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# THE PROPOSED FISCAL YEAR 2006 BUDGET

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## HEARING

BEFORE THE

SUBCOMMITTEE ON EMERGENCY

PREPAREDNESS,

SCIENCE, AND TECHNOLOGY

OF THE

COMMITTEE ON HOMELAND SECURITY

HOUSE OF REPRESENTATIVES

ONE HUNDRED NINTH CONGRESS

FIRST SESSION

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## ENHANCING TERRORISM PREPAREDNESS FOR FIRST RESPONDERS

THURSDAY, FEBRUARY 10, 2005

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

The subcommittee met, pursuant to call, at 10:03 a.m., in Room 2212, Rayburn House Office Building, Hon. Peter King [chairman of the subcommittee] presiding.

Present: Representatives King, Smith, Weldon, Simmons, Rogers, Pearce, Harris, Reichert, McCaul, Dent, Cox, Pascrell, Sanchez, Dicks, Harman, Lowey, Norton, Thompson, Christensen, and Etheridge.

Chairman KING. [Presiding.] The Committee on Homeland Security, Subcommittee on Emergency Preparedness, Science, and Technology will come to order.

The subcommittee is meeting today to hear testimony on the Department of Homeland Security's proposed fiscal year 2006 budget relating to enhancing preparedness for first responders. The Chair recognizes himself for 5 minutes.

Good morning. First, let me welcome our distinguished witnesses. We certainly appreciate their appearance before us today. As the Chairman of the subcommittee, it is my pleasure to convene this morning's hearing on President Bush's fiscal year 2006 budget plans for the Office of State and Local Government Coordination and Preparedness and the Science and Technology Directorate with respect to enhancing terrorism preparedness for first responders.

It is important to note that this hearing is the very first to be held by any subcommittee of the newly established Committee on Homeland Security. Congress's establishment of a permanent standing homeland security committee is a victory for the American public and for our nation. This morning's hearing is testament to that very fact. I want to thank Chairman Cox publicly for giving me the opportunity to serve as Chairman of this vitally important subcommittee. I am certainly looking forward to continuing my close working relationship with the Chairman.

Also, I must note that it is to me a great privilege to have as the Ranking Member of the subcommittee my good friend from New Jersey, Bill Pascrell. Bill and I have worked together on many issues, and I have absolutely no doubt that we are going to forge a very solid working relationship. Obviously, my door will always be open to him, and I am sure that his will also be. I just want

Bill to know that I look forward to this opportunity over the next 2 years.

Also, I must say that I am a New Yorker. Like many New Yorkers, I lost many friends and neighbors on September 11. A number of them were firefighters and police officers. If we have learned one thing from that fateful day, it is that the federal government must support first responders because they are literally on the frontlines of this terrible international war against terror.

As Chairman of the Subcommittee on Emergency Preparedness, Science, and Technology, I intend to be active in reforming the first responder grant process. I intend to be active in ensuring that our nation invests in the necessary research, development and transfer of homeland security technology to states, territories and local governments. I intend to be active in guaranteeing that the federal government can effectively respond to acts of terrorism and other catastrophic emergencies.

The purpose of this hearing is to review the administration's proposed budget request for fiscal year 2006 and its impact on the preparedness of our nation's first responders. The hearing also will examine the evolving relationship between the Office of State and Local Government Coordination and Preparedness, and the Science and Technology Directorate. I know that some of my colleagues on the other side will in good faith point out that the administration's budget request for fiscal year 2006 does decrease spending on first responders from fiscal year 2005 enacted levels. This is a debate which I think can be healthy. We can discuss it in full, certainly as this hearing goes forward and throughout the year.

I believe, however, that a slightly lower level of spending should not be equated with a lack of commitment to first responders, particularly since the Budget actually authorizes more than was actually spent in the past fiscal year. Indeed, no other administration in the history of our great country has requested more funds for first responders. Since September 11, 2001, the administration and the Congress have made an enormous investment, over \$28 billion, in state and local preparedness programs. Much of this funding, however, remains unspent. For fiscal year 2004, for example, states and local governments have spent only \$310 million out of the \$2.9 billion appropriated for the State Homeland Security Grant Program and the Urban Area Security Initiative. The absence of clear preparedness guidelines has led to some questionable uses of terrorism preparedness grants by states and by local governments.

Rather than merely increasing funding, the administration-proposed budget attempts to resolve such problems by fundamentally reforming the grantmaking system. With the reforms contained in the Faster and Smarter Funding for First Responders Act, which Chairman Cox championed in the 108th Congress, the administration intends to allocate the vast majority of federal terrorism preparedness grants on the basis of risk and to ensure that states and local governments use such funding to achieve minimum baseline levels of preparedness in accordance with the national preparedness goal of Homeland Security Presidential Directive HSPD-8.

With respect to the budget request for science and technology, the administration intends to consolidate the Department's various research, development, testing, and evaluation activities into the

Science and Technology Directorate. Such a consolidation will create significant efficiencies which will benefit our nation's first responders. The budget request also increases funding for S&T Directorate activities designed to support other directorates and offices, such as the Emergency Preparedness and Response Directorate and the Office of State and Local Government Coordination and Preparedness.

I look forward to the testimony of Secretary Albright, Acting Executive Director Mayer, and General Reimer. Now, I recognize the gentleman from New Jersey.

Mr. PASCRELL. Thank you, Chairman King. It is an honor to be on this committee and an honor to serve with you and the rest of the members on both sides here.

I want to welcome our witnesses. You have a tremendous amount of experience in the very areas that we are going to be exploring over the coming year. You have really shown great dedication in each of your roles. I have looked at that very carefully. I commend the leadership you have each displayed while working on vital endeavors related to national security.

This subcommittee will certainly benefit from your analysis and ideas on how to improve the preparedness of our first responders, and I thank you for that. Indeed, the well being of our men and women on the frontlines is an issue that is very close to my heart and all of us on this panel. There are no greater heroes than those who put themselves in harm's way to protect us day-in and day-out. There is no greater nobility than the sacrifices of our firefighters and our police officers. They endure this for the public good.

That is why I am so honored to serve as the Ranking Member on this very important committee. With a jurisdictional scope that includes the oversight of federal support to the first responders, it is my profound hope that this subcommittee will have a direct impact on improving the capabilities and lowering the vulnerabilities, once they are indexed, of our uniformed personnel nationwide. Toward this goal, I am confident in asserting that we could not ask for a better Chairman. He knows I am not a patronizer. Just as much as we work together, we have battled each other. But I am serious when I say we could not have a better Chairman.

Peter King and I have worked closely on these matters over the years. I have seen first-hand what a tireless advocate he is for those in public safety. He knows that homeland security should be an utterly non-partisan undertaking. I look forward to working with him in the months ahead. To be sure, our job, and the job of each member of the subcommittee, will be to keep watchful eye on how the Department of Homeland Security contributes to state and local government preparedness and response, starting of course with the 2006 budget. I am heartened to see that the administration's budget request recommends replacement of the formula that has dictated the allotment of state homeland security grants. We have had a lot of discussion on that, and discussion and discussion.

The proposal gives the Department of Homeland Security more discretion in grant allocation in order to achieve a more risk-based funding system. This is what we should be all about, risk-based regardless of what subcommittee, regardless of what the overall com-

mittee does. This, I think, has to be the major criteria for what we do. What is at risk? What is most vulnerable? As you know, this committee has worked hard to ensure that homeland security money is based on threats, consequences, and vulnerabilities, and not pork. I applaud the administration for the steps they have now taken. The two formulas that we hopefully will take a look at is the overall formula, which I have just mentioned and alluded to, and also the urban area security initiatives, which deals very specifically with the cities that are eligible for such funds in this program.

I would even consider, Mr. Chairman, hopefully that we will take a look at the threshold of those cities, and perhaps look at smaller cities that are more vulnerable, that are just as vulnerable. Why shut them out because they do not have millions of people? I do not think that makes sense.

Of course, there are certain aspects of the budget that I find disappointing, like in every budget. It probably comes as no surprise that I take particular issue, and I know members of this panel take particular issue, and I do not speak for them, I speak for myself, with the 30 percent cut, \$215 million in funding the very basic Fire Act, the federal program that provides equipment, training, and staffing to local fire departments. Just in this past round, 20,300 applications \$2.4 billion, and we could fund only \$650 million. This has been a successful program, and I must recognize my brother in this, who has led the fight, really, Curt Weldon, and the job that he has done.

These reductions represent a continuing pattern in which the President has either not included any funding for the Fire Act, going back 3 years, or substantially reduced funding below what Congress, in a bipartisan way, appropriated the prior year. Both Republicans and Democrats have championed providing sufficient resources for the Fire Act and the SAFER Act, the program that provides funding to add firefighters to local departments, career and volunteer. It is my hope that members of this committee can help bring the funding for emergency preparedness in our nation's communities up to the levels that address the major shortages we see in more than two-thirds of the communities in our country. From grant funding to dissemination of intelligence, from the development of improved equipment, to guidance in training and technical assistance, the federal government has many ways to support our hometown heroes.

I am excited to assist and oversee these efforts in my role on the Subcommittee on Emergency Preparedness, Science, and Technology, and look forward to working with all my colleagues in the months ahead. I am proud to serve with Chairman Cox and proud to serve with Ranking Member Bennie Thompson. This is going to be a very different committee, I suspect, than what we have seen over the last year-and-a-half. So Chairman King, it is an honor to serve with you.

Chairman KING. I thank the gentleman from New Jersey for his thoughtful comments, and for the input I know he is going to make throughout the year on this subcommittee. Now, I recognize the Chairman of the full committee, Mr. Cox.



Mr. COX. Thank you, Mr. Chairman. For our distinguished witnesses, we had a discussion yesterday in the full committee about the committee's rules and the way we are going to use opening statements. Based on the way that discussion went yesterday, I do not think I am going to abuse the privilege that I have as Chairman of the full committee to make a lengthy opening statement.

I do want, however, to begin by congratulating Peter King and Bill Pascrell for taking over the helm of this subcommittee. Under your leadership, I know that the Congress is going to do its job, and that the country is going to be safer. I appreciate your willingness to do this. The public is going to be well served by your diligence and your inspired leadership.

I also want to say that it is fitting that the first hearing of this subcommittee is focused on how the administration's budget is going to make the job of first responders more effective and more successful. The administration's budget and this committee's first responder legislation are both focused on trying to move, as Mr. Pascrell said, away from a formulaic approach and towards a threat-based and risk-based approach to first responder funding allocations. I congratulate the department and the President for his budget, and the fact that it decreases the formula amount of federal funding that each state would receive under the State Homeland Security Grant Program, in order to make it possible to increase the amount of money that goes according to risk. We have a lot more to do in this area.

The second thing I would note is that the administration's budget request also proposes to consolidate all the department's homeland security research, development, testing, and evaluation activities within the S&T Directorate. The President intends to consolidate these activities of the Transportation Security Administration, the Coast Guard, the Bureau of Customs and Border Protection, and the Information Analysis Infrastructure Protection Directorate. The administration's budget request also proposes to improve the level of technical and research support that the S&T Directorate provides to other directorates and offices. That falls squarely within the jurisdiction of this subcommittee, and I know, Mr. Chairman and our Ranking Member, that we will focus on that beginning today.

So thank you very much to our witnesses. Welcome to all the members of this committee. Welcome to the Vice Chairman of the full committee, Mr. Weldon, whose interest in the subject of this subcommittee is well known, as Mr. Pascrell points out. Just looking across the desk here at the Democratic and Republican members, this is quite a group and we are very much looking forward to working with all of you and the administration and in the private sector.

Chairman KING. I thank the Chairman for his statement. The Chairman in his statement mentioned the fact that we adopted rules yesterday. Seeing the Chairman here reminds me that one of those rules is the absolute prohibition on the use of cell phones in the room. So I would just advise those of you in the audience that the committee rules prohibit the use of cell phones in the committee room during the hearing.

With that, I recognize the Ranking Member of the full committee, the gentleman from Mississippi, Mr. Thompson.

Mr. THOMPSON. Thank you, Chairman King, Ranking Member Pascrell, Chairman Cox. To the members who are witnesses today, we are happy to have you. This is our maiden voyage as a permanent committee and subcommittee. I look forward to your testimony.

I am a former volunteer fireman. I had 20 years experience before I came to Congress. I got up at all times of the morning, and delivered six babies in my tenure. One of them happened to be named after me. I guess it was a successful delivery. Nonetheless, I have a deep and abiding feeling for those who volunteer to do good. In that spirit, one of the things I am very concerned about is, as our good men and women get up early in the morning to go out to do these things, are they properly trained. Can they run upon something that they absolutely are ill-prepared to deal with, and ultimately hurt themselves in the effort to try to help others?

So I really want us to look at this issue. It is an issue that is dear to me. So today, we have to start the process of seeing how we do that. I am concerned, first of all, because it looks like we are \$215 million short in our budget request from last year. I think that is a real problem. We have to put the resources there. We have to have planning and training going on at all times. I am concerned that, like when I was a volunteer fireman going to an incident, nobody could talk to each other until you got to the scene. It was a real problem. We needed equipment that we could not tell others to bring. Interoperability continues to be a problem. I am interested in seeing and hearing from the administration as to how we plan to correct this documented problem.

Apart from that, there is a Presidential Directive Number 8, that talks about all of the things that we are supposed to do that are still going unmet. So there are some challenges that I am convinced that this subcommittee, and ultimately the committee, will have to address.

I am happy that General Reimer is here as our witness. I look forward to his expert testimony. Good morning; happy to have you, and apart from that, the administration witnesses also. Likewise, Mr. Chairman and Mr. Ranking Member, I am happy to be here, and I look forward to the beginning of the new committee. Thank you very much.

Chairman KING. Thank you, Mr. Thompson.

I had always known that the gentleman from Mississippi delivered for his constituents. I did not realize he carried it to such a level as delivering babies. I really want to commend you on that.

I want to welcome our witnesses today. We have Dr. Parney Albright, who is Assistant Secretary of the Science and Technology Directorate at the Department of Homeland Security; Mr. Matt Mayer, the Acting Executive Director of the Office of State and Local Government Coordination and Preparedness in the Department; and also General Dennis Reimer, Director of the National Memorial Institute for the Prevention of Terrorism.

As I see the schedule for today, I believe we have our first series of votes at 11:30 a.m. We are going to ask each of the witness if they could strive to keep their remarks within the 5-minute limit.

Obviously, we are not going to strictly enforce, but to the extent you can, it will allow members of the panel more opportunities to ask questions and you to expand on your testimony.

With that, the Chair recognizes Dr. Albright.

**STATEMENT OF THE HONORABLE PENROSE “PARNEY”  
ALBRIGHT ASSISTANT SECRETARY, SCIENCE AND  
TECHNOLOGY DIRECTORATE, DEPARTMENT OF HOMELAND  
SECURITY**

Mr. ALBRIGHT. Good morning, Chairman Cox, Chairman King, Congressman Pascrell, Congressman Thompson and other distinguished members of the committee. I am pleased to appear before you today to discuss progress the Science and Technology Directorate is making in the nation’s efforts to improve the emergency preparedness and response capabilities of our nation’s first responders.

Our nation relies on a large and diverse responder community who face new challenges of a complexity never before imagined. Improving their effectiveness in protection through innovative, affordable technologies is at the very heart of the mission of the Department of Homeland Security. The creation of the Department of Homeland Security has brought under one roof a new Science and Technology Directorate, the Federal Emergency Management Agency, and the Office of State and Local Government Coordination and Preparedness, which includes the Office of Domestic Preparedness.

The deep collaboration between organizations, along with the first responder community and other federal agencies, are critical to the successful deployment of new technologies to the local response community. S&T has worked extensively with the first responder community to understand user requirements and operational constraints. We are continuing to work with the Memorial Institute for Prevention of Terrorism’s Project Responder and the many hundreds of first responders and emergency managers throughout the country who freely gave of their time and energy to MIPT in setting and prioritizing our research and development goals. I want to commend General Reimer for his leadership of the MIPT.

Two presidential directives, HSPD–8 and HSPD–5 that have already been mentioned this morning, provide the foundation for S&T’s research programs to enhance preparedness for first responders. We have engaged industry, academia, and our federal and international partners in creating and implementing our research and development strategy. We are identifying and developing relevant emergency response technology. We are facilitating the integration of interoperable and compatible all-hazard emergency response technology into local communities. And we are developing and coordinating the adoption of national standards to meet the homeland security needs.

Mr. Chairman, I would like to take a moment to elaborate on each of these activities. With respect to emergency response technology, the Science and Technology Directorate is developing improvements in protection from chemical and biological hazards for firefighter turnout gear, improving cooling vests and other protective equipment. This effort includes the use of innovative signs,

such as nanotechnologies, to provide protection against a multitude of hazards and improve overall system performance. We are also developing a unified incident command and decision support system to manage personnel, direct equipment, and communicate any mission-critical information needed by incident commanders and emergency responders during a situation.

We have engaged in the development of a technology clearing-house which will not only facilitate research and development efforts, but will also provide information of direct and more immediate use to emergency responders. It will leverage and continue to partner with the excellent work of ODP and MIPT to enable first responders to access important information on existing and emerging technologies, training in relevant standards through a single knowledge portal.

An example of our technology integration activities is the Regional Technology Insertion Initiative, RTI, which focuses on making our cities safer and more resilient to attack on certain technologies to enhance local preparedness. In 2004, we initiated this with four pilot cities. The RTI initiative is a collaborative effort between the S&T Directorate and ODP's UIC initiative. The RTI demonstration program focuses directly on the needs of the community by examining the entire system life-cycle at an operational level. The lessons learned from these demonstrations will be migrated to other urban areas throughout the country.

Our standards program strives to enable the first responder community to make informed equipment purchases by linking federal grants programs to compliance with the minimum performance standards. The standards program is currently focused on standards for chemical, biological, radiological, nuclear and explosive detection, personal protective equipment, and urban search and rescue robots.

Non-interoperable and incompatible equipment and a lack of standardized procedures for their operation are issues that have plagued the public safety community for decades. To address these issues, the S&T Directorate's Office of Interoperability and Compatibility will coordinate and leverage the vast range of interoperability programs and related efforts across the government, and will identify and promote best practices, minimize duplication in programs and spending, and coordinate relevant federal activities.

Recent activities include issuing a national statement of requirements, the first-ever document to define in detail what kinds, how much, and under what circumstances the first responders need interoperability. We have conducted RapidCom, an initiative that accomplished in barely 150 days to strengthen the ability of 10 high-threat urban areas to establish interoperability at the command level in 1 hour or less in a major incident. By working closely with ODP and other federal grant programs, we have incorporated common grant guidance in all federal grant programs that touch or may touch on interoperability to ensure that federal grants are not working at cross-purposes and hindering, rather than helping, efforts to achieve interoperability.

S&T has worked hard to ensure next-generation capabilities are effectively integrated in the response community, and value our close working relationships with FEMA, ODP and the response

community. We are confident that with your continued support, lives and property will not be lost because emergency response agencies lack appropriate equipment or are unable to communicate or do not have the effective training and education technologies.

I would be happy to address any questions from this committee.  
[The statement of Mr. Albright follows:]

PREPARED STATEMENT OF THE HON. PENROSE C. ALBRIGHT

**Introduction**

Good morning Chairman Cox, Congressman Thompson and distinguished members of the subcommittee. I am pleased to appear before you today to discuss the progress the Science and Technology (S&T) Directorate is making in the nation's efforts to improve the emergency preparedness and response capabilities of our nation's first responders.

Our nation relies on a large and diverse responder community. Today's responders face a spectrum of threats of a complexity never before imagined. Helping our responders to be more effective and better protected through innovative, affordable technologies is at the very heart of the mission of the Department of Homeland Security.

I want to acknowledge up front the importance of our partnerships with the Office of State and Local Government Coordination and Preparedness (OSLGCP) and the Federal Emergency Management Agency (FEMA). Bringing these agencies together in one Department has enabled strong collaboration between the agencies, and the S&T Directorate is intimately intertwined with both OSLGCP and FEMA on emergency responder issues. The strategic alliances between our organizations are critical to the successful deployment of new technologies to the local response community. Along with the first responder community and other Federal agencies, these organizations are instrumental in the development of our research requirements through our Science and Technology Requirements Council (SRC). I want to thank both groups publicly for their participation in the SRC and for their cooperation with the S&T Directorate throughout all stages of our research, development, testing and evaluation process.

**National Policy for Emergency Response Capability**

President Bush has made strengthening the nation's emergency response capability a national priority. Homeland Security Presidential Directive (HSPD)-5, *Management of Domestic Incidents*, resulted in the creation of a National Response Plan (NRP) to integrate Federal prevention, preparedness, response, recovery and mitigation plans into one all-discipline, all-hazard approach to domestic incident management. The NRP, using the National Incident Management System (NIMS), will provide the core organizational structure and operational mechanisms for Federal support to State and local authorities. HSPD-8, *National Preparedness*, established policies to strengthen the preparedness of the United States by requiring a national all-hazards preparedness goal, establishing mechanisms for improved delivery of Federal preparedness assistance to State and local governments, and outlining actions to strengthen preparedness capabilities of Federal, State, and local entities. These two policy documents provide the foundation for the S&T Directorate's Research, Development, Testing & Evaluation (RDT&E) programs to enhance preparedness for first responders and provide the core objectives of the nation's emergency preparedness and response efforts:

**The National Incident Management System (NIMS)**—This system provides a consistent nationwide approach for Federal, state, and local governments to prepare for, respond to, and recover from domestic incidents, regardless of cause, size, or complexity. To provide for interoperability and compatibility among Federal, state, and local capabilities, the NIMS will include a core set of concepts, principles, terminology, and technologies covering the incident command system; multi-agency coordination systems; unified command; training; identification and management of resources (including systems for classifying types of resources); qualifications and certification; and the collection, tracking, and reporting of incident information and incident resources.

**The National Preparedness Goal**—The national preparedness goal will establish readiness priorities and targets for terrorist attacks, major disasters, and other emergencies. These will lay the foundation for the more detailed readiness metrics and element, including standards for preparedness

assessment and strategies, as well as a system for assessing the nation's overall preparedness.

### **The Science and Technology Directorate's Efforts for Emergency Response Capability**

The Department of Homeland Security, through the S&T Directorate, has the mission to ensure that the nation has an enduring capability to address current and emerging threats through scientific achievement. The S&T Directorate engages industry, academia, and our Federal and international government partners in creating and implementing a robust research strategy. In partnership with our DHS counterparts, operational end users, and collaborative research partners, we have already made significant strides in improving our nation's resilience to catastrophic incidents. The nation's first responder community will be a primary beneficiary of this work.

The Science and Technology Directorate has the responsibility to support the achievement of the above objectives by:

- Identifying and developing relevant emergency response technology systems solutions;
- Facilitating the integration of interoperable and compatible "all-hazard" emergency response technology into Federal, state and local emergency response infrastructures;
- Developing and coordinating adoption of national standards to meet homeland security needs; and
- Providing the science and technology leadership and support for the implementation of HSPD-5 and HSPD-8.

The Science and Technology Directorate focuses on the following areas to meet those requirements:

- Emergency Preparedness and Response Technology Development;
- Technology Integration;
- Standards; and
- Interoperability and Compatibility.

Now I will discuss each of these areas in detail, including fiscal year 2004 accomplishments, fiscal year 2005 programs in progress and fiscal year 2006 plans.

#### **Emergency Preparedness and Response (EP&R) Technology Development**

*Emergency Responder Personal Protective Equipment (PPE)*: Safety, time, and operational effectiveness are among the most precious commodities to emergency response and homeland security operations professionals. Currently, a variety of protective garments and systems tailored specifically for their individual areas of expertise and occupational environments are in use.

In fiscal year 2004, the S&T Directorate, through its Emergency Preparedness and Response R&D (EP&R) portfolio, began an R&D program to achieve near-term improvements in protection from chemical and biological hazards for firefighter turnout gear, cooling vests and other protective equipment. In addition to our long-term research investments, DHS has developed strong partnerships with other Federal agencies and public and private sector organizations; these partnerships have allowed us to leverage efforts already underway, such as: a prototype 3-D locator that allows incident commanders to track responders and their health, cooling vests, "Smart Cards" to allow rapid identification of on-scene emergency personnel, and the "Heads Up" display that will allow firefighters to identify people and objects through smoke and debris.

In fiscal year 2005, our focus is on the development and application of revolutionary materials and technologies that can be used in multi-hazard environments, are applicable to diverse users, and function as an integral part of a more complex personal protection system. We have issued a Broad Agency Announcement (BAA) to solicit ideas from industry, academia and others on ways to achieve better personal protection systems. Our focus is on the innovative materials that incorporate surface science, nanotechnologies and other advancements to create materials that are lighter-weight, have the ability to withstand the challenges of strenuous activity in unstable and uncertain conditions and provide protection against a multitude of hazards. In addition to actual technology development for PPE, we will also continue our partnership with OSLGCP and other Federal agencies in the development of a Technology Clearinghouse "hub and spoke" concept to enable first responders to access important information on existing and emerging technologies, training, and relevant standards through a single knowledge portal.

In fiscal year 2006, the portfolio will demonstrate several revolutionary and highly innovative materials for emergency personal protective equipment (PPE) applications. We will demonstrate prototype materials and technologies that can that can

be made into functional garments or integrated personal protective systems. Solutions will be sought for:

- materials that can be used in diverse applications;
- materials that can provide protection during response to chemical, biological, radiological, nuclear and explosive (CBRNE) events;
- materials that are self-decontaminating against chemical and biological agents, provide localized protection for complex organs susceptible to radiation exposure, and are self healing upon being compromised (e.g., ripped, torn); and
- materials with increased service life and flame resistance.

In addition to material prototypes, sensors and detectors capable of detecting and alerting responders to CBRNE hazards in real-time will be tested and evaluated as an integral part of the emergency responder ensemble.

*Unified Incident Command and Decision Support:* Unified Incident Command and Decision Support (UICDS) is the ability to manage personnel, direct equipment, and seamlessly communicate, gather, store, redistribute, and secure any mission critical information needed by incident commanders and emergency responders during an emergency situation. Our research and development program in UICDS uses a systems approach to seek to harness innovative ideas in an effort to create an information management and sharing architecture specifically designed to meet the needs of incident commanders and emergency responders throughout the nation. This program will confront the technical challenges associated with the development of an innovative, modular, scaleable, and secure information management architecture. The resulting UICDS information management system will enable incident commanders to capture and analyze important incident related information, more effectively disseminate mission critical information to emergency responders and provide highly enhanced situational awareness for individual responders and emergency responder teams.

In early fiscal year 2005, the S&T Directorate solicited conceptual designs through a BAA and selected four proposals that offer viable means to incorporate improved capabilities. These selected proposals support an open architecture that is compliant with the NIM:5 and can be used at all levels of government for emergency response, situational awareness and threat assessment. By the end of fiscal year 2005, the Directorate will evaluate the conceptual designs and down-select to two.

In fiscal year 2006, the S&T Directorate will perform Advanced Technology Demonstrations for these two conceptual designs to further evaluate system performance and interoperability. Future Advanced Concept Demonstration Projects will take advantage of capabilities developed in other Federal agencies and adapt them to operating environments of emergency responders. New systems will accommodate and integrate other technology advances for first responder such as the three-dimensional tracking device mentioned earlier. These systems will assist in creating a holistic picture for the incident commanders. Extensions of this technology development goal include two-way communications, health and biometric monitoring, and visualization.

*Simulation Based Training and Education:* Advanced simulation and modeling capabilities are key enabling technologies to improve hazards preparedness for emergency responders. Our current emphasis is on the use of simulation-based training for incident management and facilitating efforts to implement HSPD-5 and HSPD-8. The results of this research will provide a more cost effective training and exercise capability for large-scale, multi-jurisdictional incidents and will facilitate the implementation of the NIMS and the National Preparedness Goal. Simulation based systems will place users in realistic environments and in interactive situations and will support all elements of the NIMS.

In fiscal year 2004, the EP&R portfolio identified requirements through interaction with the responder community. We have enlisted the assistance of the Memorial Institute for the Prevention of Terrorism, the National Institute of Justice in the Department of Justice, and the Department of Defense in identifying needs and capability gaps. In collaboration with OSLGCP, FEMA and other Federal partners, the S&T Directorate has developed a strategy to use advanced technologies to enhance training and exercises that already exist or will be created by OSLGCP and others.

In fiscal year 2005, the S&T Directorate will focus on improving existing simulation capabilities to facilitate planning, execution and evaluation of training and exercise programs at Federal, state and local levels.

In fiscal year 2006, S&T will conduct demonstrations of conceptual designs to better understand functional requirements and operational constraints for large and complex incidents that cross jurisdictions.

### **Technology Integration**

*Interagency Modeling and Atmospheric Analysis Center (JMAAC):* The IMAAC is a DHS-led capability that provides for a single Federal hazards prediction for airborne release of hazardous material. The IMAAC coordinates Federal atmospheric modeling and provides hazards predictions and consequence assessment support to Federal, state and local responders for incidents of national significance.

In fiscal year 2004, the IMAAC began operation, to support the National Exercise Program and special events, such as the Democratic and Republican National Conventions. The IMAAC established connectivity to the DHS Operations Center and the FEMA National Emergency Operations Center to provide near real time hazards predictions for airborne releases.

In fiscal year 2005, the IMAAC will select a suite of products and implement a process for verification and validation, accreditation of atmospheric transport and dispersion models to be used in support of real world operations. The EP&R portfolio will further refine the IMAAC concept of operations and define scientific research programs necessary to fully support Federal, state and local responders during incidents of national significance. IMAAC will improve its response capability and provide outreach and training to Federal, state and local emergency response organizations through participation in the National Exercise Program.

In fiscal year 2006, the EP&R portfolio will enhance IMAAC capabilities by leveraging Federal resources to provide a venue for collaborative research, development, testing and evaluation of atmospheric transport and dispersion (AID) models for hazards predictions. IMAAC will host researchers from throughout the nation at its facility and will also participate in virtual collaboration both nationally and internationally. IMAAC researchers will seek to improve AID modeling systems to routinely quantify uncertainties, improve spatial and temporal scale interactions, and incorporate new measurement technologies to better characterize the urban environment. IMAAC will explore the feasibility of using data from remote sensing platforms and meso-nets into ATD models. The portfolio will initiate research and development in support of other modeling and assessment requirements including other transport mediums, such as water.

*The Regional Technology Integration (RTI) Initiative:* RTI Initiative, formerly known as "Safe Cities" focuses on making our cities safer and more resilient to attack. Implemented in fiscal year 2004, the RTI initiative is a collaborative effort between the S&T Directorate and the OSLGCP Urban Area Security Initiative (UASI). The RTI demonstration program focuses directly on the needs of the community and uses a "bottoms up" approach to community-based assessment. The program examines the entire system life cycle at an operational level, including system effectiveness, human interface, operations & maintenance, training, and implementation strategies (ie., regional. vs. local).

In fiscal year 2005, the program will complete its initial assessments in four pilot cities and develop technology system solutions. Also in fiscal year 2005, we will begin the solution phase, which includes deployment of advanced homeland security technologies that can be integrated with existing legacy systems and the support of strategic plans developed for these pilot communities as part of the UASI grants program.

In fiscal year 2006, the EP&R portfolio will complete implementation in the first four pilot locations, prepare test and evaluation plans and conduct operational readiness exercises to evaluate the overall system performance. Technology systems such as atmospheric monitoring, detection systems for chemical and biological toxins, and radiological detection equipment will be integrated with existing emergency response and traffic management infrastructures and the Intelligent Transportation System such that a community can create a virtual emergency operations center. Incorporating these detection systems with modeling and simulation capability for traffic and population as well as atmospheric and water dispersion models will enable local communities to quickly identify terrorist and other major events and respond more effectively. In addition, using the lessons learned from the pilot projects, the EP&R portfolio, in collaboration with FEMA and OSLGCP, will select additional RTI candidate locations. The Assessment Phase for the next RTI cities will begin in fiscal year 2006.

### **Standards for Emergency Preparedness and Response**

The Science and Technology Directorate has a role and responsibility to ensure the effectiveness, efficiency, and interoperability of the tools, technologies, and systems developed for and used by the emergency preparedness and response community. By setting consistent and verifiable measures of effectiveness for basic functionality, minimum performance, interoperability, efficiency, sustainability, and appropriateness and adequacy for the task, standards will improve the quality and



usefulness of homeland security systems and technologies. The Science and Technology Directorate's Standards Program strives to enable the first responder community to make informed equipment purchases by linking Federal equipment grants programs to equipment certification and compliance with minimum performance standards.

The primary activities of the Standards Program in the emergency, response, and preparedness arena include the promulgation of standards for chemical, biological, radiological, nuclear, and explosive (CBRNE) detection equipment; for CBRNE personal protective equipment; and for urban search and rescue robots. In addition, the program is focused on supporting ongoing communications standards development for Federal operational activities as well as coordinating and supporting standards development activities related to the implementation of the NIM:S.

This program also conducts activities in order to meet the requirement of the SAFETY (Support Anti-Terrorism by Fostering Effective Technologies) Act in developing certification standards for technologies related to homeland security.

*Standards for CBRNE Countermeasures:* The primary focus for Standards for CBRNE countermeasures has been CBRNE detection technology performance standards. In fiscal year 2004 and early fiscal year 2005, an interagency task force was formed to address the controversy over the effectiveness and use of lateral flow immunoassays for the detection of *Bacillus anthracis* (anthrax) by emergency responders. The accepted criteria for performance were published as well as testing and evaluation results of all participating commercially available hand-held immunoassays.

In addition, the program supported the evaluation of a five step method to pre-screen suspicious powders through an effort with Edgewood Chemical Biological Center (ECBC) and OSLGCP's Center for Domestic Preparedness (CDP). An effort was also initiated with CDP to develop a Bio-Protocol for first responders to use to guide their response to a suspicious powder incident. In the area of radiological and nuclear detection, four American National Standards Institute standards were developed to provide performance specifications for four different types of radiation detection equipment. To date, 63 different models of radiation detection equipment have been tested to the standards. The results of all of the radiation detector testing will be made available to the first responder community in March 2005.

In fiscal year 2006, the Standards Program will continue to utilize interagency working groups to reevaluate requirements and prioritize needs for CBRNE countermeasures standards. The portfolio will focus on developing sampling protocols and guidelines and standardized sample triage methods for CBRNE countermeasures. In addition, the development of performance standards for two additional radiation detection technologies (spectroscopic portal monitors and active interrogation devices) will be completed. Finally, the program will evaluate the needs for standards for emerging CBRNE countermeasures technologies including CBRNE point detectors; CBRNE stand off detectors and urban surveillance technologies such as Bio Watch, CBRNE facility monitors, and water distribution monitors.

*Standards for Personal Protective Equipment for First Responders:* In fiscal year 2004 and 2005, the Standards Program supported the development of eight personal protective equipment standards including three National Institute for Occupation Safety and Health (NIOSH) respiratory protection standards, one National Fire Protection Association (NFPA) respiratory protection standard, and four NFPA protective clothing standards. To date, 52 separate models of respirators have been certified as compliant with the four DHS adopted standards addressing respiratory protection equipment. And, standards set by the S&T Directorate will be incorporated into the grant guidelines governing the type of equipment that can be purchased with OSLGCP's grant funds.

In fiscal year 2006, the Standards Program will continue development of standards for current CBRNE personal protective equipment specifically focusing on completing the suite of respiratory protection equipment standards to include powered air purifying respirators, closed-circuit self contained breathing apparatus, supplied air respirators and combination respirators.

*Standards for Urban Search and Rescue Robots (US&R):* In fiscal year 2004 and fiscal year 2005, the Standards Program initiated the development of comprehensive standards related to the development, testing, and certification of effective robotic technologies for urban search and rescue (US&R). Several workshops have been held with the representatives from the FEMA US&R task forces to gather requirements for the standards. The US&R robotics standards will include evaluation of sensing, mobility, navigation, planning, integration, and operator interaction with search and rescue robot systems, as well as ensuring that the robots can meet operational requirements.

In fiscal year 2006, the program will work to complete the development and adoption of a suite of standards to address US&R robot performance.

*Standards to Support both the National Incident Management System (NIMS) and SAFECOM:* In fiscal year 2005, the Standards Program established a formal relationship with FEMA's National Incident Management Systems (NIMS) Integration Center (NIC) to clarify roles and responsibilities for standards development to support NIMS. In addition, the portfolio worked with the NIC to support a preliminary standards needs analysis for NIMS.

In fiscal year 2006, the program will maintain our relationship with the NIC, prioritize standards development efforts and adopt currently available standards to support the NIC, and initiate efforts to develop high priority standards related to incident management. In a similar manner, the Standards Program will support the SAFECOM Program which has initiated efforts to develop standards to support and supplement interoperable communications standards.

#### **Office of Interoperability and Compatibility**

Non-interoperable and incompatible equipment and a lack of standardized procedures for their operation are issues that have plagued the public safety community for decades. To address these issues, the S&T Directorate's Office for Interoperability and Compatibility (OIC) will work with the NIC to coordinate the Federal response to the challenges of inter operability and compatibility. By coordinating and leveraging the vast range of interoperability programs and related efforts across DHS, the OIC will help the Department identify and promote best practices, minimize duplication in programs and spending, and coordinate relevant Federal activities.

The OIC will expand the Federal Interoperability Coordination Council (FICC) to include all aspects of inter operability relevant to homeland security. Members of the FICC include those agencies that provide grants to state and local agencies, such as DHS and the Department of Justice; those that need to interoperate with each other or with state and local agencies, such as DHS, DOJ, USDA, DOI, and DoD; and standards-making and regulatory organizations, such as the Federal Communications Commission and the National Institute for Standards and Technology.

The OIC is creating a series of new programs in collaboration with existing efforts to address the interoperability and compatibility issues related to the emergency response provider and homeland security community. Initial programs include interoperability and compatibility issues related to:

- Communications (working with the Safety Wireless Communications and Interoperability [SAFECOM] Program;
- Equipment; and
- Training.

Achieving full interoperability and compatibility is truly a national endeavor. The Department of Homeland Security's Federal Emergency Management Agency (FEMA) and the Department of Justice's Community Oriented Policing Services (COPS) office have partnered to coordinate more than \$230 million appropriated by Congress for grants specifically to address interoperability. Additionally, since 2001, FEMA has been the Federal lead for the President's Disaster Management initiative. This interagency effort, is a critical government-wide initiative that directly improves the ability of our nation's first responders to communicate and share information at all levels of government. The Disaster Management initiative provides one-stop access through the disasterhelp.gov portal for all Federal disaster management-related information, services, and planning and response tools. There are currently over 1,030 user groups in 50 states using this tool and it has been used to respond to over 40 real-world incidents, including Hurricane Isabel in September 2003 and the California wildfires. SAFECOM and OIC will continue to partner with the Disaster Management initiative in coordination of standards development and outreach to the first responder community. Also, in fiscal year 2004, total State allocations for interoperable communications projects from OSLGCP's Homeland Security Grants Program funds totaled \$762 million representing more than one-third of the total appropriated amount for the HSGP. Additionally, from UASI funds, total State allocations were \$239 million, which also represents more than one-third of the total appropriated amount for the UASI program. Taken together, these allocations totaled \$922 million and funded a total of 4,208 projects in fiscal year 2004 alone. The next step is to ensure that these projects achieve their intended goals and deliver measurable improvements in interoperability.

### **Collaboration with Academia—Homeland Security Center of Excellence**

To facilitate the involvement of the academic community in addressing scientific and technological issues related to first responders, the S&T Directorate has issued a BAA for a Center of Excellence for the Study of High Consequence Event Preparedness and Response. While our country's first responders have immense experience dealing with wildfires, hurricanes, tornadoes, floods and earthquakes, disasters on this scale intentionally caused by terrorists—especially those armed with chemical, biological, radiological, or nuclear weapons are a relatively new threat. This new Center will perform research to prepare for high consequence events—with special emphasis on acts of terrorism. Studies will focus on the following areas: Preparedness, Prevention and Deterrence, Decision-Making, Effective Response Networks, and Modeling and Simulation. Its research will address the technical, systemic, behavioral and organizational challenges that such events pose. The Center will also engage in mission-oriented research to significantly enhance the capabilities of first responders. The Center will highlight innovative research and education that serve the goals of the NRP.

### **Interagency Collaboration**

Leveraging the significant capabilities of other Federal Departments and agencies has enabled the Department of Homeland Security to make some significant improvements in emergency preparedness and response capabilities. The Department of Defense, Department of Energy, Department of Justice, Department of Health and Human Services, National Oceanic and Atmospheric Administration (NOAA), the Environmental Protection Agency (EPA), Nuclear Regulatory Commission (NRC) and National Aeronautics and Space Administration (NASA) and others continue to be valuable contributors to emergency responder capabilities. All of these organizations participated in the formulation of HSPD-5 and HSPD-8 and will play an important role in the implementation of these Directives.

The Interagency Modeling and Atmospheric Assessment Center (IMAAC) described above has significant interagency participation, including DOC, DoD, DOE, EPA, NRC, NOAA, and NASA. The IMAAC developed an MOU that establishes general operating principles and provides for the development of annexes which detail specific resource commitments. In addition to the MOU, the working group has produced an interim standard operating procedure, currently is reviewing the template for annexes, and is discussing other critical aspects of atmospheric hazard prediction that will improve the coordination of Federal assets.

The Science and Technology Directorate participates on the Federal and Interdepartmental Committee for Meteorological Services and Supporting Research (ICMSSR). We recently co-chaired an interagency Joint Action Group as part of this committee. A collaborative process was co-led by the Directorate and with the Army Research Office, with participation from DOE, DTRA, Dugway Proving Grounds, EPA, NASA, NOAA, and the NRC to focus on modeling of research needs in the area Atmospheric Transport and Dispersion (ATD). The Joint Action Group, as a subset of the ICMSSR, developed an Atmospheric Transport and Diffusion Research and Development Plan that describes the requirements to meet ATD user-community needs. The R&D Plan also recommends strategies to address those needs to achieve reliable ATD modeling capability.

The Science and Technology Directorate interfaces with other government agencies to facilitate the development of standards for the Department of Homeland Security. The Directorate's interactions with other agencies resulted in several voluntary consensus standards in concert with US industry and accredited Standards Development Organizations (SDOs), some of which have been discussed previously in this testimony.

- The Science and Technology Directorate collaborated with DOD, DOE, USDA, and DOC (National Institute of Standards and Technology) and developed standards for radiation.
- The Science and Technology Directorate collaborated with DOCINIST, HHS/Centers for Disease Control, DOD, FDA, USDA, EPA and FBI resulting in the development of standards for detection of *Bacillus anthracis* (anthrax).
- The Science and Technology Directorate developed standards for personal protective equipment for emergency responders through collaborative interagency efforts with DOD, the DOC/NIST, and HHS/NIOSH.
- The Science and Technology Directorate developed standards for biometrics (facial photograph standards) by partnering with DOC/NIST, DOJ/FBI and Department of State.
- The Science and Technology Directorate participates on an OSTP/NSTC Subcommittee on Standards that includes DHS, NRS, EPA, DOE, HHS, De-

partment of Labor and DoD. This Subcommittee on Standards developed Protective Action Guides to provide Federal guidance to emergency responders with respect to a dirty bomb or nuclear incident.

Achieving full interoperability and compatibility is truly a national endeavor. The Department of Homeland Security's Federal Emergency Management Agency (FEMA) and the Department of Justice's Community Oriented Policing Services (COPS) office have partnered to coordinate more than \$230 million appropriated by Congress for grants specifically to address interoperability. Also, in fiscal year 2004, total State expenditures for interoperable communications projects from OSLGCP's Homeland Security Grants Program funds totaled \$761 million, representing more than one-third of the total appropriated amount for the HSGP. Additionally, from UASI funds, total State expenditures were \$239 million, which also represents more than one-third of the total appropriated amount for the UASI program. Taken together, state expenditures to develop and/or enhance interoperable communications systems from OSLGCP's HSGP and UASI funds totaled \$922 million and funded a total of 4,208 projects in fiscal year 2004 alone. The newly formed OIC will serve as the umbrella program within the Federal government to help local, tribal, state, and Federal public safety agencies improve public safety response through more effective and efficient interoperable emergency response systems. OIC will extend the SAFECOM model and expand the Federal Interoperability Coordination Council (FICC) to include all aspects of interoperability relevant to homeland security. Members of the FICC include those agencies that provide grants to state and local agencies, such as DHS and the Department of Justice; those that need to interoperate with each other or with state and local agencies, such as DHS, DOJ, USDA, DOI, and DoD; and standards-making and regulatory organizations, such as the Federal Communications Commission and the National Institute for Standards and Technology.

#### **Conclusion**

Over the last year, the S&T Directorate has made significant progress both in meeting critical near term needs and in building a foundation for a strategic RDT&E program for emergency response. We have worked hard to ensure next generation capabilities are effectively integrated in the response community and value our close working relationship with FEMA, OSLGCP and the response community. With strong Executive and Congressional support, we have established ourselves as the leader within the Federal government for understanding homeland security research requirements and coordinating Federal research efforts, especially for chemical, biological, radiological, nuclear and explosive countermeasures; standards; and interoperability and compatibility. More importantly, we have been a catalyst for new university and industry efforts to address first responder needs.

We are confident that with your continuing support and the continuing collaboration and assistance of our many Federal partners, we will continue to work towards a world where lives and property are never lost because emergency response agencies lack the appropriate equipment, are unable to communicate or lack effective training and education technologies.

Chairman KING. Thank you very much, Dr. Albright.  
Now, Mr. Matt Mayer, the Acting Executive Director.

#### **MR. MATT A. MAYER, ACTING EXECUTIVE DIRECTOR, OFFICE OF STATE AND LOCAL GOVERNMENT COORDINATION AND PREPAREDNESS, DEPARTMENT OF HOMELAND SECURITY**

Mr. MAYER. Thank you, Chairman Cox, Subcommittee Chairman King, Congressman Pascrell and members of the subcommittee. My name is Matt Mayer, and I serve as the Acting Executive Director for the Office of State and Local Government Coordination and Preparedness.

It is my pleasure to appear before you today to discuss our budget for fiscal year 2006, SLGCP's mission, and our mission relevant to the department's Science and Technology Directorate. Through SLGCP, the department has a single point of entry, interaction and information for assisting states and local governments, nongovernmental organizations, and other federal agencies and departments

to prevent, deter, respond to, and recover from acts of terrorism and natural disasters.

Since 1998, what is now SLGCP has provided assistance to all 50 states, the District of Columbia, the Commonwealth of Puerto Rico, and the U.S. territories. Through its programs and initiatives, it has trained 837,000 emergency responders from more than 5,000 jurisdictions and conducted more than 725 exercises. As of the end of fiscal year 2005, SLGCP will provide states and localities with over \$11 billion in assistance and direct support to state and local preparedness and emergency response agencies.

Mr. Chairman, SLGCP will continue this assistance into fiscal year 2006. I would like to take this opportunity to briefly summarize the President's fiscal year 2006 budget request. That request totals \$3.6 billion for SLGCP to continue our strong commitment and support for the nation's first responder community. Of this amount, \$1.02 billion is for the State Homeland Security Grant Program, which has been significantly redesigned towards allocating funds based on risk and need and to align these funds with national priorities. An additional \$1.02 billion is for the continuance of the Urban Areas Security Initiative, which targets funds to the nation's highest risk urban areas. The President requests that no less than 20 percent of the State Homeland Security Grant Program funds and the Urban Area Security Initiative Program funds are used for law enforcement prevention activities, an increase of roughly \$8 million for law enforcement prevention activities.

Further, the President's request provides \$600 million for a new targeted infrastructure protection program to supplement state, local and private sector infrastructure protection efforts based on critical vulnerabilities. The fiscal year 2006 request also includes a strong commitment to our nation's fire service by providing \$500 million for the Assistance to Firefighters Grant Program. This request also includes \$50 million for the Citizen Corps Program and \$170 million for the Emergency Management Performance Grant Program.

For continuation of our commitment to training our nation's first responders, the request includes \$94.3 million for SLGCP's State and Local Training Program. Further, the request includes \$59 million for the National Exercise Program, which includes support for state and local exercises, and for the national Top Officials exercise series. Finally, the request includes \$10.6 million for technical assistance initiatives for state and local agencies, and \$14.3 million for program evaluation and assessments.

For fiscal year 2006, the preponderance of DHS grant funding for state, territorial, tribal and local entities under the SHSGP program, the UASI program, and the TIPP program would be distributed based on risk, threat and vulnerability data which aligns closely with the recommendations of the 9/11 Commission and the legislation that was considered by the House and the Senate last year as part of the conference and negotiations for the Intelligence Reform and Terrorism Prevention Act.

Mr. Chairman, SLGCP's preparedness mission recognizes the interdependency of federal, state, local and private sector homeland security missions. While SLGCP provides direct support to state and local preparedness and emergency response agencies, it also

provides general support to all elements of DHS and to other federal agencies to ensure that the national preparedness is fully integrated. SLGCP's mission is a national enterprise that requires a structure and scope of activity to assess, measure and enhance preparedness.

To accomplish this national enterprise, SLGCP has established the ability to deliver core preparedness activities and capabilities to the first responder community through its national preparedness cycle. This cycle captures both SLGCP's mission and activities, and demonstrates the interrelationship between those activities and SLGCP's role in assisting the nation in achieving preparedness.

The national preparedness cycle is useful in explaining SLGCP's mission and activities and how those activities contribute to enhancing the nation's overall preparedness. It should be clear, however, that these SLGCP activities cannot exist in a vacuum. As with our preparedness efforts, considerable work is being done throughout DHS that allows SLGCP to do its job more effectively and more efficiently. The S&T Directorate is but one example of how the efforts of one part of DHS with the primary mission to set technical equipment standards and conduct vital research and development on new or nascent technology will help us secure our homeland.

SLGCP's preparedness activities, from the equipment, law enforcement, and intelligence personnel, can be used to prevent and deter a CBRNE attack. The equipment first responders can use to respond and recover from such an attack are grounded in a large and ever-expanding world of scientific knowledge, research, new technologies, and improved standards. In order to understand that world and ground our efforts in the solid information that exists, there is a need for natural and critical linkage between SLGCP and S&T.

Mr. Chairman, in the interests of time and in lieu of oral testimony on the numerous examples of the collaboration between SLGCP and the Science and Technology Directorate, I refer the committee to my submitted written testimony, specifically pages 18 to 23.

Mr. Chairman, this concludes my statement. I am happy to answer any questions that you and the members of the committee have for us.

Thank you.

[The statement of Mr. Mayer follows:]

#### PREPARED OF STATEMENT OF MATT A. MAYER

Chairman Cox, Congressman Thompson and Members of the Subcommittee, my name is Matt A. Mayer, and I serve as the Acting Executive Director of the Department of Homeland Security's (DHS) Office of State and Local Government Coordination and Preparedness (SLGCP). On behalf of all of us at DHS, it is my honor and pleasure to appear before you today to discuss SLGCP's mission, our mission relative to the Department's Science and Technology Directorate (S&T), and our Fiscal Year 2006 budget request.

SLGCP was formed less than a year ago pursuant to Secretary Ridge's consolidation of several DHS components, the Office for Domestic Preparedness (ODP), the Office of State and Local Government Coordination (SLGC), and several discrete programs from DHS' Transportation and Security Administration and Federal Emergency Management Agency, within one, single administrative structure. This consolidation represents a significant focusing and streamlining of DHS' prepared-

ness activities that encompasses our mission to prevent, deter, respond to, and recover from major events. It also fulfills Secretary Ridge's commitment to the Nation's first responder community to create a "one-stop-shop" to better serve their needs.

On December 17, 2003, President George W. Bush issued Homeland Security Presidential Directive 8 (HSPD-8) on national preparedness. HSPD-8 defined preparedness as the existence of plans, procedures, policies, training, and equipment necessary at the Federal, State, and local level to maximize the ability to prevent, respond to, and recover from major events. SLGCP was assigned lead responsibility to coordinate implementation of HSPD-8 on behalf of the Department. With SLGCP, the Department has a single point of entry, interaction, and information for assisting State and local governments, non-governmental organizations, and other Federal agencies and departments to prevent, deter, respond to, and recover from acts of terrorism.

*The Road Forward: The fiscal year 2006 Budget*

Mr. Chairman, as you have scheduled this hearing to coincide with the release of the President's fiscal year 2006 Budget, I would like to take this opportunity to briefly summarize the request for SLGCP. That request totals \$3.6 billion for SLGCP to continue our strong commitment and support to the Nation's first responder community. Of this amount, \$1.02 billion is for the State Homeland Security Grant Program, which would be significantly realigned to award funds based on risk and need while aligning with national priorities. An additional \$1.02 billion is for the continuance of the Urban Areas Security Initiative, which targets funds to the Nation's highest risk urban areas. To simplify the number of programs while continuing dedicated funding for law enforcement's counter-terrorism efforts, the President requests that no less than twenty percent (20%) of the State Homeland Security Grant Program and the Urban Areas Security Initiative Grant Program be used for law enforcement prevention activity.

Further, the President's request provides \$600 million for a new Targeted Infrastructure Protection Program (TIPP) to supplement State, local, and private sector infrastructure protection efforts based on critical vulnerabilities that is being consulted with the Office of Information Analysis and Infrastructure Protection. The fiscal year 2006 request also includes a strong commitment to our Nation's fire service by providing \$500 million for the Assistance to Firefighters Grant Program. The request includes \$50 million for the Citizens Corps Program and \$170 million for the Emergency Performance Grant Program.

And let me take a moment to highlight the importance of our preparedness efforts with the Citizens Corps Program. State and local governments have embraced the concept of Citizen Corps. They are developing the management capacity of the Councils, conducting public education, providing training for citizens, and engaging citizens through volunteer programs. This is evidenced, Mr. Chairman, through the increasing number of Citizen Corps Councils. Since fiscal year 2003, the number of Citizen Corps Councils have increased 80 percent to 1,330. These councils exist in all 50 States and 5 of the 6 territories. We have also expanded the Citizen Corps Affiliate network of national non-profits to 21 organizations, which allows us to expand the resources and materials available to States and local communities by partnering with programs and organizations that offer resources for public education, outreach, and training. Additionally, we were able to mobilize 2,700 recruits from 48 States to support the 2004 Hurricane Season response efforts.

Equally important as our mission to prepare the first responder community for a major event is our mission to prepare our citizen communities, as well. Whether that activity is ensuring a continuity of service to the special needs community during a major event or is educating our children on what to do if a terrorist attack occurs, Citizens Corps is the last line of our preparedness defense that will allow our first responder community to focus its vital and finite resources on ground zero with the knowledge that the surrounding community is self-sufficient and taking care of itself. We must keep our commitment to build a better prepared America and Citizens Corps is part of that commitment.

For continuation of our commitment to training our Nation's first responders, the request includes \$94.3 million for SLGCP's State and Local Training Program. Further, the request includes \$59 million for the National Exercise Program, which includes support for State and local exercises and for the National Top Officials exercise series. Finally, the request includes \$10.6 million for technical assistance initiatives for State and local agencies and \$14.3 million for program evaluation and assessments.

The President's request also makes significant changes to how State homeland security grant funds are distributed. The large majority of the funds under the fiscal

year 2006 State Homeland Security Grant Program will be distributed by the Secretary of Homeland Security on risk and vulnerability.

For fiscal year 2006, the Administration proposes to redesign the homeland security funding process to award State Homeland Security Grant Program funds based on an evaluation of *risk, vulnerabilities, and needs*, instead of PATRIOT Act minimum formula—.75 percent minimum for States and .25 percent minimum for territories. Congressional direction has resulted in the use of population to allocate the balance. As you know, this formula has been criticized for failing to adapt to the dynamic nature of homeland security risks, threats, and vulnerabilities. Awarding funding based on a relative evaluation risk, threat, vulnerability, and capability needs (gaps) data will better reflect a results-based planning process that supports achievement of target preparedness capability levels nationally.

This program would be a discretionary grant program, not a formula-based program, which would be based on the following guiding principles:

- All 50 States, the District of Columbia, Puerto Rico, and the U.S. territories will be eligible for funding.
- States will submit detailed applications including macro-level goals and activities and associated justification detailing how those activities address capability shortfalls and enable achievement of the minimum baseline capability levels laid out in the National Planning Guidance (NPG), to be disseminated on March 31, 2005.
- Applications will be evaluated and funds awarded based on risk and need, consistent with National priorities.
- Funding will be awarded based on a relative evaluation of risk, need, applications, but each State or territory will receive no less than 0.25 percent of the total, or \$2.5 million under the Budget request. The actual minimum may be higher depending the extent to which DHS identifies specific capabilities that each State should have.
- At least 20% of funds awarded will be dedicated to support law enforcement terrorism prevention activities.

In order to apply for and receive funds under this program, States will be required to update their existing homeland security strategies to ensure alignment with national priorities and achievement of the minimum capability levels established in the National Planning Guidance. Updated strategies will be submitted in concert with fiscal year 2006 grant applications, which will include a plan detailing how fiscal year 2006 grant funds will support achievement of these priorities and minimum capability levels. State applications will demonstrate core focus areas, how funding will be used to close critical capability gaps in support of the National Planning Guidance, and a funding allocation plan.

Further, the fiscal year 2006 Urban Areas Security Initiative will be distributed based solely on an evaluation of risk and needs. In making UASI award determinations, the Department will consider a number of risk factors, including threat, presence of critical infrastructure, vulnerability, population, population density, law enforcement investigative and enforcement activity, and the existence of formal mutual aid agreements. Additionally, the \$600 million requested for the Targeted Infrastructure Protection Program (TIPP) will be distributed by DHS to supplement State, local and private sector infrastructure protection efforts based on risk and needs. For TIPP, the Secretary, acting through the Executive Director of SLGCP in consultation with IAIP and other components, will make award determinations on a number of factors, including relevant intelligence, threat data, and vulnerabilities identified at specific critical infrastructure sites.

For fiscal year 2006, the preponderance of DHS grant funding for State, territorial, tribal and local entities - under the SHSG Program, the UASI Program, and TIPP—would be distributed based on risk, threat, and vulnerability data, which aligns closely with the recommendations of the 9/11 Commission and the legislation that was considered by both the House and Senate last year as part of the conference negotiations for the Intelligence Reform and Terrorism Prevention Act.

#### *The SLGCP Mission*

SLGCP achieves its preparedness mission by combining three distinct, yet inter-related items, along a “National Preparedness Cycle.” First, SLGCP distributes project funding to our first responder community, which consists of law enforcement; the fire service; the emergency medical service; public officials responsible for emergency planning and response; the public health sector; transit authorities including rail and ports; and non-governmental organizations. The distribution of the grants and other assistance is part of an interactive and highly complex series of activities that include the establishment of State and urban strategies, the setting of priorities, and the conducting of vulnerability assessments.

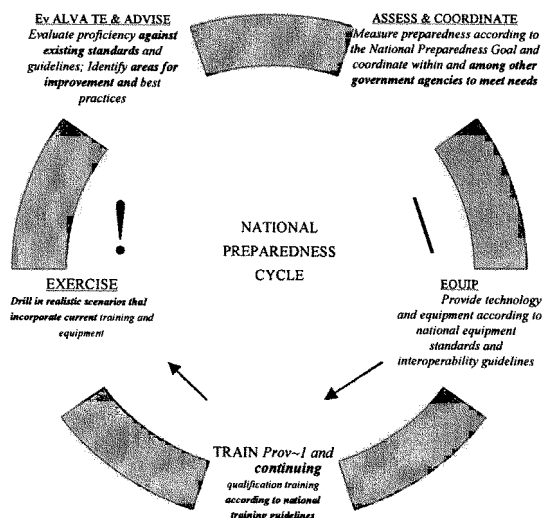


As our first responder community obtains the equipment and training needed to prevent, deter, respond to, and recover from a terrorist incident, we also engage them in our robust training and technical assistance programs that teach them the full spectrum of capabilities (ranging from what they need to know to identify a potential threat to how to use a particular piece of equipment they recently acquired) they will need to successfully perform their jobs in today's ever-shifting threat environment.

The next stage incorporates them to our exercise program that aims to test their competency and identify vulnerabilities that will require additional training. Finally, we collect data from these exercises, as well as from grantee reports and other assessments, to evaluate improvements in State and local preparedness and better target our programs in the future. This "National Preparedness Cycle"—analytically-based financial support, robust training, and results-oriented exercises—allows us to efficiently and effectively prepare our first responder community.

This "National Preparedness Cycle" is depicted in greater detail graphically below.

This "National Preparedness Cycle" is depicted in greater detail graphically below.



Since 1998, what is now SLGCP, has provided assistance to all 50 States, the District of Columbia, the Commonwealth of Puerto Rico and the U.S. territories. Through its programs and initiatives it has trained 837,000 first responders from more than 5,000 jurisdictions, and conducted more than 725 exercises. And, as of the end of Fiscal Year 2005, SLGCP will have provided States and localities with over \$11 billion in financial assistance and direct support to State and local preparedness activities.

SLGCP's preparedness mission recognizes the interdependency of Federal, State, local and private-sector homeland security missions. While SLGCP provides direct support to the first responder community, it also provides general support to all elements of DHS and to other Federal agencies to ensure that national preparedness is fully integrated. It is, as Secretary Ridge so often said, "one team, one fight."

SLGCP's preparedness mission is clearly defined and established by the Homeland Security Act of 2002 (HSA) [Pub.L. 107-296] through the authorities provided to its component, the Office for Domestic Preparedness (ODP). Under the provisions of the HSA the Office for Domestic Preparedness,

"shall have the **primary responsibility** within the executive branch of Government for the **preparedness** of the United States for act of terrorism. . ." [HSA, Sec.430(c)] (emphasis added)

Under the HSA, ODP has a broad and defined preparedness mission covering training, exercises, and equipment support.

*Assess and Coordinate*

SLGCP recognizes the need to assist States in assessing their preparedness gaps and vulnerabilities, and to use this information to guide their allocation of Federal homeland security funds. To achieve this, SLGCP is continually collecting and examining information from the field. As an example of this, in Fiscal Year 1999, SLGCP launched the State Homeland Security Assessment and Strategy (SHSAS) process to assist States in their strategic planning process. The SHSAS process was repeated in Fiscal Year 2003 allowing States and local jurisdictions to update their needs assessment data to reflect post-September 11, 2001 realities, as well as identify progress on the priorities outlined in their initial homeland security strategies.

However, while the SHSAS process allowed States and localities to self-assess their threats and vulnerabilities, it did not include the larger measures of the level of preparedness they needed to achieve. This deficiency was recognized with the issuance of HSPD-8 and illustrates another level of SLGCP's effort to assess and coordinate preparedness.

Mr. Chairman, HSPD-8 tasks the Secretary of Homeland Security, and through his delegation SLGCP, in coordination with the heads of other appropriate Federal departments and agencies, in consultation with State and local governments, to strengthen the preparedness of the United States to prevent, deter, respond to, and recover from threatened or actual domestic terrorist attacks, major disasters and other emergencies. It requires: 1) a national domestic preparedness goal; 2) mechanisms for improved delivery of Federal preparedness assistance to State and local governments; and 3) actions to strengthen preparedness capabilities of Federal, State, and local entities. The developmental work under HSPD-8 will reach its culmination with the issuance of the National Preparedness Goal, and accompanying National Planning Guidance, which are on schedule to be released by March 31, 2005.

*Equip States and Localities*

SLGCP's Preparedness Programs Division manages and oversees the implementation of preparedness programs at the State and local level. Among the Preparedness Programs Division's many tasks is its responsibility for the Homeland Security Grant Program, which includes the State Homeland Security Grant Program, the Citizen Corps Program, the Law Enforcement Terrorism Prevention Program, and the Urban Areas Security Initiative, as well as funds for transit and port security. The division also manages the Assistance to Firefighters Grant Program. Through these programs, SLGCP is enhancing preparedness by ensuring that State and local emergency responders have the equipment they need to improve their ability to prevent, deter, respond to, and recover from threats or acts of terrorism. But simply providing States and localities the means to acquire equipment is not enough. Preparedness means more than acquiring equipment. It also means identifying **commercially available** technologies and equipment, understanding its applicability and usefulness to first responders, and making that information available so they can make informed choices when spending Federal funds.

As part of its effort to ensure this, SLGCP, through its System Support Division (SSD), works to identify **commercially available** equipment and technologies, and provide the first responder community useful information and guidance on that equipment. For example, SSD is piloting the Technology Transfer Program (TTP), which provides direct technology assistance to small and rural jurisdictions. TTP is assisting jurisdictions to enhance their preparedness and meet their homeland security missions, by providing technologies to small and rural jurisdictions. TTP focuses on **identifying currently available commercial** technology. Importantly, it does not engage in the research, development, and testing of new or nascent technologies.

*Train States and Localities*

Training is critical to preparedness. SLGCP's Training Division identifies, manages the development of, and approves training to prepare the first responder community for terrorism events. This function begins with identifying training needs of State and local communities and culminates with training development, testing, and delivery. SLGCP's training network and resources are extensive and, as its training program has matured, SLGCP has placed a high value on ensuring that its training efforts are credible, structured, and institutionalized.

For example, the bedrock of all quality training is sound instructional design. SLGCP has adopted the Analyze, Design, Develop, Implement, and Evaluate (ADDIE) model of instructional design, and has promulgated the ODP **Strategy for Blended Learning** to explain each step of the training process. SLGCP also pro-

vides practical tools for implementation, as well as examples of best practices to increase the quality, consistency, efficiency, and accessibility of training.

Another example of SLGCP institutionalizing and structuring training has been our work with the Memorial Institute for the Prevention of Terrorism (MIPT) to ensure that “best practices” from all SLGCP program areas are assessed, and if validated, catalogued and posted through the SLGCP sponsored Lessons Learned Information Sharing portal ([www.llis.gov](http://www.llis.gov)) for all first responders to use in advancing our collective homeland security.

#### *Exercise*

Exercises are also critical in enhancing the Nation’s security. Exercises provide first responders a “risk free environment” in which they practice prevention, reduce vulnerabilities, and sharpen response capabilities. Our goal is to help States and communities assess their capacity to prevent, deter, respond to, and recover from a disaster and provide an opportunity to modify and improve protocols and procedures. SLGCP’s National Exercise Program provides tailored exercise activities and serves as a primary vehicle for training officials and emergency response personnel. The NEP enhances the collaboration among all levels of government, and provides SLGCP an ongoing venue in which to assess training, protocols, and equipment.

#### *Evaluate and Advise*

Through SLGCP’s Evaluation and National Assessment Division, national program data is gathered, analyzed, and interpreted. As the focal point for information collection and evaluation, it reviews and assesses the execution of State strategies against the supporting threat, vulnerability, and needs assessment data. As data is evaluated, best practices can be identified for replication and knowledge gaps can be addressed and mitigated. This information is then provided to States and local jurisdictions as part of SLGCP’s ongoing practice to provide continuous information.

For example, SLGCP’s SSD, as do all SLGCP components, works closely with the MIPT. Three separate initiatives developed between SSD and MIPT have become models for information sharing among the Nation’s preparedness community, and provide access to information and tools to assist them in determining their vulnerabilities and needs, thereby enhancing their overall preparedness. These are the LLIS.gov portal, Responder Knowledge Base (RKB), and the Terrorism Knowledge Base (TKB).

- LLIS.gov serves as the medium for the dissemination of after-action reports from SLGCP-funded exercises. LLIS.gov is a vital link between the available homeland security preparedness information and the first responder community. Ultimately, this information provides State and local jurisdictions the basis for the development of their homeland security strategies and helps determine their preparedness capacity. By sharing best practices and after action reports, it is our hope that every jurisdiction will utilize this tool in an iterative manner that will allow each jurisdiction to learn from the activities of other jurisdictions so that collectively we start from a higher point of learning.
- RKB provides emergency responders with a single source for integrated information on **existing** equipment, including the InterAgency Board’s (IAB) Standardized Equipment List (SEL), SLGCP’s Authorized Equipment List (AEL), and National Terrorism Response Objectives.
- TKB is the one-stop resource library for comprehensive **completed** research and analysis on global terrorist incidents, terrorism-related court cases, and terrorist groups and leaders. The portal provides the first responder community the status of terrorism today and takes users through the history, affiliations, locations, and tactics of the global terrorist groups.

Mr. Chairman, the National Preparedness Cycle is useful in explaining SLGCP’s mission and activities, and how those activities contribute enhancing the Nation’s overall preparedness. It should be clear, however, that these SLGCP activities cannot exist in a vacuum. As with our preparedness efforts, considerable work is being done throughout DHS that allows SLGCP to do its job more effectively and more efficiently. The S&T Directorate is but one example of how the efforts of one part of DHS with the primary mission to set technical equipment standards and conduct the vital research and development on new or nascent technology that will help us secure our homeland greatly impacts our mission to prepare America.

SLGCP’s preparedness activities—from the equipment law enforcement and intelligence personnel can use to prevent and deter a CBRNE attack to the equipment first responders can use to respond to and recover from an attack—are grounded in a larger and an ever expanding world of scientific knowledge, research, new technologies, and improved standards. In order to understand that world and ground our efforts in the solid information that exists, there is and needs to be a natural and critical linkage between SLGCP and S&T.

Like SLGCP, S&T's mission is clearly defined and articulated by the provisions of the HSA. Under the HSA [see generally *Sec.302*], S&T is the primary technical standard setting entity in DHS and the research and development arm of the Department. It also has the critical mission of organizing the vast scientific and technological resources of the Nation to support the Nation's security and safety.

Mr. Chairman, I would like to offer a few examples of how SLGCP and S&T coordinate our activities:

*Equip States and Localities*

As you may know, interoperable communications equipment has been and continues to be an allowable use of SLGCP's Homeland Security Grant Program (HSGP) funds. Interoperable communications was addressed in 54 out of the 56 current State homeland security strategies, and in 48 out of the 49 urban area homeland security strategies. Based on data collected from grantees, through the fiscal year 2004 Initial Strategy Implementation Plan (ISIP) process, total State expenditures for interoperable communications projects from HSGP funds in fiscal year 2004 totaled \$761,068,742, representing more than one-third of the total appropriated amount for the HSGP. Additionally, from UASI funds, total State expenditures were \$239,245,356, which also represents more than one-third of the total appropriated amount for the UASI program. Taken together, State expenditures to develop and/or enhance interoperable communications systems from HSGP and UASI funds totaled \$922,286,604 and funded a total of 4,208 projects in fiscal year 2004 alone. To date, more than \$1 billion in SLGCP funding has been applied toward interoperable communications solutions.

In addressing interoperable communications, SLGCP has worked with S&T on a number of initiatives. First and foremost, SLGCP and S&T executed a Memorandum of Understanding (MOU) to specify the roles and responsibilities each have in addressing interoperable communications. Broadly this breaks down into S&T addressing basic research aspects including standards development and guidance, while SLGCP will provide "on-the-ground" technical assistance and training to emergency response agencies. As such, SLGCP collaborates closely with the SAFECOM Program to incorporate standard grant guidance on interoperable communications equipment into SLGCP's application kits. Recognizing the need for near-term solutions for interoperable communications, SLGCP and SAFECOM are also working together as part of the fiscal year 2005 Homeland Security Grant Program (HSGP) to ensure that a tactical-level emergency interoperable communications capacity is developed and tested in the fifty highest risk urban areas in the Nation. This initiative builds on RapidCom, a SAFECOM lead, and a SLGCP supported effort, which worked with ten urban areas to provide assistance to improve incident level interoperability capabilities.

Out of RapidCom, a number of tools were developed to serve the first responder community. These included:

- A process for an interoperable communications table top exercise that is replicable across urban areas. This scenario-based exercise provides a forum for discussing regional communications interoperability capacity, strengths, and weaknesses.
- The Interoperability Continuum which provides a graphical depiction of the multiple components needed to develop a successful interoperability solution, beyond just technology, to include governance, standard operating procedures, training & exercises, and usage of equipment. The Interoperability Continuum provides a framework from which all public safety agencies at the local, tribal, State, and Federal levels can baseline their planning and implementation of interoperability solutions.

SLGCP also relies on SAFECOM for standards and guidelines to assist us in our Interoperable Communications Technical Assistance Program (ICTAP). ICTAP is one of our most important technical assistance efforts and provides operational support to State, local, and tribal agencies' new interoperability systems. ICTAP provides technical assistance at no cost to ensure that jurisdictions understand the scope of their interoperability needs and how to fully utilize new technology. ICTAP's goal is to enable public safety agencies to communicate as they prevent or respond to a terrorism attack. ICTAP also leverages and works with other Federal, State, and local interoperability efforts whenever possible to enhance overall communications capacity.

SLGCP also has partnered with SAFECOM and other DHS and Federal agencies to establish the Federal Interagency Coordination Council (FICC) to coordinate funding, technical assistance, and standards development across the Federal government for public safety communications and interoperability.

To further build on the successful efforts of SAFECOM and SLGCP, Secretary Ridge established the Office for Interoperability and Compatibility (OIC) in October 2004. OIC serves as the overarching program within the Department to strengthen and integrate interoperability efforts to improve State, local, tribal, and Federal communication. The SAFECOM Program manages the communications program area for the OIC. SAFECOM and SLGCP will continue to work together to ensure that the Nation's first responder community have communications capabilities they require.

SLGCP's SSD collaborates with S&T on the development and implementation of the System Assessment and Validation for Emergency Responders (SAVER) Program. SAVER assists emergency responders by providing impartial, relevant, and operational validations and assessments of critical **existing** equipment. SLGCP provides S&T with information about performance of **commercially available** products evaluated in real world settings and under the SAVER program.

#### *Train States and Localities*

The National Training Program builds on three pillars: training doctrine, training partners, and training technology support tools. S&T has provided valuable support in developing these components, particularly in the ongoing development of projects undertaken by many of SLGCP's training partners, and the development of training doctrine pursuant to HSDP-8. These include guidelines, protocols, templates, strategies, process, and procedures developed to guide the coordination, development, and delivery of training and information.

As a further example, in October 2004, SLGCP began hosting regular meetings to coordinate agroterrorism projects with other Federal agencies, including S&T and the Information Analysis and Infrastructure Protection Directorate. SLGCP awarded two grants under the fiscal year 2004 Competitive Training Grant Program in the category of agroterrorism to the University of California-Davis and to Kirkwood Community College in Iowa. The coordination efforts already in place with S&T will continue to help shape these projects and S&T and SLGCP exchange project information and data on complementary efforts.

SLGCP's Training Division has also begun participating in the American National Standards Institute (ANSI) Homeland Security Standards Panel (HSSP) Training for First Response to WMD. S&T is the sponsor for the ANSI-HSSP in its role as the body responsible for accepting and promulgating standards for the Department. SLGCP continues to participate in these working sessions, providing updates with respect to status and direction of the National Preparedness Goal, and associated efforts related to the Universal Task List and Target Capabilities List.

And finally, in fiscal year 2004, the Homeland Security Advanced Research and Projects Agency (HSARPA) provided funding to the Technical Support Working Group (TSWG) to support several DHS projects. One of the requirements advertised in the Broad Area Announcement by TSWG was for a DHS Advanced Distributed Learning system. The proposals received under this announcement were reviewed by the DHS e-learning group including representatives of SLGCP and S&T, and resulted in a contract award to Vertex Solutions Inc. The execution of this contract continues to be a joint effort among the DHS Human Capital Office, S&T, and SLGCP.

#### *Exercise*

The National Exercise Program provides many opportunities for intra-DHS and inter-agency collaboration. SLGCP's Exercise Division frequently consults with S&T to integrate projects into exercise planning and activity. For example, during planning for TOPOFF 3, 'plume modeling' utilizing the DHS-led IMAAC (Interagency Modeling and Atmospheric Assessment Center) system has helped to develop scientifically accurate predictions of a hazard zone, as well as to predict the human health effects of a large scale chemical-attack in a densely populated area. In planning for an upcoming Senior Official Exercise, the Bio-Watch program managers from S&T have been instrumental in design of an accurate exercise scenario. Additionally, IMAAC is supporting the SOE effort through provision of atmospheric hazard products for planning and exercise play. Planners from SLGCP also work closely with S&T and the law enforcement and intelligence communities to confirm the viability of the potential threats addresses for the entire range of exercise activity. Future opportunities for integrating equipment and technology evaluation into exercise activities are under development.

#### *HSPD-8: Coordination for a Roadmap for Preparedness*

As you know, Mr. Chairman, the Department is moving forward with the implementation of HSPD-8. As previously stated, HSPD-8 establishes policies, procedures, and goals that strengthen national preparedness to prevent, deter, respond to, and recover from terrorist attacks, major disasters and other emergencies by re-

quiring a national preparedness goal, mechanisms for improved delivery of Federal preparedness assistance to State and local governments, and actions to strengthen capabilities of Federal, State, and local entities. Its significance and anticipated national impact provides SLGCP the context in which to develop major program initiatives and specific guidance to State and local jurisdictions. This work also illustrates the productive connection between S&T and SLGCP.

In fiscal year 2005 and fiscal year 2006, SLGCP will target its programs and policies to help drive the implementation of HSPD-8 principles across all levels of government. In fiscal year 2005, for example, grant resources are available for a variety of purposes to support State and local level planning. Specifically, fiscal year 2005 grant guidance emphasized the importance of building and sustaining law enforcement terrorism prevention activities as well as interoperable communications.

HSPD-8 recognizes the importance that S&T plays in national preparedness. In fact, two of the 16 requirements laid out by HSPD-8 relate directly to S&T. First, HSPD-8 States that "equipment purchased through Federal preparedness assistance for first responders shall conform to equipment standards in place at time of purchase." Second, HSPD-8 states that Secretary of Homeland Security, in coordination with other appropriate Federal departments and agencies and in consultation with State and local governments, "will develop plans to identify and address national first responder equipment research and development needs based upon assessments of current and future threats." S&T's involvement in these two tasks are critical to SLGCP's ability to execute its HSPD-8 assignment.

The S&T Homeland Security Institute (HSI), a DHS Federally funded research and development center, has been working in close partnership with SLGCP on the implementation of HSPD-8. In addition, SLGCP is working with the HSI on development of a Threat Scenario Portfolio as a planning, training, research, and exercise reference for the entire homeland security community.

DHS continues to work with OMB and The White House to finalize the National Preparedness Goal, which requires coordination with a number of other Federal agencies. Along with the National Planning Guidance, the National Preparedness Goal will guide the Nation's efforts to achieve and sustain nationally accepted risk-based target levels of capability to prevent, deter, respond to, and recover from major events, especially terrorism. As SLGCP bases future financial assistance programs on the guidance and direction provided by National Preparedness Goal, it will be essential that SLGCP and S&T continue to work collaboratively to ensure that any future standards that are developed are incorporated into grant and program guidelines, and that the research and analytical capacity of S&T, HIS, and its Centers for Excellence are applied to strengthen national preparedness.

Mr. Chairman, this concludes my written statement. I am happy to answer any questions that you and the Members of the Subcommittee may have.

Chairman KING. Thank you, Director Mayer.

Before we go to General Reimer, Chairman Cox and I are wondering if there is any way you can change the acronym for your agency. We are trying to write it down phonetically, how we can get through it.

Mr. MAYER. I would love to do that, sir.

Chairman KING. It is great to start with that tone of cooperation.

I recognize General Reimer. Before we do, I just wanted to commend him for his many years of service to our country in the United States Army. In particular, I remember when he was the Army Chief of Staff and the great job you did.

With that, we welcome you for your testimony.

**STATEMENT OF GENERAL DENNIS REIMER, DIRECTOR,  
NATIONAL MEMORIAL INSTITUTE FOR THE PREVENTION OF  
TERRORISM**

General REIMER. Thank you, Mr. Chairman. Mr. Chairman and distinguished members of the committee, good morning. I am delighted to be here. My name is Dennis Reimer. I am the Director of the National Memorial Institute for the Prevention of Terrorism. I have held that job for about 5 years. As Chairman King men-

tioned, before that I served 37 years in the United States Army. So I am delighted to be able to continue in service.

Let me just say a word about MIPT, the National Memorial Institute for the Prevention of Terrorism. It is the third component of the national memorial, and as such our roots are buried deep in the rubble of the Murrah Building bombing. The family members and survivors of the Oklahoma City bombing felt very strongly about having an organization that looked to the future, to prevent what happened in Oklahoma City on April 19, 1995 from happening again. That has been our charter.

Chairman King, we have reached out to the family members and survivors in New York City. I think that bond has strengthened even our charter, so we are very pleased with that relationship. I want to thank the support that we have received. I want to thank the family members and survivors publicly for their willingness to share their inner emotions, their vision. I want to thank the members of Congress for the resources you provided us in the last four appropriations. Initially, they were managed by the Department of Justice. Now, they are managed by the Department of Homeland Security.

I think we have accomplished a lot with the resources that you have given us. Our accomplishments range from sponsoring an exercise called Dark Winter, in which we took a look at the smallpox introduction into the world; to trying to develop a new treatment for anthrax, which sorely needs to be done; to developing better chemical and biological detectors, more sensitive, quicker to identify; provide better protective gear for firemen; to the three flagship projects, which we currently manage. One is the Lessons Learned Information Sharing. Basically what we are trying to do here is to reach out to all emergency responders and to be able to share best practices, good ideas, and valid lessons learned from actual events or from training exercises. We think that is the best way to get the return on the investment, for everybody to learn from everybody else.

A second is the responder knowledge base, which makes available to emergency responders that type of equipment that is authorized for their use, how they might go about buying it, where they can get federal grants if appropriate, whether it has been tested or not, and what are the results of that test. The third is the terrorism knowledge base, which is basically an unclassified source of information on terrorism. It is available to anybody. We have had a lot of good comments on all three of those projects. We feel that they have provided a service to the nation, and certainly to the emergency responders.

That experience has convinced me that the hearing here today, the subject of how do you enhance the preparedness of emergency responders, is terribly important. Let me just give you a couple of thoughts from my standpoint on how we might go about doing that. First of all, I think it is important that we have a national system. This must not be just a federal system or a state or local system. It must be a national system. It must be based upon that partnership, the partnership among the federal, state and the local levels of government. There is a strong component of the public and private sector that has to be a part of that partnership. That national

system has to flow from the national security strategy. The national homeland security strategy was issued in July of 2002, so it is already in place. That national system has to incorporate the guidance given out by homeland security presidential directives, particularly 5, 7, and 8. It has to be a part of that national system, or it has to shape that national system.

It has to institutionalize those things that have already been accepted. For example, the national response plan and the national information management system are already accepted initiatives that are out there for the emergency responders. The national response plan is simply a battle plan for the emergency responders, for the first responders. The National Information Management System is the system of how we do business, so it becomes very important that we institutionalize that. The missing link is obviously the national preparedness goal, which is scheduled to be released in March, 2005. I am sure that that is going to establish priorities. It is going to help identify national capabilities that are needed. It is going to establish a measurement system. That system is going to allow us, I think, to more efficiently focus our resources so that we get the greatest return on investment.

I would simply say in summary that that system does not exist yet. However, I think it is within our grasp and we have to see it through, and we have to bring it to be. MIPT hopes to be able to continue our work in this effort to help in this area and to be able to be true to our charter, which is to help prevent terrorism or mitigate their effects.

Thank you for the time, Mr. Chairman. I look forward to the questions of the committee.

[The statement of General Reimer follows:]

PREPARED STATEMENT OF MR. DENNIS J. REIMER

Mr. Chairman, distinguished members of the Committee, my name is Dennis Reimer and I thank you for this opportunity to appear before you. I am Director of the National Memorial Institute for the Prevention of Terrorism (MIPT) in Oklahoma City, a position I have held for almost five years. Prior to becoming Director of MIPT I served 37 years in the United States Army.

MIPT has worked diligently for the past five years to try to prevent acts of terrorism or mitigate their effects. We are located at the site of the largest domestic terrorism attack in U.S. history, but September 11th made it clear that the line between domestic and international terrorism is hard to draw. Today we must defend against terrorist threats of any origin.

Since our inception our focus has been on improving preparedness of the first responder community across the nation. We are extremely grateful to Congress for supporting us through four separate appropriations. That support has made America's first responders better prepared to defend us against terrorism. Initially our awards were made through the Department of Justice but the Department of Homeland Security has administered our awards since it was created. Additionally, we have received small discretionary awards from DHS.

Our primary effort initially was to sponsor research to create the technology and equipment first responders need to deal with terrorism. We drew up our first research agenda based on discussions with representatives of the first responder community and representatives of the research community. We attempted to close the gaps between what was needed and what was already being done. I think we were very successful.

Well before 9/11 we were working on over 30 research projects, including:

- a new treatment for anthrax;
- more sensitive chemical and explosive detection systems;
- a national technology plan for emergency response to catastrophic terrorism that focuses on technology investments to improve capabilities within twelve National Terrorism Response Objectives (NTROs) that cover the anticipated



scope of first responders' requirements for dealing with chemical, biological, nuclear, radiological and explosive/incendiary attacks on the homeland (Project Responder);

- a system to kill biological pathogens in heating, ventilation and air conditioning systems;
- a system to collect and disseminate best practices and lessons learned throughout the emergency response community (Lessons Learned Information Sharing); and
- an unclassified, comprehensive knowledge base of terrorist organizations and their leaders, terrorist incidents, and indictments and prosecutions of terrorists within the U.S. (Terrorism Knowledge Base).

Feedback has been overwhelmingly positive. These projects have made a huge difference in the way the first responder community is able to conduct its business.

While the initial efforts of MIPT were heavily weighted towards research programs, we have gradually shifted to doing more in the area of knowledge management—the collection and distribution of what we know about terrorism and how to respond to it. Our three flagship programs—Lessons Learned Information Sharing (LLIS), the Responder Knowledge Base (RKB), and the Terrorism Knowledge Base (TKB) have been widely accepted by the first responder community.

- LLIS allows first responders to share best practices and lessons learned with other members of the community. The cornerstone of LLIS involves expert analysis of the After Action Reports from the Murrah Building bombing, 9/11 and hundreds of counterterrorism exercises. Approved registration is required because this knowledge base contains sensitive but unclassified information. Battalion Chief Mike Puziferri of the Fire Department of New York said of LLIS: “LLIS.gov is phenomenal. I wish we had something like this a long time ago.”
- The Responder Knowledge Base (RKB) provides first responders with information concerning what equipment is available; whether the equipment has been tested, and if so to what standard; what training is needed to operate that equipment; how they can pay for it and who else is using it. This is an open system. Mike Lucey of the National Technology Transfer Center described the RKB as “a critical resource for [responders] because they need to know what technology is out there and what works. Their lives depend on it.”
- The Terrorism Knowledge Base (TKB) presents over 35 years of international terrorism information and five years of domestic terrorism information plus over 20 years of information on the legal aspects of terrorism cases in the U.S. This database is unclassified and available to first responders, analysts, researchers and the public worldwide. As Heritage Foundation homeland security expert James Carafano of the Heritage Foundation said of the TKB, “The information is very credible, very fresh and authoritative. It's the most comprehensive [terrorism website] I have seen and the most user-friendly.”

The topic of this hearing “Enhancing Terrorism Preparedness for First Responders” is one of the most critical issues our nation faces. In order to enhance terrorism preparedness for first responders, we must have a national system built upon a strong partnership amongst Federal, State and local levels of government. Further, with approximately 85% of the Nation's infrastructure controlled by the private sector, such a system must facilitate cooperation between the private and public sectors to be effective. This national system will require unprecedented information sharing amongst stakeholders. This is not as much a technical challenge as it is a cultural change. Such a system does not currently exist, but I believe it is within our grasp.

This system must flow from the National Strategy for Homeland Security issued in July 2002. This strategy will ultimately determine the national capabilities that we will require at the Federal, State and local levels of government in order to combat terrorism on U.S. soil. These capabilities can then be used to define the actual requirements for personnel, equipment and training for first responders. It is important to remember that we are not starting with a clean sheet of paper—initiatives have been taken and others are underway that will allow the nation to achieve such a system. We should leverage those initiatives.

The National Preparedness System must incorporate the guidance issued in Homeland Security Presidential Directives 5, 7 and 8. The National System must build on already agreed upon initiatives such as the National Response Plan and the National Incident Management System that have been developed by representatives of all levels of government. Stakeholders know that the NRP defines what needs to be done in order to manage a major incident, whether manmade or natural, and NIMS generally defines how it needs to be done. Accepting these two tools as standard operating procedures will move us a long way towards a National System.

It must be recognized, however, that we have more work to do in areas such as achieving national standards, a coordinated national operational framework and

common doctrine. All of these elements are important to a National System but they can take time to develop and implement. We need to do it as quickly as we can but to force the issue and set artificial, short deadlines for the development and implementation of these elements, I think would be a serious mistake. We must get it right.

I believe we must build a National System through a bottom up approach but that approach must be consistent with top down guidance that provides the operational framework for such a system. Such an approach recognizes the uniqueness of state and local entities and the fact that “one size does not fit all”, but also ensures that there is sufficient commonality to effect mutual coordination and cooperation. Such a system should also manage risk by defining that risk, prioritizing it and allocating resources to get the greatest return on investment.

Homeland Security Presidential Directive 8 required the Secretary of the Department of Homeland Security to develop a National Domestic All-Hazards Preparedness Goal in coordination with the heads of other appropriate Federal departments and agencies and in consultation with State, local and tribal governments. This effort will be a critical link in the National System. This National Goal should identify national priorities and associate performance objectives and measures with those priorities.

While we have considerable experience with responding to natural disasters, we have limited experience—albeit tragic—in preventing and responding to manmade disasters. We must build upon the all-hazards experience gained from response to natural and manmade disasters and attempt to better define the threat we face from terrorism. One way to accomplish this is by developing a series of Illustrative Planning Scenarios. These scenarios can help identify what capabilities the nation needs to prevent, protect against, respond to and recover from manmade or natural disasters. Illustrative Planning Scenarios are not intended to predict future attacks, but rather serve as a planning tool that provides first responders an indication of the kind of events for which they must be prepared. Achieving the capabilities required to prevent these events from occurring or to mitigate the damage caused by these events will require specific actions at each level of government. Not all capabilities require specific action by each level of government, but there must be a coordinated, coherent approach involving all levels of government for all capabilities.

Describing the national capabilities helps first responders determine the requirement for personnel, equipment and training at each level of government. Once desired national capabilities are described, first responders can determine whether they have the means to accomplish their mission. If they do not then a gap exists in the National Preparedness System. Gaps can be quantified and, resources allocated to plug those gaps or operational concepts adjusted to mitigate the effect of those gaps. Developing national priorities is a complex task based on managing risk through threat identification and vulnerability analysis.

States continue to have the primary responsibility for protecting the citizens of their state. State strategies initially completed in December 2003 will most likely have to be adjusted to reflect the assessment of how their state operational framework for preventing and mitigating the damage associated with the multi-disciplinary, all-hazards approach to disasters fits into the National Preparedness System. The best way to conduct this assessment is to assess the ability of a state and its municipalities to fulfill their roles and responsibilities associated with the identified national capabilities necessary to deal with these threats. Such assessments will determine personnel, equipment and training requirements across the state in addition to what is needed for day to day requirements if appropriate. Where excess capability is identified in these assessments, that capability can help offset gaps that might exist in other parts of the state. Under the most likely situation where gaps exist, mutual aid pacts will be required to effect regional coordination and cooperation. In some cases, it may not be possible to plug gaps by modifying operational frameworks or through regional coordination. In that case, these gaps constitute unfilled requirements and risks which must be managed in order to achieve the desired level of capability.

Creating objective levels of capability is central to this concept. It is unrealistic with finite resources to believe that the nation can fund every desired capability against every kind of threat in every place. We can, however, manage risk by prioritizing our list of requirements against threats and vulnerabilities and allocating our resources to the greatest need.

Once we allocate resources at the Federal, State or local level, we need to assure the effective use of those resources. For example, the Responder Knowledge Base provides responders the Authorized Equipment List (AEL) approved by DHS. Much of the equipment on the AEL has not been tested by an independent testing agency. Therefore, first responders are often asked to make purchasing decisions based on

manufacturers' claims alone. Given the equipment testing infrastructure available to the Federal government in both DOD and DHS, we should be able to quickly assist first responders in making those critical decisions. Manufacturers could provide equipment to designated testing facilities where they would be tested by existing testing agency and the results of those tests made available to first responders through the Responder Knowledge Base. This would provide meaningful information on which local governments could better base purchasing decisions. The concept is not a great deal different from what is done by *Consumer Reports* or Underwriters Laboratory. Over time equipment standards will evolve that ensure compatibility and best value. More importantly, only that equipment that is compatible with the operational framework should be on the AEL, and by funding only that equipment and institutionalizing NIMS, the nation will move to a coordinated national operational concept.

In order to enhance preparedness of first responders, it is important to transfer technology already available and needed by the first responder community. Congress has provided limited resources for doing that but there is enough available to develop model programs in various parts of the United States. First Responders in these model programs would develop the techniques and procedures to use this technology properly. The results could then be proliferated across the nation through LLIS and RKB. This concept envisions model programs in a large metropolitan area, a medium-size city and a smaller community. Spiral development could be used to embed technology in each of the communities in order to determine the technology required and the best techniques and procedures for using that technology. This system would assure the nation that the technology provided is the technology required.

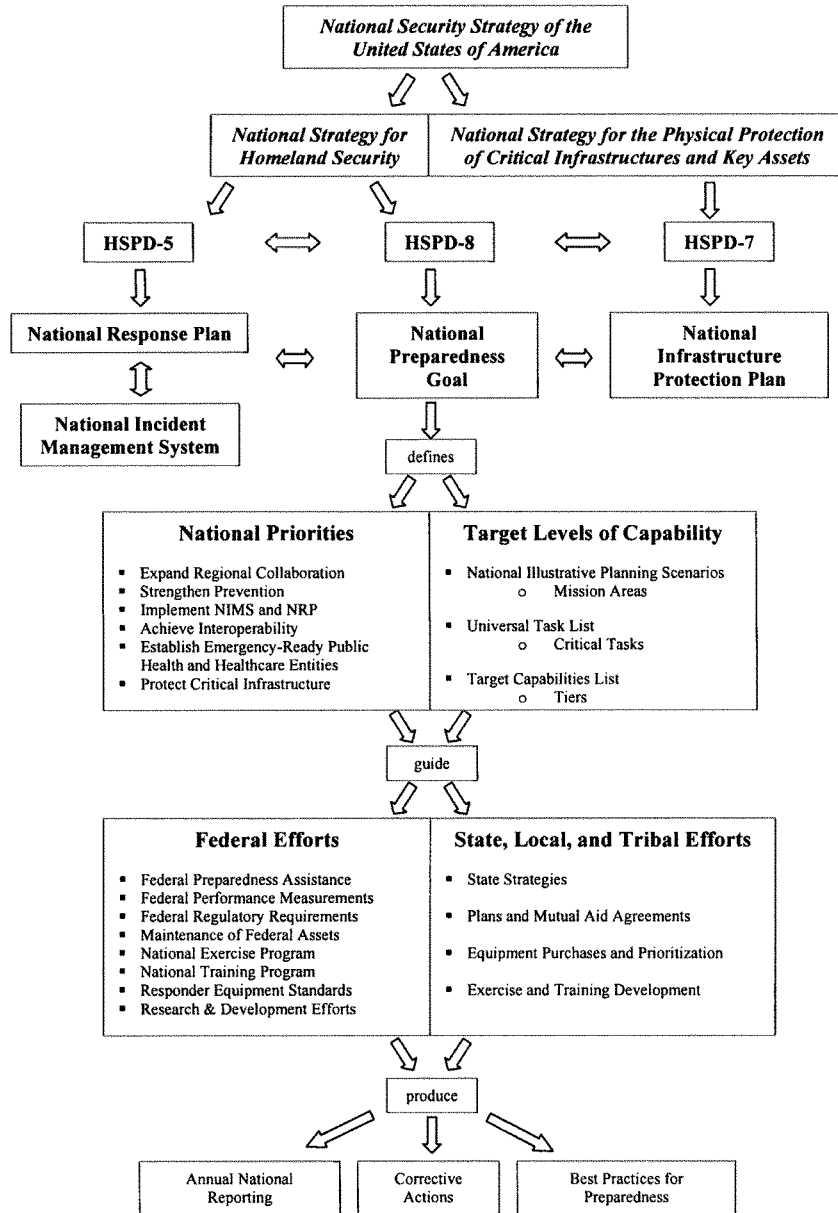
Much has been done; much remains to be done.

I believe the National Preparedness Goal is a key element of the National System. That goal should help identify national priorities, provide guidance on desired levels of national capabilities, as well as performance objectives and a system of measurement for first responders to use against their bottom up assessment. The Goal, scheduled to be published this March, should tie the system together. One way of looking at this systemic approach to enhancing preparedness is depicted on the chart at Appendix A.

While the establishment of a National Preparedness System is daunting, it is not insurmountable. Much has already been done and the pieces appear to be coming together nicely. The chore is not technologically complex, but it does represent a cultural challenge. In order to change the disparate organizational cultures involved, we as a nation must understand the threat we face. We must understand the risk of failing to prepare. Once the American people understand the risk, there is no doubt that they will do the right thing.

Once again, Mr. Chairman and distinguished members of the Committee, I appreciate the opportunity to share my views with you.

APPENDIX A



Chairman KING. General, that was military efficiency. You finished in exactly 5 minutes. I want to thank you.

General REIMER. The Army taught me something, Mr. Chairman.

Chairman KING. Thank you for your testimony. Also, you mentioned the fact that you have reached out to families in New York. I am aware of that, and I want to thank you. It is very much appreciated.

My first question will be to Director Mayer. Certainly, the issue which is being discussed, that is areas where the administration has decided not to fund, for instance, the SAFER grants. I would ask you the rationale for that, and whether or not you believe that the more targeted funding to risk-based areas will make up for that and is the more appropriate way to go. If you could just give the rationale beyond the decision-making process.

Mr. MAYER. Yes, Mr. Chairman. In terms of the SAFER program, the rationale the administration has taken is consistent with their position and our position since the President was elected, which is the funding of fire personnel is inherently a state or local obligation, and that the obligation of federal funds is to enhance the capabilities of the fire service in order to make sure that we build upon what the states and locals establish as the base. When we get into funding of personnel, that becomes something that we believe strongly is the role of a state and local community.

In terms of the TIPP program, if you could repeat your question on that, I will go ahead and answer that.

Chairman KING. Basically, I guess what I am trying to say is that of the firefighters, the extent that they are involved in the war against terrorism, are they being underfunded, or do you believe more funding is going to go their way as a result of basing funding on threat? MAYER: I think that the fire service is receiving an adequate level of funding to meet the obligations that we have across the nation. In terms of the risk-based allocation, it will only enhance, I think the ability of local and state communities to do a better job of focusing their funding where it is needed, whether it would be the fire service, law enforcement or other areas of the first responder community. So yes, I think it will enhance our ability to target funding in a manner that allows those capabilities to be built upon what exists at the state and local level much more effectively.

Chairman KING. General Reimer, do you want to comment on that?

General REIMER. Mr. Chairman, I do not know whether it will enhance the fireman's capability, or the money going to the firemen or not. I think it has to be based upon the capabilities that we need as a nation in order to execute this national prevention system. They could get more money. They could get less money. I do not know. I think you have to get that system in place, determine the capabilities that already exist, determine the capabilities that you are willing to accept as a nation, and where you want to go. And then the money will go according to the greatest risk, as people have already mentioned on the committee. I think that is the right way to go.

Chairman KING. Director Mayer, is the administration planning to consolidate all the preparedness programs, both terrorism and emergency, within SLGCP?

Mr. MAYER. I think the issuance of the Heritage Foundation and CSIS report raised the issue of the consolidation of preparedness programs and assets in the Department of Homeland Security. I think that is going to be up to the incoming secretary to decide. At this point, what we have done is an inventory across the department to catalog what are the preparedness programs and assets. Other than that, no additional steps have been taken and I would defer to the incoming secretary to choose that course.

Chairman KING. What is the status of the MMRS, the Metropolitan Medical Response System, and how will the need for states and regions to maintain the system be incorporated within SLGCP and UASI?

Mr. MAYER. Excellent question, sir. The MMRS program currently has 124 cities across the country. It is the administration's position and belief that that is a sufficient MMRS capability at this point across the country. What we need to do is to intergrate that program into the State Homeland Security Grant Program, the SHSGP program, and the Urban Area Security Initiative Program, the UASI program, so that we can then maintain that capability through those funding sources going forward, and to make sure that the capability remains where it is today and is enhanced as we develop additional technological solutions.

Chairman KING. This would be to either Dr. Albright or to you. What mechanisms are in place to identify and investigate and address the issue of misuse of homeland security assistance?

Mr. MAYER. The Office of State and Local Government Coordination, and Preparedness has on a routine basis, our preparedness officers out in the states, and has continual, daily conversations with the state administrative agents and homeland security advisers, and are constantly monitoring what is going on throughout the system. We require reports to come back periodically from the states on their funding. Whenever we are made aware of any type of alleged misallocation of funds, we investigate it or refer it to the OIG accordingly, and take action where necessary to recoup those funds if we do indeed find out that they were improperly used.

Chairman KING. Do you believe the system is working adequately?

Mr. MAYER. I believe the system is working adequately. We can always do a better job, though.

Chairman KING. Okay.

Mr. Pascrell?

Mr. PASCRELL. Thank you, Mr. Chairman.

In the response that you made to the Chairman of this committee, I do not accept it. It is a blending and melding, as we say in pinocle, of programs so that we cannot tell what is the money for basic needs and what is the money necessary for terror needs. That is why the Fire Act was passed long before 9/11, as you know. The needs were there. The Congress of the United States in a bipartisan way decided that they do not accept that the local community and the states have the total responsibility. That is why the

Fire Act has a tremendous across-the-board support, and has proven so successful.

Two-thirds of all the fire departments throughout America operate with inadequate staffing. This statistic alone is pretty striking in communities of at least 50,000 people. I have in the center of my district a city, but I am talking about 50,000 or less. We are all in this together, aren't we? Thirty-eight percent of the firefighters are regularly part of a response that is not sufficient to safely initiate an interior attack. You know what that is, right? An interior attack in a building on a structure, and a structure fire, because of a lack of staffing. I did not make that fact up and you did not make that fact up. Congress in an overwhelmingly bipartisan fashion, we decided and endorsed the goals of the SAFER Act. We appropriated \$65 million for that program. That was an initiative also long before 9/11, only passed last year though.

On what basis did the administration decide that this money was completely unnecessary?

Mr. MAYER. First, I would like to start by saying that the Assistance for Fire Fighters Grant Program has not been blended into another program. It remains a stand alone program.

Mr. PASCRELL. At the insistence of the Congress.

Mr. MAYER. In the 2006 budget, it remains a stand alone program that is submitted in the President's budget for this year. In terms of, again, the personnel costs being borne at the federal level, it is the administration's position, and I respect the committee and Congress's disagreement on the funding of personnel with federal funds, we will administer the 2005 funding for the program accordingly, to the dictates of the legislation and the authorizing act, but again believe that it is the federal funding responsibility for us to enhance the capability of the fire service so that they are prepared if there is a major event, and to not use the federal funds for personnel.

Mr. PASCRELL. Mr. Mayer, as I said before, there were 20,300 applications for the Fire Act, and about \$2.6 billion. Did any actual firefighters that you know of help in the administration's decision to reduce the funding by one-third?

Mr. MAYER. The fire program is administered through a very intensive peer process where we include members of the fire service community to ensure we get the input of the fire service. In terms of the crafting of the President's budget, we did that with deep consultation with the various players that we work with in the fire service community, to the extent possible, to craft the budget. The \$500 million request is consistent with our request last year, and we feel it is at sufficient level funding to ensure that the program meets its essential needs.

Mr. PASCRELL. I will go back to the Chair. Mr. Chairman, this is something that needs to be examined, if I may recommend, very, very carefully. This is a sleight of the hand. This is a disservice to our police officers, that is another issue, and also fire. But I want to ask you this question. One thing that is not mentioned today is the role of intelligence and threat information in aiding first responder efforts. I hear from law enforcement in my district that they get more information from newspapers and TV than the Department of Homeland Security. This is what they tell our office.

This is what they tell me. What comes from the federal government is often very general.

I would like your comments on what can be done to improve the flow of intelligence to first responders. General, I would like your views as an observer from the outside on that question.

Mr. MAYER. Thank you, Congressman Pascrell. We have built several different capabilities for us to share information down to the state and local level. I would ask Dr. Albright to actually speak more specifically about those, given the work S&T has done in building those capabilities and identifying those capabilities. So I would defer to Dr. Albright to address that question more directly.

Mr. ALBRIGHT. Actually, the technologies that are in place have been actually promulgated by our CIO shop. Clearly, the issue that we are trying to deal with here is how do we protect classified information. A lot of the information we have comes from sources that we need to protect. So what you have to do is you have to develop technology that allows you to share information across a single network at multiple security levels, so that the people who are cleared to secret information or top secret information can have access to it, and the people who do not end up only seeing the information below some sort of tear line. That technology is available. It has been developed. It was originally developed within the Defense Department as part of some of their efforts associated with coalition work there. It is being adapted for use to this environment.

Mr. PASCRELL. General?

General REIMER. Congressman, thank you for the opportunity to comment on that. I have used intelligence for 37 years. I think I have learned a couple of things from it. First of all, intelligence is always a little bit fuzzy. Under the best of conditions, you are not going to get a very clear picture of what is going to happen tomorrow. It will be a series of events that possibly could take place, under the very best.

The second thing is that intelligence is a very complex operation. It requires a pull system from the bottom up, and a push system from the top down. What I mean by that is the local responders have got to identify those type of things that they are interested in in terms of intelligence. It is based upon their situation. What are the vulnerabilities? What are the risks that they see? Identify those elements of intelligence that they want from the federal government. The same thing, the federal government has to identify from the locals what they want to bubble up to the top.

That system, I think, has to be in place. I think we are moving towards that. I think the key is that Joint Terrorism Task Force that is now being established. I do not think we should spend a lot of time trying to figure out how to get everybody classified, or how to get the proper clearances. I agree with Dr. Albright. There is a need to protect the source, but I think you can do that in an unclassified way.

What the people at the local level, in my opinion, want is what do we think is going to happen and what should they be alert for.

Mr. PASCRELL. General, if I may in conclusion, Mr. Chairman, this committee since its inception, both sides have stressed the need to have a bottom up situation to secure America. We cannot



have the idea out there that the federal government is the end-all and is going to solve and protect everyone of the members of our family. In saying that, I do not believe, from what I have seen so far, that there is a bottom up resolution so far. We need to get the locals involved. They are on the line every day, and they know much more than we give them credit for.

Thank you.

Thank you, Mr. Chairman.

Chairman KING. Chairman Cox?

Mr. COX. Thank you, Mr. Chairman.

We have embarked on a discussion, both because of the questions of the Chairman and the Ranking Member, of the way that pre-9/11 programs for assisting first responders integrate or work side-by-side with the post-9/11 programs that are the rationale for the Department of Homeland Security itself. Prior to 9/11, we had a COPS program. Prior to 9/11, we had fire grants. What I am hearing in your presentation of the department's budget for the next fiscal year is that we are going to sort of finger paint these things together. There is a good reason for doing so, and there are some reasons not to do this.

I think General Reimer pointed out in his testimony, I know you pointed it out in your written testimony, the fact that we can learn a lot from our response experience with natural disasters. The good news is we do not have an experience base and a knowledge base with man-made disasters that is nearly as extensive. We do not want to ever acquire that experience-base if we can avoid it. So we ought to learn as much as possible from our response to natural disasters, and go to school on that.

Likewise, our first responders are not uniquely prepared to deal with terrorism. They do not sit on their posts each day and wait for the terrorists to come. They also respond to everything else that happens, so they have to be all-hazard. But when it comes to finance, we need to keep clear, it seems to me, how much money we are paying for the pre-9/11 priorities, which were there before we had DHS and we had all these new responsibilities, and how much is additive because these are new responsibilities that we are placing on the back of the first responders.

I think there is a real risk when we meld all these things together. Yes, we want to be all-hazards in operational terms, but I am not sure we want to be all-hazards in funding terms because there is going to be a constant moral hazard of robbing Peter to pay Paul. Some people have concerns about the COPS program. Some people have concerns about the federalism aspects of putting all the first responders on the federal payroll. Some people have concerns about fire grants for similar reasons. Certainly, if you are talking about homeland security dollars, there is a lot of concern about buying everybody a new fire truck. That may not be the highest counterterrorism priority.

But we have these pre-9/11 programs and we have the post-9/11 priorities. It would be not only my advice, but I think the considered judgment of this committee because we worked on it for two years as a select committee with field hearings all across the country, listening to first responders; put together legislation that passed unanimously in this committee. We have tried to work very

closely with the department. It would be our advice as reflected in section one of the Faster Smarter Funding for First Responders Act that we keep separate all these programs reflecting pre-9/11 priorities, and we consolidate all of the counterterrorism programs.

My question for you, Mr. Mayer, is whether or not it is the department's vision going forward that we consolidate not only all the counterterror programs, but all of the pre-9/11 priority programs as well.

Mr. MAYER. I think what we have learned so far since 9/11 is that there are incredible efficiencies gained by consolidating programs that have similar functionality, like a terrorism focus. At the same time, we also recognize the importance of continuing our obligations that preexisted 9/11. That being said, a lot of what occurs in the Assistance for Firefighters Grant Program, for example, is dual use. A fire department when it gets the bell and they start responding to an event, they are going to respond to the event and it is not going to be an issue of whether it was a terrorism event or it was a structural fire from arson. They are going to respond.

So it is our position that what we try to do is make sure that we are creating a broad-based overview that we can make sure that as we allocate resources in terms of the terrorism funding, that it is not redundant to what is occurring in the existing programs, and that those programs are matched in order to reduce those redundancies.

Chairman KING. Does that mean that we want to keep them separate or merge them?

Mr. MAYER. I do not think we have made a decision entirely on the end-point down the road of whether we are going to merge every grant program into a single grant program, for example, or we are going to continue with the state program, the UASI program, the TIPP program and the Fire Grant Program, as well as the EMPG Program, Citizen Corps, those types of programs. We are trying to unify those under a single application so that for administrative purposes for the states and local communities, they have a very simplified process to apply for those grants. But we have not reached an end-point in terms of these final consolidation into a single grant program.

Mr. COX. Mr. Chairman, my time has expired.

I wonder if I could just on my way out the door, as it were in terms of my time at the mike here, instigate a conversation between General Reimer and Dr. Albright concerning your suggestion, General Reimer, that we have an Underwriters Laboratory or Consumer Reports-type function more explicitly set up, either within DHS or under the auspices of DHS.

I wonder if, Dr. Albright, you could react to that?

General REIMER. Thank you, Mr. Chairman. Yes, the basis of my suggestion in my written statement was the fact that emergency responders have a menu of equipment to choose from, and they seldom have the testing data by a third independent agency to make that decision about whether to buy or not. I think this nation has a lot of testing infrastructure available. I think it is available, and DHS is building some. DOD has some what I think is underutilized capability. I think by sharing that testing infrastructure, we could require manufacturers to require their equipment, or to have their

equipment tested, that the results of that equipment testing be made available to emergency responders, first responders.

As people use it, they can share ideas about how well it worked, and it gets into the consumer report-type approach. We have a system in place with a responder knowledge-base to do that. That is one of the things I think it is designed to do. I hope we can see our way through to do that.

Chairman KING. Dr. Albright?

Mr. ALBRIGHT. In fact, actually I think we are in full agreement with that general notion. There are obviously a number of different ways that you implement this sort of activity. For example, in terms of standards for respirators or for personal protective equipment, sort of a nonprofit kind of organization is capable of doing these kinds of testing, and that we would certify as having the appropriate infrastructure and appropriate protocols is exactly the way to go.

On the other hand, you have things like, for example, the testing of equipment or the setting of standards for equipment that would test as to whether or not a white powder is anthrax or not. That is something you cannot generally farm out the testing process out to a private or nonprofit laboratory. It is the sort of thing you generally would have to do within a federal facility. In the President's 2006 budget, for example, we have a facility, we are putting \$9 million toward a facility to test radiological nuclear equipment at the Nevada test site against real nuclear material. That is not the sort of thing, again, that you can just farm out to anybody.

So what you really need is a collection of assets that span the space of equipment that you do need to test. The trick here is to make sure that, first of all, we have appropriate standards in place. It is really not enough to simply tell a manufacturer to just go out and validate your performance claims. It is also important to make sure that those performance claims in fact are doing useful things for the first responder community. The first responders typically do not have within themselves the technical resources to evaluate whether a certain performance spec that they read on a radiation detector is the appropriate performance spec. They are basically at the mercy of the claims of the vendor.

So the thing you have to do is first set the standard, and then create the laboratories and protocols that validate that standard and create that Consumer Reports capability.

Chairman KING. Mr. Thompson?

Mr. THOMPSON. Thank you very much. I now understand why Chairman Cox is the Chairman. He sort of took part of my question. But I want to follow up a little bit on where we are with respect to standards and testing.

Small departments like large departments are subject to vendor pressure to buy products, from radiation detectors that have absolutely no certification or anything like that. Where are we in this process of setting standards and making requirements within the department so that people who are potentially at risk in handling this equipment going to an emergency scene can reasonably be assured that the equipment being offered is the equipment that will do the job?

Mr. ALBRIGHT. We have a fairly robust standards effort within the department. We, for example, have issued recently through ANSI a set of standards for radiation detection equipment. We are about to issue a standard for amino assays for people who want to sample these white powder incidents. We have tens of thousands of these incidents that happen every year across the United States. We have issued standards for, again, personal protective equipment, including suits, including respirators. That effort is continuing.

Then we work very closely with ODP to make sure that as those standards are issued and promulgated that they become part of the grant guidance that goes out to the states so that, again, the communities have some assurance that the money will be spent appropriately. So it is really, on the one hand, it is a push. We are developing standards. We are issuing them. Again, we are creating protocols and certifying laboratories to test against those standards. We have a technology clearinghouse. We work very close with General Reimer and his folks to work with the standard equipment list and make sure that that kind of information as it becomes available is available to the first responders.

Then at the same time, there is this pull at the other end, which is that as the grants are being issued, the people know that they have to buy things that really do conform to the standard.

Mr. THOMPSON. General, do you want to make a comment on that?

General REIMER. The only thing I would say to add to that is that there is an agency out there called the Interagency Board for Equipment Compatibility and Standardization, IAB, which I think does a great job. It has been headed up most recently by the deputy fire chief in Seattle, AD Vickery. It brings together the combination of users and federal agencies and determines those standards that are needed. It helps put this issue about standards. They have done a great job in coming up with their selective equipment list, which has now been blended into an authorized equipment list put out by ODP.

You now have federal grants tied to the authorized equipment list. So I think it is moving in the right direction. We do not have standards yet for everything. We need to continue to keep the pressure on there.

Mr. THOMPSON. Thank you.

Mr. Mayer, one of the issues I think is perhaps philosophical is that while equipment support is significant from a federal perspective, the personnel requirement that somehow the department sees itself not being involved in, and that is a state and local issue, according to your testimony. I talk to mayors and county officials all over who feel that you cannot separate the two; that when we step back from terrorist-related incidents and not provide personnel support, that is basically an unfunded mandate on those communities.

I really would like the department at some point to look at that, this approach that we cannot help with personnel. It is a major, major issue in a number of communities, both large and small. As we set policies by which communities are governed, I want us to

be sensitive to the fact that we need to provide resources in many instances to go with those policies.

Mr. MAYER. We will look into that for you.

Chairman KING. The gentleman from Alabama. I would just remind the panel that we have a vote coming up at 11:30 a.m., so I would ask members to try to keep their questioning within the 5-minute level. No reflection on the gentleman from Alabama.

Mr. ROGERS. None taken. Thank you, Mr. Chairman.

Like Mr. Thompson, I am very sensitive to volunteer firefighters. My daddy is a retired fireman, and as a local elected official I had a lot of interaction with volunteer fire departments. I am particularly sensitive to having their needs met.

I am curious. The \$500 million for the Assistance of Firefighters Grant Program which you have stated is \$150 million below last year's appropriation. Do you believe that number that we have in the 2006 budget is going to be adequate to meet the new enhanced needs that our Chairman referenced earlier in a post-9/11 era?

Mr. MAYER. Congressman Rogers, I do believe it is sufficient because it is not funds in a vacuum. It is funds on top of \$2.04 billion with the SHSGP-UASI funds and other streams of funding that can help the state and local communities prepare in a post-9/11 world. So I do think it is sufficient, sir.

Mr. ROGERS. On a second point, the Center for Domestic Preparedness is in my district, in Anniston, Alabama. I am curious, first, as to your general impression of that installation, whether it is meeting its objectives, what it is doing right, what it is doing wrong, and how this budget is going to affect that installation and the role that it is playing. When it comes to these volunteer units, it is in my view a wonderful resource.

Mr. MAYER. Yes, the Center for Domestic Preparedness is a tremendous resource and federal asset to the country. Marion Cain and the group he has down in Anniston, they do a tremendous job. I will be down their next week on Wednesday with the group that will be training there. The number and volume of first responders that they bring through that facility to train on the chemical response issues, they really do a top-notch job. It is just a tremendous facility. It is a jewel to the State of Alabama, and we are pleased by all the work they are doing down there.

Mr. ROGERS. Is this budget number going to adequately support their mission?

Mr. MAYER. It is. It is. What we are trying to do, consistent with moving a number of responsibilities to the state and local level, is to create a fairly robust training program. What we are going to try to do, because we have heard some of the constituency and stakeholder complaints about trying to get that training out, so we are going to try and put more emphasis on getting our awareness and lower level training into the state institutions, the fire academies police academies and what not, so that places like CDP and our national domestic consortium partners in the other states, can focus on more the high-level specific expertise that they bring to bear, like CDP does with the chemical issues.

Mr. ROGERS. Excellent. That is all I have, Mr. Chairman.

Chairman KING. Ms. Sanchez?

Ms. SANCHEZ. Thank you, Mr. Chairman.

Thank you, gentlemen, for being before us today. I just wanted to echo the issue with respect to trying to help with the funding of personnel for the local responders. The reason I say that is that really in talking to all the local responders, for example in the city of Anaheim which I represent, when we go on an orange alert, it is about \$30,000 extra per day just to put the right staff in place that the city feels is necessary, considering that we are a big tourist mecca and we have so many large venues that generally have ongoing events simultaneously.

And I understand their hesitancy in wanting to fund positions, for example. But there might be ways to do it where we could actually really help the local agencies. For example, I am thinking of the Joint Terrorism Task Force where the local agency sends somebody. It has to be a very high-level person. That takes a lot, to take a high-level person from local law enforcement, and put them out for two or three hours when you are having your weekly meeting. That is a big chunk of money, actually, for the agencies. So maybe there are ways in which we can help fund specific positions. I know a lot of my law enforcement agencies have stopped attending those meetings, even though they have found them very valuable, but they just cannot take away a high-level person and not really be reimbursed for that.

I understand the logic in not wanting to fund particular positions for local law enforcement, and of course our firefighters, but maybe there are other ways in which we can help not make it so painful for them to do the right thing, like attending those meetings.

I also have a question, because I have proposed several bills in the last Congress and I am going to try to push for these things again. I have proposed a bill to create within the Office for Domestic Preparedness an Office of Comptroller to oversee the efficient distribution of grants funds from DHS to local first responders. I thought that the directorate would be the obvious place to put that because of the mission of your office to coordinate state and local coordination. So I would like to know, do you think that position would be helpful?

My second question would be, I also introduced a bill to award the grant funds directly to the local agency. Right now, we pass them through the state. They have to pass on at least 80 percent of those funds, but the lag-time, or as you continue to say it, everybody in the system says, well, they are in the pipeline, they are in the pipeline. But the reality is it rarely gets down to the local agency. It rarely gets down there. When it does, it is a long lag-time. What would you say to sending those funds directly to the local agencies, even though there would be some oversight by the states as we currently have it?

Mr. MAYER. Let me address your two questions and your comment before that in terms of funding. One of the things we do do, and have done historically and the 2006 budget allows us as well, is the use of the SHSGP and UASI funds for overtime during those heightened alert periods, as well as for training. So when a firefighter has to go to training, it allows us to pay that overtime, so we help the communities with that money. So that is one area of how we fund elements of the personnel costs.

In terms of the comptroller issue, that is an issue out of the task force on funding that came out last year, that was chaired by Governor Mitt Romney. One of the issues was grant oversight. In our office, we are presently in the process of building that type of business oversight, not an official comptroller, but that type of accountable individual within our office who will be the grants management authority. So we already are on our way to doing that today.

In terms of the direct funding, we do think it is important to continue to have the states as the single point of contact to be the responsible entity at the state levels for those funds, then to get those funds down to state and local level. You are right, there are issues in terms of getting the funds delayed and passed back down into the local communities. We are currently working through our assistance program to find out what best practices exist across the country that some states or local communities have done to ensure that that money gets out faster, smarter. So what we are going to do is once we get those best practices compiled, we are going to get those sent out across the country so we can work with the state and local communities.

Our technical assistance program also works with state and local communities on helping to identify ways to remove some of the blocks that may be occurring in getting the funds distributed. But we do believe that it is important to keep the state as the recipient of those funds to get those distributed. We just need to do it better, faster, to get money down to the local communities.

Chairman KING. Mr. Pearce?

Mr. PEARCE. Thank you, Mr. Chairman. I have several questions, if I could squeeze the answers down to yes or no, I would appreciate it.

Mr. MAYER. I will speak quickly.

Mr. PEARCE. Mr. Mayer, when I look at the fact that we have \$310 million out of \$2.9 billion, that is all that has been moved. You put a decimal on a piece of paper, and you put one, two, three, four, five, six zeroes, and you add a one, it is a fairly low utilization rate. Do you have a list of the programs that are not using the funds?

Mr. MAYER. We have a list of all the states in UASI cities, with their funding, where they have obligated the funds. Most of the funds have been obligated by the stated UASI cities.

Mr. PEARCE. Remember, I have a lot of questions here. I am trying to press you. You either do or you don't.

Mr. MAYER. We do have a list. We will get you the list.

Mr. PEARCE. Is it possible to get those lists?

Mr. MAYER. Absolutely, sir. We will get it to you.

Mr. PEARCE. I appreciate that. I would like to inquire, do any of those programs include fire departments?

Mr. MAYER. The fire departments do receive funding under the SHSGP and UASI programs.

Mr. PEARCE. What states are using, what, zero, zero, zero, zero, one-tenth of the funds that they were using. Are any of those include fire department funds? Are the fire departments all using 100 percent of their funding?

Mr. MAYER. Under the SHSGP and UASI funds, I do not know the answer to that question. We will get that to you. Under the Fire Act Program, they are.

Mr. PEARCE. I think that is probably a very critical thing. Do you ever have oversight hearings to see that if a state takes funds, and if an agency in a local area asks for funds to be used in a certain way, does the department ever do oversight hearings to see that the funds are actually used for that purpose?

Mr. MAYER. We do as part of our daily interaction through our preparedness offices with the state and local communities, monitor it.

Mr. PEARCE. Is there a high level of correlation?

Mr. MAYER. We think most of the states are doing a pretty good job of using their funds appropriately.

Mr. PEARCE. Do you have examples of states that are not doing good? Can we get copies of that if you have examples of states not doing well?

Mr. MAYER. I will get that back for you.

Mr. PEARCE. Thank you very much.

Mr. Albright, when you get information on drugs and human trafficking across borders through the DHS, is it possible to share that information? Are you all strict with DHS when it comes down to trafficking and illegal substances, do you share that information?

Mr. ALBRIGHT. I can get back to you on that. My impression is that we do share that information. I know, for example, that we have a program down at the Arizona border that precisely does that.

Mr. PEARCE. Yes, if you would get back to me, because the information I have from my district is that it is not a very good correlation.

Mr. Reimer, on your national strategic plan, there are 200 miles, roughly a couple hundred miles of border in the southern part of my district with Mexico, and not even a barbed-wire fence. The Los Angeles Times just ran an article about the increased activity across there because greater numbers of agents have been put in Arizona, California, Texas, and it leads to a funnel effect where New Mexico gets the benefit of all the illegal activity. So I guess my question is, in that national plan what do you anticipate doing about that stretch of border that has some interest for me, and how does it play into the national plan?

General REIMER. I am not advocating one way or the other on that. I think it has to be addressed. Obviously, it is something the nation has to decide what they want to do about the borders. I have found that in Vietnam, we were very poor at closing off the border. That is a policy issue. Once the policy is decided, then you can start putting resources against it. That is what I have tried to advocate.

Mr. PEARCE. I guess my question is, in your national strategic plan that you testified about and is written up in your plan, there is not much discussion of areas of the border like ours.

General REIMER. Are you talking about the national strategy?

Mr. PEARCE. The national strategy plan, excuse me.

General REIMER. I do not know the specifics of what is written in that. I will have to go back and look at that part of it.



Mr. PEARCE. Okay, fair enough.

Mr. Albright, you mentioned the nano-technology is doing really great things as far as providing biological protections for our first responders. Could you give me an example of what nano-technology has done?

Mr. ALBRIGHT. For example, in detection systems, one can develop very sensitive and yet, one of the issues we have with detectors in general is the lack of specificity. We can get very sensitive detectors, but then they false alarm all over the place. With nano-technology, it is possible to develop exquisitely selective detection systems for certain chemicals that you really cannot do any other way.

Mr. PEARCE. Sure. I appreciate that. I appreciate all your answers. We got a lot in the 5 minutes.

Thank you, Mr. Chairman.

Chairman KING. There is only one vote. Chairman Cox is going to leave. I am going to stay and we are going to try and keep the hearing going.

Ms. Christensen?

Mrs. CHRISTENSEN. Thank you.

I would like to welcome the guests. I guess I have a few questions. Some have already been asked, so I will just leave those alone.

Acting Executive Director Mayer, on the State Homeland Security Grant Program, I notice that there was a difference in the amount that the territories had to pay compared to the states. The territories receive .25 of their funds federally, while the states received it at .75. You say in your testimony, I think, that the President's budget for 2006 recommends that the states have a minimum of .25 contribution. Has any consideration been given to doing that across the board?

Mr. MAYER. That applies to territories as well.

Mrs. CHRISTENSEN. It does apply to the territories.

Mr. MAYER. They receive .25 as well.

Mrs. CHRISTENSEN. Okay, great.

Dr. Albright, you talked about the RTI, I think that was in your testimony, and the need to expand that, or your plans to expand that.

Chairman KING. Ms. Christensen, could I just interrupt for one moment? Maybe some of the members who have not asked questions may want to go over and vote and come back. Otherwise, we are going to be without members to ask questions.

Mrs. CHRISTENSEN. Okay.

Yes, given the budget that is proposed for 2006, do you anticipate that you would be able to do the kind of expansion that you envision within the budget that you have? For instance, on RapidCom, would you be able to expand that to the next 50 metropolitan areas, the other 50, to the full 50?

Mr. ALBRIGHT. No, I do not believe that. I do not believe within the fiscal year 2006 budget we have the capacity to do that. As you know, RapidCom is primarily a technical assistance program where we work with the locals to put together a plan, and then to integrate the technology into their communities. They buy the technology, though, through their grants programs. It is really more

personnel than anything else. To the extent that we can provide technical assistance, we will.

Mrs. CHRISTENSEN. Okay. I guess I would ask both of you, because the grants are going to be more distributed more closely on the basis of risk and vulnerability and need, have you already prioritized the different jurisdictions in terms of the risk priority?

Mr. ALBRIGHT. In terms of RapidCom?

Mrs. CHRISTENSEN. For the grants.

Mr. MAYER. We have not. What we will do is we will put together a working group to really hone down on what should be involved in this analysis, so that way we get representations from all levels of government to come up with a good consensus.

Mrs. CHRISTENSEN. We have long been concerned about, since the committee has been in existence and the department has been in existence, some of the delays in getting the different directorates up to par, staffed, some of the mandates addressed. There was a report in The Washington Post that indicated that there was a lot of in-fighting within the department. You, Mr. Mayer, pointed out that you do not exist in a vacuum; that you have to work with the other directorates and agencies within the Department of Homeland Security. Have you seen the article? I would like to hear your comments on it because, again, we have been very concerned about the slowness of some of the directorates.

Mr. MAYER. Yes, I think we have worked extensively across the department with S&T on the issues where we have similarities with the Emergency Preparedness and Response Directorate, with the Intelligence Analysis and Infrastructure Protection Directorate. Really, everywhere where there is a cross-cutting issue, we work closely and coordinate very effectively.

Attendant to the merger or consolidation of 22 agencies into a new department, you are going to have bumps in the road. I do not think that what is reported in the press is consistent. I think that there obviously are going to be bumps in the road, but the department is functioning well and it is working very hard on its missions, whether that is in my office or Dr. Albright's office or elsewhere.

Mrs. CHRISTENSEN. So as we have our hearings in this 109th Congress, we can expect to see some improvement in the speed and setting up of the different agencies and the directorates and meeting the mandates.

Mr. MAYER. I cannot make any promises, but we will try.

Chairman KING. The gentlelady's time has expired. The gentlelady from Florida.

Ms. HARRIS. Thank you, Mr. Chairman, and thank you all for being here today.

Acting Director Mayer, I had a couple of questions. One, I wanted to align myself with Congressman Rogers's comments on fire-fighters, especially post-9/11, when we saw their enormous courage and sacrifice, as well as the life-saving equipment that they so desperately need today. Thank you for your comments about the additional funding that will be coming through the other channels. We will just continue to monitor that.

I had a question. The President's budget proposal requires that the states update and prioritize their existing homeland security

strategies in order to meet a soon-to-be-released minimum capability level in national preparedness on all of the priorities. One, I wondered, when do you anticipate that date? Is it going to be in the near future? How much time will the states have to comply with those minimum standards? Are there any states already that are adequately addressing those standards that are going to be proposed?

Mr. MAYER. Excellent question. The national preparedness goal and planning guidance will be issued on March 31, 2005, so roughly less than 2 months from now. What we will then do is once that is issued and we have guidance, we will do a roll-out, a series of roundtables and town halls across the country in order to bring everyone up to speed, and then work with them as they update their state strategies and their plans to make sure that they incorporate what we have identified as those target capabilities. So they will have adequate time to do that once we get that information out to them.

What was the third part of your question?

Ms. HARRIS. Have any states already reached that adequate position?

Mr. MAYER. Because the HSPD-8 implementation process has been interactive in the sense that we have involved people from all levels of government, state and local communities, many of them have participated in the development of those lists and of that information. So a lot of states are already doing a lot of work towards knowing this is coming, towards getting up to speed to prepare for that eventual product.

Ms. HARRIS. Thank you.

Dr. Albright, as you are aware, Congress has just completed a massive consolidation of our nation's intelligence functions. The reforms are primarily designed to facilitate better communication between all the agencies. The President's budget has called for an additional consolidation of the science and technology. What mechanisms are in place that are going to ensure that those key individuals within the S&T Directorate, as well as the Department of Justice, Treasury and State, are going to properly leverage those resources and share the critical information of S&T with each of the departments, so they are going to know about all of the different activities that go on?

Mr. ALBRIGHT. Right. There are actually a number of both formal and informal coordination activities that occur across agencies. The RDT&E consolidation that is in the President's budget refers to the consolidation of activities within the Department of Homeland Security. But as you well know, homeland security writ large is really the activity of almost every federal agency, and every federal agency that has a research and development activity clearly has some role to play in homeland security.

The perfect example is Health and Human Services. They are responsible for developing medical counter-measures to bioterrorism events. In fact, their budget is almost twice as big as ours in total. So what has happened is that at the White House level, both through the Office of Science and Technology Policy, the National Science and Technology Council, and then also through the Homeland Security Council, there are a number of very formal inter-

agency working groups that I am part of and staff are part of, that are dedicated to in fact coordinating and exchanging information, making sure that everybody has de-conflicted what they are doing, and everybody understands what their running lanes are.

And then, of course, there is a lot of informal activity. I personally meet with Tony Fauci, for example, probably about once a month just on a variety of issues. I meet with the Department of Energy folks all the time. So it is a fairly small community and we all kind of know each other. So informally, there is a lot of coordination that occurs at that level as well.

Ms. HARRIS. But Homeland does not have its own R&D? It does not have its own?

Mr. ALBRIGHT. Oh, yes it does. Absolutely. In fact, we have a \$1.4 billion budget.

Ms. HARRIS. So that is how you formulate it.

Mr. ALBRIGHT. Absolutely. Right.

Chairman KING. I am going to recess the hearing for 10 minutes. Unless the parliamentarian objects, I am going to come back at 11:40, but give Congressman Dicks the opportunity to make a statement to General Reimer.

Mr. DICKS. I just wanted, first of all, to say hello to General Reimer, who I have always seen in a different venue over at the Defense Appropriations Subcommittee. I did not know you were doing this. I think it is outstanding. I had a chance to read your statement when I got here, because I was over at the Defense Subcommittee.

How do you think we are doing overall?

General REIMER. Congressman, I think we are making progress. I think the question is, are we making progress fast enough. I think we are in a race with time. I think, as we used to say in Oklahoma City, it is not a matter of if this happens again, but when it happens again. I think we certainly have a threat that we are going to have to deal with. I think it is of some urgency that we do it as quickly as we possibly can.

I think the creation of a national preparedness system will allow us to start to focus on the threat, the vulnerabilities, and provide us a good means of allocating resources. So I am optimistic that we are making progress. I would just hope that we could do it a little bit faster.

Mr. DICKS. On your three key programs, your flagship programs that you mentioned, are they out to all these people? Are there Web sites? Can they be drawn upon?

General REIMER. Yes. The LLIS, the Lessons Learned Information System, was launched last April 19. It is a national system. It is available to emergency responders. Because it has sensitive information, not classified information, but sensitive, emergency responders must go through a registration process, but we have tried to minimize the hassles associated with that.

Responder Knowledge Base is available. It is an unclassified system. It is something that emergency responders can go in and look at the authorized equipment list to get comments concerning how well that authorized equipment list works; make decisions about where federal grants are and get help in putting federal grants against that. The other one is totally unclassified. It is a Terrorism

Knowledge Base which allows anybody anywhere in the world to come in there and to bore down in specific areas on unclassified information. I basically took the RAND database that they had accumulated for 35 years and put it in a one-stop shopping center. It has been very, very helpful to emergency responders, researchers, everybody.

Mr. DICKS. Keep up the good work. I will come out and see you there.

General REIMER. Thank you, Congressman.

[Recess.]

Mr. COX. [Presiding.] The hearing will resume, and the first question goes to Ms. Lowey.

Mrs. LOWEY. Thank you, Mr. Chairman.

I want to thank the panel. I would like to follow up on an issue that was briefly alluded to by, I believe, Mr. King and maybe Mr. Pascrell with regard to formula. Perhaps I should direct this to Mr. Mayer. I applaud the President's efforts to better target out first responder funding to areas with increased risk and threat of a terrorist attack. Certainly, many of this feel this is long overdue.

We have distributed billions of dollars to areas with a low risk of attack, and this is somewhat related to Mr. Pearce's comments before, wanting to know where the money is that has not been used. The most vulnerable cities are left without sufficient funds to prepare for terrorist attacks. One of my top priorities, and I know it is one of Mr. King's, Mr. Pascrell's, and Mr. Sweeney's, several of us, has been to ensure that New York receives its fair share of homeland security funds.

Quite frankly, it really does amaze me that we have gone this long allocating such a large portion of homeland security funds based on everything but the risk of a terrorist attack to a particular area or region. It seems to me that the solution is not to specify in the budget every single year how we want funds to be allocated. I know there was an adjustment, and you will probably tell me that New York did get a pretty fair allocation, but it is still not in the change of formula which many of us requested.

You probably know that in the 9/11 bill, we had a change of formula in the House bill. I do not know why the Senate did not concur, but they did not. So it seems to me and to many of us that the solution should be to make permanent changes to the funding formula to ensure that our dollars go to those who need it the most. Maybe you can tell me, how would a permanent change in the way that these homeland security dollars are allocated benefit a high-risk city such as New York? And what is most important, your office's capability to plan in advance to work with states on the planning process? Mr. Mayer?

Mr. MAYER. Thank you, Congresswoman Lowey.

Yes, the President's 2006 budget indeed does request a change in the formula from the .75 base and the rest done by population, to a .25, and then the remainder done by risk and need, which is the SHSGP Program. The UASI Program, which is in its fourth year, is and has been based on risk and threat, in which New York has consistently been the top city in that program.

So as we progress through those two programs in the 2006 budget, what you will find, I think, is with the UASI Program being risk

as it has been, and then the change of the SHSGP program from the PATRIOT Act formula to a .25 base minimum, and the rest done by risk and threat, that we are doing our best to make sure that we focus our finite resources in both personnel and funding to those areas that are of most interest to our enemies, and therefore are of the most concern to our nation. So we are doing that in the 2006 budget.

Mrs. LOWEY. Well, I assume you would like to see a formula change permanently so that you can plan ahead, and that those states with the greatest risk would know in advance, and it would make it easier for you to allocate.

Mr. MAYER. That is correct. The 2006 budget we hope is a permanent change.

Mrs. LOWEY. Now, I also am looking at the budget request, Mr. Mayer. I have noticed that many programs have been moved from one program area to another. One example, port and transit authorities which received around \$300 million under the Urban Areas Security Initiative Program in fiscal year 2005 are now placed in the new Targeted Infrastructure Program. UASI Program funding is distributed to high-threat, high-risk urban areas, and the proposed Targeted Infrastructure Program does not appear to be restricted to high-risk areas.

I appreciate the fact that the President's proposal does incorporate, as you said, the idea that funding should be directed to areas most in need of the programs, but why isn't the policy of distributing money based on the threat of terrorist attack put into place in more of the grant programs?

Mr. MAYER. Thank you. The TIP program will be based upon risk. So what we have done is consolidate a number of programs into a larger infrastructure protection program.

Mrs. LOWEY. Is it restricted? Am I wrong? Is it restricted to high-threat areas?

Mr. MAYER. It is not restricted to the UASI areas. It is restricted to sensitive, critical infrastructure and high-risk, whether it is port, transit, or critical infrastructure, inner-city bus, those types of issues. So it is not restricted to the UASI jurisdictions, but we are trying to take a national capabilities-base view. So there may be critical infrastructure, let's say Los Alamos, where we would want to help that critical infrastructure be built, but the focus is going to be on risk.

Mrs. LOWEY. I guess I will have to save the interoperability question. I see the red light, Chairman King.

Chairman KING. [Presiding.] As you know, I would be very hesitant to ever shut you up. But now that you have shut yourself off, I will.

Mrs. LOWEY. Oh, no, no, no.

[Laughter.]

Chairman KING. Yes. The Vice Chairman of the full committee, Mr. Weldon.

Mrs. LOWEY. Always a gentleman, Chairman King.

Mr. WELDON. Thank you very much, Mr. Chairman. I look forward to working with you.

Let me start off by thanking the distinguished Chairman for allowing me to travel to Moscow last week and give the opening

speech at the first U.S.–Russia Homeland Security Conference. There were 25,000 people in attendance. As I walked the exhibit area, it was amazing to see not just the hundreds of American companies that were there, but the unbelievable technology that Russia has. That group will be coming over here, and perhaps we can even learn from some of their technology. I appreciate the Chairman supporting that effort.

I am going to raise a series of priorities. First of all, and I am sure Mr. Pascrell already brought this up, the lack of funding for the SAFER Program. Here is my problem. The administration continues to support money for the COPS program, not under your jurisdiction. But the COPS program is designed to put more police on the streets. Is a police officer more important than a firefighter? The point is, if the SAFER program is not appropriate because the federal government should not be involved in supporting local fire protection efforts, then why is the federal government supporting money for local police efforts?

The fact is, if you take all the money under our jurisdiction for first responders, and you add in the money under DOJ, which includes half the cost of protective vests. I used to be a local mayor. The federal government pays for half the costs of that. Is the life of a police officer more valuable than the life of a firefighter? We lose 100 firefighters each year.

So my question is that needs to be answered this year, and it is one that you are going to hear from these members, why is there a discrepancy? The last time I calculated, we are spending \$4 billion a year on local police officers and law enforcement. I am a strong supporter of the police. But how do we differentiate between a police officer and a firefighter? Specifically, the SAFER program, which passed with an overwhelming majority, has no money. Then if that is the priority, then why are you funding the COPS program?

Clearly, it is a double standard as far as I am concerned. AmeriCorps needs to be re-implemented. I know it is not under our jurisdiction, but you need to know that the volunteer fire service in this country, 32,000 departments, are hurting for manpower. That is why we put into place the SAFER program, which also provides grants for volunteer companies to recruit more volunteers.

It was amazing for me to find out a few years ago, but it does not surprise me in this city, that the AmeriCorps program which was designed to create volunteers did not think it was politically correct to support volunteer firefighters. So in the first 5 or 10 years of the existence of AmeriCorps, the 32,000 fire departments and the 1 million volunteers were not eligible for the AmeriCorps program. Talk about stupid. There has been some movement. I would encourage you as a no-brainer and a no-new-dollar element to use your influence to have the AmeriCorps program aggressively support volunteer fire and EMS organizations. It does not cost any more money.

If they put out guidelines specifically for fire companies and paramedic units that are volunteer, you could go a tremendously long way to help, because we cannot fully fund the SAFER bill. It does not solve that problem, but it is a way that we can help. Your

influence, because we do not have jurisdiction over that, can be a big help to us.

The third thing is, we need to get involved in some very specific technology. I am going to mention two areas. For the past 5 years as a senior member of the Armed Services Committee and a member of the Science Committee, and former Chairman of Defense R&D, I am appalled that we have spent taxpayer money to develop GPS technology, and we have not mastered it in the military for both vertical and horizontal. We have also mastered sensor and transmitter technology for our soldiers.

The question becomes, why then haven't we developed a technology application that you can have a firefighter or police officer wear that tells you where they are and how well they are doing at every incident? If we had had that in Boston, we would not have lost six firefighters. When their air supply ran out in the warehouse, the chief did not know they were laboring, did not know they had collapsed. He sent four more firefighters in to get them. All six died. If they would have had GPS transmitting devices on them, and if they would have had the transmission devices monitoring heart rate, pulse, breathing conditions, we could have gone in, known where they were, and gotten them out. It is a no-brainer.

So this year, this session, as our homeland security leaders evolve with emergency response, that has got to be a top priority because that saves lives. It saves the lives of firefighters and police and paramedics who are killed every year by these circumstances.

The same thing applies to a situation that I uncover when I visited the Loma Prieta Northridge earthquake. Was that 12 years ago, Mr. Chairman? I was walking the freeway with the chiefs of San Francisco and Oakland, and with the incident commander from California, Jim McMullin. They were looking for people trapped in vehicles in between the freeway. I said, chief, why aren't you using thermal imagers, because your dogs cannot get down into the crevices between the two layers? The chiefs of Oakland and San Francisco, two very capable departments, said: What are thermal imagers? They were not aware that the military developed thermal imagers 10 years earlier, yet thermal imagers have a tremendous value for emergency response.

So we came back and put a bill into play 12 years ago to create a national computerized inventory that could be accessed through a Palm Pilot, so an incident command officer on the scene, whether it is a fire chief or whatever it is, if they needed, say, like Chief Marrs when Oklahoma City needed structural engineers. He could go into that, punch in "structural engineers," and know where to get that help immediately because he had people trapped in that multi-story building.

That kind of capability, we ought to be developing for homeland security because that gives the incident command officer the kind of tool that lets them deal with problems immediately. The technology is there. The resources are there. So I would ask you to look at that as a challenge and a priority for this year.

Finally, interoperability. It was mentioned by the Ranking Member and others. It is a number one issue. You cannot have departments come together and not speak to each other. When I was at the first World Trade Center in 1993, with Fire Commissioner



Safir, he sent me down to the command post. I said, what is your biggest problem, Commissioner? He said, the fire department cannot talk to the port authority; the port authority cannot talk to the police. That was in 1993. Eleven years later, we still do not have an interoperable domestic communications systems. We need you to help fight the battle on frequency spectrum allocation. The Congress in 1995, after the PSAC Advisory Committee reported that certain frequency spectrums should be set aside for public safety, still has not done that because the big carriers, the big TV giants, do not want to give up that frequency spectrum.

Those are the areas that in my opinion need the most attention for this group of people, and I would appreciate your help this year.

Mr. MAYER. Just on two issues, Congressman. Of course, you have done wonderful work in the fire service, and I had the honor of being at the fire service dinner last year and I think I have your bobble doll in my office. I feel like a bobble doll today, but it was a wonderful gift.

[Laughter.]

Mr. WELDON. We will make one for you.

Mr. MAYER. Thank you. As you know, we have launched the Fire Corps Program under our Citizen Corps umbrella, which is going to help hopefully to meet some of the needs of the firefighter and fire departments across the country that could use that volunteer support. We hope that that program will be as successful as the Citizen Corps Program.

Mr. WELDON. Is that under AmeriCorps?

Mr. MAYER. No. It is under the Citizen Corps, Freedom Corps initiative through the White House. So the Citizen Corps program, which is in our office, and the request is for \$50 million in the 2006 budget is so that we can continue to grow that Fire Corps Program. We launched that back in November, December of this past year.

In terms of interoperability, you are absolutely right. Just so you know, in fiscal year 2004, which is where we have our data, the amount of money spent on interoperable communication in the SHSGP-UASI program was just under \$1 billion. It was the single largest element of money we spent. Across the spectrum of what we do, interoperable communication was the number one place where money was spent. So we are doing good work. We have a lot more to do, and I know that Dr. Albright and his team are working very hard on the final solution to that, but we are doing some good work there.

Chairman KING. The gentleman from Texas.

Mr. MCCAUL. Thank you, Mr. Chairman.

First, I want to thank the administration for moving towards a risk-based formula. I think that was a step in the right direction. I worked in counterterrorism with the Justice Department in the Western District of Texas for a while. I think that is certainly the right approach.

I had a question, though, about the UASI grant money. Is that also going to be allocated on a risk-based formula, or is that just going to remain with the top 50 metropolitan areas?

Mr. MAYER. Yes, Congressman McCaul, the UASI program identifies the top 50 areas, but it is based on a risk-threat formula that includes population, population density, presence of critical infra-

structure, open investigative work by the FBI, and the ICE, our own Customs folks. So it is a formula that we designate that then determines what are the top 50 cities that then get funded through that program, so it is based on risk.

Mr. MCCAUL. I would remiss if I did not raise my home town, that is Austin, Texas, which is the capital of the President's home state. There was a recent Pakistani that was arrested and charged with making false statements. He took pictures of the historical landmarks, including the Mansfield Dam. In my view, that is a city with a major risk factor, a major one, and I would ask that the administration take another look at that in their funding calculus.

Lastly, I wanted to talk about the Joint Terrorism Task Force. I had a lot of experience with them. I think it is a great way to get various levels of law enforcement together working as a team. Sometimes you have turf battles, but I was curious with the formation of DHS how they are coordinating with the Joint Terrorism Task Force?

Mr. MAYER. It is my understanding that the coordination is going well. You know, there are always again the hurdles of getting through the various issues of territory, but I think they are doing a good job and they are advancing on their mission.

Mr. MCCAUL. Are they fully participating? I know sometimes the FBI is sort of viewed as the lead agency, although sometimes they try not to be. Sometimes they try to be. Is there a problem, you think, with the coordination, or do you think they are fully integrated at this point?

Mr. MAYER. I do not have the level of detail to actually answer that.

Mr. MCCAUL. I understand. It is not a funding question.

Lastly on the regional offices, I think again those are great things for advancing the ball on homeland security. Does the administration intend to expand regional offices to areas like my state and other large states?

Mr. MAYER. I think we are going to establish regional offices. I am not sure they have decided where and to what level those will be staffed. I think that is still in the formative stage.

Mr. MCCAUL. Okay. If you get an answer to that, let me know. I would be interested in that.

Thank you, Mr. Chairman.

Chairman KING. Sheriff Reichert?

Mr. REICHERT. Thank you, Mr. Chairman. I like that title, "sheriff."

[Laughter.]

It is hard to get used to the change.

Chairman KING. I would just like the other members to know if we need an enforcer, you are the man.

Mr. REICHERT. Thank you, sir.

[Laughter.]

My question is obvious, because I am coming from the perspective of the first responder, specifically from law enforcement. I spent my career in a patrol car as an investigator, as a SWAT commander, as a bomb unit commander, and the last 8 years have been the sheriff in Seattle, which has also been mentioned as one of the hot spots in the country as far as a terrorism target.

I would agree that there is a lot of work to do in building partnerships, but I have seen a lot of improvement and a lot of progress being made, so I want to congratulate you for that. Communications sometimes between local law enforcement and the federal agencies is, to say the least, tough. So there has been a movement towards partnerships. I just want to focus first of all on intelligence. It is great to be prepared for an event that has happened and respond to that, and have all the equipment and the training that you are talking about here today. But I think we want to prevent.

One of the most important aspects of prevention is the gathering of intelligence, as the general spoke about. There are some things that we have to be concerned about as we gather intelligence. Working with the Washington Joint Analytical Center and the Antiterrorism Task Force that is in Seattle, one of the things that we have noticed, a weakness in the system of gathering intelligence and having it analyzed then by the analytical center, is the collection of the data and the first and real-time information exchanged between those in law enforcement on the ground in their police cars with their laptops.

Just an example, not too long ago, one of our police officers in the State of Washington stopped someone and wrote them a ticket. They were released. As the ticket processed its way through the court system, it was discovered this person's name was one that we should have been interested in as connected to al Qaeda. He was committing small crimes in the area and then moving the money to that group. If we had that real-time information on the street, we would have had that person in our custody and not had to retrace our steps to relocate.

I am interested in knowing whether or not there is any funding that has been set aside or allocated for that kind of communication system and intelligence gathering, exchange of real-time information.

Mr. MAYER. Excellent question. The bulk of that work is being done in our IAIP Directorate, in the HSOC, Homeland Security Operations Center. What we are doing, prevention is an incredibly important element of the work we need to do to secure this country. A fair amount of the work being done now, especially with HSPD-8 as we come out with those capabilities, some are focusing on the prevention elements, intelligence gathering, intelligence sharing. There is a huge, huge lack of intelligence analysts across the country, whether it is at the federal level or at the state level. One of our competitive training grants from the 2004 program to Michigan State University, which has a very good intelligence program at the graduate degree level, is to develop a training course on intelligence so that we can then take that training course and distribute it as much as we can across the country to the cop on the beat who is going to be the person that notices someone filming a physical structure or who pulls somebody over and does the data check.

So work is being done. I cannot give you the details of where we are in terms of the ability for a real-time patrol car to have the intelligence that is up at the federal level or occurring across the country and elsewhere, but we are getting there. It is going to take time because of the obvious issue with intelligence sharing.

Mr. REICHERT. That is one of the frustrations that local law enforcement certainly is experiencing, because since September 11 it has been a promise that has not materialized yet.

The other piece of that is the Link system in Seattle, as you might know, is one of the five sites across the nation that have been chosen as a test site for Links. I am wondering if that is still a program that is still being pursued.

Mr. MAYER. I apologize, but I do not have information, but I can get that back to you.

Mr. REICHERT. Okay.

Mr. WELDON. Will the gentleman yield?

Mr. REICHERT. Yes.

Mr. WELDON. There is a program called JRES. Are you familiar with that?

Mr. REICHERT. No.

Mr. WELDON. It is a program that was started in L.A. and New York that basically is integrating of data for law enforcement that is very successful. You might want to get a brief on it. Does that come under your jurisdiction or is that under Justice?

Mr. MAYER. JRES I believe came out of Homeland Security so we can definitely get a brief for you on JRES.

Mr. REICHERT. Back to the intelligence issue again. FTEs and federal monies is not a new thing. FTEs are paid for in the Dangerous Offenders Program Task Force with the FBI and also in HIDA Task Force. So when you talk about analysts, I think it is one of the things that I hear locally in the Seattle area is that maybe there could be some funding set aside for training of analysts, and also maybe even look at funding some analyst positions. They do not pay overtime, but they do pay for the FTE.

Mr. MAYER. In terms of the training, that is absolutely an allowable expense. It is development of the training courses, and once we get those, that will be something that is reimbursed under both our SHSGP and our UASI funding. In terms of getting into the personnel funding, permanent FTE, that is a much more difficult question again. It is the same response. We believe that that is the responsibility of the state and local community, and we want to enhance that capability through the training and other elements.

Mr. REICHERT. I appreciate that. Thank you.

Mr. MAYER. Thank you.

Chairman KING. The gentleman's time has expired. I certainly thank him for the benefit of his real-life experience. You are going to add a lot to the subcommittee.

We have finished one round of questioning. We have pretty much gone through everything. I am going to make a comment, and I know the Ranking Member has, and obviously if the Chairman or the Vice Chairman want to pursue a questioning or any of the other members, they can.

Again, I want to thank you for the time you gave us today. I also certainly as far as the department is concerned want to emphasize this is likely to be the first of ongoing dialogue between us, whether it involves formal hearings or just involves meetings back and forth, whatever, I think it is very important that we really get ourselves working together on the same page.

General Reimer, I want to thank you for the tremendous effort you have made over the years, and certainly your testimony today. I would just say to the department again, the thing which is most important to me, and is all important, but certainly the thing I place the most emphasis on is the risk-based formula, to make sure the funding goes along that route as much as possible.

Also on the question of interoperability, one question which we really did not go into today, we can do it at a future time, is the whole issue, and I know certain people in law enforcement do have a concern about being on the same channel as those who are not in law enforcement as far as whether or not there is confidential information and how that issue can be resolved, and how we can have interoperability, but at the same time retain the confidentiality that law enforcement feels is necessary in certain regards.

So again, I thank you for your testimony, and I recognize the Ranking Member.

Mr. PASCARELL. Thank you, Mr. Chairman, and thank you for a great hearing.

I thank the witnesses. Mr. Chairman, I ask unanimous consent that the comments and questions from Mr. Dicks that occurred after the recess began and the comment of General Reimer in response be inserted into the hearing record.

Chairman KING. Unless something was said hostile to me, without objection.

[Laughter.]

Mr. PASCARELL. There was nothing hostile to you.

Mr. Chairman, just a couple of points. We are going to need a lot of dialogue to clear up some discrepancies. I would ask you, can you give us a general date as to when the risk-based formula could go into effect?

Mr. MAYER. For 2006?

Mr. PASCARELL. Yes. Well, that brings me to B. Could we do it earlier than that? It does not affect the total amount of money. It affects distribution.

Mr. MAYER. In terms of 2005, we will do the similar formula that we did under the UASI Program, which is the risk-based formula. In terms of the SHSGP program, the authorization and the appropriation language limits us to the distribution of that to the PATRIOT Act, so we really cannot do anything in 2005. In 2006, we will absolutely begin the process of forming that risk-based formula. We will look forward to working with members to help us do it appropriately.

Mr. PASCARELL. So that means January of 2006.

Mr. MAYER. I cannot say.

Mr. PASCARELL. If we work through the problems this year.

Mr. MAYER. I guess it would depend on when we actually get the appropriation.

Mr. PASCARELL. You know how critical that is.

Mr. MAYER. It is critical.

Mr. PASCARELL. The second question is, I want to reiterate again interoperability. We have heard this year after year for three years past. We have to do something about it. What Congressman Weldon talked about in terms of the bands that are available, that is absolutely unacceptable.

The next is the Urban Area Security Initiative. When I look through the criteria, I would simply request that we have dialogue. If we can reduce the threshold to 100,000, because when I am looking through these factors here, they are applicable to many cities that do not have 200,000 people; that have 100,000 people and are in high-risk areas, where there are chemical companies, for instance, or different aspects of the infrastructure. I would hope, Mr. Chairman, that we could have dialogue on that as well. I think it is important. I am not asking necessarily for more money. I am asking that we have a little bit different division of that money where the need is necessary. I think that we could come to an agreement on that.

Mr. MAYER. I look forward to a dialogue.

Mr. PASCARELL. Thank you for all of your testimony today.

Chairman KING. I would say to the Ranking Member that my experience in dealing with him is if he wants dialogue, there is no choice. We have to have a dialogue.

[Laughter.]

The gentleman from California, Mr. Lungren?

Mr. LUNGREN. Thank you, Mr. Chairman. I apologize for being at competing hearings here.

I know this has been covered and I know that the member just preceding me just mentioned it, but just so that I get a chance to mention my great, deep and abiding concern in our failure to deal with interoperability. I know there are a whole host of subjects that we need to talk about in the realm of homeland security and what the federal obligation is and what the budget concerns are. But at least in my experience on the outside looking in, and as the former Attorney General of California, a critical need in this country is the lack of the capacity of first responders to speak with one another. It is a question that has to be addressed in terms of bandwidth. It has to be addressed with respect to regional cooperation, but the third area is cost.

While I am not one who believes that we ought to be spending money willy-nilly, that is one area where a critical capital investment is necessary that may be beyond the means of local jurisdictions. It seems to me it is a serious thing that we, on the federal level, ought to look into.

When that attack comes, as surely there will be an attack that comes, our response will be very much a function of our capacity to speak with one another. I know in my own district, because of the serendipitous nature of the development of separate communications systems, that there is an inability of people to speak to one another just on a regular basis. I would hate to see the loss of life be increased or the loss of property, well, loss of life more than loss of property, but lost property as well, damage be increased by virtue of the fact that we failed to deal with that issue.

I know that Congress has been dealing with a lot of different things. I know the department has been dealing with a lot of different things. But fundamentally, if we cannot do something about interoperability after 3 years, the onus is on us. I know all the excuses why we have not, but we have an FCC decision made just a year ago, or within the last year, dealing with one of the large competing communication systems. Interoperability, in my judg-

ment, was not seriously considered at that time. I saw a lack of federal leadership on that, the Executive Branch, in my judgment, not weighing in that time to suggest that that might be an opportune time for us at least to begin to try and provide the capital investment necessary.

So it is a huge issue as far as I am concerned. I know everybody else has their own thoughts on this. As you can see, it is not a partisan issue, but if there is a crying need that I see out there, it is a failure for us to address the interoperability question. We will not be able to answer our constituents with any reasonable response after an attack if we have not at least begun to make progress. I know there is tremendous progress that has been made at the department with respect to the department being able to communicate down to the regional offices. That is wonderful. But if the regional offices and the offices of the different departments cannot communicate with one another, that is not going to do us any good. All you are going to be able to hear about is how bad things are. We are going to get great reports on how bad it was, and how much worse it was than it had to be, and that is not going to be very satisfactory to any of us.

So I would hope that we would seriously look at that, and I hope you realize it is a bipartisan issue, and I hope you will realize I am not a communications expert, but I have had enough opportunity to see that if you cannot talk to one another, you are going to have an adverse situation exist.

Again, I apologize for not being here to hear your testimony. I hope I have not repeated something that you have already addressed, but as far as I am concerned, that is a deep, abiding concern and a disappointment that I am registering, having looked at it from the outside for 3 years before returning here, that we have not done more.

Thank you, Mr. Chairman.

Chairman KING. I would thank the gentleman. Just note that it appears that there were at least 100 firefighters in the north tower of the World Trade Center that were killed because of the lack of interoperability.

Chairman Cox?

Mr. COX. I think Dr. Albright has a comment on this.

Mr. ALBRIGHT. First of all, thank you for your comments on that. Obviously, interoperability is a key issue. I think it was pointed out earlier, it is generally the number one priority that is raised by the first responder community. The administration has actually taken significant steps, we believe, to address the issue, with the creation of the department. We have an office that is dedicated now to enhancing interoperability. We have over the last several month initiated and completed a program that allows for site-specific interoperability. So something that happens like the World Trade Center, as the Chairman referred to, there exists boxes, and it is sort of in the technical community called these kludges. It is sort of a kludge solution. What it does is allow you to, allows the firefighters, the emergency response teams and the police to communicate at a site and have that up and running within an hour. We have implemented that in the top ten threat cities this year.

The problem with it, as you pointed out, is that it is not a particularly efficient use of band width. In fact, it is a very inefficient use of band width. And so as you get beyond a relatively, it sounds surprising, but a relatively narrow site like you had at the World Trade Center, and you start to contemplate some of the things that could happen, you know, a massive biological attack or that sort of thing, you clearly need to move away from that and get into a true regional interoperable solution. As you have correctly pointed out, that implies a capitalization issue that tends not to rise to the top of the priorities. When people get their grants money, they have the fundamental question. Do I float a \$200 million bond issue, or do I use all of my grants money for an interoperable solution, or do I have other priorities that are of more immediate need? Or do I just wait for the current system to become obsolete and then re-capitalize at that point? Unfortunately, that could be 20 years off.

So even though I think we have made a lot of progress on site-specific interoperability, to address specifically the World Trade Center kind of issues, the larger question is one that really needs to be discussed in some depth, and to think carefully through how we incentivize communities to in fact get to that regional interoperability level that we would all like to see.

Mr. MAYER. Just to follow up, Congressman Lungren. In terms of the funding, in 2004 our State Homeland Security Grant Program and Urban Area Security Initiative Program, just under \$1 billion of that money in 2004 was spent on interoperable communication, which was the single largest investment among our areas. So there is work being done, but more work needs to be done. You are right.

Chairman KING. Thank you.  
Chairman Cox?

Mr. COX. I just want to again congratulate the department and the administration for adopting a budget plan which has a vision for first responder funding that is moving smartly in the direction that H.R. 10, the Faster and Smarter for First Responders Act in the last Congress would also have taken us. The budget document, however, is rather abstract. It does not tell us with any particulars how this might be accomplished, specifically how it is that we are going to move funding to the basis of risk and needs.

With respect to risk, my question for Mr. Mayer is whether or not this is an IA responsibility, or whose responsibility is it within DHS to lead the risk analysis and to make the funding recommendations based on it?

Mr. MAYER. I think it is clearly IAIP's responsibility to inform the threat-risk element. It is our responsibility to coordinate appropriately with all of the various elements that are going to feed into that, including IAIP's contribution, to then come up with a final allocation of where the money will go.

Mr. COX. We are obviously very, very interested, and I think several of the members have commented on this, in the maximum use of intelligence to inform these decisions. Indeed, the definition of risk is the intersection of threat and vulnerability, and the billions of dollars that we already invest in intelligence, some amount of it at the department itself, focused on determining terrorist intentions and capabilities, matching those against our known



vulnerabilities, another responsibility of DHS, ought to lead to the focal point for this funding. I want to make sure that instead of just allocating across the country according to automatic formulas, political formulas, every state gets the same amount or everybody gets it according to population, that increasingly we view this as national security. That is what homeland security really is.

Mr. Chairman, I just want again to reiterate what I think several of us said, and I know all three of us said, and that is that when it comes to the COPS and Fire Act monies, I hope that we do not put these in competition with the idea of risk-based funding for first responders. If there are concerns about the COPS program, if there are concerns about the Fire Act, then I would like to hear those concerns from the administration head-on. There is no reason in the world we cannot have an honest discussion of that, but these are pre-9/11 priorities, and those priorities have not gone away. They are still there, whether we fund them from the federal government or fund them from some other source, they have got to be addressed.

At the same time, we are now asking first responders to do a lot of things we never used to ask them to do, and so there needs to be a new source of funding for those new priorities. That is, in my view, certainly what these terrorism preparedness grants are supposed to be all about. So if instead of dealing with any concerns about the pre-9/11 programs head-on, we sidle into the decision to cut them by asserting that the terrorism preparedness are now doing that double duty, they are making up for the lost Fire Act funds or making up for the lost COPS funds, then we risk putting that risk-based funding for terror in direct conflict with the necessary year-in and year-out funding for law enforcement, for fire protection, for emergency services.

Now, the budget provides roughly \$3 billion for state and local terrorism preparedness assistance and roughly \$500 million for fire grants to put this in perspective, but it does not tell us, with these figures, what we are going to do about the maintenance of these programs separately or jointly. We have had some discussion about that here today. I do think that there are serious hazards of attempting to merge them all together and robbing Peter to pay Paul.

So I would leave you with that thought.

Chairman KING. Ms. Christensen, do you have another round of questions?

Mrs. CHRISTENSEN. No.

Chairman KING. Okay.

Mr. Weldon?

Mr. WELDON. Mr. Chairman, just to make a final commercial, if you will, as we begin the new session.

Chairman KING. Curt, do you promise it is final?

Mr. WELDON. It is the final one.

[Laughter.]

I am partial, as are many of the members here, to the volunteer fire service. I am because there is no other group of people in America, the volunteers. I mean, our military volunteer, but they get paid. The volunteers get no money and they lose 100 of their brothers and sisters every year. You cannot name another group of volunteers in America that do not get paid for their job and die,

or they have serious injuries. They are so much more than firefighters.

In the 32,000 towns where they operate, they are the backbone of the community. If we ever had to pay for fire protection for those volunteer towns, it would bankrupt America overnight. Now, there are 180,000 paid firefighters, but the bulk of the country is protected by volunteers. And it does not take a lot of big dollars to keep their momentum high and to keep their morale high.

I want to just give you three things to focus on. The perception right now is that the administration does not care about the identity of the Fire Administration. The perception right now is that the administration does not care about the Fire Academy. I could imagine if there was a proposal to eliminate the FBI Training Center at Quantico what an uprising it would cause. The perception of the Fire Academy and the Fire Administration, they are small-ticket items, but that perception is felt by every fire department in America because they train the trainers there. It is where they train the state training officials.

Please, in your deliberations this year, do not do anything that creates a misperception that we do not care about the Fire Administration and the Fire Academy. The Fire Administration dates back to Richard Nixon, when the U.S. America fire burning report was issued, way back in the 1970s. So please be sensitive to that.

And one other thing, the bulk of our firefighters are volunteer and they are having a problem recruiting. We have talked about the AmeriCorps and the new initiative, Fire Corps. There is another thing that happened last year that is a terrible tragedy. The Department of Justice administers the Public Safety Officer Death Benefit Program. That program is designed to provide death benefits for public safety officers killed in the line of duty. It was never the intent of Congress 25 years ago to have the federal government define what a firefighter is. That is up to the states. For the last 25 years, the states have determined that a volunteer firefighter, as long as the states recognize that person in their job, is eligible. We have given grants to the Public Safety Officer Death Benefit Program to 78-year-old volunteer firefighters who were killed directing traffic in the street; an 80-year-old firefighter who was coming to the firehouse and got in an accident.

We give the grants to firefighters who were killed, but last year the Justice Department, in a case involving a junior firefighter, now there are four cases, legitimately identified as a junior firefighter by their states, given state benefits, given insurance proceeds, were denied the Public Safety Officer death benefit. That has created a national concern for fire departments that have junior programs. Many of these junior programs are a part of Explorer scouts. So they run them through a scout program; they are junior firefighters; they are under tight supervision. The states that have junior programs have tight regulations. The Justice Department should never have ruled the way they did. We need to get that corrected.

Where you can be helpful is to weigh in as a part of the administration that works for the fire service on the importance of the Justice Department and the Congress and the administration clarifying that in fact the federal government should not be determining

what a firefighter is. If it is, then we get into age requirements, then you are going to have a very big battle nationwide. We need to correct that inequity. It is a very small dollar amount, and it only applies to junior firefighters. Most states have them at 16 years, some at 14 years, but we need to get that change made that was erroneously made by the Justice Department.

Thank you.

Chairman KING. Mr. McCaul, Mr. Reichert, do you have any questions?

Mr. MCCAUL. No, Mr. Chairman.

Mr. REICHERT. No, Mr. Chairman.

Chairman KING. Dan, do you have any questions?

Mr. LUNGREN. No.

Chairman KING. Okay.

With that, again I thank the witnesses for their testimony and the members for their questions. The members of the committee may have some additional questions for you, and we will ask you to respond to these in writing. The record will be held open for 10 days.

I thank all the members for being here today, and the committee stands adjourned.

[Whereupon, at 12:27 p.m., the subcommittee was adjourned.]



## APPENDIX

QUESTIONS AND RESPONSES FOR THE RECORD FROM THE HONORABLE PENROSE  
"PARNEY" ALBRIGHT

### **Training**

**Question: 1. What mechanisms, if any, does the Department utilize to coordinate training programs developed within academic and private affiliates of OSLGCP with the S&T Directorate's Centers of Excellence?**

**Response:** 1. The primary educational mission of the Centers is to promote scholarly opportunities for undergraduate and graduate students through research assistantships and similar means so as to develop a cadre of experts in broad-based multi-disciplinary research on Homeland Security topics. The Science and Technology Directorate has awarded grants to four Centers of Excellence: the Center for Risk and Economic Analysis of Terrorism Events; the National Center for Food Protection and Defense, the National Center for Foreign Animal and Zoonotic Disease Defense, and the National Center for the Study of Terrorism and Responses to Terrorism. These Centers perform mission-directed research in economic-based risk modeling, food protection and animal health, and the social and behavioral aspects of terrorism and counter-terrorism. The Centers are intentionally focused on solving the larger scientific questions in their specific mission areas using a broad-based multi-disciplinary approach from which other agencies and organizations could then take the research and apply to their own specific training program initiatives. The focus of these DHS Centers of Excellence and their research areas have been coordinated with OSLGCP as well as other government agencies.

**To what extent does the Department incorporate research performed by the Centers of Excellence as well as the research activities of other Directorates and agencies into the design and planning of training and exercises?**

**Response:** The Centers of Excellence are intentionally focused on solving the larger scientific questions in their specific mission areas using a broad-based multi-disciplinary approach from which other agencies and organizations could then take the research and apply to their own specific training program initiatives. As an example, the risk assessment models produced by the Center for Risk and Economic Analysis of Terrorism support the mission of S&T's Critical Infrastructure Protection portfolio, which in turn develops tools and systems to aid facility managers and public safety officials in planning and responding to attacks on the nation's infrastructure.

The Department anticipates that the proposed Center for the Study of High Consequence Event Preparedness and Response will have a more direct role in supporting the Department's EP&R Directorate and Office of State and Local Government Coordination and Preparedness including training programs and exercises. The Department is currently seeking proposals for this Center; full proposals in response to the Science and Technology Directorate's Broad Agency Announcement are due April 22nd.

### **Interoperable Communications**

**Question: 1. To what extent do homeland security grant guidelines incorporate standards and requirements set forth by the Office for Interoperability and Compatibility and its SAFECOM Program?**

**Response:** 1. The Office of State and Local Government Coordination and Preparedness (SLGCP) has worked closely with the SAFECOM program to incorporate standards and requirements into its grant guidance on interoperable communications equipment into its application kits.

On coordination from OIC and SAFECOM, SLGCP has integrated National Incident Management System (NIMS) guidelines into several levels of grant program guidance, including:

- Guidance assigning priority to promotion of short-term incident level interoperability in service of long-term solutions; and
- Updated fiscal year 2005 grant solicitations are aligned with requirements of the National Incident Management System (NIMS).

This coordinated grant guidance provides the emergency responder and public safety community with consistent guidance, standardized application processes, and similar requirements across grant programs.

In addition, SLGCP is currently partnering with SAFECOM as part of the fiscal year 2005 Homeland Security Grant Program (HSGP) to ensure the requirement of a tactical-level emergency interoperable communications capacity is developed and tested in the fifty highest risk urban areas in the Nation. This initiative has elevated the value of tactical-level interoperability and inserted a new requirement into their grant packages: a requirement for grantees to develop plans that enable their communities to achieve, at a minimum, tactical-level interoperability. In a joint effort, SAFECOM and SLGCP have co-authored a Tactical Interoperable Communications Planning Guidance and Template for Urban Area Security Initiative (UASI) sites and State designated jurisdictions. These grantees will also reference the "SAFECOM Continuum" as a framework for its planning. This initiative builds on an effort led by SAFECOM in fiscal year 2004 called RapidCom that focused on achieving tactical-level emergency interoperable communications in the following ten major urban areas: New York, Chicago, Washington D.C., Los Angeles, San Francisco, Philadelphia, Houston, Jersey City, Miami, and Boston. SLGCP provided the technical assistance for RapidCom.

**Are grants for interoperable communications coordinated with assistance provided by the S&T Directorate through RAPIDCOM, SAFECOM, or other pilot projects and programs?**

**Response:** The Office of State and Local Government Coordination and Preparedness (SLGCP) is currently working very close with SAFECOM as part of the fiscal year 2005 Homeland Security Grant Program (HSGP) to ensure that a tactical-level emergency interoperable communications capacity is developed and tested in the fifty highest risk urban areas in the Nation. This initiative has elevated the value of tactical-level interoperability and inserted a new requirement into their grant packages. Grantees will develop plans that enable their communities to achieve, at a minimum, tactical-level interoperability. In a joint effort, SAFECOM and SLGCP have co-authored a Tactical Interoperable Communications Planning Guidance and Template for UASI sites and State designated jurisdictions. These grantees will reference the "SAFECOM Continuum" as a framework for its planning.

This tactical interoperability grant guidance builds on an effort led by SAFECOM in fiscal year 2004 called RapidCom that focused on achieving tactical-level emergency interoperable communications in ten major urban areas. These areas were selected by DHS in coordination with SAFECOM as part of the Urban Area Security Initiative (UASI) to enhance the security of areas with high density populations and critical infrastructure, ports, and mass transit systems. SLGCP also provided the technical assistance for RapidCom through its Interoperable Communications Technical Assistance Program (ICTAP).

There is a pilot project underway between SAFECOM and SLGCP to share an existing ODP web-based "ESP" portal. This "one stop shop" for emergency responders and public safety agencies will help provide a single resource for interoperable communications information. It also will include, planning and management applications, grant guidance's, collaborative tools, best practices and lessons learned data and information for the public safety community.

**Question: 2. The Intelligence Reform and Terrorism Prevention Act contained numerous provisions concerning interoperability. What are the Department's plans for issuing letters of intent to commit multiple-year funding to promote long-term planning and significant investments in interoperable communications systems?**

**Response:** The Department's Office for Domestic Preparedness (ODP), within SLGCP, administers two major grant programs designed to enhance the prevention and preparedness capabilities of State and local emergency preparedness communities. These are the State Homeland Security Grant Program (SHSGP) and the Urban Areas Security Initiative (UASI). Grants distributed under both of these programs are provided every fiscal year to States and selected urban areas, respectively. The project performance period for use of these funds by recipients is 30 months. The Department believes that the 30 month life-cycle is sufficient to cover project costs and ensure sufficient long-range planning. Further, given that monies under these programs are appropriated and awarded annually, multi-year letters of intent would be difficult to implement and reduce Federal and state flexibility. Let-

ters of intent are generally used to support long-term construction projects, and not the incremental communication investments funded by SHSGP and UASI.

**How does the Department plan to expand the technical assistance provided to high-risk, urban areas through RAPIDCOM?**

**Response:** RapidCom was a quick turn-around program. SAFECOM will build on it to develop common curricula for technical assistance efforts addressing tactical level interoperable communications. This assistance will provide a comprehensive approach to defining requirements, developing governance structures to support multi-jurisdictional and multi-disciplinary communications projects, providing recommendations to enhance communications interoperability architectures, helping implementation and integration efforts for communications equipment, developing standard operating procedures for incident response, and testing and evaluating communications solutions through scenario-based exercises and training. SAFECOM's other continuing efforts to ensure greater interoperability include:

- Development of common criteria ("best practices") for technical assistance to ensure consistency in its content and delivery.
- Accelerated development of standards, so localities can ensure new investments will support the national interoperability strategy. These standards will emphasize open architectures and non-proprietary interfaces.
- Provision of common grant guidance to every program that provides funding for public safety communications and interoperability initiatives to local or state agencies. This guidance was developed with the involvement of major local and state emergency responders and government associations to foster cross-jurisdictional and multi-disciplinary interoperability planning and funding.
- Continued creation of replicable tools and models for state interoperability planning, like the plan SAFECOM recently helped Virginia construct. SAFECOM published the Statewide Communications Interoperability Planning (SCIP) Methodology as a tool for regions and states to reference as they develop their own unique interoperability plans. The locally driven approach used to develop this plan can serve as model for any state or region interested in developing a strategic plan for interoperability. States must develop plans in close coordination with the local agencies since they own, operate, and maintain most of the communications infrastructures in each state.
- Publication of a national public safety architecture framework. This framework, coupled with the national Public Safety Statement of Requirements for Communications and Interoperability, serve as tools to help the nation's emergency response agencies understand the technical requirements and national migration path toward fully interoperable communications systems without imposing requirements so stringent that they stifle innovation. These tools will also serve as collective guidance to industry on the needs and requirements of public safety communications.
- Incorporation and dissemination of lessons learned from pilot projects involving interoperable communications.

**What is the status of the 90-day regional model strategic plan pilot projects?**

**Response:** SAFECOM has developed criteria for the Regional Interoperability Model (RIM) pilot projects, and is in the process of contacting officials and potential participants. The RIM pilots will be selected based on criteria that include the level of risk to a region; the number of local, state, and Federal law enforcement agencies located in the area; the number of potential victims from a large scale terrorist attack in a region; the level of commitment and buy-in of a particular region; the articulation of a defined interoperability need by the region; and the ability of the pilots to serve as national models. We are preparing a report for Congress in accordance with section 7304 of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458).

The RIM projects will focus on developing models around the Interoperability Continuum. The Continuum is a framework based on lessons learned from RapidCom to help the public safety community and local, state, tribal, and federal policy-makers plan and implement interoperability solutions. These elements include governance, standard operating procedures, technology, training or exercises, and use of interoperable communications. This framework helps provide a comprehensive perspective on improving public safety communications and interoperability.

**First Responders Technologies**

**Question: 1 .How does the Department coordinate the establishment of priorities for technology development and procurement between OSLGCP and**

**the S&T Directorate's Centers of Excellence, ORD, HSARPA, Federally Funded Research Centers, and Federal Labs?**

**Response:** 1. Priorities for research and development for the S&T Directorate are established using a risk-based approach and is oriented toward identifying critical capability gaps before attempting to identify or develop technology solutions. In developing solutions, the process engages the end-user throughout requirements definition, development, testing and transition. The process considers the product life cycle from the outset, including planning and budgeting for production, deployment, operations and support. It is this process which allows us to prioritize both within and across fields. The Office of State and Local Government Coordination and Preparedness, as well as all the organizational elements of the Department, are heavily involved in the S&T Directorate's process—formally through the Science and Technology Requirements Council (SRC) and informally through frequent interactions at the staff level.

Within the S&T Directorate, the Office of Plans, Programs and Budgets manages and executes the planning, programming and budgeting system (PPBS) cycle for the Directorate. It sets short-, mid-, and long-range goals aimed at achieving the needs set out by the Administration. These goals include, for example, countering the threat of weapons of mass destruction and addressing the needs of the operational Directorates in the Department and of state and local entities. Functionally, leadership from all of our executing Offices—HSARPA, ORD and SED—participates actively in the PPB process through the integrated product teams (IPTs). These IPTs are integral to the planning process. The IPTs for each portfolio work as a team to determine their mission space, their strategic goals for the next five years, and a list of prioritized deliverables.

Research and development priorities as well as funding levels for ORD (including the Centers of Excellence and Federal Labs), HSARPA, and SED determined through our IPT process and are dependent on where the best expertise is found to conduct the RDT&E that will most effectively meet the Department's mission to ensure the safety of the nation.

**To what extent, if any, does the S&T Directorate utilize threat assessment and vulnerability analysis in determining R&D priorities?**

**Response:** 2. The S&T Directorate's research, development, testing and evaluation (RDT&E) process uses a risk-based approach to planning and is oriented toward identifying critical capability gaps before attempting to identify or develop technology solutions. It is this process which allows us to prioritize both within and across fields. The S&T Directorate works in concert with the Information Analysis and Infrastructure Directorate to share information related to threat assessment and vulnerability analysis.

The RDT&E process consists of four main sub-processes: 1) needs and risk assessment, 2) strategic planning, 3) program definition, and 4) program execution. The first two sub-processes ensure that the Science and Technology Directorate considers user needs, available intelligence, big-picture risks, national goals and inputs from other external agencies and advisory bodies to establish its annual RDT&E program. The second two sub-processes provide a framework for program execution using the best available systems engineering and program management techniques. Threat assessments and material threat determinations developed by DHS are critical factors in the determination of requirements for medical countermeasure acquisitions under Project BioShield.

**Question: 2. To what extent does OSLGCP utilize the S&T Directorate's Technology Clearinghouse when distributing technical assistance, best practices, and grant guidance to State and local governments?**

**Response:** 2. S&T is establishing a clearinghouse that will assist ODP to disseminate information. This will complement ODP's Responder Knowledge Base (RKB) at the Memorial Institute for the Prevention of Terrorism (MIPT) which ODP uses to disseminate information about standards, equipment, and to announce the Commercial Equipment Direct Assistance Program (CEDAP). Physical transfer of commercial equipment is the responsibility of ODP CEDAP managers. S&T was consulted regarding technology for possible incorporation into CEDAP, as were other organizations in government that develop technology. Moreover, information ODP collects about how well commercial technologies work in practical, small, rural law enforcement and first responder agencies will be reported back to S&T for incorporation in their development programs. ODP also collaborated with and funded MIPT to develop and host the web site on best practices called Lessons Learned Information Service (LLIS). LLIS contains information contained in after action reports and re-



views written following major exercises. ODP releases information about grants via the Department's grants.gov web site.

**What mechanisms does the Department utilize to identify and transfer available and developing technologies for use by first responders?**

**Response:** Overall, the Department has made great strides in leveraging ongoing work to identify, develop and transfer technologies to first responders. Nowhere is this more evident than in the relationship that has been forged between the Science and Technology Directorate (S&T) and the Office for Domestic Preparedness (ODP). In April 2001, under the sponsorship of ODP, the Memorial Institute for the Prevention of Terrorism (MIPT) began an effort aimed at improving local, state, and federal emergency responder capabilities for mitigating the effects of terrorism. In April 2004, MIPT published the results of this in the *National Technology Plan for Emergency Response to Catastrophic Terrorism*. Through their production of this report, twelve terrorism response objectives were identified and the technology capabilities required to address these objectives were explored in the report. This report has served as an excellent foundation for S&T's work to initiate research and development in this area. S&T has continued the good work started by ODP and MIPT and continues to build upon the Project Responder process by drilling down within these objectives to identify specific technologies that will provide needed capabilities and by expanding the work to include technologies to enhance training and exercise for large scale incidents. S&T has already solicited proposals for several of these areas that will begin the effort to address some of the most critical needs.

Another component of the MIPT work is the Responder Knowledge Base (RKB), currently supported by ODP. The RKB provides a much-needed screening tool for responders to access information pertaining to commercially available equipment. The RKB allows queries by first responders to determine the suitability of equipment to their needs including technical specifications, compliance with relevant standards, and applicable grants programs. The RKB also provides a very robust forum for exchanging information between responders on how well a particular piece of equipment performs. S&T and ODP are working together to create a partnership between the Technology Clearinghouse and the RKB to further leverage this valuable resource.

S&T has also incorporated work of the National Institute of Justice, the Department of Defense, Department of Energy, and other federal agencies in the overall development of its research strategy for first responders. For example, S&T captured the needs identified by the NIJ in their report "First Responder Needs Assessment." and the recently released report by FEMA on Urban Search and Rescue requirements.

DHS is also a strong supporter and sponsor of the Interagency Board for Equipment Standardization and Interoperability (IAB). The scope of the IAB includes:

- Identifying and prioritizing CBRNE incident response equipment requirements
- Encouraging manufacturers, governmental, military, and private agencies to sponsor research, development, test and evaluation programs to satisfy local, state, and federal CBRNE requirements
- Providing assistance and/or guidance to agencies, associations, and manufacturers, for operational testing of new and emerging CBRNE response technologies

S&T continues to host numerous workshops, conferences and focus groups including Federal, state, and local emergency responders, as well as participate in a variety of activities dealing with first responder needs sponsored by ODP, the Department of Energy, the Office of the Federal Coordinator for Meteorology and other federal agencies.

Through the creation of S&T Requirements Council, S&T has reached out to DHS senior management at the Assistant Secretary level, to provide a forum for all DHS components to voice the technology capability needs of their respective constituencies. This allowed the DHS components to use their ongoing relationships and traditional stakeholder venues to gather these technology requirements and provide them, through a prescribed process which included prioritization, to S&T for programming and budgeting processes.

**Question: What role do the end-users** (*i.e.*, other Directorates and offices within the Department as well as first responders) play in identifying needs and modifications of potential homeland security technologies?

**Response:** The S&T Directorate considers the operational components of the Department as its customers. To ensure the Directorate meets customer needs, the S&T Directorate has established the Science and Technology Requirements Council

(SRC) to bring forward a set of vetted needs from the entire Department. This is an Assistant Secretary level committee with representation from across DHS that has been chartered to assist in the solicitation, validation, and prioritization of all science and technology requirements. The council includes representation from the Office of State and Local Government Coordination and Preparedness to ensure that state and local needs are being met. This council is intended to help the S&T Directorate identify those needs most crucial to the DHS mission and to develop the most effective S&T program possible using existing resources. As part of their mission, the SRC reviews DHS operational requirements and needed capabilities that require S&T solutions, and identifies those opportunities that have cross-cutting technology solutions. Prioritized Departmental needs are then presented to me as a recommendation for consideration, in conjunction with all externally derived S&T requirements (e.g., statutory, national guidance), for inclusion in the S&T Directorate's Planning, Programming, and Budgeting Cycle Guidance.

The inaugural meeting of the SRC took place September 30, 2004, and was attended by representatives from Border and Transportation Security (BTS), Emergency Preparedness and Response (EP&R), Information Analysis and Infrastructure Protection (IAIP), the Office of Domestic Preparedness (ODP), U.S. Citizenship and Immigration Service (USCIS), U.S. Coast Guard (USCG) and U.S. Secret Service (USSS). Our initial meeting resulted in new requirements and a validation of the needs that our portfolios had already identified through their interactions with the rest of the Department. It further served to bring together the many disparate groups from across DHS and facilitated a new dialogue that will be necessary to produce a successful S&T RDT&E program. The input we received at the September 30, 2004, meeting was used to adjust the fiscal year 2006 budget request and is currently being integrated into our fiscal year 2007–2011 Planning, Programming and Budgeting cycle.

**Question: How does the Department identify and evaluate military technologies for possible homeland security purposes?**

**Response:** The Department is often asked about the transfer of technologies between Departments, specifically between DHS and DoD. The Science and Technology Directorate is very interested in the opportunities available through technology transfer. Under the fiscal year 2003 DOD Authorization Act, Section 1401, DOD is working with DHS and DOJ to identify and transfer military technology relevant to Federal, State, and local responders.

Section 1401 of Public Law 107–314 is entitled, "Transfer of Technology Items and Equipment In Support Of Homeland Security." It tasks the Secretary of Defense to designate a senior official of the Department of Defense to coordinate all Department of Defense efforts to identify, evaluate, deploy, and transfer to Federal, State, and local first responders technology items and equipment in support of homeland security. That senior official is the Assistant Secretary of Defense for Homeland Defense.

Over the course of 2004, DOD, DOJ and DHS have met to address courses of action and opportunities arising from section 1401. These meetings culminated in an agreement on December 8, 2004, on the importance of firm commitment to this process, a nominal timeline for technology-related events, initiation of work on the design of the transfer process (e.g., that it must be two-tracked, one for research and development, the other for technology items already developed and in production), and most importantly, an outline of the major features of a compliant technology transfer process. They initially assigned responsibilities for process ownership. An MOU formalizing the important steps of this process is expected to be ready for signature in the summer of 2005.

Often, technology developed for one purpose, such as a military application, cannot be transferred in a straightforward manner to civil operations. The requirements for maintenance and support, for performance, and for total cost of ownership often inhibit such transfers. Although the basic scientific principles that underpin a particular technology may be leveraged, nevertheless significant re-engineering is required to make the technology suitable for homeland security purposes.

DHS S&T has an established relationship with the Technical Support Working Group that represents eight government agencies with similar tasks, technology requirements and goals. HSARPA continues to monitor some of the more than 90 projects from the first joint DHS/TSWG BAA which closed in June, 2003. DHS provided \$60M [\$30M in fiscal year 2003 and \$30M in fiscal year 2004] to fund the most meritorious proposals. Our personnel participate in the requirements setting working groups and the Director, HSARPA is a member of the TSWG Executive Committee which allows any redundancy to be identified. DHS S&T will continue

to fund [~\$12M in fiscal year 2005] proposals of mutual benefit and interest to DHS and TSWG members.

Other issues associated with transferring technologies to the homeland security operating environment include the need for ease of operations, extremely low total cost of ownership, providing liability relief, providing incentives for non-federal actors to purchase useful technologies, developing and promulgating standards and providing technical assistance to aid those purchasers in their procurement decisions. While the Department has made tremendous progress in all these areas, much remains to be done, and sustained effort is needed.

#### **SAFETY Act**

**Question: 1. How well-versed do you believe State and local first responder equipment and service buyers are on the benefits of procuring equipment or services that have been given full SAFETY Act protection?**

**Response:** The Department, and the Office of Safety Act Implementation (OSAI), has proactively engaged relevant communities, including groups representing emergency responders and firms that supply their equipment and services. Efforts like this are critical to helping these communities understand the benefits of the SAFETY Act and the process by which the Department extends such benefits, especially as relates to non-federal procurements. More education is needed. However, we have taken a number of measures to facilitate consultations with the OSAI, including establishing (i) a simple pre-application process to address questions and provide guidance to an applicant, (ii) an interactive web site, and (iii) a phone-in help desk. We use these techniques not just to educate stakeholders, but also to solicit suggestions for how the Department can institute improvements to our processes and procedures. It is worth noting that DHS has in fact received several applications relating to products designed for emergency responders.

**Question: If you believe they are well-versed, what do you attribute that to? If you believe that they are not well-versed, what should DHS be doing to enhance their awareness of this program?**

**Response:** Although OSAI has engaged in active outreach efforts, much remains to be done. The Department, and OSAI, will continue to reach out proactively to inform relevant communities—first responders; state, local, and tribal agencies; the private sector; the legal profession; federal agencies—of the benefits and processes associated with the SAFETY Act. In addition, the Department will continue to solicit feedback from these communities regarding how the Department can better implement the Act.

**Question: 2. How much liability, in the aggregate, do you believe first responders have assumed by purchasing equipment or services utilizing DHS grant funds?**

**Response:** Purchasing equipment or services utilizing DHS grant funding should generally not significantly impact the potential liability of emergency responders. First responders generally have no liability for the failure of a technology that they use in the course of performing their duties. Moreover, those employed by the government are entitled to qualified immunities for acts or omissions that occur within the scope of their duties. In addition, government agencies themselves enjoy certain immunities. Others may be protected by the “Good Samaritan Laws” in effect in all 50 states and the District of Columbia. SAFETY Act protections are designed for the providers of anti-terrorism technologies that may be employed by emergency responders. As of March 3, 2005, the OSAI had received several applications for technologies that are particularly relevant to the emergency responder community.

**Question: How do you suggest we mitigate this risk that first responders may be taking on unknowingly?**

**Response:** As addressed in the answer to the previous question, it is not clear that emergency responders are assuming greater risks of liability, unknowingly or otherwise. We believe the SAFETY Act, consistent with the intent of Congress in promulgating the legislation, provides an appropriate measure of liability and risk mitigation for those firms supplying products and services in support of emergency responders.

**Question: 3. What trends have you seen arise over the last year or so in terms of first responders linking their procurements with SAFETY Act coverage?**

**Response:** In general, it has not been the first responder community that has been linking procurements to SAFETY Act protections, but rather commercial vendors who, in a very few number of cases, have been linking their response to a procure-

ment solicitation from state, local, and federal agencies to SAFETY Act protections. The Department is working proactively with procurement agencies to develop processes and procedures to better integrate SAFETY Act protections into the state, local, tribal, and federal procurement process.

**Question: What role do you believe DHS can or should play to encourage formal linkage between procurements at the State and local levels and SAFETY Act coverage decision-making by the Federal government?**

**Response:** DHS has been working with procurement officials throughout the federal government to develop outreach and education materials, and to identify how the SAFETY Act review process and the procurement processes of DHS and other federal agencies can best be aligned. The Department intends to do the same with state, local and tribal agencies. In addition, the Department is working proactively with procurement agencies to develop processes and procedures that render inclusion of SAFETY Act protections a part of the state, local, and federal procurement process. However, as the SAFETY Act is predicated upon voluntary participation, we have no immediate plans to formally link procurement decisions at the State and local level with decisions on an application for SAFETY Act protections. We believe the coordination of the SAFETY Act application process and the government procurement selection process is best addressed through outreach and education efforts in order to ensure that government procurement officials and SAFETY Act application evaluators can each perform their respective important public and fiduciary duties. The SAFETY Act website, *www.safetyact.gov*, was modified last year to create a section for public procurements. We will provide there special instructions that will apply to applications for technologies that are the subject of a government procurement and detail a streamlined application process with reduced information requirements for applicants applying for SAFETY Act benefits in connection with a specific public procurement.

**Question: 4. Critical infrastructure owner-operators are also, in many ways, required to act as first responders if an incident occurs inside the gates of their facilities. How has the SAFETY Act office reached out to this community to educate their procurement officials on the benefits of the program?**

**Response:** The Department, and OSAI, will continue to reach out proactively to inform relevant communities—first responders; state, local, and tribal agencies; the private sector; the legal profession; federal agencies—of the benefits and processes associated with the SAFETY Act. In addition, the Department will continue to solicit the views of these communities on how to better implement the Act. The Department is working proactively with procurement agencies to develop processes and procedures that render inclusion of SAFETY Act protections a part of the state, local, and federal procurement process. Although procurements by private companies are simpler to deal with in this regard, we expect that the policies implemented for government procurements will inform private sector practices. The Department will also look to improve coordination between the leadership of the Directorate for Science and Technology and the Information Analysis and Infrastructure Protection Directorate to identify means for increasing the awareness of the SAFETY Act within the protective security community and among other owners and operators of critical infrastructure.

**Question: 5. How would you describe the effect that the current pace of SAFETY Act designations and certifications has had on the ability of State and local first responders and critical infrastructure owner/operators to purchase the very best equipment or services?**

**Response:** The SAFETY Act review process cannot guarantee that anyone will be able to purchase “the very best” product or services. It is designed, as required by the statute, to help individual effective technologies overcome market barriers on an application-by-application basis. We make no judgment about what equipment or services are “best.” The Department has received a number of Pre-Applications and Full Applications from firms providing products and services related to critical infrastructure protection. We are unaware of any impediments to date placed on procurement actions due to SAFETY Act processes or procedures. It should be noted, further, that it is important that the OSAI be in a position, through data delivered in the application, to satisfy its statutory requirements under the SAFETY Act legislation, and in particular be able to determine the effectiveness of the technology. As noted earlier, assuring that state, local, tribal, and federal agencies, and the private sector owner/operator communities receive the benefits of the SAFETY Act requires an understanding of the requirements of the SAFETY Act. The Department, and OSAI, will continue to reach out proactively to inform relevant communities—first responders; state, local, and tribal agencies; the private sector; the legal profession;

federal agencies—of the benefits and processes associated with the SAFETY Act. In addition, the Department will continue to solicit the views of these communities for how the Department may better implement the Act.

**Question: In your view, have State or local officials procuring anti-terror technologies or services had access to a full range of the best anti-terror technology or services?**

**Response:** DHS has made significant strides in working within the Department, other Federal Agencies and directly with State and Local officials to assure that the best available anti-terror technology or services are accessible to state and local emergency responders and other government officials.

An example of this is S&T and ODP support of the Memorial Institute for the Prevention of Terrorism (MIPT) through Project Responder, the Responder Knowledge Base, the Lessons Learned Information System, and the SAVER Program. These programs have made significant strides not only in getting important technical information regarding anti-terror technologies in to the hands of emergency responders, but also provide information pertaining to best practices, lessons learned and existing capability gaps.

The implementation of S&T's Regional Technology Integration Initiative is specifically focused on expediting the transition and integration of advanced homeland security technologies to state and local communities. This initiative is a partnership between ODP and S&T and recognizes the need for COTS/GOTS equipment and other legacy systems to interface with newly developed technologies.

S&T and ODP will continue to work together and with other Federal partners (particularly DOD) to facilitate the transfer and commercialization of defense technologies to the emergency response community.

**Question: 1. The President's fiscal year 2006 budget request includes a decrease of \$420 million, or more than 10%, from the current year for the Office of State and Local Government Coordination and Preparedness. On what basis did the Administration determine that the proposed funding was the right amount?**

**Response:** The funding provided to our nation's first responders has been sufficient to address their most critical needs. Between fiscal year 2002 and fiscal year 2004 the Office for Domestic Preparedness (ODP) awarded homeland security grants totaling \$6.1 billion. In fiscal year 2005 ODP anticipates awarding over \$3.6 billion in grants.

The Department firmly supports the fiscal year 2006 budget request, continues funding at the level requested for the last two years, providing significant assistance to our Nation's state and local emergency prevention and response communities. As outlined in the SLGCP grant announcements, each year's funding builds on previously developed capabilities. Federal preparedness assistance is not intended to subsidize existing state and local public safety activities.

Many states have adopted a regional approach in their planning and allocation of these homeland security resources, with the knowledge that every community cannot build and sustain a comprehensive response and recovery capability. DHS recognizes that communities of all sizes depend upon one another in times of need, and advocates this regional approach in the allocation of resources. Additionally, DHS has begun focusing the application of homeland security funding more finely—targeting it through proscriptive guidance and requirements to address critical national priorities and capability gaps. For example, in its fiscal year 2005 Homeland Security Grant Program, DHS requires states and local jurisdictions to begin active, multi-jurisdictional operational planning and to achieve tactical interoperability in key urban areas in all 56 states and territories.

As national priorities and capabilities are further defined through the HSPD-8 process, homeland security grant guidance will continue to become more directive, ensuring that funding is expended to close critical capability gaps nationally. DHS will remain committed to ensuring that critical funding necessary to support our nation's first responders continues to be made available in a timely and effective manner.

**Question: What does the Administration believe is the right amount of first responder funding, and how many years will it take to get there?**

**Response:** Combating terrorism is an ever-evolving challenge, based on the adaptive and immoral nature of the terrorists who wish to attack the homeland. Our policies, processes and funding must reflect the characteristics of this challenge. We are engaged in a competitive learning contest, so policies must be anticipatory, rather than reactive, and our processes must be as agile and dynamic as the threats we face.

HSPD-8 directly addressed the need to better link grant funding to national preparedness goals and objectives. The National Preparedness Goal will lay out the path for achieving and sustaining risk-based target levels of capability for prevention, preparedness, response and recovery for major events. The Department is in the final stages of developing a universal task list of items that need to be accomplished during an emergency, and the capabilities required to complete those tasks. DHS will then use performance metrics to assess our nation's preparedness, based on these tasks and target capability levels. The results of this process will provide the most accurate measure possible of our true national preparedness needs at all levels of government.

As that process develops, the President's fiscal year 2006 budget request of more than \$3.6 billion for our Nation's state and local emergency responders is sufficient in continuing to enhance the Nation's level of preparedness. When coupled with the last four years of funding, the President's fiscal year 2006 budget request will serve to allow the Nation to continue making significant strides in its prevention and preparedness activities.

**Question: 2. Given the priority that many first responders place on interoperable communications, it is troubling that the Fiscal Year 2006 budget request for DHS includes a small cut in funding for the Office of Interoperability and Compatibility. But it is even worse that one third of the existing funding, which has been provided by other participating agencies, is not included at all. What is the projected effect on each ongoing program at OIC of a projected 30% budget cut?**

**Response:** The Office for Interoperability and Compatibility (OIC) was created to focus on the need to develop consistent technical requirements among DHS programs. As part of its mission OIC incorporated the SAFECOM program, which began as an e-Government initiative of the Office of Management and Budget. Like other cross-cutting initiatives, SAFECOM received funding through federal funding partners. In fiscal year 2005 the Communications program area of OIC has approximately \$32 million available for interoperability efforts. The \$32 million is comprised of \$21 million appropriated to OIC for communications efforts as well as up to \$11 million from its federal funding partners. In fiscal year 2006, as it graduates from an e-Government program to a DHS-managed program, SAFECOM will no longer rely on funding contributions from partner agencies, and will be entirely financed from DHS resources.

**Question: 3. What was the cost in 2004 of the RAPIDCOM project to provide training to ten major metropolitan centers for interoperable communications at a major incident?**

**Response:** RapidCom, a joint initiative between DHS and DOJ, used a portion of the budgets from several programs, including the Department of Justice's 25 Cities Project, ODP Interoperable Communications Technical Assistance Program (ICTAP), the National Institute of Justice Commtech Program, and SAFECOM, to accomplish its mission. All these programs also provided staff support for RapidCom. One of RapidCom's most important lessons learned was that equipment procurement was not the most immediate need, as for the most part tactical equipment was already in place. The real need was to make equipment operational through training and technical assistance. The costs of such an initiative were directed at supporting the development and implementation of governance structures, standard operating procedures, training and exercises, technical assistance, and other forms of planning assistance.

**Question: Has DHS offered to expand the program to other interested metropolitan areas?**

**Response:** The initial RapidCom program, designed to ensure a basic level of public safety interoperability in ten high-threat urban areas, concluded in December 2004. However, related initiatives are ongoing. DHS has made tactical interoperability a major priority for the 50 cities participating in the fiscal year 2005 Urban Area Security Initiative, and DHS is also collaborating with DOJ on 25-city High-Risk Metropolitan Area Interoperability Assistance Project.

**Question: How much would such an expansion cost DHS, on a per-city basis?**

**Response:** The cost of ensuring tactical level interoperability in an urban area is highly dependant on the site of the area, the conditions on the ground, what assistance the city has already received, and what equipment that city has been able to purchase.

Currently there is no consistent way to measure the state of interoperability. SAFECOM is working on a national Baseline assessment of public safety interoper-

able communications, which it intends to complete by the end of fiscal year 2005. When the Baseline is complete, SAFECOM will develop a tool to help areas assess themselves and identify gaps between public safety requirements and the current state of interoperability nationwide. The Baseline will enable us to measure improvements in public safety communications and interoperability. This information will be crucial to the development of a rational method for prioritizing the nation's needs and allocation of the Department's resources.

**Question: 4. Dr. Albright, you stated in the hearing that you would support some form of a DHS certification process by which commercial equipment could be vetted, and information on the testing be provided to state and local purchasers. Assuming that such a system could be fee-based, what would it take for DHS to establish, or contract out, such a testing capability?**

**Response:** DHS is evaluating the need for certification for a variety of homeland security related equipment and coordinating the development of suitable programs in key areas. These certification programs will provide federal, state and local purchasers with confidence that these products meet security performance, safety and usage standards and requirements.

In order to establish an effective certification program several elements need to be in place. These include appropriate standards and/or technical requirements, test protocols, factory quality surveillance systems and a demand driver for the certification. Since, DHS is not a regulator for these equipments in most cases federal procurement requirements and grant guidance for state and local procurement using federal grant money will drive the demand for certified security products. We anticipate that state and local purchasers will make extensive use these programs.

DHS is working in several areas to develop the needed technical requirements, standards and test protocols as well as working with public and private sector organizations involved in laboratory testing, certification and laboratory accreditation to coordinate security equipment certification systems. Specific examples include radiation detectors, bio metric access devices and inter operability of public safety radio equipment.

**Question: 5. What will happen in the event of a terrorist attack if the first responders who do not have SAFETY Act protection are sued and there is no liability protection?**

**Response:** Again, first responders generally have no liability for the failure of a technology that they use in the performance of their duties. Moreover, those employed by the government are entitled to qualified immunities for acts or omissions that occur within the scope of their duties. In addition, government agencies themselves enjoy certain immunities. Others may be protected by the "Good Samaritan Laws" in effect in all 50 states and the District of Columbia. SAFETY Act protections are designed for, among others, the providers of technologies that may be employed by emergency responders. As of March 3, 2005, the OSAI had received several applications for technologies that are particularly relevant to the emergency responder community.

#### QUESTIONS AND RESPONSES FOR THE RECORD FROM MR. MATT A. MAYER

##### Terrorism Preparedness Grants

**Question: 1. In light of the President's budget request and support for risk-based allocation of terrorism preparedness grants, does the Department plan to consolidate the State Homeland Security Grant Program (SHSGP) and the Urban Area Security Initiative (UASI) into a single, risk-based grant program?**

**Response:** While the Department plans to incorporate risk and need into the SHSGP process in fiscal year 2006, the intent is not to consolidate SHSGP and UASI into a single, risk-based grant program. The Department has proposed a redesign of the homeland security funding process to award SHSGP funds based on risk and needs, in contrast to previous years where funding was apportioned according to the USA PATRIOT Act formula. Under this proposal, awards will be based on a relative evaluation of risk and application-based review of need, with no state receiving less than 0.25 percent at the appropriated level of funding.

Eligibility for participation in the UASI program will be determined by the Department based on an analysis of several risk factors. Applications will be reviewed and evaluated based on how proposed activities align with identified capability gaps, strategic goals and objectives, and national priorities. Award determinations will be made based on an evaluation of both need and risk.

The Department believes that it is important to maintain the integrity of both SHSGP and UASI as separate grant programs. Their relative funding levels should be part of the annual budget process, not be driven by statutory formulas. UASI is designed to address the unique risks and needs of high-threat, high-density urban areas while SHSGP ensures that all states receive a minimum threshold of homeland security assistance. We still see the need to balance the heightened risk of urban areas with the imperative to build a baseline, nationwide capability to prevent, respond to, and recover from terrorism.

**Is the Administration considering consolidation of other risk-based grant programs, such as the proposed Targeted Infrastructure Protection program, into one, risk-based grant program? If not, why is it necessary to have multiple, separate risk-based grant programs?**

**Response:** The Department does not plan to consolidate all risk-based grant programs into a single risk-based program. While it is imperative for the Department to integrate risk into homeland security assistance allocations, it is also important to maintain initiatives targeted toward specific program areas and national priorities.

In recognition of both the need to consolidate programs where possible and the high priority assigned to critical infrastructure protection, the Department has proposed consolidating various infrastructure protection grants into a single, comprehensive Targeted Infrastructure Protection program with additional funds. This effort will encompass key infrastructure elements such as seaports, mass transit, railways, and chemicals sites into a broader program that is based on need, risk, and national priorities. This consolidated program will maximize the Department's flexibility to allocate funds across critical infrastructure sectors according to the greatest risk.

However, the Department continues to see value in maintaining several separate programs that each seek to address specific needs based on the level of government. For example, UASI addresses the unique risks and needs of high-threat, high-density urban areas; SHSGP helps states build capabilities to prevent, respond to, and recover from terrorism; and DHS will administer the Targeted Infrastructure Protection Program to focus on high-risk critical infrastructures across the country.

**To what extent does OSLGCP utilize the IAIP Directorate's risk assessments, intelligence, and other resources?**

**Response:** SLGCP actively coordinates with IAIP regularly on risk assessment and critical infrastructure protection efforts. For example, SLGCP worked closely with IAIP on the threat data use to identify and prioritize jurisdictions eligible for the fiscal year 2005 UASI program. In addition, with the release of the fiscal year 2005 Buffer Zone Protection Program, IAIP was responsible for identifying the sites included in the program and worked with SLGCP in determining the state allocations and providing the program guidance based on that information. This relationship will be even stronger in fiscal year 2006, as SLGCP anticipates working closely with IAIP on evaluating threats and vulnerabilities for allocating State Homeland Security Grants and Target Infrastructure Protection Grants.

**Question: 2. The risk-based funding formula used to allocate fiscal year 2005 funds to UASI jurisdictions relied on a combined threat index. How will at-risk jurisdictions with small police forces and few resources dedicated to counterterrorism and intelligence activities be able to compete with the largest cities for UASI funds if the level of funding is directly related to a jurisdiction's ability to engage in voluntary counterterrorism activity and reporting?**

**Response:** The purpose of the UASI program is to provide financial assistance to address the unique planning, equipment, training, and exercise needs of high risk urban areas, and to assist them in building an enhanced and sustainable capacity to prevent, respond to, and recover from threats or acts of terrorism. The UASI program is intended to both prioritize funding, and ensure that funding is not distributed so widely that it dilutes the ability to effect significant improvements in the homeland security posture in the selected high threat, high population urban areas.

In fiscal year 2005, the size of local police forces and their level of dedicated counterterrorism activities did not factor into the allocation methodology. UASI funds were allocated to urban jurisdictions based solely on risk factors reflecting population, population density, vulnerable infrastructure, and Federal threat data. In fiscal year 2006, the UASI allocation formula will be similar, but with consideration for estimated needs as well.

In determining the eligible UASI sites this year, DHS began with an analysis of any city, and counting any asset within a city, against which there was an identified



credible threat. Further examination included a detailed focus on cities with a core population exceeding 225,000. From this analysis and prioritization, 50 cities/urban areas were objectively selected to receive funding in fiscal year 2005 under the UASI program. DHS recognizes that to prevent or respond to an event in the designated urban area (city) that there must be a regional approach. This is why the program is flexible for states to determine others who should be a part of the planning and share funding.

**What safeguards will the Department install to ensure that the 20 percent designations for law enforcement terrorism prevention activities under SHSGP and UASI are consistent and properly coordinated?**

**Response:** In the proposed fiscal year 2006 SHSGP and UASI programs, states and urban areas will identify *upfront* proposed activities to be used with law enforcement and terrorism prevention funds. SLGCP will leverage our robust monitoring program and reporting capabilities to ensure consistency and proper coordination. The on-site monitoring program and detailed program implementation reports will show how funding is allocated and expended under each program's guidelines.

**3. It is important for OSLGCP to encourage the adoption of written mutual aid agreements, particularly in light of the use of such agreements in the UASI risk-based formula.**

**Response:** SLGCP agrees with the importance of establishing formal mutual aid agreements. Utilizing mutual aid is a key aspect in preventing and responding to incidents nationally.

**What assistance, if any, does the Department intend to provide for jurisdictions unable to formalize such agreements?**

**Response:** SLGCP, and DHS as a whole, strongly supports expanding mutual aid and FEMA has developed model intra-state mutual aid and guidance for states to use to formalize such agreements. Guidance and assistance is also available through ODP and the NIMS Integration Center (NIC).

**Should OSLGCP or FEMA provide such assistance?**

**Response:** SLGCP and FEMA are coordinating closely and feel it is best to leverage all resources available due to the importance of establishing formal mutual aid agreements. SLGCP recognizes that FEMA has had considerable experience in this area, and coordination with the NIC is key in ensuring our programs complement one another in providing this type of assistance.

**Question: 4. What mechanisms are in place for ODP to identify, investigate, and remediate the misuse or methods of spending Federal homeland security assistance?**

**Response:** The Office for State and Local Government Coordination and Preparedness (SLGCP) provides oversight for program expenditures in several ways. For programs awarded in Fiscal Year 2003 and before, all items purchased had to be identified on budget detail worksheets. These budgets are submitted from local governments, through the State Administrative Agencies (SAA), to the ODP Preparedness Officer for line-item review and approval. All equipment is compared to the Authorized Equipment List and relative program guidance verifying that requested costs are allowable. ODP approval must be obtained before State or local governments can draw-down federal funds for expenditure.

To keep pace with the increasing complexity of its homeland security programs, SLGCP improved its reporting mechanisms in fiscal year 2004 by implementing the Initial Strategy Implementation Plan (ISIP) report and Bi-annual Strategy Implementation Report (BSIR) in place of budget detail worksheets. Focusing on state-wide projects and their relationship to the goals and objectives of the State Homeland Security Strategy, the ISIP details how the State has allocated its funds and certifies that it has obligated 80% to local governments. The BSIRs are submitted every six months for the life of the respective grant and further refine the project data, their obligations, and expenditures. SAAs are required to maintain the budget detail worksheet accountability for equipment purchased.

All grants, regardless of fiscal year, have the requirement of submitting quarterly financial status reports to show rates of obligation, expenditure, and draw-down. These are reconciled by SLGCP staff against draw-down information obtained from internal financial data systems to monitor expenditure trends and ensure the accuracy of State reports compared to internal tracking mechanisms.

Annually, a comprehensive financial review of all active grants is conducted for each State by SLGCP staff. This desk-side review is part of the preparation for an on-site monitoring visit conducted by SLGCP preparedness officers to each State.

While on site, preparedness officers are focusing on programmatic accomplishments, types of equipment purchased and deployed, contributions of respective State training programs, lessons learned from exercises, and identifying best practices to be shared with other States. Simultaneously, however, the flow of funding from SLGCP, through the State, to local governments in support of all of these activities is discerned to help identify difficulties or errors in both the processes and specific procurements.

#### **Training**

**Question: 1. What mechanisms, if any, does the Department utilize to coordinate training programs developed within academic and private affiliates of OSLGCP with the S&T Directorate's Centers of Excellence?**

**Response:** The primary educational mission of the Centers is to promote scholarly opportunities for undergraduate and graduate students through research assistantships and similar means, so as to develop a cadre of experts in broad-based multi-disciplinary research on Homeland Security topics. The Science and Technology Directorate has awarded grants to four Centers of Excellence: the Center for Risk and Economic Analysis of Terrorism Events; the National Center for Food Protection and Defense, the National Center for Foreign Animal and Zoonotic Disease Defense, and the National Center for the Study of Terrorism and Responses to Terrorism. These Centers perform mission-directed research in economic-based risk modeling, food protection and animal health, and the social and behavioral aspects of terrorism and counter-terrorism. These Centers are intentionally focused on solving the larger scientific questions in their specific mission areas using a broad-based multi-disciplinary approach from which other agencies and organizations could then take the research and apply to their own specific training program initiatives. The focus of these DHS Centers of Excellence and their research areas have been coordinated with OSLGCP as well as other government agencies.

**To what extent does the Department incorporate research performed by the Centers of Excellence as well as the research activities of other Directorates and agencies into the design and planning of training and exercises?**

**Response:** The Centers of Excellence are intentionally focused on solving the larger scientific questions in their specific mission areas using a broad-based multi-disciplinary approach from which other agencies and organizations could then take the research and apply to their own specific training program initiatives. As an example, the risk assessment models produced by the Center for Risk and Economic Analysis of Terrorism support the mission of S&T's Critical Infrastructure Protection portfolio, which in turn develops tools and systems to aid facility managers and public safety officials in planning and responding to attacks on the nation's infrastructure.

The Department anticipates that the proposed Center for the Study of High Consequence Event Preparedness and Response will have a more direct role in supporting the Department's EP&R Directorate and Office of State and Local Government Coordination and Preparedness, including training programs and exercises. The Department is currently seeking proposals for this Center; full proposals in response to the Science and Technology Directorate's Broad Agency Announcement are due April 22nd.

One of the mechanisms the Office of State and Local Government Coordination and Preparedness (SLGCP) uses to coordinate training programs is the Office of State and Local Government Coordination (SLGC). SLGC was established to serve as a single point of contact for facilitation and coordination of Departmental programs that impact state, local, territorial, and tribal governments. The Department has brought together many organizations with a long history of interaction with, and support to, state, local, territorial, and tribal government organizations and associations, and the Office is working hard to consolidate and coordinate that support.

SLGC facilitates the coordination of DHS-wide programs that impact state, local, territorial, and tribal governments; serves as the primary point-of-contact within DHS for exchanging information with state, local, territorial, and tribal homeland security personnel; identifies homeland security-related activities, best practices, and processes that are most efficiently accomplished at the federal, state, local or regional levels; and utilizes this information to ensure that opportunities for improvement are provided to our state, territorial, tribal and local counterparts. Within the SLGC structure is a coordinator assigned to the Department's Science and Technology (S&T) Directorate. One of the roles of this office is to aid coordination efforts between offices within SLGCP, namely the

Office for Domestic Preparedness (ODP), with S&T. An example of one of these on-going coordination efforts is ODP's Agro-Terrorism Training Initiative.

In fiscal year 2005, the ODP Training Division established an Agro-Terrorism Training Initiative with a working group that included others involved in agro-terrorism initiatives. The purpose of this working group was to ascertain and characterize specific information that would be reflected in an agro-terrorism matrix. The matrix will be used to identify agro-terrorism training gap areas and the coordination of the development of new training to address these areas. There were representatives from the Center for Domestic Preparedness (ODP's operational training center); other ODP training partners developing and/or administering agro-terrorism training including Dugway Proving Grounds, Louisiana State University's National Center for Biomedical Research and Training, Kirkwood Community College, University of California Davis; the Department's S&T's two Centers of Excellence in agricultural security (University of Minnesota and Texas A&M University); and U.S. Department of Agriculture's Animal Plant Health Inspection Service (APHIS) in the working group.

The next Agro-Terrorism Training Initiative Summit is scheduled for March 15–16, 2005, at the Center for Domestic Preparedness in Anniston, Alabama. The main goal of the summit is to coordinate the development of guidance for fiscal year 2004 and fiscal year 2005 Competitive Training Grant awardees towards gap areas identified within the DHS Agro-Terrorism Training Initiatives.

In the agro-terrorism risk reduction effort, the IAIP Directorate is integrating the efforts of the Pre and Post Harvest Centers of Excellence into our effort to deploy the National Infrastructure Protection Plan (NIPP) across the food and agriculture sector. For example, we are working with the Center based at Texas A&M to develop new vulnerability assessment tools for use in the livestock industry. The Center based in Minnesota is developing similar tools for food processors and retailers.

**Question: 2. To what extent has the Department utilized training facilities and expertise that exist at State and local training institutions in order to reach a maximum number of first responders?**

**Response:** The ODP encourages States, territories, and Urban Areas to use funds to enhance the capabilities of State and local emergency preparedness and response personnel through development of a State homeland security training program. Allowable training-related costs under SLGCP grant programs include: 1) establishment of chemical, biological, radiological, nuclear, and explosives (CBRNE) terrorism and cyber security training programs through existing training academies, universities or junior colleges; and 2) overtime and backfill costs associated with attendance at SLGCP-sponsored and—approved CBRNE and cyber security training courses.

In an effort to meet identified training needs while supporting state and local efforts to institutionalize WMD awareness training, ODP developed a standardized WMD awareness training program. The goal of this program is to provide states and urban areas with a mechanism for delivery and sustainment of WMD awareness training for the ten emergency response disciplines included in their strategies: emergency management, emergency medical service, fire service, government administrative, hazardous materials, health care, law enforcement, public communications, public health, and public works. The standardized awareness curriculum covers basic awareness level training; prevention and deterrence of terrorism; chemical and biological weapons agents; radiological and nuclear materials and explosive devices; and response actions. The program relies on a train-the-trainer approach to maximize the program's reach and facilitate ongoing efforts to incorporate Standardized WMD Awareness Authorized Trainers (SAAT) into state and local training programs. Each State and Urban Area will receive these sessions for the cadre of trainers they designate, including a minimum of three trainers per discipline. Since the program's implementation in the first quarter of Fiscal Year 2005, 563 trainers in 14 Urban Areas and 11 States have received training.

As of December 23, 2004, over 739,000 responders had received ODP training through the more than 40 courses in the ODP catalog. Recognizing the scope of the training needs at the State and local level, ODP is committed to the institutionalization of awareness and lower level performance training at those levels. Therefore, ODP is focusing its efforts on train-the-trainer programs in these categories. Additionally, in fiscal year 2005, States and Urban Areas are no longer required to request approval for personnel to attend other Federal courses related to CBRNE terrorism or non-SLGCP courses that fall within the SLGCP mission scope of preparing State and local personnel to prevent, respond to, and recover from acts of

terrorism involving CBRNE weapons. States and Urban Areas are instead required to submit information via the training section of the ODP website on this training which they are supporting with SLGCP funds. The required information includes course title, level of the training, the training provider, the date of the course, the number of individuals to be trained, and the sponsoring jurisdiction. Keeping in mind that Federal funds must be used to supplement—not supplant—existing funds that have been appropriated for the same purpose, States or Urban Areas intending to use SLGCP funds to support attendance at non-SLGCP courses must ensure that these courses:

- Fall within the SLGCP mission scope to prepare State and local personnel to prevent, respond to, and recover from acts of terrorism involving CBRNE weapons;
- Build additional capabilities that 1) meet a specific need identified through the homeland security assessment process, and 2) comport with the State or Urban Area Homeland Security Strategy;
- Address the specific tasks articulated in the *ODP Emergency Responder Guidelines and/or the ODP Homeland Security Guidelines for Prevention and Deterrence*;
- Address the specific tasks and capabilities articulated in the Universal Task List and Target Capabilities List, as they become available; and
- Comport with applicable Federal, State, and/or local certification, regulatory, and policy requirements deemed appropriate for the types and levels of training being taken

Additionally, FEMA's Emergency Management Institute (EMI) reaches nearly 4,000 State and local students in residence annually at the Emmitsburg, Maryland, facility, and another 2,600 at the Noble Training Center in Anniston, Alabama. Specific train-the-trainer courses are conducted for State and local officials for courses in the comprehensive exercise curriculum, the Homeland Security Planning course, the Hospital Emergency Response Team course, and also for the various courses in the radiological series of courses. These courses are part of the field training program and are delivered by State emergency management agency staffs for local disaster response personnel throughout the nation. In all, EMI makes available 102 courses for delivery at the State and local level, with the majority having an all-hazards approach to disaster mitigation, preparedness, response, and recovery. State emergency management staff deliver these field training courses to other State agency personnel and local officials, in order to meet their respective training needs. Many of EMI's independent study courses are downloaded and taught in group classroom sessions by State emergency management agencies and/or local personnel, adding to the number of State and local personnel served. EMI also developed independent study courses that serve as the orientation and initial training for State and local officials to help implement HSPD-5 that requires all levels of government to use the National Incident Management System (NIMS) when responding to a disaster. More courses for delivery at the State and local level related to NIMS, and specifically the Incident Command System, are under development.

Finally, the National Fire Academy, the center for the Nation's system of fire service training and education, conducts resident training at the National Emergency Training Center (NETC) facilities in Emmitsburg, Maryland; and uses the infrastructure and assets of all 50 State fire training systems, 150 of the largest municipal fire departments, colleges and universities, and electronic distance education. The all-hazards curriculum is delivered through resident and off-campus classroom training in all 50 States, for-credit college courses and NETC virtual campus courses to more than 60,000 volunteer and career fire service students in fiscal year 2004. Performance measurement of the effectiveness of the training has been outcome-based since 1998.

There are 11 curriculum areas: Executive Development, Management Science, Emergency Medical Services, Incident Management, Planning and Information Management, Hazardous Materials, Fire Investigation, Fire Prevention: Management, and Fire Prevention: Technical, Public Education and Training Management. The courses in all curriculum areas are open to both the career and volunteer fire service and allied professions (e.g. building officials).

There are seven principal curriculum delivery methods:

- A resident program consisting of one and two week courses.
- A two-day course program in which each State receives nine courses. Some States choose to have those courses delivered on the NETC Campus and travel from as far away as Florida and Wisconsin; other States choose to have their nine delivered within the State. Each State choose their nine courses from a menu of 32 different courses.

- A Regional delivery program in which each of the ten FEMA regions receives three one-week courses. Each region chooses their three courses from a menu of 21 different courses.
- A college program in which 13 courses are distributed to fire-degree granting colleges and universities.
- Distance Education / technology based delivery.
- Hand-off courses in which certain courses are developed and handed-off to State fire training systems, and 150 largest fire departments. The 150 largest departments cover most of the career personnel, while the State training system trains the smaller career and volunteer departments.
- Endorsed courses are courses which are developed by State and local systems, peer-reviewed by evaluators from the State and local systems, and if approved, are endorsed as NFA courses. This allows the State and local system access to courses that the NFA cannot develop, while at the same time, giving national recognition and reciprocity to courses that would otherwise be unavailable. This reduces the cost of course development and course redundancy for State and local fire training systems.

Each year, the NFA sets aside four weeks, distributed throughout the year, solely for the delivery of courses to the volunteer fire service. Only members of the volunteer fire service are admitted, and the courses are designed specifically for that audience.

**Please explain the approval process for how first responders and State and local governments may utilize Federal homeland security assistance to receive Federal-mandated terrorism preparedness training at State and local training institutions.**

**Response:** States are no longer required to submit advance requests for personnel to attend certain Federal courses that fall within the SLGCP mission scope. States and Urban Areas simply report via the training section of the ODP website on all Federal training they are supporting with SLGCP funds. This information includes course title, level of the training, the training provider, the date of the course, the number of individuals to be trained, and the sponsoring jurisdiction.

Several broad categories of courses are automatically included in the list of eligible Federal courses:

- All National Incident Management System (NIMS) training approved by the NIMS Integration Center (NIC) is eligible for use of SLGCP funds.
- All Incident Command System (ICS) training offered through the National Fire Academy and the Emergency Management Institute is eligible for use of SLGCP funds. This guidance applies to resident training, train-the-trainer, and field delivery of courses.

In conjunction with the release of fiscal year 2005 Homeland Security Grant Program guidance, SLGCP has published a list of eligible Federal courses that fall within its mission scope. The list is posted on the training section of the ODP website and is updated regularly as additional Federal courses become available.

These courses must build additional capabilities that 1) meet a specific need identified through the homeland security assessment process, and 2) comport with the State or Urban Area Homeland Security Strategy.

Federal funds must be used to supplement—not supplant—existing funds that have been appropriated for the same purpose. Thus, if the State or Urban Area has already budgeted for personnel to attend courses, SLGCP funds may only be used to send additional individuals above and beyond those previously budgeted.

**Question: 3. What are the Department's plans for utilizing existing training facilities, expertise, and train-the-trainer networks that exist at the National Fire Academy and the Federal Law Enforcement Training Center to perform terrorism preparedness training?**

**Response:** The National Fire Academy is one of three schools within DHS FEMA which also houses the Emergency Management Institute and Noble Training Center. All three schools have been actively engaged in performing terrorism preparedness as well as all hazards training.

The National Fire Academy serves as a national center for fire service training and education. NFA also uses the infrastructure and assets of all 50 State fire training systems, 150 of the largest municipal fire departments, colleges and universities, and electronic distance education. Since September 11, 2001, the US Fire Academy has provided direct training for 50,000 first responders through its resident courses, and 450,000 trained through our off campus partnerships to include 275,000 through our ever-growing distance learning capabilities.

The US Fire Administration has been instrumental in supporting the effort to quickly develop training in support of DHS's efforts to promulgate the National Incident Management System (NIMS), and the National Response Plan (NRP) nationwide.

The Emergency Management Institute is the national focal point for emergency management training. During Fiscal Year 2004, EMI was combined with FEMA's newest training activity, the Noble Training Center in Anniston, Alabama. EMI created a new curriculum for Noble that was designed to prepare healthcare and public health officials to deal with mass casualty events caused by terrorism and other hazards. EMI offered 19 courses at Noble during fiscal year 2004 and will offer 70 courses there in fiscal year 2005. . The majority of training offered in residence at EMI is designed to address an all-hazards approach, with the exception of the Integrated Emergency Management Course/Homeland Security, that uses various CBRNE scenarios as part of this exercise-based course. Additionally, the Homeland Security Planning course teaches state, local, and tribal officials how to develop planning annexes to deal with all CBRNE. EMI's field training program conducted by state emergency management agencies as well as the EMI's independent study program, reach a larger training audience with emphasis on all-hazard preparedness. At the Noble Training Center, the Healthcare Leadership course, the Hospital Emergency Response Training course, and the radiological series of courses conducted at Noble, all contain scenario activities dealing with response to chemical, biological, radiological, nuclear and explosive devices. Also at Noble, several offerings of the Integrated Emergency Management Course, designed for Metropolitan Medical Response Systems communities, are offered with a response to CBRNE emphasized in the training scenarios.

The Federal Law Enforcement Training Center (FLETC) provides consolidated law enforcement training and services for eighty-one Partner Organizations, as well as numerous state, local and international entities and provides assistance to several military activities. FLETC staff is comprised of subject matter experts from each of these law enforcement agencies who are responsible for developing and delivering contemporary law enforcement training courses and programs, to include residential and export train-the-trainer programs. Through this collaborative network of agencies, the FLETC maximizes efficiency of resources and capitalizes on the expertise of its' Partner Organizations.

More than a decade before the terrorist events of September 11, 2001, the FLETC was providing terrorism awareness and preparedness training in all of the basic training programs, and had developed and delivered advanced and specialized programs to address mission specific needs. Since 9/11, the FLETC has optimized existing training facilities and utilized the multi-agency instructional cadre to expand and enhance current programs, and has developed new courses to meet the changing mission requirements of its' Partner Organizations. Nearly all of these agencies now have a stated mission to prepare, detect and prevent terrorist acts, both foreign and domestic. In fact, more than a dozen of these agencies now deploy their officers and agents into high risk environments around the world.

The Department plans to continue to rely on the FLETC to coordinate the development and delivery of Anti- and Counterterrorism training facilities, programs and courses to prepare Federal law enforcement agents and officers to prevent and respond to terrorist events, foreign and domestic.

**Should OSLGCP serve as a one-stop-shop for first responders to attain terrorism preparedness courses offered by other Federal Departments or agencies, such as the Department of Energy, the Department of Justice, or the Department of Defense?**

**Response:** OSLGCP is the principal component of the Department responsible for preparing the United States for acts of terrorism. In carrying out its mission, ODP is the primary office responsible for providing training, funds for the purchase of equipment, support for the planning and execution of exercises, technical assistance and other support to assist states and local jurisdictions to prevent, plan for, and respond to acts of terrorism.

Because of ODP's experience and lasting presence in supporting State and local training, ODP should continue to work as a coordinating body for civilian terrorism preparedness training programs. This does not supplant the authority of other agencies to offer course, or work with their state and local stakeholders.

ODP's role in the coordination of intra-Departmental training is based on collaboration, especially as ODP's training audience is external to the Department itself. ODP coordination occurs through the DHS Training Leaders Council and its sub-groups facilitated by the Chief Human Capital Office as well as through TRADE. Established in early 2001, the TRADE group is a forum for Federal departments and agencies to coordinate information on existing and developmental training re-

lated to terrorism and weapons of mass destruction. TRADE members include the Centers for Disease Control and Prevention, Technical Support Working Group, Department of Energy, Environmental Protection Agency, Federal Bureau of Investigation, Federal Emergency Management Agency (Emergency Management Institute and National Fire Academy), Federal Law Enforcement Training Center, Health and Human Services' Office of Public Health Emergency Preparedness, Health Resources and Services Administration, Information Analysis/Infrastructure Protection, Transportation Security Administration, and the United States Department of Agriculture (USDA) Animal Plant Health Inspection Service.

Since its inception, the Emergency Management Institute and National Fire Academy have participated in this group and currently more than 30 courses developed by the Federal Emergency Management Agency are eligible for the use of ODP formula grant funds as reflected in the Fiscal Year 2005 grant guidance. Additionally, ODP is working cooperatively with the Emergency Management Institute on a web-based revision of an existing exercise design and development course. ODP is also working with the Information Analysis and Infrastructure Protection Directorate to provide a web-based pilot capability of its Workforce Antiterrorism Awareness/Prevention course. Additionally, ODP is represented on the advisory committee for the Federal Law Enforcement Training Center (FLETC) National Center for State and Local Law Enforcement Training. Through ODP's sister organization, the Office of State and Local Government Coordination, there are also staff members assigned for liaison and coordination with each directorate within DHS not only for training, but for cross-cutting issues. Finally, through the implementation process associated with HSPD-8, ODP engages in regular coordination with other intra-departmental organizations such as the NIMS Integration Center and the Headquarters Operational Integration Staff.

#### **Exercises**

**Question: 1. How will TOPOFF III incorporate new national initiatives required in HSPD-5 and HSPD-8, such as the National Response Plan, the National Incident Management System, and the National Preparedness Goal?**

**Response:** TOPOFF 3 provides an extraordinary opportunity for planners and senior officials to internalize and use the newly released NRP and provides the first national level opportunity to validate NIMS in an exercise environment. One principal objective of the TOPOFF exercise series is to provide a realistic scenario against which Top Officials, at all levels of government, can test their plans, procedures, and policies in response to an incident of national significance. The T3 Scenario is predicated on the concepts and procedures in the National Response Plan (NRP) and National Incident Management System (NIMS). The NRP and NIMS will be the standard used to evaluate overall response to the incident. Subsequently, exercise participants will be evaluated against their understanding and implementation of these national guidance documents. Recommendations and lessons learned, reflected in the T3 After Action Report/Improvement Plan, will help determine any necessary revisions or enhancements to the NRP, NIMS. Deficiencies and gaps identified in the AAR/IP should be addressed through additional training, planning and equipment acquisition, which will support the intentions of the National Preparedness Goal.

Additionally, it should be noted that both the NRP and the NIMS address involvement of the private sector in all planned responses. To this end, the private sector engagement in TopOff 3 is an important initiative and substantially broadens the effectiveness of such national exercises. Further, it sets the right examples for state and local government in the planning and conduction of their training and exercise events.

**Question: What standards are the participants being evaluated against in this exercise?**

**Response:** Federal, State and local officials will be evaluated against their respective plans, policies and procedures. From a national perspective, the NRP and NIMS protocols will be used as standards for participant response to the scenario. State and local jurisdictions will validate their respective plans and regulations (e.g., Continuity of Operations, OSHA regulations, local Standard Operating Procedures, etc.) during response. Trained Data Collectors will be using Exercise Evaluation Guides (EEGs) from the Homeland Security Exercise and Evaluation Program (HSEEP) to evaluate participant response against prescribed tasks in the EEGs. For example, one of the many EEG tasks (Task# VI-2) describes 'Conduct for Search and Rescue Operations' and lists the steps that ideally would be performed to accomplish this task.

**Who established those standards and were they agreed upon by participants—particularly down to the local responder level?**

**Response:** Throughout the planning process for T3, Federal, State and local partners used their existing plans, policies and procedures as a basis for the standard to which participants will be evaluated against during the exercise. The tasks contained in the HSEEP EEGs, which are used to evaluate the standards against, were vetted by Subject Matter Experts comprised of Federal, State and local officials. These tasks are written to be applicable to not only Federal and State levels, but local levels as well. For example search and rescue operations are performed at all levels.

**How will the participants know, based on their performance, whether they are performing to an established standard or not?**

**Response:** The After Action Report/Improvement Plan is an analysis of the participants' response to the standards prescribed in the plans, procedures and protocols used during the design and conduct of the exercise. The AAR/IP will identify the responders' compliance with those standards, recognizing that a wide range of factors affect performance.

**If there are no established or agreed upon standards upon which to base performance, on what measures will the after-action report be based?**

**Response:** The TOPOFF After Action Report (AAR) is based upon how well stated objectives are met and how effectively each agency or organizations' plans, policies and procedures were executed and if those plans are effective, as written. As stated in answers above, the observations and recommendations contained within the AAR identify and analyze the participants' response using established plans, policies and procedures (e.g., NRP, NIMS, State and local SOPs). Each observation and recommendation within the AAR is tied to a task within the Exercise Evaluation Guides utilized by Data Collectors to evaluate the response to those standards.

**Question: 2. Please explain how DHS will amend or update the NRP, NIMS, and/or NPG in response to outcomes from the completed exercise?**

**Response:** DHS will use the Secretary's Remedial Action Program (SecRAMP) to specifically identify areas that need improvement and assign agencies to incorporate changes to these plans and policies (NRP, NIMS and NPG).

**Will the Department solicit the input of Federal partners, State and local governments, and first responders?**

**Response:** Yes. Through the planning and conduct of the exercise, the individual responder and discipline debriefings, and the After Action and Improvement Planning Conference, input will be solicited and incorporated into the final report. The draft AAR/IP will be disseminated to all participating agencies and their respective feedback will be incorporated into a revised final AAR/IP.

**What actions will OSLGCP perform to assist first responders and government officials to incorporate the designs, techniques, scenarios, and lessons learned from TOPOFF III and other exercises?**

**Response:** SLGCP will utilize various forums to incorporate the designs, techniques, scenarios and lessons learned from all exercises it conducts, including the TOPOFF exercise series. Currently SLGCP takes innovative exercise designs and scenarios and places them within its Secure Portal as part of the Homeland Security Exercise and Evaluation Program (HSEEP) Volume IV. The HSEEP reference manuals deliver an exercise program that helps address identified planning, training, and equipment needs and provides homeland security professionals with the tools to plan, conduct, and evaluate exercises to improve overall preparedness. The four volumes include:

HSEEP Volume I: Overview and Doctrine provides requirements and guidance for the establishment and maintenance of a homeland security exercise program.

HSEEP Volume II: Exercise Evaluation and Improvement offers proven methodology for evaluating homeland security exercises and implementing an improvement program.

HSEEP Volume III: Exercise Program Management and Exercise Planning Process helps planners establish an exercise program and outlines a standardized design, development, conduct, and evaluation process adaptable to any type of exercise.

HSEEP Volume IV: Sample Exercise Documents and Formats provide sample exercise materials referenced in HSEEP Volumes I-III. These materials are available on a secure Web-based portal.



In an attempt to standardize the language and concepts that have been adopted and used by various agencies and organizations in the exercise planning process, ODP ensures consistent use of the terminology and processes described in HSEEP. Whereas the focus of DHS/ODP-sponsored exercises is on terrorism/WMD, the HSEEP series of reference volumes also can be adapted to a variety of scenarios and events (e.g., natural disasters, terrorism, technological calamities). The intent of HSEEP is to provide a common process, consistent terminology, and a program that is practical and flexible enough for all exercise planners, whatever their sponsoring agency or organization may be.

Exercises and the resultant After Action Reports (AARs) and improvement plans not only provide lessons for exercise participants, they also offer a valuable source of information that can be analyzed at the national level to identify lessons learned and best practices that can be shared to enhance preparedness across the country. Lessons learned encompass knowledge and experience (positive and negative) derived from observations and historical study of actual operations, training, and exercises. Best practices encompass peer-validated techniques, procedures, and solutions that work and are solidly grounded in actual experience in operations, training, and exercises. Exercise AARs should identify lessons and highlight exemplary practices, and are submitted to DHS/ODP for inclusion in the lessons learned/best practices Web portal ([www.llis.gov](http://www.llis.gov)), which serves as a national network for generating, validating, and disseminating lessons learned and best practices.

With support and oversight from DHS/ODP, the National Memorial Institute for the Prevention of Terrorism (MIPT) in Oklahoma City has developed this secure Web-based network of peer-validated best practices and lessons learned. This network, known as Lessons Learned Information Sharing (LLIS), is designed to help emergency responders, homeland security officials, and healthcare professionals learn from each other and share information. LLIS offers access to a wide variety of original best practices and lessons learned, developed in consultation with front-line emergency responders and validated by emergency response and homeland security professionals. This network also assists these professionals on lessons learned on exercise design and conduct from all levels of exercises, from the TOPOFF series to State and local exercises.

**Question: 3. The intent of the National Exercise Program (NEP) is to facilitate the integration and coordination of the vast number of exercises being conducted at all levels of government to ensure standardization of procedures, minimize of resource waste, and implement a more efficient and effective use of participants and critical resources. What is the status of the NEP?**

**Response:** The NEP is currently being executed with multiple ongoing and concurrent efforts. The TOPOFF 3 Full Scale Exercise (T3 FSE) will be conducted April 4–10, 2005, to be closely followed by the TOPOFF 3 Large Scale Game, devoted to long-term recovery operations and issues relative to the T3 FSE scenario. Senior Officials Exercises are also ongoing, with multiple iterations in work, each devoted to a specific national-level response challenge. The NEP has developed a National Exercise Schedule and is in the process of adapting a DOD software program (Joint Training and Information Management System—JTIMS) to provide a comprehensive, on-line data management system that will improve exercise scheduling, planning, execution, and reporting. In June 2004, SLGCP conducted the first inter-agency scheduling conference to obtain inputs regarding planned exercise activities from across the Federal government. This initial effort will be followed up by a subsequent conference in June 2005 to further consolidate exercise schedules from numerous agencies at all levels of government. An effective foundation has been developed for the NEP and has thus far realized tremendous returns on investment and will continue to evolve and grow. In addition, the foundation for NEP's policy and doctrine, the Homeland Security Exercise and Evaluation Program (HSEEP), has been finalized, adopted by all 56 State and territories, and endorsed by several Federal partners (i.e., FEMA, CDC, TSA, IAIP, etc.) as a standardized policy and guidance for designing, developing, conducting and evaluating exercises.

**Is the NEP to be a consolidated program with a unified structure and oversight or is it to be a series of individual initiatives?**

**Response:** The National Exercise Program (NEP) is a consolidated program with unified structure and oversight, consisting of preparedness related exercises. The NEP reinforces identified training standards and provides an evaluation of readiness. The NEP is comprised of the TOPOFF exercise series, Senior Official Exercises, the National Exercise Schedule and will grow in scope to support exercises at all levels of government. A primary intention of the NEP is to provide common

doctrine and methodology through the Homeland Security Exercise and Evaluation Program to key homeland security stakeholders with exercise responsibilities and has been very successful in this regard. As can be expected, the NEP is still in its infancy and will take some time before all intended stakeholders are fully integrated into the procedural framework of the NEP.

**Is the NEP envisioned to be a series of TOPOFF exercises or something more comprehensive?**

**Response:** The NEP encompasses the entire exercise program that SLGCP administers. The NEP is being utilized to further integrate exercise schedules, activities, terminology, and methodology throughout the Nation at all levels of government (i.e., Federal, State and local). Although the NEP was founded on experiences from managing the TOPOFF program, its focus is now broader, supporting Senior Officials Exercises, National Security Special Events exercises, the National Exercise Calendar, the Homeland Security Exercise and Evaluation Program, the Prevention and Deterrence Exercise Program, other national-level exercises, a remedial action program, Cross-Border (International) exercises, as well as the integration of other legacy exercise program content.

**Question: 4. ODP issued and then pulled a Request for Proposal (RFP) that was seeking extensive contract support related to the NEP. What happened? When, if ever, will ODP reissue the RFP?**

**Response:** The initial procurement attempt for the NEP was challenging in multiple respects. This was to be the most comprehensive and progressive exercise program for civilian development and implementation in recent history. The focus of the NEP was to be national in scope, however, the NEP also had to be responsive to local and State level government needs and priorities, as well as Federal government needs and priorities. As this was an unprecedented initiative and maintained the highest levels of potential consequence (positive and negative) regarding decisions made by government leaders, criteria for choosing industry partners had to be very deliberate and very effective. The difficulties culminated during a protracted procurement process during which numerous communications and ongoing reviews failed to yield a proposal that was agreeable to both GSA and ODP. During this entire process, demands for coordination of NEP activities continued to mount, leading to decision to set aside the action in favor of an interim award, while a comprehensive overhaul of the full NEP proposal was undertaken.

While simultaneously executing the fiscal year 2004 and now fiscal year 2005 NEP activities, ODP has been preparing to initiate a subsequent procurement action, sanctioned through the Department of Homeland Security procurement system that will broaden the focus of the NEP proposal to encompass support required for all SLGCP Exercise Division activities, combining them into a single, competition driven model. In this new construct more vendors will be able to participate in NEP procurement activities. Much was learned from the first attempt at procuring services for the NEP and ODP has great confidence that with the support of DHS procurement and cooperation from the vendor community, NEP services will be procured for the long-term and with appropriate expertise levels in calendar year 2005.

**Question: 5. Other than the TOPOFF series, what other exercises will OSLGCP be involved in or provide assistance to?**

**Response:** SLGCP is involved in many other exercises other than the TOPOFF series. Since March, 2001, SLGCP has been involved in over 400 exercises, mostly delivered at the State and local level. SLGCP will continue to deliver exercises to all 56 States and territories through its Direct Support program.

Other exercises OSLGCP will be involved with include:

**Senior Officials Exercises:** A Senior Officials Exercise (SOE) is designed to validate policies or procedures, develop concepts or focus issues, or rehearse for specific events, at the policy level. (The policy level may include principals, deputies, senior department/ agency management, or combinations thereof.) DHS/ODP will design and logically execute SOEs as deemed necessary by senior leaders at DHS, the Homeland Security Council (HSC), or other agencies.

**National Special Security Events:** The Federal government designates certain events as requiring special security because of their high visibility and potential attractiveness to threat elements. DHS/ODP provides support for designing, planning, conducting, and evaluating exercises in preparation for designated National Special Security Events (NSSEs) such as the 2002 Winter Olympic Games in Salt Lake City. These exercises provide a forum to practice the coordination and response to specific challenges that could arise if a terrorist incident occurred during the event.

International Exercises: Participation in regional and international exercises is a crucial aspect of emergency preparedness for many communities across the country. From Seattle and Vancouver to San Diego and Tijuana, communities need to plan with their neighbors for emergencies that cross State or national borders. Terrorist incidents do not stop at political borders, and neither should preparedness activities. Interstate and international resources should be incorporated into plans and used as appropriate. In some locales, such as in the Pacific Islands, international assistance is the closest available mutual aid. Communities should familiarize themselves with the resources available from potential regional and international partners and share their response concepts and standard/emergency operating procedures (SOPs/EOPs) with these groups. To date OSLGCP has conducted five exercises with Canada with the states of Vermont, Maine, Minnesota, Ohio, and Alaska, with more scheduled for fiscal year 2005.

**How does DHS integrate all the various exercise programs across the U.S. government down to and including the local levels?**

**Response:** The U.S. Department of Homeland Security, Office for State and Local Government Coordination and Preparedness (DHS/SLGCP) implemented the Homeland Security Exercise and Evaluation Program (HSEEP) to assess and enhance terrorism prevention, response, and recovery capabilities at the Federal, State, and local levels. The HSEEP is a threat and performance-based exercise program that helps shape the policies that govern the planning, execution and evaluation of exercises. The HSEEP employs exercise activities of varying degrees of complexity and interaction. In addition, the HSEEP is flexible enough to be used with exercises other than just terrorism based scenarios.

HSEEP has been in place since March of 2003 and is being used in 56 states and territories as required by the State Homeland Security Grant Program. As part of this requirement, states use a portion of their grant money in establishing and conducting exercises. They are required to use HSEEP in order to qualify for the grants. As a result, all states and territories are conversant with HSEEP and its requirements.

HSEEP has been endorsed and adopted by several other Federal agencies, such as the Transportation Security Administration (TSA), the Department of Homeland Security (DHS), Information Analysis and Infrastructure Protection (IAIP) Directorate, Centers for Disease Control and Prevention (CDC), and Strategic National Stockpile (SNS). Other agencies are incorporating HSEEP into their current methodology and training, including the Federal Emergency Management Agency. The HSEEP methodology is also going to be taught at the Federal Emergency Management Agency's Emergency Management Institute, through their Master Exercise Practitioner Program. As a result, all exercise design courses available through DHS will be in line with the HSEEP doctrine. HSEEP standardizes the language and concepts that have been adopted and used by various agencies and organizations in the exercise planning process, and ensures consistent use of terminology and methodology. This is consistent with the National Response Plan (NRP) and the National Incident Management System's (NIMS) goals.

DHS, along with State, local, tribal and Federal partners, utilizes a secure but unclassified on-line exercise scheduling tool (the National Exercise Scheduling System, or NEXS) and many participants have begun to use NEXS to schedule activities. The system supports scheduling of activities for state and local exercise programs, ensuring Federal, state and local exercises can be jointly reviewed for opportunities to consolidate activities and integrate objectives. Over the course of the next two years, program participants will forge consensus on a standardized schedule and annual level of effort. This will eliminate the problem of multiple exercises competing for participation, resources, and management attention.

**Do you have the resources capable to do this and, if the NEP is not in place as envisioned, when you intend to have such resources in place?**

**Response:** The NEP has resources in place to effectively move toward addressing the needs of a truly comprehensive national program for homeland security exercises. DHS/ODP is also coordinating with other Federal exercise programs (e.g., Transportation Security Administration, FEMA, CDC, etc.) to ensure efforts are not duplicated and resources are shared to meet the ultimate goal of an integrated program. Just as training is a vital responsibility for operational agencies at every level of government, they must be willing to allocate time and resources to engage in exercises as well.

### **Interoperable Communications**

**Question: 1. To what extent do homeland security grant guidelines incorporate standards and requirements set forth by the Office for Interoperability and Compatibility and its SAFECOM Program?**

**Response:** Our coordinated grant guidelines incorporate these standards and requirements by outlining eligibility for grants and the purposes for which grants may be used. We also have issued guidelines for implementing a wireless communication system. These are intended to help maximize the efficiency with which funds for public safety communications are allocated and spent. To ensure consistency in interoperability grants solicitations, this guidance was incorporated in the Department of Justice's Community Oriented Policing Services (COPS) and Department of Homeland Security's Federal Emergency Management Association (FEMA) grants in fiscal year 2003, the COPS Interoperability grants in fiscal year 2004, and the Office for Domestic Preparedness (ODP) guidance for its state block grants in fiscal year 2004. SAFECOM guidance will also be included in the guidance for both the COPS Interoperability grants and ODP grants in fiscal year 2005. The Administration is strongly committed to ensuring that all communications-related grant programs use SAFECOM grant guidance, and that grantees are held accountable for compliance.

**Are grants for interoperable communications coordinated with assistance provided by the S&T Directorate through RAPIDCOM, SAFECOM, or other pilot projects and programs?**

**Response:** In addition to SAFECOM's guidance for grant solicitations, the Office for Interoperability and Compatibility (OIC) now offers guidance and a set of best practices for technical assistance. These will help develop curricula for interoperable communications technical assistance. SAFECOM will also incorporate lessons learned from RapidCom into the technical assistance guidance for all interoperable communications. However, the sheer number of interoperability projects funded by DHS each year makes direct coordination on each grant impracticable. If grantees request technical assistance, both SAFECOM and ODP can provide more detailed coordination.

### **First Responders Technologies**

**Question: 1. How does the Department coordinate the establishment of priorities for technology development and procurement between OSLGCP and the S&T Directorate's Centers of Excellence, ORD, HSARPA, Federally Funded Research Centers, and Federal Labs?**

**Response:** Priorities for research and development for the S&T Directorate are established using a risk-based approach and is oriented toward identifying critical capability gaps before attempting to identify or develop technology solutions. In developing solutions, the process engages the end-user throughout requirements definition, development, testing and transition. The process considers the product life cycle from the outset, including planning and budgeting for production, deployment, operations and support. It is this process which allows us to prioritize both within and across fields. The Office of State and Local Government Coordination and Preparedness, as well as all the organizational elements of the Department, are heavily involved in the S&T Directorate's process—formally through the Science and Technology Requirements Council (SRC) and informally through frequent interactions at the staff level.

Within the S&T Directorate, the Office of Plans, Programs and Budgets manages and executes the planning, programming and budgeting system (PPBS) cycle for the Directorate. It sets short-, mid-, and long-range goals aimed at achieving the needs set out by the Administration. These goals include, for example, countering the threat of weapons of mass destruction and addressing the needs of customers in the operational Directorates in the Department and of state and local entities. Functionally, leadership from all of our executing Offices—HSARPA, ORD and SED—participates actively in the PPB process through the integrated product teams (IPTs). These IPTs are integral to the planning process. The IPTs for each portfolio work as a team to determine their mission space, their strategic goals for the next five years, and a list of prioritized deliverables.

Research and development priorities as well as funding levels for ORD (including the Centers of Excellence and Federal Labs), HSARPA, and SED determined through our IPT process and are dependent on where the best expertise is found to conduct the RDT&E that will most effectively meet the Department's mission to ensure the safety of the nation.

**To what extent, if any, does the S&T Directorate utilize threat assessment and vulnerability analysis in determining R&D priorities?**

**Response:** The S&T Directorate's research, development, testing and evaluation (RDT&E) process uses a risk-based approach to planning and is oriented toward identifying critical capability gaps before attempting to identify or develop technology solutions. It is this process which allows us to prioritize both within and across fields.

The RDT&E process consists of four main sub-processes: 1) needs and risk assessment, 2) strategic planning, 3) program definition, and 4) program execution. The first two sub-processes ensure that the Science and Technology Directorate considers user needs, available intelligence, big-picture risks, national goals and inputs from other external agencies and advisory bodies to establish its annual RDT&E program. The second two sub-processes provide a framework for program execution using the best available systems engineering and program management techniques.

Within many critical infrastructure sectors, the IAIP Directorate's vulnerability assessment efforts will lead directly to the identification of technology and capability gaps. This gap identification process will, over time, help drive R&D requirements that the S&T Directorate will address.

**Question: 2. To what extent does OSLGCP utilize the S&T Directorate's Technology Clearinghouse when distributing technical assistance, best practices, and grant guidance to State and local governments?**

**Response:** S&T has not established a clearinghouse that is useful for ODP information dissemination purposes. Several years ago, ODP established the Responder Knowledge Base (RKB) at the Memorial Institute for the Prevention of Terrorism (MIPT) which ODP uses to disseminate information about standards, equipment, and to announce the Commercial Equipment Direct Assistance Program (CEDAP). Physical transfer of commercial equipment is the responsibility of ODP CEDAP managers. S&T was consulted regarding technology for possible incorporation into CEDAP, as were other organizations in government that develop technology. Moreover, information ODP collects about how well commercial technologies work in practical, small, rural law enforcement and first responder agencies will be reported back to S&T for incorporation in their development programs. ODP also collaborated with and funded MIPT to develop and host the website on best practices called Lessons Learned Information Service (LLIS). LLIS contains information contained in after action reports and reviews written following major exercises. ODP releases information about grants via their grants.gov website.

**What mechanisms does the Department utilize to identify and transfer available and developing technologies for use by first responders?**

**Response:** Overall, the Department has made great strides in leveraging work that has already been or is being done to identify, develop and transfer technologies to first responders. Nowhere is this more evident than in the relationship that has been forged between the Science and Technology Directorate (S&T) and the Office for Domestic Preparedness (ODP). In April 2001, under the sponsorship of ODP, the Memorial Institute for the Prevention of Terrorism (MIPT) began an effort aimed at improving local, state, and federal emergency responder capabilities for mitigating the effects of terrorism. In April 2004, MIPT published the results of this in the *National Technology Plan for Emergency Response to Catastrophic Terrorism*. Through their production of this report, twelve terrorism response objectives were identified and the technology capabilities required to address these objectives were explored in the report. This report has served as an excellent foundation for S&T's work to initiate research and development in this area. S&T has continued the good work started by ODP and MIPT and continues to build upon the Project Responder process by drilling down within these objectives to identify specific technologies that will provide needed capabilities and by expanding the work to include technologies to enhance training and exercise for large scale incidents. S&T has already solicited proposals for several of these areas that will begin the effort to address some of the most critical needs.

Another component of the MIPT work is the Responder Knowledge Base (RKB), currently supported by ODP. The RKB provides a much-needed screening tool for responders to access information pertaining to commercially available equipment. The RKB allows queries by first responders to determine the suitability of equipment to their needs including technical specifications, compliance with relevant standards, and applicable grants programs. The RKB also provides a very robust forum for exchanging information between responders on how well a particular piece of equipment performs. S&T and ODP are working together to create a partnership between the Technology Clearinghouse and the RKB to further leverage this valuable resource.

S&T has also incorporated work of the National Institute of Justice, the Department of Defense, Department of Energy, and other federal agencies in the overall development of its research strategy for first responders. For example, S&T captured the needs identified by the NIJ in their report “First Responder Needs Assessment.” and the recently released report by FEMA on Urban Search and Rescue requirements.

DHS is also a strong supporter and sponsor of the Interagency Board for Equipment Standardization and Interoperability (IAB) The scope of the IAB includes:

- Identifying and prioritizing CBRNE incident response equipment requirements
- Encouraging manufacturers, governmental, military, and private agencies to sponsor research, development, test and evaluation programs to satisfy local, state, and federal CBRNE requirements
- Providing assistance and/or guidance to agencies, associations, and manufacturers, for operational testing of new and emerging CBRNE response technologies

S&T continues to host numerous workshops, conferences and focus groups including Federal, state, and local emergency responders, as well as participate in a variety of activities dealing with first responder needs sponsored by ODP, the Department of Energy, the Office of the Federal Coordinator for Meteorology and other federal agencies.

Through the creation of S&T Requirements Council, S&T has reached out to DHS senior management at the Assistant Secretary level, to provide a forum for all DHS components to voice the technology capability needs of their respective constituencies. This allowed the DHS components to use their ongoing relationships and traditional stakeholder venues to gather these technology requirements and provide them, through a prescribed process which included prioritization, to S&T for programming and budgeting processes.

**What role do the end-users (i.e., other Directorates and offices within the Department as well as first responders) play in identifying needs and modifications of potential homeland security technologies?**

**Response:** The S&T Directorate considers the operational components of the Department as its customers. To ensure the Directorate meets customer needs, the S&T Directorate has established the Science and Technology Requirements Council (SRC) to bring forward a set of vetted needs from the entire Department. This is an Assistant Secretary level committee with representation from across DHS that has been chartered to assist in the solicitation, validation, and prioritization of all science and technology requirements. The council includes representation from the Office of State and Local Government Coordination and Preparedness to ensure that state and local needs are being met. This council is intended to help the S&T Directorate identify those needs most crucial to the DHS mission and to develop the most effective S&T program possible using existing resources. As part of their mission, the SRC reviews DHS operational requirements and needed capabilities that require S&T solutions, and identifies those opportunities that have cross-cutting technology solutions. Prioritized Departmental needs are then presented to me as a recommendation for consideration, in conjunction with all externally derived S&T requirements (e.g., statutory, national guidance), for inclusion in the S&T Directorate’s Planning, Programming, and Budgeting Cycle Guidance.

The inaugural meeting of the SRC took place September 30, 2004, and was attended by representatives from Border and Transportation Security (BTS), Emergency Preparedness and Response (EP&R), Information Analysis and Infrastructure Protection (IAIP), the Office of Domestic Preparedness (ODP), U.S. Citizenship and Immigration Service (CIS), U.S. Coast Guard (USCG) and U.S. Secret Service (USSS). Our initial meeting resulted in new requirements and a validation of the needs that our portfolios had already identified through their interactions with the rest of the Department. It further served to bring together the many disparate groups from across DHS and facilitated a new dialogue that will be necessary to produce a successful S&T RDT&E program. The input we received at the September 30, 2004, meeting was used to adjust the fiscal year 2006 budget request and is currently being integrated into our fiscal year 2007–2011 Planning, Programming and Budgeting cycle.

**How does the Department identify and evaluate military technologies for possible homeland security purposes?**

**Response:** The Department is often asked about the transfer of technologies between Departments, specifically between DHS and DoD. The Science and Technology Directorate is very concerned about technology transfer. Under the fiscal

year 2003 DOD Authorization Act, Section 1401, DOD is working with DHS and DOJ to identify and transfer military technology relevant to Federal, State, and local responders.

Section 1401 of Public Law 107-314 is entitled, "Transfer of Technology Items and Equipment In Support Of Homeland Security." It tasks the Secretary of Defense to coordinate all DOD efforts to "identify, evaluate, deploy, and transfer to Federal, State and local first responders technology items and equipment in support of homeland security.

Fourteen representatives from DOD, DOJ and DHS met on December 8, 2004 to initiate work on executing the intent of the Congress. Among many other conclusions and recommendations, the representatives agreed on the importance of firm commitment to this process, constructed a nominal timeline for technology related events, began work on the design of the transfer process (e.g., that it must be two-tracked, one for research and development, the other for technology items already developed and in production) and most importantly, outlined the major features of a compliant technology transfer process. They initially assigned responsibilities for process ownership. An MOU formalizing the important steps of this process is expected to be ready for signature in the summer of 2005.

Often, technology developed for one purpose, such as a military application, cannot be transferred in a straightforward manner to civil operations. The requirements for maintenance and support, for performance, and for total cost of ownership often inhibit such transfers. Although the basic scientific principles that underpin a particular technology may be leveraged, nevertheless significant re-engineering is required to make the technology suitable for homeland security purposes.

DHS S&T has an established relationship with the Technology Support Working Group that represents eight government agencies with similar tasks, technology requirements and goals. HSARPA continues to monitor some of the more than 90 projects from the first joint DHS/TSWG BAA which closed in June, 2003. DHS provided \$60M [\$30M in fiscal year 2003 and \$30M in fiscal year 2004] to fund the most meritorious proposals. Our personnel participate in the requirements setting working groups and the Director, HSARPA is a member of the TSWG Executive Committee which allows any redundancy to be identified. DHS S&T will continue to fund [-\$12M in fiscal year 2005] proposals of mutual benefit and interest to DHS and TSWG members.

Other issues associated with transferring technologies to the homeland security operating environment include the need for ease of operations, extremely low total cost of ownership, providing liability relief, providing incentives for non-federal actors to purchase useful technologies, developing and promulgating standards and providing technical assistance to aid those purchasers in their procurement decisions. While the Department has made tremendous progress in all these areas, much remains to be done, and sustained effort is needed.

