training, all of which are discussed in the NECP.

For the NECP to be successful, there are several key issues that need to be addressed. The first is that local and State governments must buy into the plan and the plan must be flexible enough to accommodate special needs for local and State governments. There must be funding to ensure outreach. Without this outreach, local government and field personnel are not going to be aware of the plan; and if they are not aware of the plan, then they have no ability to comply with it.

Next, there needs to be more coordination at the Federal level and more needs to be done by OEC to promote operational standards for emergency communications and to encourage the use of standards. OEC needs funding so that they can work with State, local and Federal partners to develop requirements at Federal, State, local and regional levels that would provide a national model for standard operating procedures.

There needs to be increased Federal funding for research and development of open-source standards based on communications technologies that would promote competition and lower the cost for emergency communications networks. An example of this is APCO's P-25 standard that is used today. It is a suite of standards that has been developed for many years that is not yet complete. There needs to be specific funding available so that this suite of standards can be completed. Federal funding for this type of research and development would reduce the potential for creating additional proprietary equipment and would help to reduce the cost of equipment by creating those standards.

There also needs to be requirements and funding for training. Most public safety field personnel receive training in the use of fire hoses, weapons, vehicles, but most do not receive any training in the use of their radios or the radio system. The days when fire and police personnel said that all they wanted to do was for the radio to work when they pushed the button are gone. These radios and the systems are complex, and they cannot be taken for granted.

APCO International continues to support the public-private partnership and development of a national interoperable broadband network that is designed and mandated to meet the requirements of public safety communications. As much as we need this network, it does not preclude the need to continue the deployment and development for public safety land and mobile radio systems.

Our current networks are built to provide mission-critical communications whenever and wherever emergencies occur. It is unlikely that the new broadband networks will provide comparable mission-critical capabilities for most first responders until the far future. We acknowledge the fact that communication systems might fail during a large-scale incident. Because of this, it is important that all plans, including the NECP, provide the necessary framework to require situational analysis, disaster planning, training, exercise and other preparedness activities that include all levels of communications operations.

These plans must also include 911 systems and public safety answering points since they are the primary conduit between the first responders and the general public.

In conclusion, the NECP is a good first step, but a great deal of work still has to be done to meet the goals of this plan. The primary concerns we have about the NECP is that the OEC may not have the necessary funding and resources to accomplish the objectives of the plan. Until it gets the full backing of Congress to appropriate the necessary funds, it will fail. On behalf of our 15,000 members, I ask that you not let this happen.

Thank you.

[The prepared statement of Mr. Mirgon follows:]

PREPARED STATEMENT OF RICHARD MIRGON

JULY 15, 2008

Thank you Chairman Cuellar, Ranking Member Dent, and Members of the Subcommittee on Emergency Communications, Preparedness, and Response for this opportunity to appear before you today on behalf of the Association of Public-Safety Communications Officials (APCO) International.

My name is Richard Mirgon and I am the Director of Technology Services for Douglas County Emergency Communications Center in Minden, Nevada. I have

over 30 years of public safety experience and I have worked as a police officer, emergency manager and department head overseeing public safety communications design and operation. I currently serve as the First Vice President of APCO International.

APCO International was established in 1935 and today it is the Nation's largest public safety communications organization, representing nearly 15,000 members worldwide who build, supply, manage and operate communications systems and facilities for police, fire, emergency medical services and other State and local government public safety agencies. APCO International also serves the needs of more than 100,000 professionals in the public safety communications industry by providing training, frequency coordination, engineering, licensing, advocacy and networking opportunities.

As an American National Standards Institute (ANSI)-accredited Standards Developer (ASD), APCO International is dedicated to ensuring public safety communications has a role in the development of standards that affect our industry. APCO International's standards development activities have a broad scope, ranging from the actual development of standards to the representation of public safety communications in other standards development areas.

APCO International represents its members and public safety communications on the following ANSI Standards Panels: Homeland Security Standards Panel (HSSP), Healthcare Information Technology Standards Panel (HITSP), and Identity Theft Prevention and Identity Management Standards Panel (IDSP).

In 2002, APCO International also established the Public Safety Foundation of America (PSFA), a 501(c)(3) charitable organization to engender cooperation among public and private groups to provide financial and technical support to the public safety communications community. Under the PSFA's original mission, five rounds of grants were completed and included the delivery of more than \$13 million to over 200 agencies in 40 States.

I am here to tell you that in the field of public safety communications there are five truths that we need to acknowledge.

1. Disasters will occur.
2. Public and private communications systems will fail.
3. There will be chaos after a major incident that could last of days.
4. The public will have an expectation that they will receive immediate and adequate emergency response no matter what the incident involves.
5. First responders will be deployed to the incident no matter what the conditions are on the ground and what communications systems may or may not be operating.

Today, the No. 1 challenge to interoperability is funding. For more than 75 years, local police, fire, and emergency services have been building their own independent communications systems. These systems have cost local governments hundreds of millions of dollars and they are built using proprietary technology and equipment. The tragic events over the past two decades have begun to shift the paradigm of building stovepipe communications systems to building interoperable communications networks, but we still have a long way to go. Unfortunately, the cost of replacing and upgrading the thousands of communications systems around the country is in the billions of dollars.

To assist local and State governments in meeting this challenge, Congress passed the 9/11 Commission Recommendations Act (H.R. 1) which established the first-ever dedicated interoperable emergency communications grant program. This Act authorized \$1.6 billion over the next several years for the grant program, but we are concerned that Congress will not appropriate the full authorized amount of \$400 million for fiscal year 2009. If the goals of the National Emergency Communications Plan (NECP) are to be successful, the administration and Congress must ensure the NECP and the interoperable emergency communications grant programs are fully funded.

There also needs to be increased Federal funding for research and development of open-sourced standards-based communications technologies that would promote competition and lower cost for emergency communications networks. Also, before any new technology is deployed, there has to be a nationally recognized testing and certification process to make sure the new technologies will meet the needs of first responders. Federal funding for research and development would reduce the potential of creating additional proprietary equipment that could limit interoperability and increase cost for public safety communications equipment.

APCO International appreciates the hard work that was done by the Department of Homeland Security (DHS) Office of Emergency Communications (OEC) in developing the NECP. We believe the plan provides a good first step in identifying the goals and objectives that could become the building blocks to improving local, State,

and Federal interoperable communications. The plan offers an aggressive time table from 6 months to 3 years to accomplish many of the recommended national milestones.

APCO International would like to thank and recognize the leadership of Chairman Bennie Thompson and all the members of House Homeland Security Committee, and the U.S. Congress in its thoughtful legislation under Title XVIII in 2006, mandating the National Emergency Communications Plan (NECP) and the Office of Emergency Communications (OEC). Additionally, APCO International would like to recognize and thank the personal leadership within the U.S. Department of Homeland Security for developing and delivering the NECP. Specifically, we would like to thank the Director of the Office of Emergency Communications, Chris Essid, the Assistant Secretary of Cybersecurity and Communications, Greg Garcia, the Deputy Under Secretary and Under Secretary for the National Protection and Programs Directorate, Scott Charbo and Robert Jamison, Deputy Secretary Schneider and Secretary Chertoff for their leadership in creating the NECP.

APCO International has long recognized the need to have effective emergency communications plans to improve interoperable communications. For many years, these plans have been developed at the local, State, and regional levels. The NECP is the first attempt to bring all plans under one national umbrella that also includes Federal interoperable communications planning.

I would like to highlight four key principles that will be critical to the success of the plan.

*1. Local and State governments must buy in to the plan.*

The NECP must be flexible enough to accommodate special needs of local and State governments. Public safety agencies must be made aware of their role in meeting the national milestones of the plan. We believe there has to be considerable outreach by the OEC and other organizations to promote the NECP and educate local, State, and Federal officials about the goals of the plan. The plan should not create unreasonable expectations on public safety agencies or local governments that cannot be met. The plan should also provide adequate funding measures to ensure all local and State governments are able to contribute to the national goal of improving interoperable communications.

*2. The OEC must be funded so that it can provide the necessary resources to accelerate the development of technical and operational communications standards.*

There are a number of organizations, including APCO International, that are working on a variety of technical and operations standards. Many of these efforts are independent of each other and there is very little if any national coordination. We believe the OEC must take a lead role in cataloging current standards and working with nationally accredited standards setting organizations to provide a clear road map for local public safety agencies to follow.

One of the key obstacles to interoperability is standards are not consistently or adequately shared with State and local agencies.

More has to be done by OEC to promote operational standards for emergency communications centers and encourage the use of standards by local, State, and Federal agencies. OEC needs to work with local, State, and Federal partners to develop requirements at Federal, State, local and regional levels that would provide a national model for Standard Operating Procedures (SOP). The national model needs to be flexible enough to meet each agency's unique emergency communications requirements. Agencies that use the national SOP model could receive certification through a nationally recognized accreditation program for a public safety communications.

*3. Voice communications on current narrowband land mobile radio networks will continue to be the most mission-critical form of communication.*

Public safety agencies are looking to improve voice, video and data communications capabilities through new technologies that use broadband networks. However, these applications will continue to be secondary to mission-critical voice communications on current narrowband land mobile radio channels for many years to come. The current networks are built to provide extremely high levels of reliability and coverage, essential for "mission-critical" communications whenever and wherever emergencies occur. It is unlikely that new broadband networks will provide comparable "mission-critical" capability for most first responders until far into the future.

There is still considerable work that needs to be done to create a national broadband network that can be used by public safety on the 700 MHz spectrum band. While the future promise of the national public safety broadband network is great, we cannot afford to divert our attention from improving our Nation's voice interoperable communications system in the narrowband channels. In particular, it

is important that Federal grant programs continue to focus on addressing this mission-critical voice interoperability problem.

APCO International continues to support the development of a national, interoperable, broadband network that is designed, maintained, and operated to meet the requirements of public safety communications to the maximum extent feasible. A national interoperable network is necessary to avoid a continuation of the current patchwork of public safety communications systems with greatly varying degrees of capability, inconsistent levels of interoperability, inefficient use of spectrum, and the lack of a competitive, open marketplace for radio equipment. The network must also meet public safety requirements and expectations regarding coverage, reliability, capability, and control to the maximum extent feasible. Otherwise the network will not become a useful, dependable tool for first responders and it will not meet expectation.

Ideally, a national public safety broadband network could be deployed entirely by public safety entities using only spectrum allocated for public safety use. However, the enormous cost of such a network requires either unprecedented levels of Federal funding or some form of public-private partnership funding. The required levels of Federal funding that would be in the tens of billions of dollars are not likely to materialize nor should Federal funding of current interoperable emergency communications grants be diverted to fund such a network.

The public-private partnership proposal that is currently being considered by the Federal Communications Commission (FCC) creates the opportunity for a commercial enterprise, the D-Block auction winner, to build a national broadband network that spans both public safety allocated spectrum and the D-Block spectrum. The challenge is to develop rules that encourage potential bidders to take on such a task while still ensuring that the network will meet the special communications needs of public safety agencies.

*4. To mitigate the potential failure in emergency communications networks agencies should develop strategies that assess vulnerabilities and develop continuity of operations plans at all levels.*

We acknowledge the fact that communications systems might fail during a large-scale incident. Failures could occur at multiple points in a network and may include human error, system overload, and destroyed equipment resulting from a terrorist attack or natural disaster. It is important that all plans, including the NECP provide the necessary framework to require situational analysis, disaster planning, training, exercises and other preparedness activities that include all level of communications operations. These plans must also include 9-1-1 systems and public safety answering points (PSAPs).

PSAPs are the primary conduit between the general public and first responders. They provide the initial life line to the public during an incident. With the exception of a very few 9-1-1 systems, most are owned by local exchange carriers (LECs). It is critical that vulnerability assessment also take in to consideration the lifeline between the public and the PSAPs.

In conclusion, the NECP is a good first step, but a great deal of work still has to be done to meet the goals of the plan. The primary concerns we have about the NECP is that the OEC may not have the necessary funding and resources to accomplish the objectives of the plan. The Federal Government has developed many "plans" over the past several years, but no matter how good a plan is, unless it gets the full backing of Congress to appropriate the necessary funds the plan will most likely collect dust and wither away. On behalf of our 15,000 members I ask that you not let that happen.

Mr. CUELLAR. Thank you again for your testimony, Mr. Mirgon.

At this time, I will recognize Chief Werner to summarize his statement for 5 minutes.

**STATEMENT OF CHARLES L. WERNER, EFO/CFO,  
CHARLOTTESVILLE, VIRGINIA, FIRE DEPARTMENT**

Mr. WERNER. Good morning, Mr. Chairman. I am certainly glad there wasn't anything bad in that paper. Good morning to Members of the committee.

My name is Charles Werner. I have 34 years of public safety experience, presently serve as the fire chief for the city of Charlottesville, Virginia.

I am a member and former Chair of the Virginia State-wide Interoperability Executive Committee, and I serve as a member of the Charlottesville-Albemarle-University of Virginia Regional Emergency Communications Center Management Board. Today, I am appearing as the SAFECOM Executive Committee Chair.

I appear today specifically to address the continuing communications need for America's public safety—operability, interoperability and the development of the National Emergency Communications Plan. I would like to echo Mr. Mirgon's statement to thank Congress for the legislation that created the OEC and the National Emergency Communications Plan.

The SAFECOM Executive Committee itself is a public safety practitioner-driven advisory committee that serves as an effective and collaborative bridge between the OEC and OIC. When we look back this past month as far as SAFECOM and its resources, its Web site alone now receives over 300,000 visits per year as people are getting information. I think that is a pretty measurable goal.

About interoperability. As Mr. Mirgon also mentioned, effective interoperability includes more than funding it. It requires an effective blending of governance, standard operating procedures, technology, training and exercises. Planning is one of those key components to accomplish that goal.

As Mr. Essid mentioned, it is interesting that over a year ago only seven States or eight States had State interoperability plans; and today all of the States and territories have accomplished plans. That is a major accomplishment in conversations between lots of people about something that is very common to us all and should be acknowledged.

These SCIPs are the first and necessary step to a continued dialog between and inclusive of all public safety between all levels of government. That is something we have to change.

The OEC played an important role in the development, review and approval of those 56 SCIPs; and the OEC conducted SCIP workshops for 30 States and 5 territories where it was requested, a much-needed resource.

The next monumental step toward improving emergency communications is through the development of the National Emergency Communications Plan. For the first time, we need something that is a national plan—and let me re-emphasize national plan, not Federal plan. It is a plan that brings us all together into a collective that makes us more effective than we are individually and to work together when we need to. It is a necessary guidance to provide and define measurable outcomes, identify gaps and develop long-term, sustainable emergency communication strategies that are inclusive of and between local, tribal, State and Federal governments.

We must change the paradigm of individual and separate systems where it is feasible. Where we can leverage existing systems between local, State and Federal entities, we need to do that where it makes sense.

One vital acknowledgement that I must make through this process is the assistance, guidance, leadership exhibited by OEC Director, Chris Essid. How the plan is developed is just as important as the plan itself, and Director Essid's leadership has been stellar. He

has literally and actively engaged hundreds of public safety practitioners across this country to have a meaningful dialog in development of this plan, and they were some interesting conversations.

As far as moving forward, of what we need to do, we need to continue to engage the public safety practitioners to understand what it is that we need, the people on the ground that are doing the job. This is the first step is moving in that direction.

Technical assistance is another thing that is needed. The processes and the purchasing is becoming so complex that, in order to successfully achieve these goals in the SCIPs and the National Emergency Communications Plan, assistance is needed to accomplish that goal.

One important point of the National Emergency Communications Plan is it must embrace the common trends and themes that are in the SCIPs, not to erase or eradicate what has been done but to build on the work that has been done by the States; and, so far, that has been done. It has been a pleasing thing to see.

The training of communications leaders is also critically important to work in large-scale emergency incidents, and that is under way, and it is being really embraced by public safety to support NIMS.

The last couple points that I think will help the NECP: Every State institutionalizing a broad, multi-discipline representative governance; a designated/dedicated interoperability position in every State to continually develop the SCIPs, provide further development of the NECP and to ensure SCIPs remain in sync with the NECP; implementation of a plain language policy; implementation of common channel naming program and training of COMLs to accomplish that; and continued research and development.

The last point is the successful deployment of a national public safety broadband network is critical to enhance the ability of the National Emergency Communications Plan.

Thank you.

[The statement of Mr. Werner follows:]

PREPARED STATEMENT OF CHARLES L. WERNER

JULY 15, 2008

Good morning Mr. Chairman and Members of the committee. My name is Charles Werner. I have 34 years of public safety experience and presently serve as the fire chief for the city of Charlottesville, Virginia, a member and former Chair of the Virginia State-wide Interoperability Executive Committee and a member of the Charlottesville-Albemarle-University of Virginia Regional Communications Center Management Board. I am appearing today as the SAFECOM Executive Committee Chair.

Last year America's public safety agencies responded to millions of emergency incidents across this Nation. Collectively these same public safety agencies continue to prepare through an "All-Hazards" approach to various emergency incidents including natural disasters and terrorist attacks. I appear today to address a specific and continuing communications need for America's public safety—interoperability and the development of a National Emergency Communications Plan (NECP). First, I would like to thank Congress for the legislation that created the Office of Emergency Communications (OEC) and the National Emergency Communications Plan (NECP).

ABOUT SAFECOM ([WWW.SAFECOMPROGRAM.GOV](http://WWW.SAFECOMPROGRAM.GOV))

SAFECOM is a communications program of the Department of Homeland Security. SAFECOM provides research, development, testing and evaluation, guidance,

tools, and templates on interoperable communications-related issues to local, tribal, State, and Federal emergency response agencies. The Office of Emergency Communications (OEC) supports SAFECOM's development of guidance, tools and templates. The Office for Interoperability and Compatibility (OIC) supports SAFECOM-related research, development, testing, evaluation and standards. OEC is managed by the Directorate for National Protection and Programs. OIC is managed by the Science and Technology Directorate.

The SAFECOM Executive Committee is a public safety practitioner-driven advisory committee that serves as an effective and collaborative bridge between OEC and OIC.

#### ABOUT INTEROPERABILITY

As the SAFECOM Interoperability Continuum explains, effective interoperability requires the effective blending of Governance, Standard Operating Procedures, Technology (voice & data), Training & Exercises and Usage.

Planning is one key component to successful public safety interoperability. As of March 2007, only 8 States<sup>1</sup> had State-wide Communication Interoperability Plans (SCIPs).

Just over a year later, ALL 56 States and territories have SCIPs that address a common set of requirements and guidelines. THIS IS A MAJOR ACCOMPLISHMENT FOR OUR NATION! These SCIPs are an important step in creating a culture of effective planning for interoperability and emergency communications.

These SCIPs are the first necessary step to begin a continued dialog between and inclusive of all public safety disciplines and across levels of government (local, tribal, State and Federal).

OEC played an important role in the development, review and approval of all 56 SCIPs. Additionally OEC conducted SCIP workshops for the 30 States and 5 territories that requested assistance.

The next monumental step toward improving emergency communications is through the development of the National Emergency Communications Plan (NECP). The NECP is the first NATIONAL (not Federal) strategy for emergency communications.

The NECP is a critically important and absolutely necessary step to provide guidance, define measurable outcomes, identify gaps and develop long-term sustainable emergency communications strategies that are inclusive of and between local, tribal, State and Federal governments. The paradigm must be changed to create/allow opportunities for the various levels of government agencies to leverage existing systems when it can satisfy the needs of each respective agency.

One vital acknowledgement is the way in which OEC Director Chris Essid has gone about the development of the NECP. How the plan is developed is as important as the plan itself.

Director Chris Essid's leadership has been stellar; he has actively engaged hundreds of first responders and practitioners from the local, State and Federal Governments as well as private industry to achieve meaningful input for the development of the NECP. This input is invaluable as it is directly from the people who "own" the problem and know first-hand what is needed.

I would also like to thank Assistant Secretary of Cybersecurity and Communications, Greg Garcia, the Deputy Under Secretary and Under Secretary for the National Protection and Programs Directorate, Scott Charbo and Robert Jamison, Deputy Secretary Schneider and Secretary Chertoff for their support of Director Essid and the development of the NECP.

#### SUCCESSFUL IMPLEMENTATION OF THE NECP

The NECP must be developed in such a way that while establishing a national plan it is able to embrace common themes from the SCIPs and build upon the work that has already been done by the States and its respective practitioners.

The NECP must continue to actively involve public safety practitioners in the ongoing development through SAFECOM's Executive Committee, Emergency Response Council, State Interoperability Coordinators, etc.

The NECP must provide support to States and localities as they implement the goals and initiatives in the NECP and their individual SCIPs.

- Technology funding for voice and data equipment that aligns with SCIPs and the NECP.

<sup>1</sup>Based on data collected at the Los Angeles National Governor's Association Conference to discuss interoperable communications.

- *Technical support/assistance.*—Systems and solutions have become very complex, technical with difficult contractual and procurement processes. Over the last year, OEC supported over 120 requests for technical assistance in the areas of training, planning, governance and engineering. For the same reasons, it is important to preserve the Interoperable Communications Technical Assistance Program (ICTAP).
- Funding for the technical support through the Interoperable Emergency Communications Grant Program (IECGP) was identified as a priority by the SAFECOM Executive Committee and the Emergency Response Council both of which are comprised of emergency response practitioners. It is believed that the \$50 million investment in 2008 for the purpose of planning, governance, conducting training/exercises, and developing common procedures and protocols will have a profound impact on the SCIPs and NECP.
- *Training.*—Train certified Communications Unit Leaders (COML) across the Nation to establish communications during large-scale incidents according to a standard procedure that support the National Incident Management System (NIMS).
  - To date, OEC has supported training for over 90 emergency responders from at least ten States. Included were personnel with a role in the two political national conventions and the 2010 Olympics in Canada. Additional training of this type is essential.
  - A National Interoperability Field Operations Guide (NIFOG) was published and distributed by the OEC in 2007 with over 90,000 downloads to date.

#### OTHER CONTRIBUTING FACTORS TO ENHANCE THE NECP

Every State institutionalizing a broad multi-discipline representative governance. A designated/dedicated interoperability position in every State to continually develop the SCIPs, provide input to the further development of the NECP and to ensure the SCIPs remain in sync with the NECP.

Implementation of plain language policy.

Implementation of common channel naming program.

Training of a cadre of trained All Hazards Type III COMLs in every State.

There must be continued support of research toward the development and implementation of new communications technologies (voice and data) as has been successfully done through the Office of Interoperability and Compatibility (OIC).

The successful deployment of a national public safety broadband network is critical and will greatly enhance the communications capabilities for all public safety responders and will dramatically expand the scope of the NECP.

Mr. CUELLAR. Thank you, Chief, for your testimony.

At this time, I would like to recognize Mr. Alagna to summarize his statement for 5 minutes.

Welcome.

#### **STATEMENT OF MICHAEL L. ALAGNA, DIRECTOR, HOMELAND SECURITY, STRATEGIC INITIATIVES AND POLICY, MOTOROLA, INC.**

Mr. ALAGNA. Good morning. Good morning and thank you, Chairman Cuellar, Ranking Member Dent and other distinguished Members of the subcommittee.

I am Michael Alagna, Director of Homeland Security Strategic Initiatives at Motorola. That is where I focus on national security and emergency preparedness issues.

By way of background, I co-chaired the National Security Telecommunications Advisory Committee—that's the NSTAC—Task Force on Emergency Communications and Interoperability, which published a report in January 2007.

As the Chairman mentioned, I am also Motorola's representative to the Critical Infrastructure Partnership Advisory Council. It was this organization, specifically the communications sector, that was engaged to help the OEC develop this plan.

I would like to say industry strongly supports the Office of Emergency Communications approach of stakeholder involvement. It is the single most important element of the NECP, as you have seen from the witnesses here at the table, in the overall development of this plan.

I would like to share with you some interesting perspectives on key elements of the plan, specifically, enhancing resiliency and redundancy for public safety systems, ensuring and improving mission-critical voice data and video communications, interoperability, improving coordination of emergency communications efforts and positioning the public safety community to take advantage of emerging technologies and solutions.

So let me talk about regarding enhancing the resiliency and redundancy for public safety systems.

Emergency communications systems need to be designed to withstand worst-case scenarios expected in a region. First responders have called this need for system operability, that systems must first survive and function. Industry recommended the development of an emergency communications operability program, much like SAFECOM has done for operability, to include functionality, security, redundancy and performance.

The Office of Emergency Communications should develop guidance, tools and templates to ensure levels of operability and research related to the development, testing and evaluation of the standards. Also incentives for organizations to improve operability could also be examined.

Regarding communications interoperability. In addition to emergency communications system operability concerns, a further major barrier to effective communications is a widespread lack of interoperability.

There are a number of factors for improving interoperability, and a critical opponent is the utilization of standards-based solutions. Project 25, otherwise known as P-25, is that standard. I want to thank this committee for continued support of standards-based solutions and Federal funding to interoperable systems that are used to improve mission effectiveness.

Additional recommendations for interoperability improvements suggests that agencies struggling with deploying interoperable emergency communications should consider joining regional and State-wide initiatives. State and Federal grants should support multi-agency cooperation. Neighboring agencies should collaborate with planning and acquiring communications systems. With recent trends toward regional, multi-jurisdictional, multi-disciplinary approaches, emergency communications needs of city, county and State users can be met while improving day-to-day mission effectiveness.

Regarding improving coordination efforts, better planning of how Federal agencies, Federal civilian agencies, the U.S. military, international partners, State and local responders, how they interoperate is clearly needed.

Of particular interest are areas along border regions which pose many unique challenges. Local law enforcement agencies and border communities are expected to communicate and work in conjunction with not just local, State and Federal agencies but with Can-

ada and Mexico. To help identify solutions to interoperable communications requirements and improve collaboration, the Americas Security Act of 2007 establishes future demonstration projects along our international borders.

Regarding positioning the public safety community to take advantage of emerging technologies, new communications technologies, including greater access to data, new services will support emergency communication functions in critical ways. Enabling emergency responders, for example, to obtain real-time access to voice data and video necessary for the most effective completion of their missions. Solutions must be found within these new and emerging technologies that address emergency communications users demanding requirements, especially for security and availability.

In summary, the NECP lays out actual steps for leaders within the emergency response community, key Federal programs, the Congress and industry to significantly accelerate the current environment and to move the state of emergency communications forward. The NECP identifies private sector support to communications during emergencies and recovery efforts and provides direction for private sector involvement in standards development, advanced communications, technologies and services development and deployment. In order for the NECP to be successful, the emergency response community of Federal, State, local, tribal and private sector must work together and support each other to achieve Nationwide interoperability and continuity of communications.

Thank you, Mr. Chairman. I welcome any questions you and your colleagues may have.

[The statement of Mr. Alagna follows:]

PREPARED STATEMENT OF MICHAEL L. ALAGNA

JULY 15, 2008

Good morning Chairman Cuellar, Ranking Member Dent and other distinguished Members of the subcommittee. I am Michael Alagna, Director of Homeland Security Strategic Initiatives at Motorola. I appreciate the opportunity to provide testimony to this subcommittee regarding industry perspectives on the development of the National Emergency Communications Plan.

I would like to begin by commending Congress, and, in particular, this committee, for its leadership to support and promote the ability of emergency response providers and relevant Government officials to continue to communicate in the event of natural disasters, acts of terrorism, and other man-made disasters; and ensure, accelerate, and attain interoperable emergency communications Nation-wide.

By way of background, at Motorola, I am focused on homeland security, national security and emergency preparedness initiatives. I presently serve on the Industry Executive Subcommittee for the National Security Telecommunications Advisory Committee (NSTAC). I co-chaired the NSTAC Report on Emergency Communications and Interoperability, published in January 2007. The NSTAC provides industry-based analyses and recommendations on policy and enhancements to national security and emergency preparedness (NS/EP) communications. Another of my roles is with the Department of Homeland Security's Critical Infrastructure Partnership Advisory Council (CIPAC); I am Motorola's representative to the Communications Sector Coordinating Council (C-SCC) and was just elected vice chair.

First let me say that Motorola applauds Congressional action with the 21st Century Emergency Communications Act of 2006 that established in the Department an Office of Emergency Communications to support and promote the ability of emergency response providers and relevant Government officials to continue to communicate in the event of natural disasters, acts of terrorism, and other man-made disasters; and ensure, accelerate, and attain interoperable emergency communications

Nation-wide. As a result, Congress directed the DHS' Office of Emergency Communications (OEC) to develop a plan to:

- Identify the capabilities needed by emergency responders to ensure the availability and interoperability of communications during emergencies, as well as obstacles to the deployment of interoperable communications systems;
- Recommend both short- and long-term solutions for ensuring interoperability and continuity of communications for emergency responders, including recommendations for improving coordination among Federal, State, local, and tribal governments;
- Provide goals and time frames for the deployment of interoperable emergency communications systems and recommend measures that emergency response providers should employ to ensure the continued operation of communications infrastructure;
- Set dates and provide benchmarks by which State, local, and tribal governments and Federal agencies expect to achieve a baseline level of national interoperable communications;
- Guide the coordination of existing Federal emergency communications programs.

Furthermore, Motorola and industry broadly supported the Office of Emergency Communications approach of stakeholder involvement as the single most important element in the NECP development process. Congress directed the OEC to develop the NECP in cooperation with State, local, and tribal governments; Federal departments and agencies; emergency response providers; and the private sector. Industry involvement was coordinated through the Critical Infrastructure Partnership Advisory Council (CIPAC), which included representatives from the Communications Sector Coordinating Council. OEC also coordinated with industry representatives from the National Security Telecommunications Advisory Committee (NSTAC) Emergency Communications and Interoperability Task Force.

As a key first phase in the development process, OEC drew heavily from a foundation of emergency communications documentation and initiatives. These source documents were key drivers for the NECP's assessment of the current state-of-emergency communications and also helped shape the Plan's strategic goals, objectives, and initiatives. For example, the NSTAC report on Emergency Communications and Interoperability anticipated incorporating critical elements into the NECP, such as: large-scale State and regional shared public safety communications networks and supporting Federal grants; yearly benchmarks for achieving defined interoperability objectives; Nation-wide outreach to support emergency response communications; consolidation of Federal operations centers to increase coordination and situational awareness; and identification of specific private-sector emergency communications and interoperability support roles. The NSTAC report also suggested the establishment and incorporation of the following capability objectives into the National Emergency Communications Plan (NECP): support for a significantly expanded user base; full leveraging of network assets; internet protocol-based interoperability; assured access for key users through priority schemes or dedicated spectrum; national scope with common procedures and interoperable technologies; deployable elements to supplement and bolster operability and interoperability; resilient and disruption-tolerant communications networks; network-centric principles benefiting emergency communications; and enhanced communications features.

During the final phases of Plan development, OEC conducted outreach to review the document with industry. OEC once again engaged the Office of Infrastructure Protection's CIPAC to review the NECP with the communications and emergency services sectors. While a majority of the plan is inherently governmental, industry strongly supported the primary elements of the NECP, namely:

- Enhance resiliency and redundancy for public safety systems, including back-up solutions, to ensure communications are maintained and/or restored following catastrophic incidents.
- Ensuring and improving mission-critical voice, data, and video communications interoperability for emergency response providers and relevant Government officials.
- Improving coordination of emergency communications efforts between Federal and State, local, and tribal emergency response providers.
- Positioning the public safety community to take advantage of emerging technologies and solutions for emergency communications.

The following comments reflect industry perspectives gained during development of the NECP and reviews conducted during the CIPAC process.

A. ENHANCE RESILIENCY AND REDUNDANCY FOR PUBLIC SAFETY SYSTEMS, INCLUDING BACK-UP SOLUTIONS, TO ENSURE COMMUNICATIONS ARE MAINTAINED AND/OR RESTORED FOLLOWING CATASTROPHIC INCIDENTS

Emergency communications among those responding to a natural disaster, terrorist attack, or other large-scale emergency are critical to an effective response. Emergency communications systems need to be designed and constructed to withstand worst-case scenarios expected in a region. First responders have called this the need for system “operability,” meaning that systems must first survive and function. Systems must maintain communications capabilities during all phases of a disaster or event. Emergency responders need solutions to account for and mitigate the potential impact of communications infrastructure damage, including the destruction of telephone lines, public safety networks, towers, and sustained loss of power.

Mission-critical, resilient and disruption-tolerant communications networks allow emergency responders and relevant Government officials to have assured access to communications channels to support their ability to coordinate response and recovery throughout all stages of emergencies. Recommendations suggested that users define, specify and procure resilient and disruption-tolerant communications networks including priority access and restoration services, emergency power back-up, site hardening and redundancy, fault and network performance management capabilities.

Industry also recommended the development of an emergency communications “operability” program, (much like SAFECOM has done for interoperability) to include functionality, security, redundancy and performance. The Office Emergency Communications (OEC) should establish a comprehensive definition of operability in partnership with the emergency response community and support the development of guidance, tools and templates to ensure levels of operability and related research, development, testing, evaluation and standards. The OEC should consider expanding the National Baseline Survey to include a mechanism for determining and measuring the state of operable communications Nation-wide and should gather information to guide and measure the effectiveness of future communications operability improvement efforts that local, tribal, State, and Federal emergency response organizations execute. Incentives for organizations to improve operability should also be examined.

B. ENSURING AND IMPROVING MISSION-CRITICAL VOICE, DATA, AND VIDEO COMMUNICATIONS INTEROPERABILITY FOR EMERGENCY RESPONSE PROVIDERS AND RELEVANT GOVERNMENT OFFICIALS

In addition to emergency communications system operability concerns, a further major barrier to effective responder communications is the widespread lack of interoperability which impedes communications and critical information sharing across dissimilar emergency responder systems. There are positive steps being taken by leaders within the public safety community, key Federal programs, the Congress and industry to significantly accelerate the current environment and move the state of interoperability forward.

Interoperability is enabled by Project 25 (or P25), a full suite of standards that provides the basis for interoperable digital radio voice and moderate speed data communications among multiple public safety users, departments and agencies. The Project 25 standards were developed by the public safety users and are published by the Telecommunications Industry Association. Both DHS and public safety users support Project 25 because it is an open architecture solution and enhances the transition to digital radio technology.

P25 improves spectrum efficiency, enables more competitive procurements, and displaces vendor proprietary systems that can not interoperate. P25 has been endorsed by virtually all public safety organizations and has received additional strong support at the Federal level, including from DOD, DOJ, and FCC. Additionally, most States have either built P25 systems, are in the process of doing so, or have plans to do so.

This committee’s strong leadership in supporting P25 has been very valuable in assuring that DHS grant programs continue to promote this important standard as Federal funds are directed toward improving interoperability. Industry supports the NECP’s promotion of a standards-based approach to interoperability and other emergency communications issues.

Increasingly, the campaign for interoperability has expanded beyond voice communications to encompass data and video interoperability that will necessitate the expansion of standards efforts to encompass data and video applications to improve communication between State and local governments and between neighboring local jurisdictions.

Additional recommendations for solutions to improve interoperability capacities of law enforcement, firefighters, and other emergency responders to respond to and manage incidents included suggestions such as agencies struggling with deploying interoperable emergency communications capabilities should consider joining regional and State-wide initiatives; State and Federal grants should support multi-agency cooperation; neighboring agencies should collaborate in planning and acquiring communications systems. The concept of shared system architecture for emergency responders, especially in a State-wide geography brings State agencies and local county and municipal first responders together onto a common network for shared voice and data services. Recent trends toward regional, multi-jurisdictional and multi-disciplinary approaches can meet the needs of city, county and local users while improving day-to-day mission effectiveness and incident response interoperability when needed.

To improve the governance issues associated with multi-jurisdictional communications, industry recommended working with the National Governors Association (NGA) as a critical link in overcoming the obstacles to interoperability. This organization can provide the leadership necessary to develop and institutionalize a governance structure that fosters collaborative planning among local, State, and Federal agencies, that insures multi-agency coordination of public safety communications.

#### C. IMPROVING COORDINATION OF EMERGENCY COMMUNICATIONS EFFORTS BETWEEN FEDERAL AND STATE, LOCAL, AND TRIBAL EMERGENCY RESPONSE PROVIDERS

Industry supports better planning for how the mission-critical, interoperable communications systems of Federal civilian agencies and U.S. military will interoperate with State and local responders during events of national significance. While disaster preparedness and response to most incidents remains a State and local responsibility, recent events demonstrated the need for greater integration and synchronization of preparedness efforts among a dynamically expanding user base beyond traditional first responders (e.g., military, National Guard, critical infrastructure providers, and public health system users).

Better planning for how Federal civilian agencies, the U.S. military, international partners and State and local responders interoperate along border regions poses many unique challenges. Local law enforcement agencies in border communities are expected to communicate and work in conjunction with not just local, State and Federal agencies but with Canada and Mexico. The improving America's Security Act of 2007 establishes future demonstration projects along our international borders will improve collaboration and help identify solutions to interoperable communications requirements.

Industry also plays a critical role for improving coordination of emergency communications efforts. While the Federal Government recognizes the significance of the communications infrastructure in providing essential services during and after a natural disaster or terrorist attack, lessons learned demonstrate that vital communications restoration efforts were stalled with infrastructure providers having difficulty gaining access to repair essential infrastructure. Currently, there is no standard Government policy for private sector use for access and perimeter control issues, this is especially important given that perimeter access policies, in general are subject to State and local regulation and enforcement.

#### D. POSITIONING THE PUBLIC SAFETY COMMUNITY TO TAKE ADVANTAGE OF EMERGING TECHNOLOGIES AND SOLUTIONS FOR EMERGENCY COMMUNICATIONS

Future-focused technologies are rapidly increasing the range of features, devices, applications and available bandwidth that support incident response and recovery. New communications capabilities, including greater access to data and new services, will support emergency communications functions in critical ways, enabling emergency responders, for example, to obtain real-time access to voice, data, and video necessary for the most effective completion of their missions. Solutions must be found that address emergency communications functional requirements, within these new applications, especially for security and availability.

With specific mission-critical enhancements to commercial internet and mobile wireless technologies, and advances in innovative gateway technologies for bridging land mobile radio networks to Internet Protocol (IP) networks, a new class of interoperable voice, data and multimedia service can be envisioned with mobility across any and all available access networks. Multiband and multimode subscriber devices will improve wireless access across these available networks.

Solutions for emergency communications capabilities need to incorporate the range of features (e.g., voice, data, multimedia, push-to-talk) that best support the needs of emergency communications users. Continually evolving emergency re-

sponder requirements and the advent of new technologies will lead to necessary updates and revisions to interfaces and subsequent standards.

SUMMARY

The NECP lays out actionable steps to being taken by leaders within the emergency response community, key Federal programs, the Congress and industry to significantly accelerate the current environment and move the state of emergency communications forward. The NECP identifies private sector support to communications during emergencies and recovery efforts and provides direction for private sector involvement in standards development, advanced communications technologies, and services development and deployment. Continued involvement of representatives of the private sector as advisors to governmental groups developing their emergency communications requirements is critical. In order for the NECP to be successful, the emergency response community of Federal, State, local, tribal, and private sector must work together and support each other to achieve Nation-wide operability, interoperability, and continuity of emergency communications.

Mr. CUELLAR. Thank you, Mr. Alagna, for your testimony.

I thank all the witnesses for their statements, and I would like to remind each Member that he or she will have 5 minutes to question the panel.

I now recognize myself for 5 minutes on the questions.

First of all, one of the things I do want to make sure from the very beginning is that we do appreciate—the committee does appreciate the work that you all did. I think by putting all 56 States and territories together to talk to each other, you know, put the local, the State and the Federal Government in a plan where you will be used as a guide to have these communications is extremely important. So I—first of all, I do want to start off with that, because I think it is very, very important what you have done.

The second thing is, you know, there has been some deadlines; and I am going to start off with, Mr. Secretary, start off with some questions dealing with the deadline. But I do want to start off with I am happy with the work you all have done.

Mr. Secretary, I would like to walk through you this particular timeline with you.

The NECP was due on April, 2008. On June 20, the Department announced its grants guidance for the interoperability emergency communications grant program. As authorized by the 9/11 Act, States must submit their application to the Department by next Monday, which is July 21. The awards are expected to be announced on August 1.

The statute makes it clear that the IECGP grants cannot be distributed until the completion of the NECP. I think the statute is very, very clear where the statute says that the Secretary may not award a grant under this section before the date on which the Secretary completes or submits to Congress the National Emergency Communications Plan as required by Section 1802. The law is very clear that the Secretary can't—the Department can't hand out the grants until we have this plan in place.

Today is July 15. How, Mr. Secretary, how does the Department expect to announce a grant on August 1, when the NECP has yet to be completed? I understand—I believe it is pending at the OMB; is that correct?

Mr. JAMISON. It is currently in internal review, and we are confident that we are going to get this to the Hill very shortly.

But to address your overall question, one we regret is that we didn't make the April deadline. However, I think, based on what

you heard from some of the panel members here, the reason is because we were doing intensive stakeholder engagement; and part of that engagement was the development of the State-wide plans. So I understand your discussion about not being—or having the grants due before the NECP could possibly be released.

The good thing is the data, the hard work, the lessons learned that came out of the State-wide interoperability plans are consistent with the NECP. You will see that when you get it. I think that it is very achievable to get the grants out in the time frame that we laid out, as well as getting the report up here. I think you are going to find that it all aligns once you get the report.

Mr. CUELLAR. As you mentioned, the States worked under the gun to meet the Department's deadline, submitted their State-wide communications interoperability plans. The Seabees, which is the engine of the NECP, the States now burdened with the delay of the NECP because they would have less time, less time to review their justification for the NECP grant.

My concern again—and, again, I appreciate all the work that all of you all have done, but I want to make sure the money goes to the States.

For example, some of the States—let me see who is here.

Mrs. Miller, the State of Michigan could lose or not get the \$1 million.

Charlie, for the State of Pennsylvania, Mr. Dent, it would be \$1.6 million that could be at risk.

Bob Etheridge of North Carolina, \$866,000 that could be at risk.

Mrs. Christensen, Virgin Islands, \$61,000.

Mrs. Lowey for the State of New York, \$7.8 million.

Mr. DICKS. Seven-point-eight?

Mr. CUELLAR. Well, I didn't want to start a fight amongst the States here, but that might be another question.

The State of Washington, \$25 million—no, just kidding—\$997,000.

Do you want to look at the State of Mississippi? The Chairman is not here: \$362,000.

The State of Texas, 23 million in population, would be \$3.5 million.

But the point here, besides getting our Members all excited about the amounts, would be the impact potentially, the moneys going to the States.

Again, I appreciate all the work, but we are almost at the 1-yard line, and we have to get this done. What do we do about this, Mr. Secretary? What assurances can you give us to make sure we give the dollars to the States?

Mr. JAMISON. Well, we are going to get the ball over the goal line. Since we are at the 1-yard line, we are going to finish the play and get the ball in the end zone.

We understand the criticality just as you laid out; and a lot of the discussion—I think Mr. Mirgon mentioned it as well in his testimony—is we need to lay out the foundation, fundamentals to make sure we have got the training, the plans and the coordination in place to execute the rest of the NECP.

We are confident that the technical assistance that we have done through the process for helping the States develop those plans are

going to allow them to be able to complete their grant applications, and we are confident we are going to get the NECP delivered up here very shortly and get that money in the hands of the States so they can actually start to get the foundation built.

Mr. CUELLAR. Two questions. My time is up, but just two questions.

Time, your best guesstimate as to when this plan will be done.

Mr. JAMISON. I think in all of our previous conversations with the committee we committed to try to get this done in July, and we are standing by that commitment. We will have the plan up here in July.

Mr. CUELLAR. What day in July, July 16?

Mr. JAMISON. In July. I mean, we are aggressively doing the review on this document. We are going to get it up here in July.

Mr. CUELLAR. So that basically means no later than July 30, I assume?

Mr. JAMISON. Correct.

Mr. CUELLAR. The last question is, you also assure all of the Members here and the other Members who are not here, the other Members of Congress, that, according to the statute, you can't give any grants out, that the moneys will be given to the States. You assure them to be given to them on time?

Mr. JAMISON. We understand the implications. We also understand the law, that we can't release any of the grant funding until we have released a report, and we plan on making both of those commitments.

Mr. CUELLAR. So there is assurance in that answer?

Mr. JAMISON. There is assurance.

Mr. CUELLAR. At this time, I recognize the Ranking Member from Pennsylvania, Mr. Dent, for questions.

Mr. DENT. Thank you, Mr. Chairman.

Under Secretary Jamison, could you please discuss how the Department and NPPD have worked to support the stand-up of the Office of Emergency Communications? Specifically, how is NPPD supporting the Office of Emergency Communications' efforts to hire full-time staff?

Mr. JAMISON. Sure, Congressman. I would be happy to.

Let me, first of all, say that staffing issues in the Directorate are not just isolated to OEC. So we spent a lot of time on this issue. As you may know, we have dramatically grown our chemical security regime and have added inspectors to the field. At the same time, we have basically doubled our cyber budget. So we have been focusing a lot on trying to keep up with those staffing needs.

What we have done in that area is, one, we have established a task force to address the process and address hiring needs from not only the date the application of the job announcement is approved, until we have someone on board. Since the task force has been in place, we have been able to reduce that time period by about 45 percent and have the days—the average days to get a hire in place moved down to about 58 days.

We have also put resources behind this. We have ramped up the contractual support that we have going into our capital human resources office in DHS headquarters. We have looked across the Federal agencies and what we can do to try to leverage other

human resources support, and we have signed an interagency agreement with OPM to help bring human capital support to this office.

I guess, finally, I can say the accountability. We are measuring the process. We have broken down the process. We tried to make sure we eliminated bureaucracy where there was no need for bureaucracy, and we are trying to hold people accountable for that.

I think we are about to see the fruits of that labor because the pipeline is now full with not only hires in cyber and chemical positions, but also it is filling up with OEC positions. We have got 11 positions that are in the last stage of the process, and we anticipate getting them on board. There is going to be two individuals that actually already have start dates in the coming weeks, and we have got another 10—or, actually, 11 positions that are in the late stages of the selection process.

So the pipeline is filling up. The hard work is starting to pay off. I agree that there is nothing more critical than staffing up this organization and the rest of my components as well.

Mr. DENT. Can I quickly ask you as well, what is the level of senior leadership involvement in the development and review of the National Emergency Communications Plan?

Mr. JAMISON. Well, there has been involvement on the outreach from the Assistant Secretary level. Assistant Secretary Garcia has been involved in some of the outreach efforts.

My involvement and my deputy's involvement and my staff's involvement has been around trying to lay out strategic direction and to make sure that not only we meet our deadlines, which I realize we have missed one, but also to make sure that the plan is focused on actionable result, it reflects the input from everybody at this table and the people in the field and that it has targeted, measurable outcomes and the goals.

When you get the document, I think you are going to see it has short-term, mid-term, long-term goals that are focused on measurable results in the field; and I feel like we need those measurable results to drive the rest of the programmatic priorities that we are trying to build in the office of OEC.

Mr. DENT. Thank you.

To Mr. Essid, the Office of Emergency Communications plans to deploy regional interoperability coordinators in fiscal year 2009 to each of the 10 FEMA Regional Offices. However, FEMA is also rearranging its Regional Office staff to provide additional emergency communications support as part of its response role. How will the roles and responsibilities of the interoperability coordinator and the FEMA coordinator be delineated?

Mr. ESSID. We are working very closely with FEMA. We plan to collocate these regional coordinators for OEC in the FEMA regional offices. They will have different focuses. I mean, the regional coordinators that we plan to hire are going to help with the State-wide planning efforts, are going to help with the technical assistance coordination and all of the support that the States need.

A lot of States are moving into multi-State regional plans. For example, in Indiana, I just spoke at a conference in Indianapolis, at a State-wide conference. They had representation from Michigan and Ohio there, and they all have 800-megahertz systems, and they

are all going—they are brokering themselves partnerships to where the first responders can go across the State lines. But they asked for our assistance with that. So our regional coordinators can help out with things like that.

FEMA has an operational mission where, if something bad happens, they take tactical things and they go and deploy. So we will complement each other, but we have been coordinating with them a great deal to make sure we don't have overlap.

Mr. DENT. Is FEMA's creation of a regional emergency communications position unnecessary or redundant, given that the Office of Emergency Communications has the lead for interoperability within the Department?

Mr. ESSID. I see it as they are following what they read in the law that they would do to establish these regional groups.

Again, we don't have an operational role at OEC. We more so focus on the national policy, and we have been working with FEMA coordinating. But, you know, I don't see a lot of overlap. We have been coordinating with them on many different issues, and the regional group development is one of them.

Mr. DENT. Thank you.

Mr. CUELLAR. Thank you, Mr. Dent.

The Chair will now recognize other Members for questions they may wish to ask the witnesses.

In accordance with our committee rules and practice, I will recognize Members who were present at the start of the hearing based on seniority of the subcommittee, alternating between the majority and the minority. Those Members coming in at a later time will be recognized in the order of the arrival.

I ask without—if it is without objection—Members to skip the order. We were supposed to have Mrs. Christensen, but Mr. Dicks has a priority meeting at 10 so, without objection, if there is no objection to unanimous consent, I would ask Mr. Dicks to be recognized at this time for 5 minutes.

Mr. DICKS. Thank you, Mr. Chairman, and I am asking this question on behalf of the Chairman.

Mr. Jamison, as you know, the committee is greatly interested in the Department's transition to the next administration. When Secretary Chertoff testified before the committee last September, I asked him pointedly if he was planning on serving out his term under the administration. In light of rumors that you plan to leave the Department by the end of the summer, I ask you the following: Do you plan to leave your post as the Under Secretary of the NPPD before the end of this administration?

Mr. JAMISON. You must know something that I don't know, because I have no indications of leaving before the end of the administration. I am committed to get the job done; and when I signed up for this job and when I went through my confirmation in December, I stated that I am planning on staying throughout the administration.

Mr. DICKS. That is good to hear. So I don't have to ask the rest of that question.

Let me ask you, going back—Mr. Dent asked a question about the personnel issue. It is somewhat striking that it is now July, 2008, and the OEC staff with less than 10 FTEs. Why is that?

You have asked for funding, as I read it here, for 42 FTEs in fiscal year 2009, \$38.3 million. To date, the OEC has only 7 FTEs and even though Congress provided \$38.6 million for 38 FTEs for fiscal year 2008. What is the problem? Why can't we get these people on board?

Mr. JAMISON. Well, as I stated in the other answer, I mean, we have had to focus a lot on human resources and trying to get people on board. We focus a lot—I think we are going to make the commitment to have our FTEs on board by the end of the year; and, therefore, the budget of the 42 FTEs will still be appropriate.

We have got the pipeline full. Unfortunately, one of the reasons that we haven't gotten more people in place is because we had about 10 positions that we didn't get the skill sets that we were trying to get through the process and we had to re-advertise.

Mr. DICKS. Do you have an outside private sector company that provides you with the names for these people?

Mr. JAMISON. We have got actually a broad recruitment effort that we go under. I mean, we market, depending on the position, to the publications where we need to go find people with those skill sets in the associations. We also use USAJobs to get staff on board.

Mr. DICKS. They are the ones—we were told that USAJobs is the principal source of people for the Department of Homeland Security.

Mr. JAMISON. That is the Federal Government's Web site that we post all of our job listings on, and we use that resource. But we also try to make sure that our—

Mr. DICKS. Has that been effective? It doesn't sound like it has been very effective for you.

Mr. JAMISON. Well, I wouldn't say that the Web site and that resource is the issue. There are a lot of issues as you go in and break down the hiring process. We have broken it down to nine steps for tracking accountability on every step of the process to get people on board. A lot of issues to make sure we get the resources to process the applications, make sure that we can get people through the security process and, quite honestly, make sure that we have gotten the right people in the pipeline.

To your point, the Web site is helping seek people in the pipeline. We need to continue to make sure we are beating the bushes, so to speak, to get the right people. This has been an ongoing issue.

Don't get me wrong. We have focused a lot on it. We have got a pipeline full of people that are heading to 104 positions that hopefully are going to have—in process—

Mr. DICKS. How many people do you have working on the hiring aspect? How many people—Mr. Essid, does this come under your responsibility?

Mr. ESSID. Well, yes, sir. I mean, to get positions into the Office of Emergency Communications, it does. We review the applicants that are given to us and we see if they have the skill sets required for the positions. When we—

Mr. DICKS. How many people within your group focus on this?

Mr. ESSID. Well, I mean—

Mr. DICKS. Or you do it yourself?

Mr. ESSID. A lot of it we do ourselves to see if these people, once these lists are presented to us—after we interview, sometimes can-

didates have the required skill sets and experience and sometimes they don't. We have had to go out for additional re-advertisements for several positions.

But some of the positions we are hiring for are very difficult to find, like radio engineers or frequency coordinators. People with that kind of background, they don't grow on trees; and we try to ask our friends here at APCO and the other groups that help support us—when we have announcements, we send them out through those associations to try to increase the numbers of applicants.

Mr. DICKS. Finally, what is the consequence of not being able to get these people on board? Has it affected your ability to do your job?

Mr. ESSID. Right now, sir, I mean, we have been very successful in accomplishing the task that we have been assigned. Of course, we want to get these folks on board, and we are working as hard as we can to get them on board. That will help us as we increase our role and as all the States have plans now, for example, and they are going to need more support than ever. That will help us. But, right now, it hasn't impeded us from doing what we need to do.

Mr. DICKS. Thank you, Mr. Chairman.

Mr. CUELLAR. At this time, I would like to recognize the gentlewoman from Michigan, Mrs. Miller, for 5 minutes.

Mrs. MILLER. Thank you very much, Mr. Chairman. I appreciate all the testimony of the witnesses. I tried to listen intently, and I thought it was very interesting, and appreciate your service to your individual and respective communities and certainly to our Nation as well.

I have a question specifically about a point actually made by Mr. Alagna. I hope I am pronouncing your name correctly. But I think my question is for either Secretary Jamison or Director Essid.

Let me just start by saying, a principal advocacy of mine has been northern border protection. As the Chairman mentioned about Michigan, of course, Michigan is a northern border State, it is interesting I think as the efforts in our Nation to secure the southern border have been quite successful, what is happening is a lot of the problems that we have had along the southern border are now being exacerbated along the northern border as well. We see a lot of activity that is increasing there.

Actually, in title III, section 302, of H.R. 1, there is actually this provision, as you had mentioned, sir, about the interoperability demonstration for six communities to be designated. It says that no fewer than three of the communities shall be located on the northern border and then three on the southern border as well.

I ask that question because, in my State and in my district specifically, we have a number of unique dynamics that I think would lend itself ideally to be one of these demonstration projects. So I am, in full transparency, let me just make a pitch for this.

I am sort of here. In Michigan, it is great; you always have a map of your State on the end of your arm here. But we have the Blue Water Bridge, which is the second-busiest commercial artery along the northern tier. Last year, we had about 5 million crossings across that bridge. It is actually the conduit and the genesis then

for both Interstate 69 and I-94 as well, critical arteries into the Nation. The economics are obvious.

We have the CN rail tunnel entry that runs under that bridge across the St. Clair River, which is the busiest rail entry into the Nation, actually. Immediately across the St. Clair River on our Canadian shores is something we call chemical valley, which is the largest concentration of petrochemical plants, I think in the hemisphere, perhaps next to New Jersey, but very, very large. Of course, all sitting on the banks of the Great Lakes, which is the freshwater drinking supply, 20 percent actually, of the freshwater drinking supply, one-fifth of the entire planet.

Today, as we speak, actually, this afternoon, that particular county in my district, St. Clair County, is meeting with our Canadian counterpart. They have established something they call the Cross Border Community Planning Projects, and they are talking about interoperability and how they can better communicate in the case of a terrorist attack, in the case of any kind of circumstance that might happen to one of these critical arteries or the water or what have you.

So my question is, what is the criteria that you are using to select the communities for these demonstration projects? If you could flesh that out a bit for me. What are you looking for from the communities, et cetera? Thank you.

Mr. ESSID. Yes, ma'am. Well, right now, what we know with section 302, as defined by OMB standards, all communities with populations greater than 10,000 along the northern border will be considered for these interoperability pilot projects. OEC has been working a lot on what will be the criteria for such a process to select these communities.

We have got some pretty good starts on it, but, again, right now, there is no funding to support this. So as the funding becomes available, then we will continue to work on those and finalize those. It will have to be some type of a competitive process for selection, because as you can imagine, we have heard from many communities that have heard of this project and, you know, are very interested.

But the northern border is just as critical as our southern border communities. You are right that there will be three and three, three on the northern border and three on the southern border. But right now, we have got a start on some criteria, and we have been visiting a lot of the border communities to try to ascertain a little bit more about the situations they deal with. But nothing has been finalized at this point.

Mrs. MILLER. Well, I would just suggest, obviously, as you are putting together and doing the construct on your criteria, just because you are a community that has 10,000 people on the border as opposed to a community that is actually the host for one of the most critical infrastructures and certainly economically into the Nation, not only the bridge, as I say, but also the rail tunnel that is there, and all of these unique dynamics, it really is I think an extraordinarily unique situation in that area. I am certain that I could be echoed by both our United States Senators and our Governor and many other States even along the—within the Midwest there, is a very unique locale.

So I would ask as you are developing this criteria, please keep us up to speed, if you would. We would like to be in the loop on the thing. I think it is a very important issue, not just for the area, but for the Nation as well.

Thank you, Mr. Chairman.

Mr. CUELLAR. Just to follow up, we have some Members of the Appropriations Committee here, but I believe the House full committee is requesting to appropriate \$30 million for this program, and I believe the Senate has what, \$10 million. So there is something hopefully that our friends in the appropriations will keep the \$30 million and hopefully keep it at \$30 million instead of the \$10 million that the Senate is looking at. But, anyway, I just wanted to mention there is something in the pipeline.

At this time, the Chair recognizes Ms. Christensen, the gentlewoman from the Virgin Islands, for 5 minutes.

Mrs. CHRISTENSEN. Thank you, Mr. Chairman, and welcome to the witnesses.

To Secretary Jamison and Director Essid, I am also concerned about the vacancies, but I also see that many of the positions that are filled are filled by contractors. Is there a particular reason why there seems to be a propensity? Is this a policy of the Department, or is it the nature of the positions? It is in some of the appendices that were sent to us. Many of the currently filled ones are filled by contractors rather than Government employees.

In answering that, would you also tell me, we actually had a hearing about the diversity of the Department or the lack thereof, and in your recruitment, are you reaching out to HBCUs or minority-serving institutions? I am sure there are some very bright people coming out of those institutions that could fill these positions.

Mr. JAMISON. Sure, let me answer that. So, first of all, on two fronts, we have talked a lot with this committee about the challenges of trying to get people on board and trying to ramp up very quickly. So the contractors you see in place are an effort to try to get resources quickly into the pipeline so we can start to build the capabilities we need to deliver on many important priorities this committee has laid out.

That being said, however, we also have, as we continue to ramp up and address the many vacancies we have had in the directorate, we have also had an effort underway to do conversions to make sure we convert those contract employees to FTEs, mainly to make sure we have the most efficient use of Federal resources, and we are doing an evaluation on that, but also to make sure we have stability headed into the transition. So we have targeted over 150 positions across the directorate to be converted.

To your second point, we always look at the diversity issue, and, quite honestly, we are looking across the university spectrum. We have been focusing on this a lot from the cyber perspective just because of the demands, the needs that we have there, and we have actually brought some diverse leadership on board recently in that arena. We look to apply those same principles as we continue to fill out the rest of the needs, especially OEC's.

Mrs. CHRISTENSEN. Thank you.

Mr. Mirgon, Chief Werner, Mr. Alagna, in Mr. Mirgon's statement he talked about the fact that the narrowband mobile net-

works are what we are going to have to rely on for quite a while into the future. As you have reviewed the plan, I believe, does the plan address to your satisfaction the reliability and the resiliency, the operability of the narrowband mobile networks that we are using, and is there something we ought to be doing to speed up the availability of broadband, since that is what would work best?

Mr. MIRGON. I believe the plan does sufficiently state it at this point. We have to remember that, as Chief Werner said, this is a national plan. It is like a large umbrella. It cannot relieve local government of the responsibility of providing their narrowband radio systems and doing it properly. So, I believe the plan does address it properly and addresses the issue that you have got to be able to talk to each other when you need to, because in some of the most major incidents in this country, we have seen that even the largest of agencies can't do it themselves. They bring in resources from other places. So I believe the plan did that very well.

Excuse the mush have between my ears, but I don't recall the second part of your question. Could you restate it?

Ms. CHRISTENSEN. Just what—because broadband is the optimal, what can we be doing to speed up that?

Mr. MIRGON. As far as the broadband, I believe we need to continue down the path we started. The public-private partnership is absolutely imperative. The only way we will get there as public safety is if we partner with those private organizations to build this public-private partnership. It is a mass undertaking, but there is a lot of information people need on the street that is being converted to IP data, and that is the only way to deliver it. That is also our best hope for border issues on interoperability. That IP is pretty well a world standard, and as we start looking at some of the technology used on the border, it is not necessary compatible. But IP is, and this gives us our hope and our chance to be able to resolve some of the border issues, the interagency issues, and to be able to communicate across different agencies.

Mr. WERNER. If I may, I concur with what Mr. Mirgon said.

One additional point is, the plan outlines outcomes, performance measures, by which we all can now see and direct our resources to work toward that common goal which we haven't seen in the past. So now the State plans, the local plans, are all meshing into a common direction, where we never had that roadmap before. So I think you are going to see the positives of that.

I agree with the broadband network, that is our next best effort of public safety communication, especially in the way of data, and enhancements of being prepared for all hazards and terrorist attacks.

Mr. ALAGNA. Regarding improvements to operability, I think the plan lays out roles for industry, and I think industry needs to be more fully integrated into national-level exercises that in fact test the ability to do restoration and improve the resiliency of these networks.

Another area for consideration is, as the Department goes to regional emergency communication support, we heard this discussed, whether it is FEMA or the OEC, there is a call for industry to be engaged in that regionalization process.

So I think more tightly integrating industry into the overall planning process and some of the operational components would in fact improve the resiliency restoration of some these networks.

Mrs. CHRISTENSEN. Thank you.

Thank you, Mr. Chairman.

Mr. CUELLAR. Just a little point of observation before I go to Mr. Etheridge is that it seems like the witnesses, I know you all were participants or your groups were participants, that you all know what is in the plan, but we as Members of Congress that provided the legislative oversight, we haven't been provided the information.

So I hope, Mr. Secretary and everybody, you understand why we as the oversighters, if I can use that term, feel a little uncomfortable that you all know exactly what is going on, but we haven't seen it yet. So I hope you understand where we are coming from.

At this time I would like to recognize the gentleman from North Carolina, Mr. Etheridge, for 5 minutes of questioning.

Mr. ETHERIDGE. Thank you, Mr. Chairman. Let me thank you for this hearing.

Thank you for being here, and let me echo what the Chairman just said: It is kind of marred to fly blind, but in effect that is where we are, and it would be helpful to have that.

Let me return a little bit to the question the Chairman asked earlier, because I happen to believe that emergency response really depends on a partnership, a partnership with the Federal Government, State and local personnel who really act as the first line of defense. And 9/11, of all the things it taught us, that is the one thing we learned very quickly, because even though we saw it on TV and we have had a lot of things happen since then, when the first call went out, the last time I checked, it didn't ring here in Washington, DC. It rang in the local fire department, the local police station, the first responders, et cetera.

So that is a critical piece, and I think we need to keep that in mind in everything we do. Sometimes we get caught up in plans and other stuff and forget who really delivers the service, and we are so busy shaking things around.

So let me get to the question, is that the Federal Government, it is important for us to support the work of the locals. We have to have a plan. But we have to work together and do that. DHS, as you talked about earlier, and I want to come back to that, has sort of set a deadline of December 2007 for the State-wide communications interoperability plans, and the State met those plans. They had to hustle to meet them. The Chairman touched on this earlier, but we now are finding out, at the Federal level, we aren't meeting our plan.

So I guess my question to you is, now that the grant guidance has gone out for interoperable equipment grants program—and we know the deadline, we talked about it just a minute ago. So my question—and I am not going to you, Mr. Secretary; I am going to the folks who have got to make the decisions and deal with it.

Mr. Mirgon and Mr. Werner, I want to know from you, even though you represent large organizations, I would like to hear from you, though, in your regard how the delays may be affecting the first responders back home? What is being lost in the first round of the interoperable communication grants because States can't use

the NECPs to make their proposals? I mean, it has got to have an impact. I would appreciate hearing from you on that response, and then I will go to Mr. Jamison.

Mr. MIRGON. As much irony as this may sound like, even though it tends to run late, it is a positive impact. The SCIPs that were provided by the States brought a major awareness to the States themselves of how important interoperability was and how difficult the task is and how few people that are out there that understand how to build such a plan or construct such networks.

One of the personnel problems they have today within OEC is that these specialists that they keep referring to, you know, the knowledge skills and abilities, it is rare. We have a hard time recruiting them at the local level; let alone, I can't imagine trying to do it at the national level.

So, yes, it is running late, and local governments were getting tight time frames from the Federal Government. But there are many of us who participate in such things as SAFECOM, our conferences and the SCIPs and the grant reviews. We will step up to the plate. We get it. This is an important task. I don't know of any State that didn't ultimately step up to the plate and get the task done, and I don't know anybody out there that is in a senior management position, like Chief Werner and myself, that don't understand the complexity of such a project and the skill set required to do it and the lack of available people out there to do those tasks.

So we feel the pain at the local level. We truly believe they have provided the best effort to get there, and in partnership, we will get it done, and we will make sure that the citizens that, whether they are hired to protect or elected to oversee and provide leadership to them, aren't let down in the end. We believe that is going to happen.

Mr. WERNER. I think I would have to agree. The difference would be if we happen to come forward with a national emergency communications plans that was in conflict with the SCIPs, we would have a problem.

I think the good news is that the plan that comes forward not only is embracing of those SCIPs, but is an enhancement to the direction of where we head next.

Mr. ETHERIDGE. So if what I am hearing is correct then, all is well?

Mr. WERNER. Well, I don't know that we would go that far. It is looking better, and I think as long as we move closer with the timeline, and we don't have longer delays, I think we are going to be okay.

Mr. ETHERIDGE. Well, let me just finish up, Mr. Chairman, if I may, because part of the question is whether we will end up with a bunch of different State or local plans or whether they are going to be coordinated interoperability? Are you telling me they are all going to be coordinated, or are we going to have a bunch of different plans out there that feed into a the National plan?

Mr. MIRGON. I would just like to say, it is not going to be perfect. There are so many things out there—

Mr. ETHERIDGE. I understand it is not going to be perfect. My question is, will we have a bunch of separate plans that the States

have but together that work in those States but they don't necessarily feed and coordinate?

Mr. MORGON. I think we will have a significant majority that are coordinated. There may be one or two that may look kind of odd, but in the end, the vast majority will be coordinated and will accomplish the goal.

Mr. ETHERIDGE. One or two means you are going to have 48 that are and two that aren't?

Mr. MORGON. It potentially could happen, just because of the idiosyncrasies that happen within certain States. You know, Nevada, which I come from, tends to be a little odd at times. So I just want to recognize reality.

Mr. WERNER. It will take a couple—it will take several years for us to really shake this all out, because everybody is learning in the process. But, again, I think the key point is the National Emergency Communication Plan is the first time that we will start having specific outcomes that the State plans must be working toward, so we have performance measures that will help to relieve some of that.

Mr. ETHERIDGE. Okay.

Thank you Mr. Chairman. Thank you for your patience. I yield back.

Mr. CUELLAR. Let me just say this, that I want to recognize Mr. Lowey right now, but Members, since you are the last person, if you all want to go for another round of questions, I will be willing to go ahead and do that.

But at this time I would like to recognize Ms. Lowey from the great State of New York.

Mrs. LOWEY. Thank you very much, Mr. Chairman.

I want to thank Chairman Cuellar for holding this hearing.

For several years, Chairman Thompson and I championed the creation of an Interoperable Communications Grant Program, a goal that came to fruition with the passage of H.R. 1. The issues before us today, the execution of the emergency communications title of the legislation, are some of the most important we will consider all year.

As someone who has spent so much time on this issue, I closely followed the release of the national emergency communication hearing with Under Secretary Jamison and Assistant Secretary Garcia, and I asked and we all kept asking, when is the NECP being released?

Mr. Garcia testified: We are working to have it by July. He went on to say the Department expected to have the \$50 million in fiscal year 2008 funding distributed by the end of the fiscal year.

Not only has the Department not yet submitted the NECP, but unless it is released soon, it seems unlikely that States will receive final awards from the fiscal year 2008 Interoperable Communication Grant Program by the end of the year. I want to make it clear that this is not acceptable. The release of the interoperability funds is contingent on the release the NECP, and first responders can't wait on bureaucratic delays to receive funds to advance communications efforts.

The Chairman mentioned the \$7.8 million that New York would or may or maybe some day may receive. But I want to make it

clear that this whole project is \$2.2 billion, and there is still a lot of work to do.

We often hear problems when a report is completed by an agency but then languishes in the Office of General Counsel or OMB. For an administration that claims to loathe bureaucracy, it certainly has mastered the art of losing initiatives in the bureaucratic maze.

I want to join my Chairman and colleagues, it is pretty upsetting. I am glad you all have seen the report, but this is still delayed. The report has probably been done, and we haven't seen it.

So maybe you can tell me, Mr. Jamison or Mr. Essid, has the report been sent to the Office of General Counsel or OMB? If so, when? Where is this report, and can you give us a preview as to what will be in the NECP?

I mean, why is there this big secret? We are very concerned in New York. I am concerned with what Mr. Dicks said, because I think this office was so important, and the Chairman and I were pretty critical in getting the office, and you only have seven people there rather than the 42. So where is the report now? What is taking so long? Who is holding it up? Come clean.

Mr. JAMISON. Congresswoman, as we testified earlier, the report is in the last stage of review.

Mrs. LOWEY. So Mr. Essid wrote it. He did what he had to do?

Mr. JAMISON. The report is written. It is in the final stages of—

Mrs. LOWEY. So where is it? Who is holding up it up in the bureaucracy?

Mr. JAMISON. It is in the late stage of review.

Mrs. LOWEY. Who is reviewing it? How long has this "late stages" been reviewing it?

Mr. JAMISON. We would have to come up and give you a briefing on the whole details of every stage of the review process.

I think it is important to say we understand what you are saying about getting the funds out. As I committed to the Chairman earlier, we are going to make sure that none of the funds go undelivered to the States. We are going to make sure that we have met our commitment to get the plan up here in July.

I think it is important to note, based on the conversation of why they have seen the plan from our partners in the local governments here, is because they are involved in writing the plan, and that is inherently what delayed the process to make sure we had full involvement.

Mrs. LOWEY. Excuse me, but only because—but maybe since we are the last here, I can pursue this. We know you are delayed. We are aware of this. But I have the feeling that Mr. Essid might have written the plan and it is sitting somewhere, and people don't understand that, on the local level, this is really urgent.

As a New Yorker, we are getting \$7.8 million. I know several of my colleagues kind of laughed at that, but it is a \$2.2 billion program, and this is critical. I remember the World Trade Center. I was down there. There has to be more of a sense of urgency.

So I think maybe you can take a message back that this committee is really upset with the bureaucrats who are holding this up, because we may not be able to get the money by the end of the year if this continues to delay and delay.

So I think this committee needs a report about where this is, why it is being held up, because our local first responders, our police and firefighters, need this money, and they need it now.

Now, I also want to say, in addition to the fact that instead of 42 people, there are so many people losing jobs that, frankly, the fact you only can find seven people, either there is something wrong with the recruiting process, something wrong with the personnel department, or maybe we should be training more people at the local level to do this work, because it is so important. Seven people, and there should be 42, is amazing.

Then I noticed here the urgent mission of OEC may not be reflected in the organization chart. In order to find the office, you have to search for the National Protection and Programs Directorate, then the Office of Cybersecurity and Communication. OEC is one of the component programs with the Cybersecurity and Communications office.

If you ask our local police, firefighters, EMS workers, mayors, what is most important, it seems to me this should be a more high-profile office. Mr. Essid is charged with coordinating emergency communications for Federal, State, local and tribal governments, and I am very concerned that, as hard as you work, that burying the office under Cybersecurity may prevent it from accomplishing its mission.

So it seems to me the Department doesn't need another major re-organization. However, maybe there can be some tweaking by the next administration, and if anyone would care to share with us whether it would be more beneficial to give more prominence to the Office of Emergency Communications, I would appreciate hearing from you.

Anybody care to share? When you are a local person, do you have trouble finding this office?

Mr. MORGON. Only if we actually had to physically go to their office, because being from Nevada, I have trouble finding just about anything out here.

As far as prominence of the office, it absolutely needs to be raised. This is a critical issue across the country. Don't think for one moment my comment is that I don't think they treat it well within Homeland Security. I don't think that is the case.

The case is how it is seen nationally by Governors, local governments, other people, is for them to understand it is important, they look at that chart also and go, well, it can't be that important to the Federal Government.

But this is critical. If people can't talk to each other, whether it is cross-border or cross-town, we have some major issues. So, yes, there would be some very strong support to raise the prominence of this office to help raise this issue and move this topic forward.

Mrs. LOWEY. Mr. Chairman, in conclusion, I just want to say that in June, the Department released the fiscal year 2008 interoperable emergency communications grant program guidance which allows funding, here we are, for planning exercises, training, but prohibits funding for actual equipment.

This is ridiculous. Many State and local governments, frankly, have not waited for the Federal Government to take action. In New York, the State and many local governments, including West-

chester, Rockland Counties, already have interoperable plans in place. They don't need money to write another plan. They need money to build the network backbone and purchase radios.

So, perhaps, just in conclusion, Mr. Chairman, maybe Mr. Jamison and Mr. Essid can tell us why the Department is prohibiting fiscal year 2008 funds from being used for equipment? Maybe someone just doesn't get it there. I don't know if you were down to 9/11, if you were down there at the World Trade Center when those beautiful 300—over 350—firefighters were going up when they shouldn't have been going up. Why are we just giving money for planning, and they still can't use it for equipment?

Mr. JAMISON. Congresswoman, first of all, to answer your question, I spent 6 months in New York City in the recovery operations around Lower Manhattan, so I saw the devastation. I saw the impact on your constituents. Quite honestly, that is one of the things that drove me to be a part of Homeland Security. So we understand that issue.

Mrs. LOWEY. I just want to say that I personally appreciate your service, and, therefore, I don't want to ask you to squeal. But maybe you can tell us, who is holding this up? Where is this plan? Who doesn't see the urgency?

Mr. JAMISON. I think everybody sees the urgency, and I think the urgency to get it right is important as well, which is why we focus so much on the partnership, making sure that we participated in the State-wide planning process, making sure that we get this right.

To address your earlier question about why the grants were limited to non-technical equipment, a lot of the capabilities gaps work and a lot of the work we have done through the State-wide planning process has identified there is fundamental governance, planning, coordination, other fundamental building blocks that continue to be barriers to getting interoperability and continuity of operations in place across the States, and I would be happy to have my colleagues comment on that.

We want to make sure we get those fundamental building blocks in place, in addition to the fact that if you go back and look at the grant programs across DHS, if you try to track it, we spent approximately \$2.5 billion on interoperability, and about 93 percent of that money has been spent on technical equipment, and we still have many challenges in getting interoperability derived. We need to focus on some of the fundamental building blocks, and then the eligibility for the other grant programs, UIC funding, can help address some of the technical equipment needs.

Chris, I don't know if you want to take a shot at that as well.

Mr. ESSID. Well, I would like to add that a lot of the gaps we collected from the State-wide plans, first of all, earlier, it was asked if the State-wide plans could all be different. We have standard criteria for all the plans. So, for the first time, they all hit a standard criteria, same governance structures and things of that nature, throughout the Nation. But these were the gaps that were communicated in those State-wide plans, the focus areas for this grant.

In New York, they are building a very expensive State-wide system. But they are going to have needs. This grant can still help

them with other needs. While they may not buy radios, they are still going to have to work out standard operating procedures on how that State system communicates with all the locals or programming certain frequencies into the radios. All that stuff costs a lot of money. This grant will help support that system. Let me be clear about that. There are so many needs they are going to have; this grant will help them do a lot of those other needs. While it might not be buying so many radios, it is going to be taking expenses that they would have to find other funding for to support that State system. So that is one thing I would like to just add. It will be beneficial to New York.

Mr. MIRGON. Ma'am, if I could add something here, from a local perspective, the interoperability problem today is partly because of equipment, but we spent hundreds of millions of dollars a year across this country for communications equipment.

Part of us what got us to this problem is we failed to plan. We failed to have the foresight to bring it together. We as locals support the concept, those of us who have been in this mix and been on both sides of this coin, support this concept of planning, because without that plan and without the training to use the equipment, all of the equipment we buy in the world will sit on a shelf or will not be able to be used when that disaster strikes again. This planning is absolutely paramount to have for the success of the entire plan and the success of the first responders in the field.

Thank you.

Mrs. LOWEY. Let me—yes, sir?

Mr. WERNER. One of the things we found, just to reinforce what Mr. Mirgon has said, is we found, after 9/11, after Katrina, there is a rush to bring us money for equipment, and we are always willing to take it. The problem is we were taking the money and trying to figure out after the fact about how we best do it, and we were doing it locally. We weren't doing it regionally. We weren't doing it State-wide.

Now, for the first time, we are bringing people together. We are having conversations. We are doing SCIPS. We are planning, and the people are starting to talk to each other. What we found is that billions of dollars have been spent on technology, but it won't matter if you and I have not agreed to talk to each other in a planned system, in a program that works.

So I think this piece of the money is really designed to help bring people together to the table to pay the expenses, to get things really moving in a planned program that will move us toward that national emergency communications plan.

Mrs. LOWEY. Let me just thank you very much.

Thank you for your indulgence, Mr. Chairman.

I just want to clarify: I have been saying, as has the Chairman and has the big Chairman, that we need a plan, for a very long time. You all seem to know about this plan. We don't have this plan. There is a sense of urgency here that maybe some people don't feel.

Look, I agree with you. This equipment that people are buy—are buying—will be outdated next year. We know that. Many of us up here don't even understand what A does and B does and C does,

because now you have D, E and F. You probably get it and understand what is coming out here.

But what I am concerned about is that the bureaucracy somehow is holding this plan, rather than completing this plan and getting it out there, and that prejudices those States and communities who have been responsible and have put a plan together and want to begin completing that plan by getting the equipment in place. So that is why we are concerned that there are seven people there instead of 42. That is why we are concerned that it isn't a high profile in the Department. You can't even find it.

So I would just say, maybe you could have a private discussion with the Chairman. Let him know where this plan is that many of you worked so hard on, and move it and get it out, so by the end of the year, we can implement it. God forbid, God forbid, if something else happens, sir, and I respect your involvement here and all of those involved in 9/11, people are going to feel pretty bad if plans are still sitting in the bureaucracy someplace, and they are not out there.

So I just encourage you, if you need some help, if you can't recruit fast enough, there are a lot of unemployed people that could be trained perhaps, maybe not at that level.

But I have spoken enough. I think I have made my point. Thank you for your service.

Thank you, Mr. Chairman, for your indulgence.

Mr. CUELLAR. Let me follow up with a couple of questions, points, that the Chairwoman of the Foreign Affairs Committee has made.

First of all, last month I sent a letter to the House appropriators requesting that the director of the OEC be elevated from a GS-15 level to a Senior Executive Service position, to move it up. The Chairwoman here did push it, and I believe the full committee has now approved this. Of course, we are still, on the House side, waiting for that.

So, Secretary Jamison, I know we still have a process in the appropriations, but I think if everything goes according to plan, the House is asking that this be elevated. So if you want to stay ahead of the curve, it would be nice if in the last—to the end of the administration, if you could take some proactive steps on this, because I mean, it is going to be done one way or another. It would be nice if you would take that into consideration, No. 1.

The second thing is we have been hearing from the States about the input. But what about the Federal input? The ECPC includes the Department of Homeland Security, Defense, Commerce, Justice and the FCC, that serve as the primary mechanism for coordinating the Federal input into the NECP. What about the Federal input? We haven't seen the State. We haven't seen the Federal. We are the oversight mechanism in this process, and we still haven't seen this.

We were supposed to be—when were we supposed to have gotten the executive summary?

Yesterday. We still haven't seen an executive summary.

One of the things that really concerns me is that sometimes in Washington, we are seen as “they” versus “us” or “us” versus “they.” We are all on the same team. We are all on the same team

together. If Members of Congress request a copy of at least an executive summary, it would be nice for us to get a copy of the executive summary, because, again, I emphasize, and I don't understand what this mentality is of a "us" versus "them" and all that. We are on the same team together.

Mr. Secretary, could we get a copy of the executive summary? We understand it is a draft, and we understand it is being reviewed internally in the OMB or wherever it might be. I don't understand if it is internally or if it is at the OMB. Regardless of where it is, could we at least see an executive summary of that, the Members of this committee?

Mr. JAMISON. Well, we are working hard, as I mentioned earlier, to get the full report released, and I appreciate, respectfully, the request for the executive summary.

I can tell you the reason the executive summary was not released is because it has, and actually I think this is a very positive part of all the hard work the people at the table here have put into this plan, the one thing, the one criteria that I really wanted to make sure we had was actual, measurable goals for measuring our interoperability in the field. The executive summary includes those aggressive, measurable goals. Those goals are pre-decisional. It is important it gets reviewed completely through the administration. That is why we didn't release the executive summary.

I can commit to you I will continue to try to work to get the executive summary released. Hopefully, the report will arrive very shortly and make this a moot point. But I understand your frustration. We are trying to, respectfully, make sure we have got the review for setting those aggressive timelines and goals that I think the committee expects.

We are in this together. We want to get this done. It is a partnership across not only the States and locals but the Federal Government.

To address your other point, we have had a working group for the ECPC that has had their input on this process as well as critical infrastructure. The Partnership Advisory Council is a part of the NIP framework that has sector coordinating councils and government coordinating councils that have input into this process.

So we take that seriously. We apologize for the delay, and we do want to move on.

Mr. CUELLAR. If I was a betting man, I bet we won't even get the executive summary. Okay. If I was a betting man.

One last question, Mr. Alagna, let's say the appropriators keep the \$30 million for the border pilot program on the interoperability cross-border, if that stays on and you all are there to participate, how do you envision your pilot program involved with Homeland for both the northern and the southern borders?

Mr. ALAGNA. Okay. Well, clearly, that has got to be a competitive process, as was described. I think, based on the nature of the threat and the assessment of the vulnerability of those facilities or localities should play key into the overall decision process for picking candidates for potential development of pilot programs.

Mr. CUELLAR. Let me restate this again. I am sorry. Hypothetically, how would you see this, from the private sector, how do

you envision the border pilot programs, both in the north and the south?

Mr. ALAGNA. From a technical perspective, I think it would absolutely prove out the concepts of operations that are necessary to support the multiple constituents in that border community. You have the locality, the public safety entities there in the city, the State. You also have international partners. To date, I don't think this has been tried or exercised.

So the ability to put in a technical solution that begins to prove concepts around collaboration of multiple partners in border areas to include technical approaches that could improve interoperability and operability, I think that needs to be done. It should be a high priority.

Mr. CUELLAR. Okay.

Any other questions?

I recognize Ms. Christensen from the Virgin Islands for 5 minutes.

Mrs. CHRISTENSEN. Thank you.

Just two questions, Mr. Secretary and Mr. Director, is there a budget that accompanies the NECP, and, if so, what is it?

Mr. ESSID. Well, there is not a budget per se, because the national plan is a national strategy document that is really taking and leveraging a lot of existing efforts that are already in existing budgets and putting it all together in one strategic document for the first time ever. So a lot of these things are already budgeted for. A lot of them, a lot of the initiatives in the national plan are focused on coordination and partnership building between local to local, or local to State, or State to State, or Federal agency.

So a lot of them are in existing budgets as far as the Federal Government or the Federal agencies involved are, and a lot of State and local involvement—

Mrs. CHRISTENSEN. But once the plan is out, don't you plan to look at how much it really costs to implement it? Much of the other testimony, for example, Mr. Mirgon, the chief and Mr. Alagna talked about the lack of funding. So isn't it in your plans to look at how much the implementation of the budget will actually cost, the plan will actually cost?

Mr. ESSID. Yes, ma'am, in the future we will.

Once we have the plan, we will be tracking what it costs to implement those initiatives. It is all over the place. You are talking grant funds. But a lot of States and locals spend a lot more money than we could ever give out in grants on this problem. I mean, since most of the infrastructure is owned at the local level, they are spending so much money out of their own general funds on communication systems. So we can't really track that with our grants tracking per se.

But with the partnerships we are developing through the State-wide planning efforts and the interoperability coordinators popping up all over the Nation—I know New York State just hired a new one just recently—we are starting to build those relationships where we can gather that information, not only what they are spending in grants but what they are spending in the general fund on communications.

Mrs. CHRISTENSEN. I have another question for you, Mr. Essid. The regional emergency communications coordinating working group is supposed to contribute to the NECP to promote the regional application of interoperable communication systems. The post-Katrina reform act made it clear that the director of OEC is statutorily responsible for coordinating the RECC working group within FEMA regional offices. But during a recent committee briefing, there was some confusion about whether it is the OEC or FEMA that is responsible for the RECC working group.

Could you just explain to the subcommittee what you understand about your office's responsibility as it relates to the RECC?

Mr. ESSID. Yes, ma'am.

As mentioned earlier, we are really coordinating with FEMA on these regional groups. You know, the roles and responsibilities of the Office of Emergency Communications in FEMA as far as these regional groups are set forth in section 1805 of the Homeland Security of 2002, although these regional groups are to be administered by FEMA and the receipt the annual progress reports is the only role explicitly identified for the Office of Emergency Communications in section 1805; OEC and FEMA though are coordinating more closely than this when we are establishing these groups. We intend to play an active role in these groups, and we are, as they are being established throughout the Nation. We are going to colocate our regional coordinators with FEMA, and we are working on how our positions out there and these FEMA regional offices could be complimentary as to their mission and how FEMA can help us with our mission as far as the technical assistance we offer throughout the Nation, any policy or support, or any support for the States in general.

Mrs. CHRISTENSEN. But where does the buck stop in the coordination, at FEMA or at your desk?

Mr. ESSID. The way we see it is that FEMA is to establish these regional groups. That is the way the legislation reads, to FEMA and to us. However, we are, again, coordinating with them.

Mrs. CHRISTENSEN. Thank you, Mr. Chairman.

Mr. CUELLAR. Okay. Thank you.

Ms. Lowey, any other questions?

Mrs. LOWEY. I just want to say thank you to you all. We appreciate your great service to our country.

I just hope that wherever this plan is in the bureaucracy, you who have worked so hard can say that the committee wants that plan now.

Thank you very much.

Mr. CUELLAR. Thank you, both of you.

The only thing I would ask you, since you all are taking extra time to finish the reports, if you do have performance measures and objectives and inputs and outputs, I just happened to do my dissertation years ago on performance-based budgeting, so on the performance measures, please don't give us performance measures that measure activity, that is how many radios they have. I mean, I want to see measures of results.

So I see your staff back there saying that that is not going to be included. I emphasize that, because I have seen performance measures that all they do is measure how many pencils we have, how

many radios we have, how many people we have. Forget about that. Measure the actual results, and I think that will be appreciated.

Again, I do want to thank you, because I know it has been a lot of work trying to put this plan together, Mr. Secretary, Mr. Essid, Mr. Mirgon, Chief Werner, of course, Mr. Alagna, everybody in the private sector that put it together, I know it is a lot of—I think you sense a little frustration from both sides over here on getting this done.

We are almost there. So I encourage you, if you need any help from us, talk to us, talk to our staff if we can be of any assistance. But I do want to thank you for the service you provided.

Thank you.

At this time, I want to thank all the witnesses for their testimony and the Members for their questions. The Members of the subcommittee may have additional questions. I ask the witnesses to please respond to them as soon as possible in writing to those questions.

Having no further business, the hearing is adjourned. Thank you.

[Whereupon, at 11:55 a.m., the subcommittee was adjourned.]

## APPENDIX

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QUESTIONS FROM RANKING MEMBER CHARLES W. DENT FOR ROBERT D. JAMISON,  
UNDER SECRETARY, NATIONAL PROTECTION AND PROGRAMS DIRECTORATE, DEPARTMENT OF HOMELAND SECURITY

*Question 1a.* During the hearing, Ms. Lowey commented that the current placement of the Office of Emergency Communications within the National Protection and Programs Directorate may not be appropriate given the size and importance of its mission. Mr. Mirgon, Director of Technology Services for Douglas County, Nevada, stated his support for elevating the Office to signal its importance to leadership at the State and local level and to help garner the attention the issue of interoperability deserves.

Do you believe that the Office of Emergency Communications receives adequate support and leadership attention at its current organizational level?

Answer. Response was not provided at the time of publication.

*Question 1b.* Would elevating the Office of Emergency Communications improve the Department's ability to enhance interoperable emergency communications and also increase its available resources?

Answer. Response was not provided at the time of publication.

*Question 1c.* Do you have plans to elevate the Director of the Office of Emergency Communications to an SES-level position?

Answer. Response was not provided at the time of publication.

*Question 2.* What are the estimated implementation costs for the National Emergency Communications Plan?

Answer. Response was not provided at the time of publication.

QUESTIONS FROM RANKING MEMBER CHARLES W. DENT FOR CHRIS ESSID, DIRECTOR,  
OFFICE OF EMERGENCY COMMUNICATIONS, DEPARTMENT OF HOMELAND SECURITY

*Question 1.* As part of the State-wide Communication Interoperability Plans, States are expected to hire a dedicated interoperable communications coordinator. How will these positions work with the Office of Emergency Communications' interoperability coordinators and FEMA's emergency communications coordinators?

Answer. Response was not provided at the time of publication.

*Question 2a.* The Regional Emergency Communications Coordination working groups seek to provide assessments of local emergency communications systems' survivability, sustainability, and interoperability.

Has a Memorandum of Understanding between the Office of Emergency Communications and FEMA been developed to clarify their respective roles and responsibilities for the Regional Emergency Communications Coordination working groups?

Answer. Response was not provided at the time of publication.

*Question 2b.* Can you please provide an update on the status of the Regional Emergency Communications Coordination working groups' annual report?

Answer. Response was not provided at the time of publication.

*Question 2c.* Have you seen any trends in these annual reports that may require greater Federal involvement?

Answer. Response was not provided at the time of publication.

*Question 3.* The Implementing Recommendations of the 9/11 Act (Pub. L. 110-53) directed the OEC to establish cross-border interoperable communications demonstration projects. The 9/11 Act specified that at least six communities along international borders—three along the northern border and three along the southern border—are to be selected to participate in demonstration projects to identify solutions to facilitate cross-border interoperability for emergency response providers, identify joint-use equipment to ensure communications, and provide technical assistance to enable emergency response agencies to adapt to a variety of environments.

Can you provide an estimated timeline for when we can expect the competitive selection process for the demonstration projects to begin?

Answer. Response was not provided at the time of publication.

QUESTIONS FROM RANKING MEMBER CHARLES W. DENT FOR RICHARD MIRGON, DIRECTOR, TECHNOLOGY SERVICES, DOUGLAS COUNTY, MINDEN, NEVADA ON BEHALF OF THE ASSOCIATION OF PUBLIC-SAFETY COMMUNICATIONS OFFICIALS (APCO) INTERNATIONAL

*Question 1a.* SAFECOM is a communications program within DHS that provides research, development, testing and evaluation, guidance, tools, and templates on communications-related issues to local, tribal, State, and Federal emergency response agencies.

Has your office or county leveraged the work done by SAFECOM?

Answer. Response was not provided at the time of publication.

*Question 1b.* Have its offerings been beneficial to increasing the ability to provide interoperable communications to first responders?

Answer. Response was not provided at the time of publication.

*Question 2a.* One of the challenges faced by first responders and public safety officials across the country as they work toward interoperable communications is the issue of cultural change. In the past, decisions regarding communications were made by each agency without regard to the need to coordinate with other agencies.

What do you believe is the major challenge to achieving full emergency communications interoperability?

Answer. Response was not provided at the time of publication.

*Question 2b.* What metrics or programs would you recommend to ensure that national planning is being implemented at the State and local operational level?

Answer. Response was not provided at the time of publication.

QUESTIONS FROM RANKING MEMBER CHARLES W. DENT FOR CHARLES L. WERNER, EFO/CFO, CHARLOTTESVILLE FIRE DEPARTMENT, CHARLOTTESVILLE, VIRGINIA

*Question 1a.* The Interoperable Emergency Communications Grant Program calls for the establishment of common operating protocols through the development of standard operating procedures, consistent use of interoperability channels, plain language protocols, and common channel naming.

Would it be reasonable to set a time frame by which all communication systems can be operated in a uniform manner?

Answer. Response was not provided at the time of publication.

*Question 1b.* What more can be done at not only the State level but at the local and tribal levels to facilitate this conformity?

Answer. Response was not provided at the time of publication.

*Question 1c.* Is sufficient planning taking place between State and local authorities with regard to the development of emergency responder skills?

Answer. Response was not provided at the time of publication.

*Question 1d.* Are coordinated training programs and common educational practices being developed for emergency responders?

Answer. Response was not provided at the time of publication.

*Question 2a.* One of the challenges faced by first responders and public safety officials across the country as they work toward interoperable communications is the issue of cultural change. In the past, decisions regarding communications were made by each agency without regard to the need to coordinate with other agencies.

What do you believe is the major challenge to achieving full emergency communications interoperability?

Answer. Response was not provided at the time of publication.

*Question 2b.* What metrics or programs would you recommend to ensure that national planning is being implemented at the State and local operational level?

Answer. Response was not provided at the time of publication.

QUESTIONS FROM RANKING MEMBER CHARLES W. DENT FOR MICHAEL L. ALAGNA, DIRECTOR, HOMELAND SECURITY STRATEGIC INITIATIVES AND POLICY, MOTOROLA, INC.

*Question 1a.* The National Emergency Communications Plan (NECP) is intended to provide recommendations to support and promote the ability of practitioners and Government officials to continue communications capabilities in the event of a disaster and to ensure that the Nation continues to pursue the goal of fully interoperable communications.

What was Motorola's involvement in the development of the National Emergency Communications Plan?

Answer. Motorola and industry broadly supported the Office of Emergency Communications (OEC) through the Critical Infrastructure Partnership Advisory Council (CIPAC), which included representatives from the Communications Sector Coordinating Council. The partnership provided by the CIPAC allowed industry and Government the opportunity to work together and exchange information. The purpose of a Communications Sector Coordinating Council which includes representatives from 38 companies and associations (manufacturers, owners, operators, cable, commercial broadcasters, information service providers, satellite, wireless & wireline) is to foster and facilitate the coordination of sector-wide activities and initiatives designed to improve physical and cybersecurity of the critical infrastructures and related information flow within the sector, cross-sector and with DHS. Motorola chairs the CSCC State and Local Working Group, which was given the charge of coordinating industry involvement with the development of the NECP.

Industry representatives from the National Security Telecommunications Advisory Committee (NSTAC) includes representatives from 22 companies and associations, also supported the OEC. The Office of Emergency Communications drew heavily from existing emergency communications documentation and initiatives. These source documents were key drivers for the NECP's assessment of the current state-of-emergency communications and also helped shape the Plan's strategic goals, objectives, and initiatives. The NSTAC report on Emergency Communications and Interoperability anticipated incorporating critical elements into the NECP, with Motorola and AT&T co-chairing the Emergency Communications and Interoperability Task Force (ECITF).

Industry/Motorola's involvement in the development of the National Emergency Communications Plan included review of the overall framework, its goals and objectives, and the varied initiatives of the plan. Industry perspectives were compiled; comments were prepared by the Communications Sector Coordinating Council State and Local Working Group and approved by the CSCC prior to submission to the OEC.

*Question 1b.* Is your perception that industry, as a whole, was actively engaged throughout the development process and that your input was incorporated into the document?

Answer. Federally-approved advisory committees were engaged during the development of the NECP, providing broad industry participation. The accelerated pace of development of the plan stressed industry's advisory role to review and develop recommendations to the process in a timely manner; however industry input was incorporated into the document, for example private sector support to communications during emergencies and recovery efforts and involvement in standards development, advanced communications technologies, and services development and deployment.

*Question 2a.* One of the challenges faced by first responders and public safety officials across the country as they work toward interoperable communications is the issue of cultural change. In the past, decisions regarding communications were made by each agency without regard to the need to coordinate with other agencies.

What do you believe is the major challenge to achieving full emergency communications interoperability?

Answer. Achieving emergency communications capabilities and interoperability requires the sustained commitment of substantial resources. There is progress across the spectrum of challenges to interoperability: human factors, technical and financial. The emergency response community views the following as the key issues:

- Incompatible and aging communications equipment;
- Limited and fragmented budget cycles and funding;
- Limited and fragmented planning and coordination;
- Limited and fragmented radio spectrum;
- And limited equipment standards.

The strengthened Federal leadership through grants, outreach and guidance has greatly improved the support to State and local officials. An increased level of coordination and cooperation by establishing multidisciplinary, cross-jurisdictional governance structures has improved regional planning and collaboration. Much of the communications equipment used by emergency responders is being upgraded to the Project 25 (P25) standards-based digital equipment, which improves communication between State and local governments and between neighboring local jurisdictions. The Digital TV transition legislation enacted by Congress makes available new spectrum for critically important public safety interoperable communications and supports the objective of providing public safety with Nation-wide interoperable broadband data. While there is progress across all fronts on achieving full emer-

gency communications interoperability, continued funding to replace aging and non-upgradeable communications equipment and maintain a sustained, consistent and predictable budget cycle remain a top priority.

*Question 2b.* What metrics or programs would you recommend to ensure that the national plan, once complete, is being implemented at the State and local operational level?

*Answer.* Continued targeted Federal grants will ensure the national plan is being implemented at the State and local operational level and to assist the national plan in meeting its goals of demonstrating response-level emergency communications within specified time frames for routine and significant events involving multiple jurisdictions and agencies.

*Question 3.* How does your company interact with the Department regarding interoperable emergency communications? Would you make any recommendations to improve this relationship?

*Answer.* There are numerous organizations within the Department of Homeland Security and across the Federal Government that industry interacts with regarding interoperable emergency communications. For example, the Science and Technology Directorate (R&D), the SAFECOM program, the Office of Emergency Communications, the Office of Interoperability and Compatibility (OIC is working with NIST and the Institute for Telecommunication Sciences (ITS) to support the efforts of the emergency response community and the private sector), the Emergency Communications Preparedness Center (ECPC), FEMA Disaster Emergency Communications (DEC) Division, the National Communications System (NCS) and the Federal Partnership for Interoperable Communications (FPIC).

A recommendation to improve industry's interaction with the Department would be to clarify and consolidate Federal Government interoperable emergency communications roles and responsibilities. Specifically, additional policy guidance is required to clearly delineate the interoperable emergency communications roles and functions of the new Office of Emergency Communications, as established by the Department of Homeland Security Appropriations Act of 2007, and any other DHS organization (e.g., Science & Technology Directorate, Federal Emergency Management Agency) with a role or responsibility in the area of interoperable emergency communications. Also consideration should be given to elevating the Office of Emergency Communications within the organizational hierarchy to ensure executive oversight across the Federal Government for a fully coordinated, integrated, and interoperable emergency response communications function and capability.

