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PRACTICE MAKES PERFECT: STRENGTHENING HOMELAND SECURITY BY EXERCISING TERRORISM SCENARIOS

HEARING

BEFORE THE

SELECT COMMITTEE ON HOMELAND SECURITY
HOUSE OF REPRESENTATIVES
ONE HUNDRED EIGHTH CONGRESS

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PRACTICE MAKES PERFECT: STRENGTHENING HOMELAND SECURITY BY EXERCISING TERRORISM SCENARIOS

Thursday, July 8, 2004

HOUSE OF REPRESENTATIVES,
SELECT COMMITTEE ON HOMELAND SECURITY,
Washington, DC.

The committee met, pursuant to call, at 1:11 p.m., in room 210, Cannon House Office Building, Hon. Christopher Cox [chairman of the committee] presiding.

Present: Representatives Cox, Dunn, Camp, Gibbons, Turner, Thompson, Dicks, Andrews, Lofgren, McCarthy, Christensen, Etheridge, Lucas and Langevin.

Chairman COX. Welcome. The Select Committee on Homeland Security will come to order. The committee is meeting today to examine how terrorism preparedness exercises function in strengthening the Federal, State and local government homeland security response capabilities.

In order to allow us to hear from our witnesses more quickly, I would ask members to waive or limit the duration of oral opening statements. Those who are present within 5 minutes of the gavel and waive their opening statements will be allotted 3 additional minutes for questioning the panel. If members have written statements, they may be included in the hearing record.

As most of you know, this committee recently reported H.R.266, the Faster and Smarter Funding For First Responders Act. This bill authorizes $3.4 billion annually to aid first responders in both preventing and responding to acts of terrorism through improved planning, equipment, training and exercises. We expect this important bill to be considered on the House floor shortly.

Today, we examine how one part of the grant funds authorized by this bill will be used to strengthen our Nation through terrorism preparedness exercises. Scenario-based training is critical to an effective counterterrorism program because the terrorist threat is often not visible. We need to remind ourselves through training of how real and enduring this threat is, as we were reminded again today by Secretary Ridge. The stakes are high.

In evaluating FEMA's response to the Oklahoma City bombing, the General Accounting Office cited a number of unique terrorism-related challenges. The arrival agencies on the scene weren't coordinated in their times of arrival. There was a clear need to better integrate typical law enforcement functions, such as preserving the

chain of evidence, with typical disaster response and recovery functions, such as clearing rubble.

The mission to create a national strategy for terrorism preparedness exercises began with President Bush's national strategy for homeland security. It was codified in the Homeland Security Act, which gave the Department of Homeland Security the specific responsibility to coordinate preparedness efforts, as well as to work with State and local entities on exercises to combat terrorism.

In response to this mandate, the Department has focused on two areas, national programs and State and local programs. The national program focuses broadly on the Federal Government's response and coordination of Federal, State and local resources. For example, the TOPOFF exercise series takes place over multiple days and tests the ability of several communities to respond to weapons of mass destruction. TOPOFF 2 was conducted almost 1 year ago and involved over 20,000 participants, over 25 Federal, State and local agencies and departments and the government of Canada.

We are fortunate to have with us today key participants in the 2003 TOPOFF 2 exercises from both the Chicago and Seattle sites. I look forward to hearing the assessments of our witnesses on the strengths and weaknesses of the TOPOFF exercise.

TOPOFF 2 cost $16 million, but it provided valuable lessons. Agencies were able to rehearse for the first time the actions they would take when the homeland security advisory system is elevated to red. Should highways be closed? Should airports be closed? Who is going to make these decisions? The exercise allowed us to see the consequences of making these very decisions. Similarly, the original TOPOFF exercise revealed difficulties in distributing the strategic national stockpile.

Since then, HHS, DHS, and State and local governments have focused on remedying these problems; and we are now better prepared to deliver and distribute the stockpile than we were before TOPOFF.

The Department clearly needs a robust terrorism preparedness exercise program. It needs a program that is coordinated across the Department and is programmed to share data and lessons learned with State and local governments and, when appropriate, with the private sector. It is our intent to codify and expand some of these exercise program elements in the committee's first-ever DHS authorization bill.

We are fortunate today to have representatives from the front lines in this terrorism preparedness effort, from the Department of Homeland Security, from the Seattle Police Department and from the DuPage County Office of Emergency Management. I look forward to hearing your thoughts and testimony today.

PREPARED STATEMENT OF THE HONORABLE CHRISTOPHER COX

As most of you know, this Committee recently reported out H.R. 3266, The Faster and Smarter Funding for First Responders Act. This bill authorizes a $3.4 billion annually to aid first responders in both preventing and responding to acts of terrorism—through improved planning, equipment, training, and exercises. We expect this important bill to be considered on the House floor shortly.

Today, we examine how one part of the grant funds authorized by this bill will be used to strength,en our Nation through terrorism preparedness exercises. Scenario-based training is critical to an effective counterterrorism program because the

terrorist threat is often not visible and complacency can easily set in. We need to remind ourselves through training of how real and enduring this threat is—as we were reminded again this morning by Secretary Ridge. The stakes are high. In evaluating FEMA's response to the Oklahoma City bombing, GAO cited a number of unique, terrorism-related challenges. The arrival agencies on the scene were not coordinated. There was a clear need to better integrate typical law enforcement functions, like preserving the chain of evidence, with typical disaster response and recovery functions, like clearing rubble.

The mission to create a national strategy for terrorism preparedness exercises began with President Bush's National Strategy for Homeland Security and was codified in the Homeland Security Act, which gave DHS the specific responsibility to coordinate preparedness efforts at the Federal level, as well as to work with state and local entities on exercises to combat terrorism. In response to this mandate, the Department has focused on two areas—national programs and state and local programs.

The National Program focuses broadly on the Federal Government's response and coordination of federal, state and local resources. For example, the TOPOFF exercise series takes place over multiple days and tests the ability of several communities to respond to weapons of mass destruction. TOPOFF 2 was conducted almost one year ago, and involved over 20,000 participants, and over 25 federal, state, and local agencies and departments, and the Canadian Government. We are fortunate to have with us today key participants in the 2003 TOPOFF 2 exercises from both the Chicago and Seattle sites. I look forward to hearing the assessments of our witnesses as to the strengths and weaknesses of the TOPOFF exercise.

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I now recognize the Ranking Member, Jim Turner of Texas, for an opening statement.

Mr. TURNER. Thank you, Mr. Chairman; and welcome to all of our witnesses. We look forward to hearing about your experience with the TOPOFF exercise series. I think it is very critical that we do these kind of exercises, and I know that you will have some good reports and information to share with us about the exercises that have been conducted to date. There is no doubt that effective exercises at all levels of government will help us to be prepared in the event of a terrorist attack, and I commend you on your efforts and your work in this area.

There are several issues that I hope you will try to address in your comments to us today.

First, I am concerned about how we develop the scenarios for the exercises. Do we rely upon the intelligence information, the threat, and the vulnerability assessments that our Department of Homeland Security is supposed to be preparing? Or do the scenarios come from some other source? If we are not using the threat and vulnerability information, it seems to me that we are not con-

ducting the exercises that we may need to be conducting; and I would like to hear how the scenario development process occurs.

Second, I would like to know a little bit about how the Department of Homeland Security measures the effectiveness of these exercises. What readiness level are you seeking to achieve? How does the conduct of an exercise contribute to our State and local governments' overall preparedness? And, following an exercise, do the Department and the participating State and locality have a clear understanding of what additional planning, training, and equipment is necessary to prepare that impacted community for that kind of terrorist incident?

Third, I would be interested in knowing if the actual—or if the conduct of these exercises has actually led to fixing any of the problems that were discovered.

The exercise I understand we are going to hear about today occurred about a year ago, in May of 2003; and it would be interesting to know not only how the exercise was carried out but, perhaps more importantly, how DHS and the Cities of Seattle and Chicago have addressed the shortfalls that were uncovered through the exercise.

It is my understanding that the after action report for that exercise revealed that there was little understanding of inter—or intra-agency command and control protocols, that many exercise players did not fully understand their reporting relationships with Federal officials, that a number of major pre-existing interagency Federal plans and processes were circumvented during the exercise. There were logistical difficulties accessing DHS assets and resources, and there was a lack of a robust and efficient emergency communications infrastructure in the Chicago hospital system that impeded response.

All of those issues seem to be important, and the more interesting side of your testimony would be what have we done since that exercise to solve those uncovered problems. So I would appreciate a description of what lessons we learned and how have we responded to them.

So thank you so much for being here, and we appreciate very much the good work that you are doing. Thank you.

PREPARED STATEMENT OF JIM TURNER

Thank you, Mr. Chairman.

Director Mencer, welcome back. Mr. Mefferd and Mr. Kimmerer, welcome to Washington. Thank you all for appearing before the Select Committee today, and I look forward to your testimony on the Department of Homeland Security's exercise programs, and specifically the TOPOFF exercise series.

The Department of Homeland Security, and particularly the Office for Domestic Preparedness, plays a crucial role in preparing our country to win the war on terror. It oversees a range of programs to prepare our first responders, individually, and our communities, more broadly, to prepare for and respond to acts of terrorism. It is critical that the job is done right.

Effective exercises at all levels of government are a key component of our terrorism preparedness activities. The Arlington County, Virginia Fire Department's after-action report on their response to the 9–11 attack noted that frequent training and exercises with the Federal Bureau of Investigation, the Pentagon, and the Military District of Washington made a substantial contribution to their successful response operation.

Therefore, the Department is to be commended for its commitment to a robust exercise program, particularly the TOPOFF program, and for the efforts it has under-

taken to provide state and local governments with guidance on developing and conducting exercises.

However, there are several issues that I would like you to address either in your testimony or in response to the Committee's questions.

First, I am concerned that in the development of exercise scenarios, DHS does not utilize threat and vulnerability information to guide its choice of either the location of the incident, or the mode of terrorist attack. Why don't the TOPOFF exercises focus on what the intelligence assessment indicates is a city's highest vulnerability? I am afraid that Department's inability to develop a comprehensive threat and vulnerability assessment—which has been noted by this Committee on numerous occasions—has a significant, negative impact on the conduct of your exercise program.

Second, how is DHS measuring the effectiveness of its exercise program? What "readiness" level are you seeking to achieve in the exercise venues, and how does the conduct of an exercise contribute to a state or local government's overall preparedness? Following an exercise, do DHS and the participating states and localities have a clear understanding of what additional planning, training, and equipment are necessary to fully prepare the impacted communities?

Third, while the actual conduct of exercises is important, it is equally important to fix the problems revealed by the exercise. The TOPOFF exercise we will hear about today took place over a year ago, in May of 2003. At this point, while I am interested in how the exercise was carried out, I am much more interested in how both DHS and the cities of Seattle and Chicago addressed any shortfalls in their response operations. For example, the after-action report for the TOPOFF 2 exercises noted the following:

- There was little understanding of inter- and intra-agency command and control protocols, and many exercise players did not fully understand the reporting relationships among federal officials;
- A number of major, pre-existing interagency federal plans and processes were circumvented during the exercise;
- There were logistical difficulties accessing DHS assets and resources; and
- A lack of a robust and efficient emergency communications infrastructure in Chicago's hospital system impeded response, and resource demands challenged these hospitals throughout the exercise.

I am interested in understanding how you have improved your operations since the exercise to assure us, and the nation, that in the event of a real terrorist attack, we will not repeat the same mistakes. Therefore, I would appreciate a description of how any lessons learned from the exercise have been incorporated into either the Department's, or your city's, day-to-day policy decisions, and the specific corrective actions you have undertaken to remedy any operational deficiencies.

Finally, I am not convinced that the Department is taking full advantage of the exercise knowledge and expertise resident in a number of its components, such as FEMA and the Coast Guard. These agencies were conducting multi-agency, intergovernmental exercises long before the Department of Homeland Security was created. I recognize that the Office for Domestic Preparedness has been tasked with managing the National Exercise Program; however, DHS must begin the process of integrating the vast resources under its control to build the most effective programs.

As you can see, I have many questions and concerns about the Department's exercise program. I hope that in addition to describing your experiences in the TOPOFF 2 exercise, you can directly address the questions I have raised. Thank you for being here, and I look forward to your testimony.

Chairman COX. Thank the gentleman.

The Chair recognizes the Vice Chairwoman of the full committee, Jennifer Dunn of Washington.

Ms. DUNN. Thank you very much, Mr. Chairman; and we are delighted that you are here with us today, panel. We look forward—having heard bits and pieces of what happens as a result of the analysis of TOPOFF—to seeing the big picture in your eyes.

Mr. Chairman, we are especially lucky today to have a local official from my hometown and my State of Washington, Deputy Chief Clark Kimerer, who is number two at the Seattle Police Department, on this panel today; and he will bring a unique perspective because he was actually there on the ground in May of last year at the TOPOFF 2 exercise. He started at the Seattle Police Department in 1983 as an officer; and now, as Deputy Chief of Oper-

ations, he oversees the Investigation and Emergency Preparedness Bureau.

Chief Kimerer, you recognize some of the people on this panel because some of them met with you when we were in town for a field hearing last fall; and we appreciate your coming back to Washington, D.C., to discuss with us again in more detail the perspective of those who were on the ground in Seattle the day of TOPOFF 2. We look forward to your testimony.

With that, Mr. Chairman, I will yield back.

Chairman COX. I thank the gentlelady.

Are there further opening statements?

If not, I now ask unanimous consent that a video from the Department of Homeland Security be shown at this time. Without objection, so ordered.

[Video played.]

Chairman COX. That video, of course, reflects what we actually conducted as an exercise during TOPOFF 2. It was I think quite clearly prepared by the Department of Homeland Security and sets the stage for the testimony of our next witnesses by providing a visual representation of how exercises are designed and conducted.

We will now hear testimony from our three witnesses; and I want to remind our witnesses that, under our committee rules, they should strive to limit their opening remarks to 5 minutes. Each witness's entire written statement, at full length, will appear in the record. We will also allow the entire panel to testify before the questioning of any witness.

Chairman COX. The Chair now recognizes our first witness, Ms. Suzanne Mencer, Executive Director of the Office for State and Local Government Coordination and Preparedness of the Department of Homeland Security. Miss Mencer, welcome.

STATEMENT OF C. SUZANNE MENCER

Ms. MENCER. Thank you very much, Chairman Cox. I appreciate the opportunity to be here today.

It is certainly my pleasure, on behalf of Secretary Ridge, to talk about our homeland security exercise programs. I want to thank you, Mr. Chairman, and all the members of this committee for your ongoing support for the Department of Homeland Security, for the Office for Domestic Preparedness and for the new consolidated Office of State and Local Government Coordination and Preparedness. Congress has long been a champion of rigorous exercise programs as an important contributor to our Nation's preparedness, and made early and critical investments in what have today become very highly successful programs.

Over the past 6 years, SLGCP, which is our very long acronym, has supported nearly 400 exercises. We conduct these exercises in the firm belief that they are a cornerstone of preparedness. Our experience and data show that exercises are a practical, efficient and cost-effective way to prepare for crises. They test our resilience, identify procedural difficulties and provide a plan for corrective actions without the penalties that might be incurred in a real crisis. Short of an actual incident, exercises provide the "final test" for our preparedness.

SLGCP provides exercise support through its Homeland Security Exercise and Evaluation Program. Through this program, SLGCP State exercise managers and support teams work with States, Territories and designated urban areas to help establish exercise programs and develop a multi-year exercise schedule. On average, States plan about 20 exercises a year.

In addition, as you know, Mr. Chairman, at the direction of Congress, SLGCP has conducted two Top Officials, or TOPOFF, national exercises that involved the participation of all key personnel who would participate in an actual terrorist event. The first exercise in May 2000 was, at the time, the largest counterterrorism exercise ever conducted in the United States, with over 6,000 participants. The States of New Hampshire and Colorado served as our pioneer venues.

Then, last year, just 2 months after the Department of Homeland Security was established, Secretary Ridge personally led his team and the Nation through a week-long TOPOFF 2 full-scale exercise. Sixteen major exercise activities were conducted in the States of Washington and Illinois for 103 Federal, State, local and international departments and agencies. These exercises involved 20,000 domestic and international participants, including senior U.S. and Canadian government officials.

Following TOPOFF 2, Secretary Ridge directed my office to develop a comprehensive national homeland security exercise program. Congress has provided the resources necessary to build a program that will ensure that the homeland security community is trained, practiced and able to perform its assigned homeland security missions.

Implementation of this program is well under way, including the design and development of a third TOPOFF exercise. TOPOFF 3, which will involve the States of New Jersey and Connecticut and the governments of the United Kingdom and Canada, promises to be the largest, most productive exercise ever conducted by the United States and its allies.

In addition to direct exercise support, we have also worked with our Federal, State and local partners to develop exercise policy and doctrine. We have produced a series of manuals and compiled hundreds of exercise references that are available through a secure but unclassified Web portal we established for the homeland security community. We have been hard at work evaluating models, simulations and games to identify products that meet training and exercise needs when large-scale exercises are impractical, and to augment and extend existing programs; and we have established a national network of lessons learned and best practices for emergency response providers and homeland security officials. All this information is available through the secure but unclassified Web portal that we established for our homeland security community.

In closing, I would like to provide just one illustration of the value of exercises to our Nation's preparedness. On the morning of September 11, 2001, one of our exercise teams was in New York City, preparing to assist Mayor Giuliani and his team to conduct a full-scale bioterrorism exercise that was scheduled for the next day. This exercise would have involved upwards of 700 police officers and firefighters. On September 11th, when the City's emer-

gency operations center went down in the World Trade Center attack, the exercise venue, Pier 92, became the response and recovery nerve center. Mayor Giuliani later described what a robust exercise program meant to the City. "We did not anticipate", he said, "that airliners would be commandeered and turned into guided missiles. But the fact that we practiced for other kinds of disasters made us far more prepared to handle a catastrophe that nobody envisioned."

Let me restate the strong commitment of both Secretary Ridge and myself to the support of exercises as a cornerstone of America's homeland security preparedness. We look forward to continuing to work with you, Mr. Chairman, and members of this committee and Congress, to insure that our Nation's first responders are fully prepared to protect our home towns and our homeland.

This concludes my statement, and I will be happy to respond to any questions that you or members the committee might have. And I did bring along Corey Gruber, who was the voice of a lot of that video, who lived through both TOPOFF exercises and is here to talk about it. Thank you very much.

Chairman COX. Thank you very much.

[The statement of Ms. Mencer follows:]

PREPARED STATEMENT OF C. SUZANNE MENCER

Chairman Cox, Congressman Turner, and Members of the Committee, my name is Sue Mencer, and I serve as Director of the Department of Homeland Security's (DHS) Office for State and Local Government Coordination and Preparedness (SLGCP). On behalf of Secretary Ridge, it is my pleasure to appear before you today to discuss our homeland security exercise programs.

I want to thank you, Mr. Chairman, and all the members of the Committee, for your ongoing support for the Department and for SLGCP. Congress has long been a champion of rigorous exercise programs as an important contributor to our nation's preparedness, and made early and critical investments in what have become today's highly successful programs. You and your colleagues have entrusted us with a great responsibility in administering these efforts for the nation, and we are meeting that charge with the utmost diligence.

Mr. Chairman, since its creation in 1998, the Office for Domestic Preparedness (ODP), now consolidated with the Office of State and Local Government Coordination as the Office of State and Local Government Coordination and Preparedness (SLGCP), has provided assistance through its preparedness programs to all 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and the U.S. territories. By the end of Fiscal Year 2004, SLGCP will have provided States and localities with more than $8.1 billion in assistance and direct support, trained 550,000 emergency responders from more than 5,000 jurisdictions and directly supported nearly 400 exercises.

We conduct these exercises in the firm belief that they are a cornerstone of preparedness. Our experience and data show that exercises are a practical, efficient, and cost-effective way to prepare for crises. They test our resilience, identify procedural difficulties, and provide a plan for corrective actions to improve capabilities without the penalties that might be incurred in a real crisis. They are a tangible measure of accountability in the repetitive cycle of planning, training, exercising, and assessing our homeland security capabilities. Short of an actual incident, they provide the "final test" for our preparedness.

Congress has played a critical role in laying the foundation for our current programs. In 1996, Congress authorized the Nunn-Lugar-Domenici Domestic Preparedness Program, an unprecedented undertaking which provided training, equipment, technical assistance and exercises focused on the threat posed by weapons of mass destruction to 120 of the nation's largest urban areas. This effort was initially administered by the Department of Defense and subsequently transferred to our Office. Each city received direct support in the design, development, conduct and evaluation of a series of three exercises, including a full-scale (or field) exercise. This Program was the forerunner for many of our current initiatives.

Today, SLGCP has organized exercise support for States and communities into Eastern, Central, and Western Regions through its Homeland Security Exercise and

Evaluation Program. States are required to adopt the Program for exercises conducted with Federal grant funds. State Exercise Managers and support teams are assigned to each Region. Exercise Managers conduct Exercise Planning Workshops with States, Territories, and designated urban areas to aid in program establishment and development of a multi-year exercise schedule. On average, states have planned twenty annual exercises.

Congress has also led the establishment of exercise programs for our nation's leaders. In 1999 Congress directed that a Top Officials ("TOPOFF") National Exercise be conducted with the participation "of all key personnel who would participate in an actual terrorist event." The first TOPOFF, a full-scale exercise in May 2000 was, at the time, the largest combating terrorism exercise ever conducted in the United States. Over 6,000 participants from federal, state and local departments and agencies, including Cabinet officials participated. The States of New Hampshire and Colorado served as our pioneer venues for the first TOPOFF exercise.

Again thanks to Congress, the second TOPOFF was a tremendous advancement. We were provided with additional funding so we could design and conduct a full two-year cycle of exercise activities of increasing complexity. Sixteen major exercise activities were conducted for 103 Federal, State, local and international departments and agencies and 20,000 domestic and international participants, including senior officials of the USG and Government of Canada. The States of Washington and Illinois were our full partners and provided our exercise venues. Through the use of distance learning methodologies, we were able to broadcast elements of the exercise series to audiences across the nation. Secretary Ridge personally led his team and the nation through the week-long TOPOFF 2 full-scale exercise just two months after the Department of Homeland Security was established. This proved to be an invaluable opportunity for the Department and its partners across government to train key personnel in their new homeland security roles and responsibilities.

Following TOPOFF 2, Secretary Ridge directed my Office to develop a comprehensive national homeland security exercise program. Congress provided the resources necessary to build a Program that will ensure the homeland security community is trained, practiced and able to perform its assigned homeland security missions. We worked with our partners across government to develop a Program with four principal objectives: (1) To provide senior officials and their organizations with the opportunity to periodically train and exercise together, identify key policy issues, and refine key incident management processes/procedures against the range of probable threats; (2) To develop common doctrine and provide annual program planning guidance; (3) To establish collaborative management processes, supporting systems, and multi-year scheduling; and (4) To formalize a system for collecting, reporting, analyzing, interpreting, and disseminating qualitative as well as quantitative exercise lessons and exemplary practices.

The importance of a nationally integrated program was reinforced when the President issued Homeland Security Presidential Directive/HSPD–8, "National Preparedness," in December of last year. HSPD–8 confirmed the requirement to establish a national program. Our National Exercise Program, including the TOPOFF exercise series, will support implementation of the National Response Plan and National Incident Management System, and the provisions of HSPD–5, issued in February 2003.

Program implementation is well underway, including design and development of the third in the series of TOPOFF exercises. New Jersey and Connecticut will be our host venues, and Washington and Illinois, our partners in TOPOFF 2, will serve as their mentors. We will shortly announce the venues for TOPOFF 4, and those States will be invited to monitor the design, development, conduct and evaluation of TOPOFF 3. This mentoring program is designed to transfer knowledge and experience among multiple States and communities by leveraging national-level exercise participation. In addition, the Governments of the United Kingdom and Canada have committed to participation in what promises to be the largest, and surely the most productive exercise series ever conducted by the United States Government and its allies

To unify homeland security exercise efforts, we have worked diligently with our federal, state and local partners to develop exercise policy and doctrine. We have produced a series of manuals that are employed by our State and local clients, and have been adopted for use by several Federal departments and agencies. These manuals and hundreds of exercise references are available through a secure but unclassified web portal we established for the homeland security community. This portal helps us realize our goal of maximizing the reuse of exercise investments and products, and in reducing the man-hours required to design and develop exercises. The portal is utilized by thousands of federal, state and local exercise planners, and

provides them with the tools and references that accelerate exercise design and development and dramatically enhance our ability to share information, including lessons and best practices. Our success with the portal has led us to use it as a collaborative workspace for many other preparedness initiatives.

To meet the needs of the millions of first responders that must periodically train and exercise together on key action procedures, we have been hard at work examining and evaluating models, simulations, and games to identify products that meet federal, state, and local training and exercise needs when large-scale exercises are impractical, and to augment and extend existing programs. The potential benefits include increased training and exercise frequency, delivery, realism, and lower costs. Two reports commissioned by my Office reviewed nearly 100 models, simulations and games, and these reports are available to federal, state and local users of our Secure Portal.

The real value of exercises—and a difficult challenge—is in the identification and correction of weaknesses in our performance. We have established a national network of Lessons Learned and Best Practices for emergency response providers and homeland security officials. This "Lessons Learned Information Sharing" system was developed by our partners at the Oklahoma Memorial Institute for the Prevention of Terrorism, is hosted on our secure but unclassified web portal, and is designed to share information necessary to prevent and respond to acts of terrorism across all disciplines and communities throughout the United States. All users are verified emergency response providers and homeland security officials at the local, state, and federal levels. We employ strong encryption and active site monitoring to protect all information housed on the system. Most importantly, the content is validated by homeland security professionals for their peers. The site also houses an extensive catalog of after-action reports from exercises and actual incidents as well as an updated list of homeland security exercises, events, and conferences.

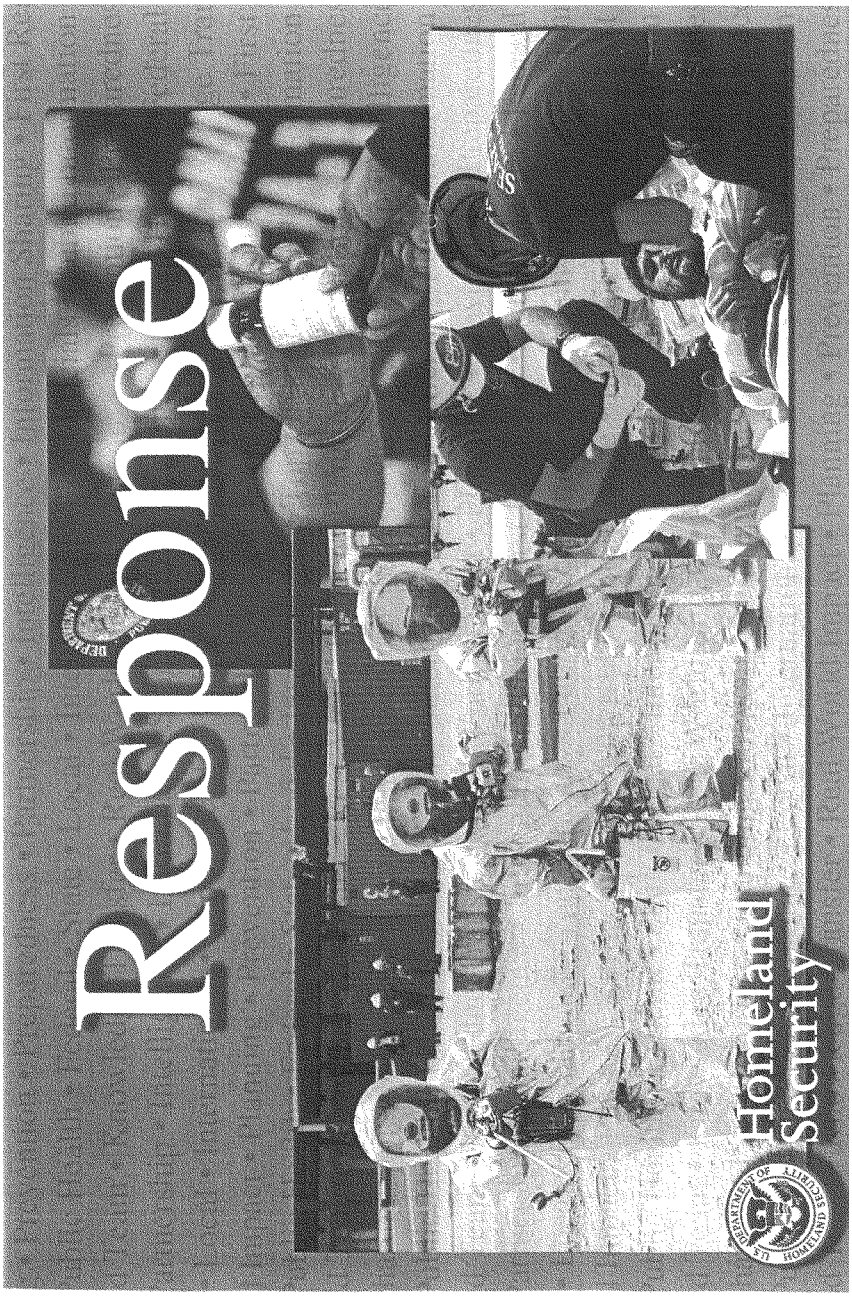
Today's multimedia presentation will complete the portrait of the homeland security community's exercise efforts at every level of government—efforts that improve with every exercise. Your committee's support of these programs contributes to our readiness every day across this great nation.

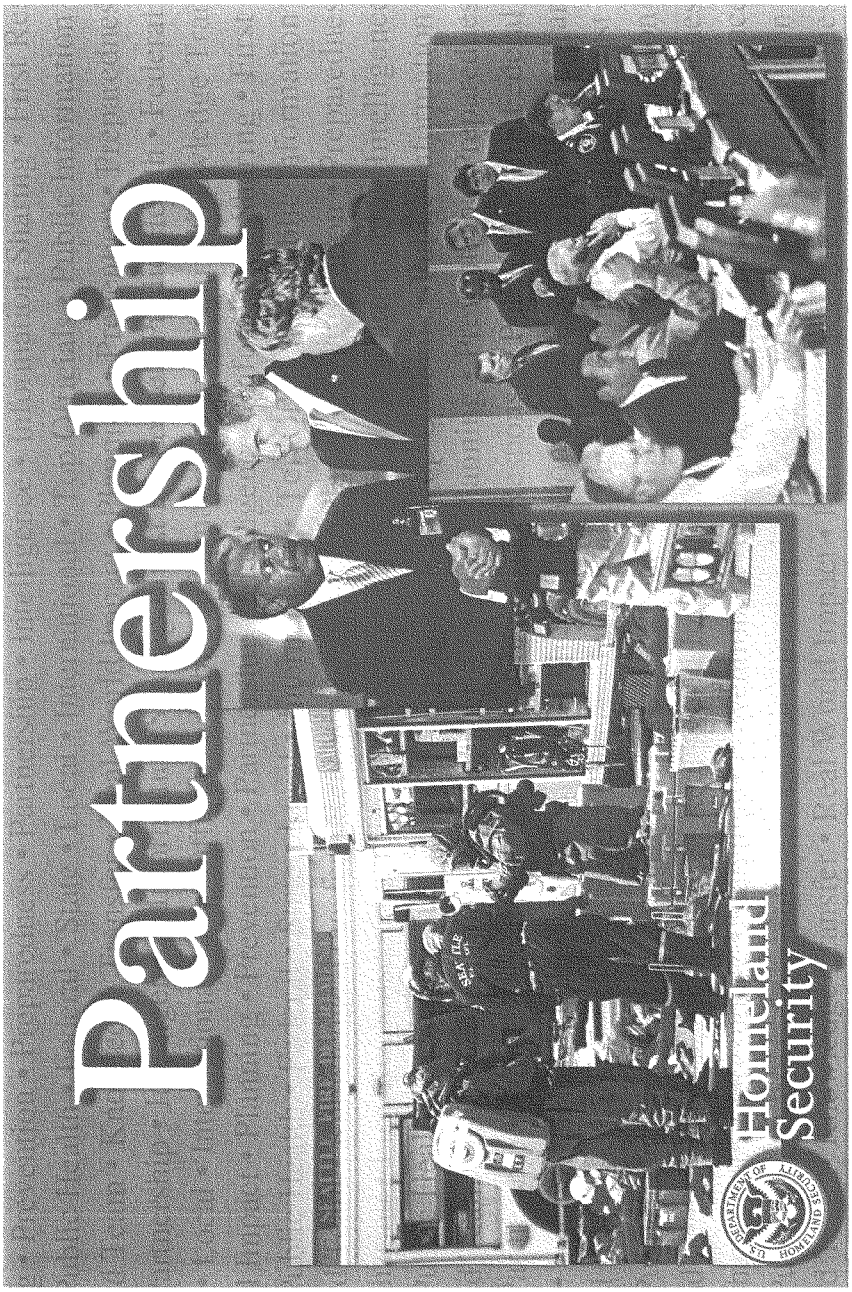
In closing, I'd like to offer a premier illustration of the value of exercises to our nation's preparedness. In 1997, New York City began a rigorous series of exercises focused on the terrorist threat. Our office, along with other federal partners, was privileged to assist in these efforts. On the morning of September 11th, 2001, one of our exercise teams was in New York City preparing to assist Mayor Guiliani and his team in conduct of a full-scale bioterrorism exercise scheduled for September 12th. This exercise would have involved upwards of 700 police officers and firefighters. The exercise venue, Pier 92, became the alternate City emergency operations center when Tower 7 of the Trade Center was made untenable by the attack. Mayor Guiliani later described what a robust exercise program meant to the City: "We did not anticipate that airliners would be commandeered and turned into guided missiles; but the fact that we practiced for other kinds of disasters made us far more prepared to handle a catastrophe that nobody envisioned."

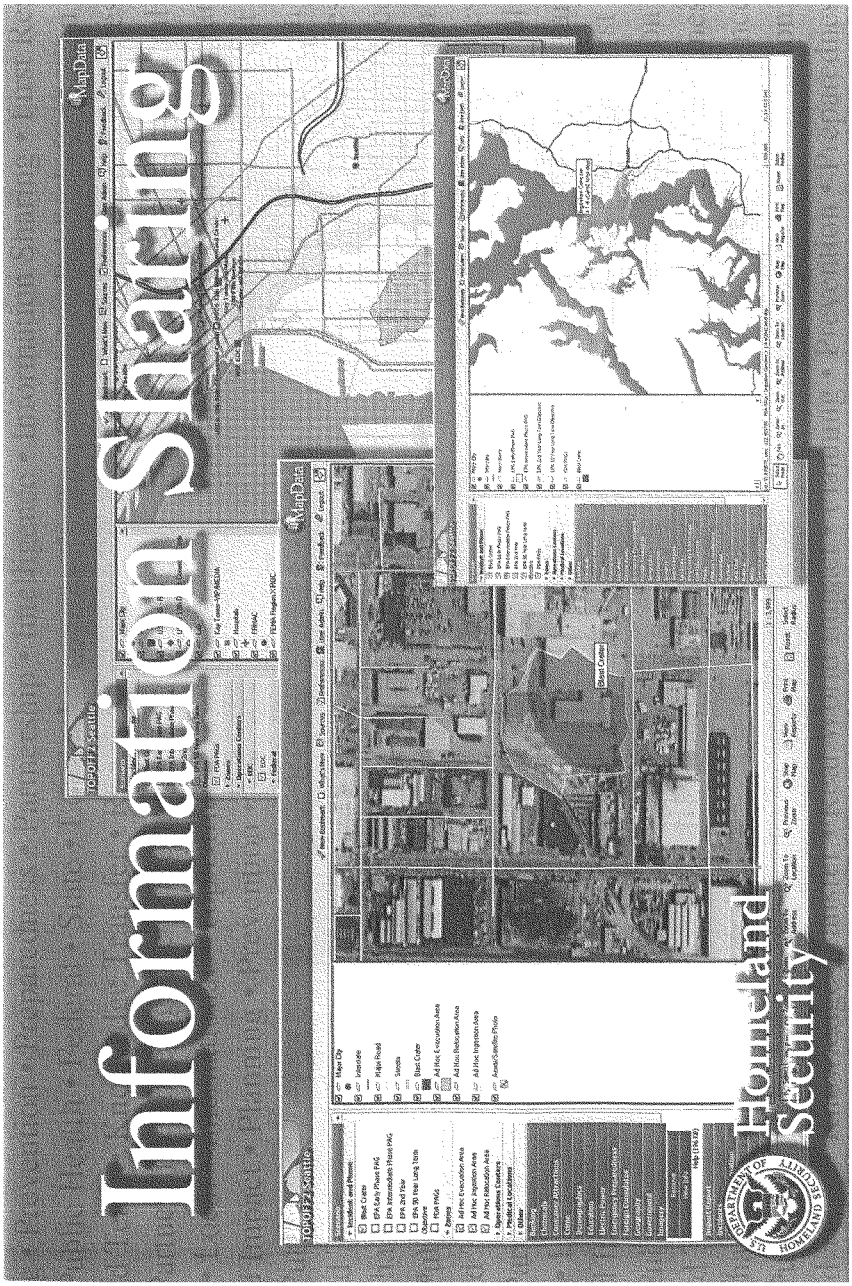
Let me re-state Secretary Ridge's and my commitment to exercises as a cornerstone of America's homeland security preparedness. There are no stronger proponents than the President and the Secretary for the utility and versatility of exercises in improving domestic incident management. This concludes my statement. I will be happy to respond to any questions that you and the members of the Committee may have following our multimedia presentation. Thank you.

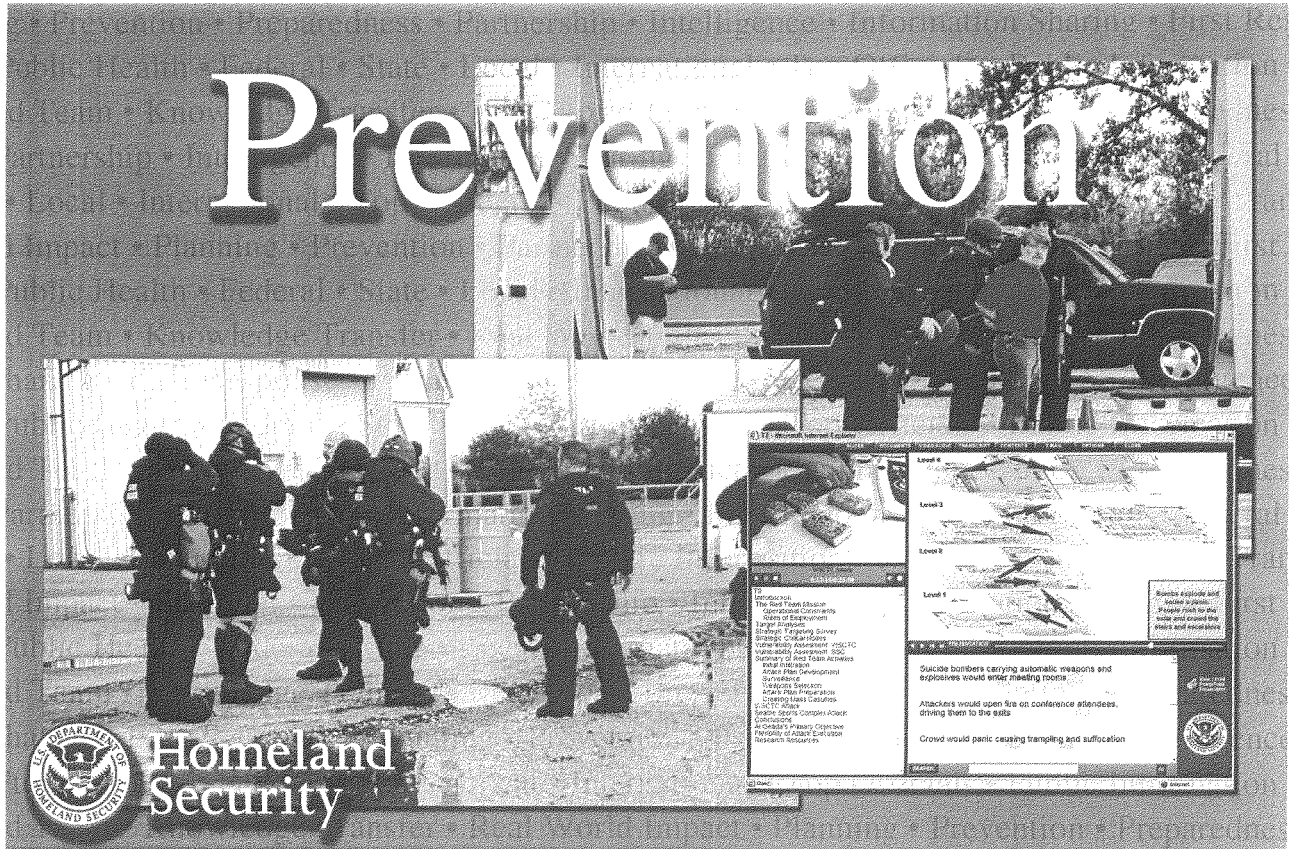
[Chart follows:]

Preparedness
Homeland
Security


Response
Homeland
Security


Partnership
Homeland
Security


Information Sharing
Homeland Security


Prevention
Homeland Security
Suicide bombers carrying automatic weapons and explosives would enter meeting rooms
Attackers would open fire on conference attendees, driving them to the exits
Crowd would panic causing trampling and suffocation

Chairman COX. I want at this point to welcome and introduce also Mr. Clark Gruber, who is—or, pardon me, Corey Gruber. Clark, I am getting you confused here—Corey Gruber, who is the Associate Director of the Office for Domestic Preparedness at the Department of Homeland Security. We understand that you are not going to present formal testimony but would be pleased to respond to members' questions.

At this time, I would like to introduce Clark Kimerer, who is the Deputy Chief of Operations for the Seattle Police Department.

STATEMENT OF CLARK S. KIMERER

Mr. KIMERER. Mr. Chairman, distinguished members of the select committee on Homeland Security, thank you for inviting me to speak with you today. Washington State is proud to have two Congress people serving on this important committee, Congresswoman Jennifer Dunn and Congressman Norm Dicks. We appreciate your continued support to look after the Homeland Security needs of the City of Seattle and of the State of Washington.

It is an honor for me to be asked to share with you my reflections on the TOPOFF exercise series. It is particularly gratifying to note your commendable interest in the observations of a local police professional. We must never lose sight of the fact that, for most Americans, their homeland is defined as the specific geography where they live and work, raise their kids, go to school and enjoy their friends, their family and their leisure.

On May 12 of last year, the City of Seattle was rocked by a detonation of a radiological dispersal device, otherwise known as a dirty bomb, exploded by international terrorist operatives, creating a mass casualty crisis. For the whole of this 36-hour continuous crisis, City of Seattle Mayor Greg Nickels, Police Chief Gil Kerlikowske, the Fire Chief, and the head of public health presided over the City's Emergency Operations Center and provided continuous communication and engagement with the citizens of Seattle via the media. The entire architecture of the Federal response under the Department of Homeland Security was shoulder to shoulder with us during this event.

Of course, what I have just recounted was the congressionally conceived TOPOFF 2 exercise. No one was actually hurt or killed, the terrorist cell did not actually penetrate our defenses and harm our citizens, and at the conclusion of the exercise we went about the invaluable enterprise of analysis and improvement, rather than the tragic activity of mourning.

My observations today about TOPOFF 2 will be decidedly local and influenced by police officer sensibility. If asked to characterize my perspective, I will describe it as coming from the lofty vantage of being at ground level.

Why was this exercise so important and, in my estimation, so successful? Its value for me is measured in four basic dimensions.

First, an exercise tests and contributes to the evolution of doctrine, policies and plans. It is one thing to develop plans and policies as a matter of academic abstraction. It is quite another to test them in the real world, take real time movements of people on the ground. When all of this is set in motion, our doctrines and policies will be thoroughly tested and, as a consequence, will grow in clarity

and precision. The TOPOFF 2 exercise series helped illuminate these critical needs, and together we have worked diligently to address them.

The Department of Homeland Security's recent work on the National Incident Management System, or NIMS, is right on point to address the major deficiencies we identified in TOPOFF 2. But I want to emphasize again that we are only as good as we are clear and precise in our doctrines and policies, and exercises help us attain that clarity and precision.

Second, an exercise provides an opportunity for the practical development of technical skills and expertise. Every one of the officers, firefighters, emergency room nurses and doctors, public health workers and the myriad others who were deployed during TOPOFF 2 gained real-world experience and practice in dealing with a crisis whose reach exceeded our grasp. This included real-world fatigue, real-world mandates to be innovative and creative, real-world mistakes. This is the gold standard of exercises. But we could not have undertaken it were it not for the financial support that enabled us to stage this exercise.

We have day jobs, 850,000 calls a year. We cannot take officers off the street to train them. It has to be off duty. So for us the TOPOFF series and, more to the point I am going to make next, the UASI grant process is invaluable. It is truly a Godsend.

I want to comment on UASI at this juncture. My observation is very straightforward. The UASI grant process has been vital to our jurisdictions, our local, state and regional jurisdictions. Without UASI support, cities like Seattle would be literally unable to equip, train and provide technological support to our first responders.

But we are approaching a point in the evolution of the UASI process where the limitations and prohibition regarding the hiring of full-time equivalents or personnel is becoming a critical priority of many chiefs. You see, in addition to technology, equipment and training, the capital and commodity we need most is people. We need to have the flexibility to invest in the most important capital asset of all, namely personnel.

Third, exercises in general and TOPOFF in particular provide—indeed require—a comprehensive after action assessment and evaluation process and report. This transforms our localized experience into an enduring, relevant and universal benefit that we can share among all of our first responder agencies at all levels of government. The Department of Homeland Security—and my friend, Corey Gruber—calls this "bankable learning."

I propose that the key planners and players responsible for our exercises should have the chance to regularly convene with the exercise evaluators and assessors in an attempt to measure the growth of policy and strategy and in turn contribute to the national discussion and our collective expertise to prevent and respond to acts of terror.

Fourth, finally, and most important, an exercise like TOPOFF builds relationships and creates lines of communication. Our discussions around TOPOFF were candid, honest, open and productive. Now I know who to call, and the voice in Washington, D.C., is likely someone with whom I have established a professional relationship and vice versa. In my view, this is one of the most pro-

found benefits of committing to any multijurisdictional exercise and TOPOFF 2 specifically.

I will close with one final thought. I contend that for any of these programs and initiatives to be successful they need to be designed and managed in large measure by the State and local first responders and active law enforcement, fire and police professionals who will use them. It is tempting but I believe misguided to look inside the Beltway for decisions that affect Seattle or Austin or Miami. Secretary Ridge, I know, shares this value. We are on track to make it a reality. But people like me need to constantly remind those that have much too much work to do of the importance of the local perspective in the design of our national strategy for response.

It has been an honor and a privilege for me to be able to share these observations with the committee. We are all part of the same coalition of concern and dedication, and together I know we will protect the citizens we serve and the freedoms that define our Nation. Thank you.

Chairman COX. Thank you, Chief Kimerer.

[The statement of Mr. Kimerer follows:]

PREPARED STATEMENT OF CLARK S. KIMERER

Mr. Chairman, Ranking Member Turner, Distinguished Members of the Select Committee on Homeland Security, thank you for inviting me to speak with you today. Washington State is proud to have two members serving on this important committee—Congresswoman Jennifer Dunn and Congressman Norm Dicks. We appreciate their continued attention to the homeland security needs of the City of Seattle and the residents of the State of Washington.

On May 12th of last year, the City of Seattle was rocked by the detonation of a radiological dispersal device, otherwise known as a "dirty bomb", exploded by international terrorist operatives, creating a mass casualty situation, a plume of radioactive debris enshrouding a significant part of Seattle's civic center, and the contamination of police and firefighters who, with willful disregard for their own safety, rushed into this scene of destruction to care for the injured. For the next 36 hours, over 3700 men and women from Seattle, King County, the State of Washington, the Department of Homeland Security, the FBI, FEMA, the nation of Canada, local and national departments of public health, the academic community, and many others—including our partners from the private sector—worked together to contain and neutralize the damage; rescue, triage, decontaminate and treat victims; investigate the crime scene; and reassure a shaken public that we were doing everything possible to protect their sacred interests: Their own security and safety, that of their children and loved ones, and—at the same time—the freedoms that define this nation.

For the whole of this 36-hour crisis, City of Seattle Mayor Greg Nickels presided over the city's Emergency Operations Center, and provided continuous communication and engagement with the citizens of Seattle via the media. The Chief of Police, the Fire Chief, the Director of Public Health, the Director of FEMA Region 10, and the Department of Homeland Security Principal Federal Official (PFO), among others, worked in support of the Mayor to address the crisis. At the same time, nearly identical scenarios were being played out in the office of the King County Executive, and in the office of the Governor of the State of Washington. In Vancouver, British Columbia and the capital city of Ottawa, top officials from Canada worked to both protect the interests of their citizens, as well as offer assistance to the US. Then, in the midst of our crisis, a second attack was launched. Twenty-four hours into our response to the explosion in Seattle, the same terrorist group released tpneumonic plague bacillus in Illinois, infecting citizens in Chicago and its five surrounding counties. As in Seattle, the Mayor of Chicago, the executives of the impacted counties, the Governor of the State of Illinois, and the Department of Homeland Security worked together to address the crisis unfolding before them. And, finally, here in the other Washington, the response and support architecture of the Federal government, under the organizational structure of the Department of Homeland Security, was engaged and operational during the whole of the Seattle and Illinois crises. I have it on good authority that the Secretary got about as much sleep as the rest of us during the second week of May, 2003.

Of course, what I have just recounted was the congressionally conceived TOPOFF 2 exercise. No one was actually hurt or killed. The terrorist cell did not actually penetrate our defenses and harm our citizens. And at the conclusion of the exercise, we went about the invaluable enterprise of analysis and improvement, rather than the tragic activity of mourning.

It is an honor and privilege to be asked to share with you my reflections on the TOPOFF exercise series, as well as the value of exercising terrorism scenarios generally. It is particularly gratifying to note your commendable interest in the analysis and observations of local police, fire and emergency services professionals. I know this commitment is shared as a priority by the Secretary. We are, after all, the first responders to virtually every disaster and emergency either presented by nature, or conceived by the malignant misuse of the human intellect. The impressive machine of Federal support almost invariably follows the efforts of local, regional and state response. Local police, fire, public health and emergency services workers are and always will remain the first to respond and the last to leave. We do not have a national police force, like Canada, nor even a unified, governing jurisdictional construct like Great Britain. Our nation defines itself by local, community-based governance, particularly as concerns police and emergency services. In times of crisis, our citizens look for aid and reassurance from the President and Congress, *and at the same time,* to their elected Mayor, local police and fire chiefs, County Executive, and Governor. As we design exercises to improve our capacity to respond to terrorism, as we develop and refine homeland security doctrine to define essential responses and actions, we must never lose sight of the fact that most Americans define their "homeland" as—first and foremost—the specific geography where they live and work, raise their kids, go to school, and enjoy their friends, family and leisure.

The balance of my comments will be my reflections on key lessons learned from TOPOFF 2; the profound value of exercises generally, both large and small; and, finally, what we need to build on based upon the insights gleaned from TOPOFF and other recent scenarios and simulations. I will also explore with you two related issues of great concern to my colleagues in the Major Cities, namely the need to have the latitude to hire personnel, and to keep focused upon threat-based assessments at the municipal and regional first responder level. My observations will be decidedly local and influenced by a police officer's sensibility. If asked to characterize my perspective, I would describe it as "low altitude," or—more to the point—generated from the lofty vantage of being at ground level.

Perhaps the most immediate and significant characteristic of the TOPOFF 2 exercise is symbolized by its very name: TOPOFF, which is shorthand for Top Officials. A few moments ago, I described that during the TOPOFF field exercise in May 2003, we saw the total engagement and focused participation of Seattle Mayor Nickels, the King County Executive, Washington Governor Locke, Mayor Daley, the elected Executives representing five counties surrounding Chicago, the Governor of Illinois, top officials in Canada, Secretary Ridge and the whole of the leadership of DHS, members of the Cabinet, and the office of the President himself. I know that members of Congress, and this committee in particular, were part of this unparalleled coalition of engagement and concern. This level of exercise play was truly groundbreaking, both as an opportunity for evaluation and assessment of our gaps and needs, as well as for its statement of the commitment we have made to the war against terrorism.

Why was this exercise so important and, in my estimation, so successful? I contend that exercises of any scale—from the monumental, like TOPOFF 2 and the upcoming TOPOFF 3, to the focused and specific, like a 4-hour tabletop scenario—are immensely valuable. Their value is measured in four basic dimensions:

First, an exercise tests and contributes to the evolution of **doctrine, policies and plans.** It is one thing to develop a vision of crisis and consequence management as a matter of academic abstraction; it is quite another to test doctrine and policies in real world, real time movement of people on the ground. Every time we individually or nationally undertake a field exercise, we have an opportunity to re-think and further clarify our basic principles. What is the role of a national alert system? What is the priority of the Incident Command System for first responders? Where do jurisdictions begin and end? What is the role of the private sector and business community in both crisis and consequence management? How do we organize joint public information, crisis communications, and who is the messenger? Who leads, who follows, who facilitates? During TOPOFF 2, over eight hundred Seattle firefighters and police officers moved on the ground for 36 continuous hours to rescue the injured, evaluate and contain the damage, extricate victims from collapsed structures, implement Incident Command, establish interoperable communications, investigate the crime, reassure the public, coordinate the integration of local, state and federal emergency services leaders; when all of this is set in motion, our doc-

trines and policies will be thoroughly tested, and, as a consequence, will grow in clarity and evolve in precision.

In TOPOFF 2, it became clear that we have more work to do to further clarify our national, state and local doctrines. From my perspective, we need to use exercises like TOPOFF 2 to unify first responders in applying the Incident Command System, or ICS.

We need to clearly articulate our focus upon local, regional and state capacities, based upon threat assessment, population densities, and critical infrastructure. We need to practice the integration of mutual aid, and the arrival of federal support and coordination into field command and command post operations. We need to have a precise and efficient organization for public information, joint crisis communications, with due regard for the jurisdictional responsibilities of the elected leaders of impacted communities.

The TOPOFF 2 exercise helped illuminate these critical needs, and together we have worked diligently to address them. The Department of Homeland Security's work on the National Incident Management System (or NIMS), the Homeland Security Exercise and Evaluation Program (HSEEP), HSPD 5 and 8, the National Response Plan, and the recent Universal Task List work group that I sit on, are right on point to address the gaps and needs illuminated by TOPOFF 2. And in TOPOFF 3, all of these lessons learned have been integrated into the design of the next set of scenarios. I have the privilege of being one of the TOPOFF 3 mentors, and am solidly impressed by the design of the upcoming exercise series. But I want to emphasize that we are only as good as we are clear and precise in doctrine and policy, and we must create a sustainable process of learning to hone and refine our doctrinal principles and priorities. I believe that Aristotle captured this mandate: If you really know something, you can say it, and say it clearly and precisely. Exercises immensely help us to this end.

Second, an exercise provides and opportunity for the **practical development of technical skills and expertise.** In some ways, this is self-evident. Every one of the officers, firefighters, emergency room nurses and doctors, public health workers, ambulance technicians, utility and public works professionals, and the myriad others deployed during TOPOFF 2 gained real world experience and practice in dealing with a crisis whose reach exceeded our grasp. This included real world fatigue, real world mandates to be flexible and innovative, and real world mistakes. Many of the TOPOFF 2 participants in Seattle were at the beginning of 20—and 30-year careers. Imagine a long tenure in emergency services marked by progressively more difficult and complex exposure to scenarios, played out in times of calm, and with the opportunity for reflection and improvement. This is our gold standard. But it is near impossible for most municipal, county or state fire or police agencies—including Seattle—to undertake a major exercise and meets its day-to-day requirements for emergency response. Were it not for the financial support we received to stage TOPOFF 2, we could not have taken resources away from the street and 911 responsibilities. Consider this: In Seattle last year, the police department responded to 850,000 911 calls. A quarter million of these calls required one, two or multiple police officers to physically respond. On top of that, these same police officers self-initiated stops, arrests or other official actions 170,000 times. Over 20,000 adults and juveniles were arrested and booked into jail, and another 6500 were cited or summoned. On the one hand, it is precisely this day-to-day experience that makes the local jurisdictions expert in first response and emergency management. We do it all the time. What better resource to help define the national doctrine, strategy and exercise plan. But on the other hand, it is precisely this burden of work that precludes us from being able to create a TOPOFF 2 on our own. When we train, it is almost always during off-duty times, resulting in overtime and other exceptional financial and personnel impacts. But, in the view of this operations chief and 20-year veteran of policing, it is worth every penny.

It is appropriate at this juncture to comment on the UASI grant process. My observation is very straightforward. The UASI grant process has been vital. Without UASI support, cities like Seattle would have unable to equip, train and provide technological support to our first responders. It would have taken us ten years to approach a percentage of the progress we have made under UASI in just the last 12 months. This progress has all been in areas directly supportive of our mission to prevent, detect, deter and mitigate acts of terrorism, specifically personal protective and detection equipment, maritime, port and transportation protection, interoperable communications, and other programs that protect our citizens. We are fast approaching a point in the evolution of the UASI process that many chiefs and elected officials around the county are confronting:

The limitations and prohibitions on hiring FTEs from grant sources like UASI is becoming a priority concern, for this reason: In addition to technology equipment

and training, the capital and commodity we are most in need of is people. Expert, dedicated, competent people to assist us in planning, intelligence, technical and scientific processes, computer and communications technology—including the emerging threat of cyber terrorism—and, quite simply, to help us manage the equipment and systems we are receiving from the UASI process. We know the difficulties that inhere in grant funding personnel positions. We know that creating an on-going obligation for staff beyond the life of a grant is problematic. But I am confident that there is a middle ground, and that we can structure positions that have set terms and sunset provisions to meet our need to have the flexibility to invest in the most important capital asset of all, namely personnel.

Third, exercises in general and TOPOFF in particular provide—indeed, require—a comprehensive after action assessment and evaluation process and report. We call these "lessons learned," and, in a real sense, this process may be the reason to undertake an exercise in the first place. As I mentioned above, TOPOFF 2 provided an opportunity to test and refine our doctrines and policies, and explore real world, practical deployments with our regional, state and federal partners as we jointly confronted a series of devastating terrorist attacks. But what transforms our localized experience into an enduring, relevant and universal benefit is the sharing of our insights in a sustainable and secure system that can be accessed by all police, fire and emergency services professionals. The Department of Homeland Security has called this "bankable learning." The process of integrating the architecture of data collection, evaluation and assessment and sharing of lessons learned must begin at the same time an exercise is conceived. This did not happen in TOPOFF 2; it is a principle component of TOPOFF 3. I commend DHS for their resolve to take this key element of exercise management and elevating its priority for future scenarios. In the end, this is the basic reason to commit to the expense, risk and personnel impacts of an exercise at all: To grow, improve, evolve and share insights to benefit all emergency workers, in the same manner that a rising tide lifts all boats.

For my part, I believe we have more work to do in evaluating the TOPOFF 2 experience. I would like to see an after action process that regularly revisits and provides opportunity for thoroughgoing follow-up on the lessons we learned. One year, two years, even five years following an exercise like TOPOFF should be the occasions to systematically compare our insights against changes in policy, doctrine, first response, consequence management, and training. The key leaders and planners responsible for an exercise should have the chance to convene with the exercise evaluators and assessors, in an attempt to measure the growth of policy and strategy, and in turn, contribute to the national discussion and our collective expertise to prevent and respond to acts of terror and disasters generally. This is truly "bankable learning," and is a priority I know we share with the Department of Homeland Security.

Fourth, finally, and most important, an exercise like TOPOFF **builds relationships and creates lines of communication.** In the end, it really is all about relationships. In the year leading up to the Full Field Exercise, I participated in a series of TOPOFF seminars that explored public information, direction and control, management of an RDD and plague attack, jurisdictional responsibilities and prerogatives; in short, the whole gamut of response challenges that will be present in the event of a real attack. These discussions were candid, honest, open and productive. The Department of Homeland Security heard from me and my colleagues that we will be successful in direct proportion to the level that local first responders are consulted and listened to; and I heard and saw that DHS was comprised of smart, dedicated people who were trying their best to address a huge task in a short time to thwart an implacable and malignant adversary (and listen to state and local jurisdictions at the same time) I remain impressed. I commend their efforts. And now, I know who to call, and the voice in Washington DC is likely someone with whom I have established a professional relationship. And vice versa. The exact dimensions of how important it is to create these relationships is difficult to quantify. In my view, this is one of the most profound benefits of committing to any multi-jurisdictional exercise, and TOPOFF 2 specifically.

Now, during the exercise itself, it wasn't always perfect. There were not a few false starts, though none that interfered with the work being done in the field. I found that the Principal Federal Official (PFO) system worked very well, and I was surprised and gratified to see a minimum of "creeping jurisdictions" at play. In the end, I believe that DHS was eminently respectful of the role of local government and its first responders, and tailored its role to support, assist, engage the federal system and its myriad responsibilities, and prepare for transitions of jurisdiction following the resolution of the mass casualty incident by Seattle police, fire and emergency services professionals.

As we look ahead, I can conceptualize a roadmap based in part upon my previous comments. The first element is the continued support of exercises and scenarios at the federal, state and local level, with emphasis on interjurisdictional coordination and mutual aid. A progressive continuum of exercise formats and media—from elementary to highly advanced—should be our ultimate goal. The Department of Homeland Security is pursuing this objective with rigor and energy. Programs involving distance learning, computer-aided models, simulations and games, formats for tabletop, limited and full field exercises and specialized scenarios and topics—cyber terrorism being one example—would find a ready audience. At the heart of this curriculum, I believe, must be use of the incident command system. Now, returning to a central theme of my remarks, I contend that for any of these programs to be truly successful, they need to be designed and managed in large measure by the state and local first responders and active law enforcement and fire professionals who will use them. The second element, then, is a redoubled commitment to ensure that doctrine, policy and exercise design is a matter for state and local input and expertise. It is tempting to look inside the beltway for decisions that affect Seattle or Austin or Des Moines. Having said this, I know that the Secretary is committed to a full partnership with the many state and local experts who make up the first responder community. The third element is an expanded program of after-action analysis, appropriately secured but accessible to all professionals within the federal, state and local emergency response community. This program should include regular updates and opportunities for interaction with evaluators and assessors, and should ideally be presented in a standard format designed by the professionals who will use the information. The fourth element is to maximize the occasions for interaction at all levels, and to build relationships and lines of communication forged in times of calm, that will endure in times of crisis.

It is an honor and a privilege for me to be able to share these observations with the committee. We are all a part of the same coalition of concern and dedication, and together I know that we will protect the citizens we serve, and the freedoms that define our nation

Chairman COX. Of course, whereas Seattle had to endure a radiological attack, the Chicago metropolitan area had to endure an attack of bubonic plague; and here to tell us about that is Tom Mefferd, who is the Director of the DuPage County Office of Homeland Security in the Chicago, Illinois, area. Welcome.

STATEMENT OF THOMAS O. MEFFERD

Mr. MEFFERD. Thank you, Mr. Chairman and members of the committee. I appreciate the opportunity to discuss exercise issues with you as related to the TOPOFF exercise.

As has been previously indicated, the State of Illinois and the State of Washington, the whole country, if you will, participated in the exercises a little over a year ago. While it would be real easy to spend some time talking in detail about that exercise, I would like to take a step backwards and talk about the whole picture that exercise plays or that exercising plays in the grander scale of emergency preparedness. Preparedness is one of the major functions that homeland security and emergency management is built on.

There is a three-part process, a triangle, if you will, of planning, training and exercising; and each of those pieces have been mentioned in one way or the other here this afternoon. Planning is the foundation under which the whole process is built. Planning is the foundation, if you will, that allows us to be able to respond to a major emergency or disaster. Absent an emergency plan, we have nothing to train to and we have nothing to exercise, because we have not thought out who is going to do what at what level and how we are going to do it. It is critical that an emergency plan exist at the local level, at the State level and at the Federal regional level, as well as the headquarters level, that clearly indicates how we work together.

There were numerous things that came up in the TOPOFF exercise that either required a decision to be made at a local level that directly impacted things that were happening here in Washington, or there was a decision made here in Washington that directly impacted things that happened at the local level. We must be able to understand, we must be able to know how our counterparts are functioning and thinking at every level of government, because as we continue to function in an emergency scenario we must work as a team.

The development of the national response plan and, ultimately, NIMS will help us do that. But I caution you, just putting a document on the street will not solve the problem. The ultimate solution to this problem is the adoption, the training and the acceptance on the part of every State and every one of our localities of those systems. We must work together. We must work in unison if we are going to be able to function.

As we look at the TOPOFF scenario and ultimately any terrorist incidents, it is critical again that we have a system that is robust, that we have a system that is clearly understood at every level of government; and that leads to the second part of the triangle, training. As part of TOPOFF, prior to the exercises, there was over a year of planning and training activities that led us to, ultimately, the skills necessary to perform the exercise. That training where we brought together local officials and county officials and State officials and Federal officials was invaluable.

Again, it is critical that we all clearly understand how we relate to each other. Every person, every agency that has a role in the ultimate emergency plan must also participate in training if in fact we are to work as a team. Again, as a sports team, as any other team works, we must do the same in homeland security and emergency management.

Finally, the third leg of that triangle, exercising. There are some basic concepts that I think we forget sometimes in the development of exercise, and that is the concept that we must crawl before we walk and we must walk before we run.

In the same fashion, we look at exercising as 80 percent training and 20 percent testing. It is important that we understand clearly that when we go through an exercise, as we did in TOPOFF, that we will make mistakes, that we will identify those mistakes and work to solve the problems that were identified in the exercise. It is critical that we clearly understand that we don't rush out and just do the big phenomenal exercise but we also support all of the smaller exercises that led up to that. We did, I believe a total of six exercises in preparation for the ultimate TOPOFF exercise.

Additionally, one of the fallacies in exercise design that I think we should be aware of is that we should not be afraid to make those mistakes. Understandably, if exercises are going to be a training environment, we are going to make mistakes that may potentially be made public. But those mistakes can be fixed through critique. They can be fixed through evaluation and planning and retraining.

There are a number of other specifics, but let me move toward conclusion, to touch base on one final component, a critical component of the system, as Clark just indicated, with the UASI pro-

gram. That part is personnel. It is critical that, as we look at the management infrastructure in this country that is responsible to make sure that we have the capability to respond not only to an exercise but a full-scale disaster, we have to start looking at other areas other than our first responders.

Don't take that wrong. Our first responders have been focused as a major part of national attention since September 11, and they need that continued support. We need to make sure our first responders are the best trained, best equipped and best prepared. But the issue is there needs to be the command and control system that stands behind those first responders that is prepared to make the decisions that are necessary.

The emergency management community, the emergency managers themselves, our chief executive officers need to be trained. They need to be exercised, and they need to be supported. Our infrastructure in communications and interoperability and command and control facilities, emergency operating centers must be a priority.

Again, as we look at the support systems for our personnel we need to clearly understand in the preparation for TOPOFF this was a year-plus activity that put significant strains on those agencies that participated. In our government alone, we had three full-time personnel, two in our public health community, one in my office, that initially were committed on a monthly basis to multiday meetings once a month. As we moved closer to the exercise, that was almost a full-time commitment. If an exercise can put that kind of a strain on a local government system, then what would a real emergency do? We need the availability of putting additional personnel into our command and control system, much as Clark has just indicated.

In conclusion, again, let me state this. As we look at exercises, the benefit to our country, the benefit to our communities is immeasurable. Bringing folks together, talking together, planning together and working together, there is no way to measure that. It is a tremendous benefit.

But again we must—we must from the Federal level down have a commitment to support the overall triangle—planning, training and exercising—as an entire package. The continued support of Congress, the continued support of the Department of Homeland Security is essential to all of us at the local level being able to effectively respond and manage a major crisis, especially the uniqueness that is there from a terrorism scenario. Thank you very much.

Chairman COX. Mr. Mefferd, thank you very much for your testimony.

[The statement of Mr. Mefferd follows:]

PREPARED STATEMENT OF THOMAS O. MEFFERD

By way of background, I have been involved in the emergency management field since 1971, serving at the municipal, township and county government levels. Additionally, I have served in the training and education divisions of both state and federal governments. During these thirty- three years, I have participated in or developed more than 100 exercises ranging from low-level table-top exercises to full-scale exercises.

A little more than one year ago the State of Illinois; City of Chicago and its surrounding counties of Cook, DuPage, Kane, and Lake; the State of Washington; City of Seattle and surrounding counties; and the federal governments of the United

States and Canada participated in the most extensive counter-terrorism exercise ever held in this country. This exercise was designed to test the cooperative efforts of the local, state, and federal government in responding to, and ultimately recovering from, a multi-facetted terrorist attack on the country.

At the outset it may appear appropriate to comment on and critique the exercise and its ultimate results. However, it is critical to clearly understand the role that exercising plays in the bigger picture of emergency preparedness. Preparedness includes three equal but interrelated components, including:

- Planning
- Training
- Exercising

Planning is the foundation on which the triangle rests. Absent an emergency plan, there is nothing on which to train and no organization to exercise. The key to an effective response and recovery system is the development of a comprehensive emergency plan that clearly identifies the roles and responsibilities of key departments, agencies, and officials, and various levels of government. More importantly, the roles, responsibilities, and authorities of all agencies that participate must be clearly defined. At the local level, where a mayor or county executive provides direct leadership to operating departments, the process of "direction and control" is relatively easy. The higher one looks in government, however, the more convoluted things become. With the large number of federal agencies, as well as the differences between regional and headquarters organizations, it is not always clear how certain decisions are made and how local implementation of those decisions occur.

With the roll out of the new National Response Plan (NRP) and the National Incident Management System (NIMS), hopefully many gray areas will be eliminated. Critical, however, to the success of these plans will be their adoption and integration at the local and state levels.

The following example, related to the Strategic National Stockpile, clearly illustrates how planning must be integrated at all levels of government.

> *A terrorist organization covertly releases a biological agent into a community. In a short period of time many citizens become ill and begin to seek medical attention. At the local level, emergency medical services (EMS) providers and health care professionals attempt to render aid. Reporting requirements at the local level alert county health officials who realize that something is terribly wrong. Calls are placed to state health officials who, in cooperation with county officials begin medical surveillance. Notification of the Centers for Disease Control follows. Working jointly, local, state, and federal officials determine that a biological agent has been released which requires the deployment of the Strategic National Stockpile (SNS). CDC officials transport the nearest push-pack to the state, who in turn receives the package and distributes it to the stricken county. County and municipal officials open medication dispensing sites and provide prophylaxis to exposed individuals and are able to deal with the crisis.*

Clearly this scenario identifies separate but interrelated roles for municipal, county, state, and federal governments. If any of these component pieces do not understand their role then other related components do not function, potentially leading to a loss of life, or at least significant levels of confusion. While this scenario focuses only on public health, consider the ramifications when areas of crisis communications, law enforcement investigations, and consequence management issues are added.

The second but equally important part of the triangle is **training.** Once a plan or procedure has been developed, it is critical that everyone who will use the plan be instructed in how that plan is to function. This includes personnel at all levels of government. As can clearly be seen in the example above, there are key roles as well as major opportunities for failure at all levels of government. It is clear, then, that officials at every level of government clearly understand their role as well as those who function at levels both above and below them.

The final part of the triangle is **exercising.** A mistake often made by exercise planners is that a full-scale exercise is the best way to test a plan or procedure. A guiding premise to exercise design is that you must be able to crawl before you walk, and walk before you run. Additionally, exercises can be viewed as 80% training and 20% testing. Therefore, lower level table-top and functional exercises should be a key part in any exercise program, where participants can "walk through" procedures and become trained in the proper method of dealing with an event. During the TOPOFF program, several lower level exercises were held to allow local, state, and federal agencies to work out the "bugs" before tackling the final full-scale exercise. These types of multi-level exercises should continue and be expanded as a key component of any federal terrorism exercise program. On a daily basis, close coordination and cooperation is the exception not the rule. Working through problems and

resolving issues as part of these exercises brings responders and policy makers together and fosters closer cooperation which ultimately leads to lives saved.

A common fault of exercise design, especially in high visibility exercises, is a desire to "not look bad." In many exercises, important functions are left untested because a perceived weakness may be observed, reported on, and made public. Exercises, by their very nature, are designed as training tools. It is assumed, if not understood, that mistakes are made during training. Making a mistake during an exercise is natural and nothing to be ashamed of. During the critique process, problems are identified and potential solutions found. These problems are then remedied through future planning, training, and re-exercising. This cyclical process corrects weaknesses, focuses on prior successes, and ultimately builds a stronger system.

In retrospect, a number of lessons learned from the TOPOFF 2 exercise should be shared for the benefit of those who will follow and to guide the development of future exercises. Highlights of these lessons include:

- **Limit the number of objectives that the exercise will try and accomplish.** Many departments and agencies often have a shopping list of things that they want to test / try in an exercise. The more complex the exercise becomes, the greater the potential for failure or for participants to become disillusioned. Exercise objectives should be realistic for the type of scenario being developed.
- **The exercise can not be everything to everyone.** As stated above, not every agency may be able to participate in every exercise. For example, in a biological scenario, collapse search and rescue teams, or hazardous materials response teams may not be needed. Again, participation in the exercise should be realistic, based on the scenario being developed.
- **Coordinated multi-jurisdictional decision making must be included.** During TOPOFF a decision was made in Washington to close O'Hare International Airport and suspend passenger rail traffic in and out of Chicago, without consultation with the City of Chicago, the State of Illinois, or the federal regional agencies that were participating. This decision left local governments scrambling on how to implement the decision, and more importantly, how to restart operations when the airport and rail station were declared safe. This type of coordination is essential during a real incident, and now is the time to learn how to function.
- **Future exercises must focus on the weaknesses or problem areas discovered in previous exercises.** During TOPOFF 1 a number of problem areas were identified with the Strategic National Stockpile. During TOPOFF 2 various federal, state, and local agencies worked diligently to work through these issues and develop procedures that would ensure effective operations. Future exercises should continue to build on the lessons learned so that new and better procedures can be developed.
- **Future exercises should allow continued exploration of new and more effective ways to respond and recover.** One official from the Department of Homeland Security likened the TOPOFF exercise to a laboratory. I cannot agree more. While the exercise tests knowledge of plans and systems, it also provides an opportunity to "test" new approaches and provides hands-on training to acquaint emergency managers and responders.
- **Future exercises should explore recovery issues.** In most exercises, a test of the capability and capacity of government and the private sector to effectively respond is scripted. Exploration of the issues related to long term recovery are often not a key focus. Response exercises often become media events where government can visibly demonstrate capabilities. Recovery activities, on the other hand, usually take place in a command center, hidden from public view, where decision making and prioritizing are the key. These activities are not very photogenic and therefore don't tell "the preparedness story" that government wants the public to see. While life-saving skills must be constantly honed, it is equally important that emergency managers work through the problems associated with recovery.

Finally, it is important that we focus on a critical component, common to each of the three phases of preparedness previously described. The one common thread to all three phases is the individual charged with the responsibility for management of the community's preparedness program. This person is the local emergency manager. Since September 11, 2001, significant national attention has been given to the nation's first responders. Millions of dollars have been spent to provide our first responders with the latest in technology and life-saving equipment, as it should be. However, little or no money has been allocated to upgrading our aging command and control systems, emergency operating centers, and more importantly to increasing the support to the local officials who are charged with the responsibility for managing a major crisis.

In most communities, across the nation, the position of emergency manager is filled by a part-time or volunteer. Even in communities where a full time manager exists, staffing levels for this position are less than adequate to maintain an effective and robust crisis management capability. Preparing for the TOPOFF exercise required almost a year of planning and training. In the early phases of planning, monthly multi-day meetings occurred. As the date for the exercise drew closer, an almost full-time personnel commitment was required. In many communities the level of commitment needed to support an exercise of this magnitude would not be possible, even though the benefits from this type of exercise are enormous. If this level of stress is generated by an exercise, then what might be the impact on the emergency system created by an actual event?

In conclusion, the benefits to the nation and our citizens by participating in emergency exercises are immeasurable. Exercises allow first responders and emergency managers to understand the demands that may be placed on their community during a terrorist event or other disaster. For any exercise to be effective, however, requires a firm commitment to the other two components of the preparedness triangle, planning and training.

Continued support of the emergency preparedness program, as well as those who manage that program, by the Department of Homeland Security and members of Congress is essential to increasing the level of preparedness through the country.

Chairman COX. Mr. Kimerer, Ms. Mencer, and Mr. Gruber, thank you for being here as a resource as we dive ahead into questions; and thank you for all the work that you all do in keeping our Nation safe.

One of the major questions that Congress is now wrestling with as we write legislation is whether or not funding terrorism preparedness is in some way different than funding preparedness for other hazards that can produce similar symptoms. For example, a building can blow up because of a natural gas leak. The casualties might be identical to those occasioned by an Oklahoma City bombing type attack on the same building. Is there a difference when you train in responding to terrorism that is manmade and in responding to either acts of nature or accidents?

It is possible, for example, that terrorists could use bioweapons. It is also possible that we could actually have an outbreak of plague which would be a public health emergency. Would there really be a difference in the way that we responded? We have varying views about this in Congress, and it influences how we put the money into the hands of first responders.

At this point, I want to share with you my own view, which is that there are differences and there are similarities, but from the standpoint of first responders we only have one first responder. We only have one Fire Department, we only have one Police Department, and they are not on duty 24/7 waiting for a terrorist incident. They are doing a lot of other work in the meanwhile. So they have to be prepared to deal with all hazards.

I don't think that is the argument. I think the question is, rather, back here in Washington, when we make funds available, should there be an additional pot of money available that is separate from all hazards money that goes directly to terrorism training? Because there are unique aspects of terrorism. And when I say training, I mean also terrorism preparedness in all of its manifestations, because there are differences.

Facially, it strikes me that there is a difference between a hurricane coming through town, which at least when it hits has predictable behavior, and the same kind of havoc being wreaked by human beings who not only can strike but who can plan avoidance in real time. This is a thinking threat, not an unreasoning one.

Likewise, as some of you mentioned in your prepared statements, you have to focus on different things when you are cleaning up after acts of terror. After the Madrid bombings, we wanted to make sure that we gained as much in the way of clues to the way terrorists operate as possible, so we went in not only to clean up the mess but also to find out exactly how this happened. There are chain of evidence and custody of evidence issues that law enforcement is, of course, well aware of when there is a thinking assault by a human being as against other kinds of disasters that at least symptomatically produce the same result.

If you could—and I would address this to all the panel—help us with this. Should Congress have separate funding available as an incremental addition to what we make available for all hazards?

Miss Mencer, we will begin with you.

Ms. MENCER. Thank you, Mr. Chairman.

I think you are absolutely right in your description. It is different when you respond to the scene of a terrorist event because, as you have described, you are entering into a crime scene. So you have to preserve the evidence there. You have to worry about intelligence collection, as well, so you can catch the people who did it. So it is very different than a hurricane or a tornado. So, yes, it has special requirements. It requires specialized exercises to deal with it, and specialized training and equipment. So that is absolutely correct.

And, Corey, would you like to add anything to that?

Mr. GRUBER. Yes, ma'am.

Sir, the very important point that we are talking about is a human architect that is adaptive, versus historically what we face, which has been morally neutral nonadaptive hazards. When we face a human predator, we have the addition of prevention activities, deterrence and defeat of that adversary, and intelligence collection and gathering. So we believe that, if we take a capabilities-based and a scenario-based approach to planning for these events, we need to look across the full spectrum of the missions that we face as a department, or as a Homeland Security community, but we have to focus on the very most essential tasks.

And the Homeland Security Act, and the national strategy have told us that prevention is the foremost imperative. So we have very much focused our efforts on that significant difference from facing seasonal, geographic and nonadaptive hazards.

Chairman COX. Chief Kimerer.

Mr. KIMERER. Mr. Chair, the fact is that there are great similarities and great and profound differences when looking at preparing for terrorism. As Mr. Gruber said, a terrorist act is the result of a malignant use of the intellect and has a level of aggression and deliberation and strategizing that makes it absolutely incomparable to other natural disasters. The fact that we do a lot of the same things, of course, is an argument for exercising and training and practicing. Implementing incident command is somewhat universal. Preparing for the next wave of attack or the next part of the stratagem makes the whole curricula of exercising for terrorism very unique and fairly new to local law enforcement. The consequence management, as was mentioned before, has profound implications.

Case in point, as part of our exercise we had our responders preparing for working through both the intelligence and the reality of there being a secondary explosion, of there being the discovery of a safe house, of things that were uncovered and disclosed in the crime scene that might have pointed to additional threats in other parts of our region or even other parts of the country, like Chicago. It is a unique body of wisdom that we need to be working toward in looking at and preparing for and responding to detecting and deterring a terrorist act.

Chairman COX. Director Mefferd.

Mr. MEFFERD. Let me build on the comments that have been made. I totally agree with your assessment of two roles. When we deal with a natural disaster, you are dealing with an event that has very clearly manifested itself. Typically, you will have one thing to worry about, and that is the disaster. When you are dealing with a terrorism event, one of the things you must think about is I, as a first responder, am a target; and one of the goals of a terrorist is to try to lure the first responder to that scene and now move into a second attack which now takes down the first responder.

But as we set that aside and look at some of the other issues, the evidence roles that have been brought up, one of the other critical roles today is we have to think about long-term public health effects. If we did have a release of a biological agent or a chemical agent, again, if we look at a typical disaster, we take an individual to the hospital. We treat them, we release them, and the whole process maybe takes a few days to a week. We are talking about potentially people who will be evolving into some kind of a disease or some kind of long-term problem months or year later. So records need to be kept, and systems need to be built to handle that. Long-term epidemiology processes need to be put in place.

If you will, we are used, in the law enforcement community, to work as detectives who look for clues for crime scenes. Today, we are looking at medical health professionals who are also becoming detectives to try and find out what was released, where was it released, how many people were exposed to that release.

And, finally, the whole issue of emergency public information. Again, in a tornado, it is real easy to say a tornado has gone through. This is where you come to get your assistance. This is the shelter area.

In a biological attack, for example, we have long-range and long-reaching public information and community-building types of things that we have to look at. How do we make the population aware of the fact that the event is over? Is it over? How do we make the community aware of the fact that this area is safe again? And how do we make—how do we clearly identify those issues?

So certainly there are some uniquenesses—some tremendous uniquenesses with the issue of terrorism response and recovery.

Chairman COX. Thank you very much.

The Ranking Member, Mr. Turner, is recognized for questions.

Mr. TURNER. Thank you, Mr. Chairman.

I would like to ask each of you to comment on this question. What level of preparedness standard are we working toward? And what experience comes out of these exercises that helps shed light

on what that level of preparedness is? And perhaps even more importantly, I would like to have each of you tell us whether you think it is important for us to have a preparedness standard.

In the legislation that the Chairman and I have introduced, and this committee has reported out, we call for the establishment of what we call the essential capabilities of preparedness that we think should be established. But I would like your comments on whether or not this is an issue of importance that we should address.

Mr. MEFFERD. That is a kind of a moving target. Certainly, a level of preparedness nationwide is something we should work towards. I think one of the problems that we see across the board—and I am going to go back to the personnel issue. As we look towards establishing a standard, we need to understand who is going to be responsible for attaining that standard across the country. The typical individual who serves as the emergency manager, the person responsible for building that capability for coordinating the planning, for bringing those pieces together in many cases is a part-time, if not a volunteer, individual. Should we then set that standard based on that? And I don't believe so.

I think we need a standard. We need to work towards an ultimate goal. As we look at standards in law enforcement, as we look at standards in the fire service, the challenges that we have to meet today are a moving target. But they are always getting better. They are always getting higher. And certainly as we look at standards for emergency preparedness, whether it is for dealing with the effects of a tornado or a flood or a terrorism event, we need a nationwide standard that we can all work towards that we can all build upon and try to attain. Because I think that is the basis not only on which we build our training and our exercises but it also gives us at the local level a goal upon which we need to build our budgets and build our local programs towards attaining that national standard.

Mr. KIMERER. Ranking Member Turner, September 11 stunned us out of a kind of lethargy about the complexities of preparing for and responding to the myriad possibilities of both disaster and evil in the world. It illuminated for us, as did the TOPOFF exercise, the need to greatly expand the frame of reference we must acknowledge and build in order to be prepared to respond—to prevent, detect, deter and respond. Things like unification of intelligence data, making it more accessible, having better and more robust data collection around the specific threats that materialize in the realm of terrorism, those were things that were not pre-occupying concerns of local and regional and State law enforcement before September 11 or before we undertook these kind of exercises. They contributed to the need to have baseline, I guess, standards, for want of a better term, but certainly objectives and doctrine and goals that we must all acknowledge and all work toward.

The absence of a national incident command system, which some of us have been saying probably should have been in place many years ago, was certainly brought home to us and is now a priority objective of agencies like mine and, clearly, the Department of Homeland Security. That represents an essential and kind of universal benchmark and standard that we need to aspire to.

All of this of course, depends upon a kind of collective recognition of what is important, of what is essential; and I think together we will very shortly come up with what represents the basic, essential doctrine we use to determine how we take care of our citizens at all levels of government in the face of all realities, whether it is an accident of nature or the work of an evil intellect bent on destruction.

Am I answering your question?

Mr. TURNER. I think you are. I think it is going to be very difficult to motivate the Congress to adequately fund the needs that we have, particularly at the State and local level, unless we first establish some essential capabilities that we are trying to build. As long as we are just passing out money without any measurement of what that money is achieving, I think it is going to be very easy for the Congress and the administration to simply say, well, this is all we can afford. And I think if you define through some logical process, a planning process, what it is we are trying to build in this country, based upon the real threats and vulnerabilities that we face, which is the responsibility, I think of the Department under the law to determine, if we don't have any measurements, we are not going to get to the end goal and there will be not be sufficient political pressure to get us there.

So I hope all of you will continue to advocate that position as we go through this process, like we mandate in the legislation that we have reported out of this committee. We mandate that the process take place so we will know what we are trying to build.

Mr. KIMERER. Sir, I couldn't agree more; and there are a couple of things on point to that.

First, all of our work has been—

Ms. DUNN. [Presiding.] If you will be brief.

Mr. KIMERER. Oh, I am sorry. Two very quick things then.

We approach our identification on the basis of threat assessment, the intel, of risk assessment and risk analysis. That is the formula upon which we at the local level and the regional and State level are making our decisions.

And the second is we are proceeding with doctrine which I think is right on point, like national incident management to further move the ball down the field; and we endorse those efforts and are participants in the design of it.

Ms. DUNN. Thank you very much.

The gentleman's time has expired.

Ms. Mencer, can you talk to us a bit about the lessons learned from TOPOFF 2? And exactly, as you mentioned, we are going into the planning of TOPOFF 3 What is it that you take into consideration that you learned from the last set of exercises a year ago?

Ms. MENCER. I would be happy to do that.

If I could address for a minute the other question, look at the moving target, as Mr. Mefferd described, that has been assigned to us with Homeland Security Decision Directive 8, which talks about how to measure preparedness. We are indeed looking at establishing essential tasks and how to develop the capabilities needed by communities to address different incidents. We will be available to provide an in-depth briefing on that, if you wish, as to where we are with that process.

As to the lessons learned from TOPOFF, I would like to hand that over to Corey to address.

Mr. GRUBER. Thank you, Ma'am. We started the exercise when we developed the concept with objectives. Objectives are the foundation of exercise design. And each objective is an expectation of performance. So as we designed the exercise and then completed and analyzed that performance, that is what allowed us to identify specific lessons. And we had a voluminous amount of lessons and hundreds of evaluators across the Country who were looking at the performance at each exercise venue.

Out of that, we distilled those down into the reports that you have seen that we produced for every participant. We ran a series of after-action conferences, both in the venues and at the national level, to examine those lessons.

We have built a secure but unclassified Web portal that has a lessons-learned/information-sharing component that has over 3,000 registrants across the Nation who are using the portal to access that information.

Some of the most important points that we learned out of the TOPOFF exercise, I will start with the foremost one, we had a Department that was all of roughly 70 days old. And it provided us with an unparalleled opportunity to look at our roles and responsibilities for all of these disciplines that had converged under Homeland Security in a manner that was unprecedented. It afforded us a great opportunity, at the very start of the exercise, to help to define and literally engineer, in the course of the exercise, roles for people like principal Federal officials—how, as Clark and Tom have both alluded to, we worked together and clarified our responsibilities.

We also learned very important lessons about how we understand the impact and the effects of the agents that we used in the exercise. As Tom alluded to, how do we get a common technical picture of the event that occurred so that we can predict the consequences, understand how it impacts our public, and make sure we are providing them with the right information?

As a result of that exercise, we developed an integrated emergency communications plan that was actually a result of the very first seminar that we did in the exercise series, which was focused on public affairs and had 74 public information officers from across the Country at it. I'd like to give Tom an opportunity to talk about some of the concrete lessons on bioterrorism, and perhaps Clark on the radiological. But it was a tremendous opportunity to think about the roles and responsibilities for the Department.

Tom?

Mr. MEFFERD. Obviously, the bioterrorism scenario is significantly different than the radiological dirty bomb in that it did not have any of the—typically, what is used in the business—the blood and guts and gore that goes along with a typical disaster. All we had was a whole bunch of ambulance calls to start it off with. We have learned since the exercise, I think, better sharing of information.

There has been significant work—Mr. Turner talked earlier about the issues of communications with our hospitals. In the State of Illinois, for example, we are installing as we speak a satellite-

based communications system that will link our primary command post hospitals Statewide. We have a new system that the Illinois Department of Public Health has brought online to share patient information across the board, so as we look at hospital capabilities, bed capabilities and so on and so forth, that can be rapidly transmitted to our State Public Health Command Center in Springfield.

We are also working on increased communications capabilities to ensure that we have good epidemiology as well as the ability to share that epidemiology.

Another major thing that came out of this exercise was really built on TOPOFF 1 the headaches of the Strategic National Stockpile. How does it work? How do we bring it into a State? And ultimately, how do we get it to the residents that need it? In our county alone, we have spent at least now 2.5 years before TOPOFF as well as since TOPOFF working those points. And we anticipate shortly being done with the establishment of multiple sites around our county where we can treat every man, woman and child in a reasonable amount of time to give them the prophylactic drugs that they need in this situation. Those are directly a result of the lessons that we learned in TOPOFF.

How do we do it? How do we manage it? How do we make it work? You do it one way in an exercise, and then you build on those capabilities for real.

Mr. KIMERER. The last time I was asked to recap the lessons learned for Seattle from TOPOFF, 3 hours later people were exiting the room. I will not subject you to that.

We learned hundreds of fixable things right off the bat, things that were more logistical in nature, some of which we want to remain confidential but involved how to manage a command post and have the right equipment and anticipate the decon requirements and things like that. To that end alone, if nothing else happened in TOPOFF, we would be miles ahead of where we were before the exercise. And we have literally addressed all but about 5 percent of those small fixable things.

Some of the larger issues, we are working diligently to address. We had an issue with plume modeling which got some press nationally where there were conflicts in attempting to ascertain the degree to which contamination was present in the atmosphere. In the end, that did not hamper the field operations because the field commanders quite wisely said, "Give me the largest plume, and that is what we are going to respond to."

Since then, there has been a lot of academic work to create what is called consensus plume modeling which actually will meet that gap. Those kinds of details were really invaluable to address, again, in times of calm rather than in times of crisis.

Our focus has been to continue to refine our precision in implementing incident command, equipping our first responders and dealing with the influx of various interests and needs, including what has not really been mentioned today, the business community and the private sector, in the redress of a critical incident. And that does include coordination with our Federal partners and making sure we do not have overlapping jurisdictions or what I affectionately refer to as jurisdictional creep, which I was gratified to see was not a big factor in our experience with TOPOFF 2.

Ms. DUNN. Thank you very much.

Thank you all of you.

Now, I would like to call on Congressman Thompson, who has 8 minutes for questioning.

Mr. THOMPSON. Thank you Madam Chairman.

And I appreciate the testimony offered today in the hearing.

Ms. Mencer, if either one of the scenarios we heard today happened in a community of 10,000, what would the response be?

Ms. MENCER. Well, you mean, what would the response of the Department be or the communities?

Mr. THOMPSON. Well, yes.

Ms. MENCER. All right. Well, I think that we have made great strides with every successive TOPOFF, as has been described, with better communications and better plans.

I think, even at the local level, in the smallest community, because of the grant process where everyone has to communicate what their needs are, what their assessment is of their readiness and what equipment they still need, what training and exercises they need, they are all talking to each other, which we did not really see prior to September 11th. We did see this with the individual TOPOFF exercises.

But now every community in the Nation, and in the territories, has been talking about, how do we prepare better as a unit, as a community, not just law enforcement, not just fire, but working together?

So I think, all of the lessons that were learned in other communities, are being shared across the Country through the Web sites that we have up that share best practices. So I think it would be a much better response than we would have seen prior to September 11th.

Mr. THOMPSON. Well, I guess the question is, have you conducted any internal review of a scenario in a rural area, either one of these situations?

Mr. GRUBER. Sir, we have conducted almost 400 exercises across the Country, and they have been in every State and territory. And some of those have involved scenarios in rural settings. In fact, the very first TOPOFF was done in the State of New Hampshire, in a relatively small community, Portsmouth, New Hampshire, which is about 25,000 population, and which relies very heavily on mutual aid. The event was a chemical event, explosively disseminated, and involving hundreds of victims. They relied on resources throughout the State and the entire region. And that is an important point that the Secretary and others have made about emphasizing and strengthening mutual aid assistance compacts for communities that do not have all the resources available.

Mr. THOMPSON. Well, so the comments I get from rural fire departments and sheriffs departments and other people about having adequate equipment to deal with emergencies and other things, is your testimony that that is not the case?

Mr. GRUBER. No, sir, no. We, obviously, know that there is great need. We are trying, though, speaking specifically about exercises, to encourage very strongly and, in fact, in the manuals that we have published and the guidance that goes out with the grants, to strongly encourage States to make sure that exercises are available

to their communities, and then that communities participate, not just in isolation but as mutual aid, as emergency management assistance compacts, to draw resources from where they may not have them organically to that setting.

Mr. THOMPSON. Well, for my own information, can you provide this committee with a State-by-State listing of those demonstrations that have gone on?

Mr. GRUBER. Yes, sir, we have that breakdown by exercise, by location, by scenario. We would be happy to provide it.

Mr. THOMPSON. Ms. Mencer, I do not want to pick on you so much, but you know, it is your job. The issue of how we pick off—pick the TOPOFF scenarios, I know we are going on to, based on your testimony, to Connecticut and New Jersey next. We have two Members from New Jersey on the subcommittee, one from Connecticut. And I would hope, at some point, you will involve them in the exercise. I would shudder to think of you going to those two States without at least involving those Members in what you do.

Have there been any communication with any of the Members of the committee?

Ms. MENCER. Well, the process to select the venue sites is a long one and a competitive one and one where they volunteer to be the sites. So the States themselves were very active participants in this selection process and raised their hand to do that. And it was a selection process that ensued, and they won. But, yes, we will indeed involve them in this as we proceed.

Mr. THOMPSON. Well, I think that is really important because, at some point, just like you have people from Seattle here, and I am sure they were intricately involved in what you did in Seattle, they ought to be likewise involved in their communities. So I would encourage that.

Ms. MENCER. Absolutely.

Mr. THOMPSON. The Presidential Directive 8 has called for a multiyear National Homeland Security preparedness plan. Has that been done?

Ms. MENCER. We are in the process, sir, of implementing HSPD 8. It is a very complex decision directive. We actually have a meeting of the steering committee tomorrow where we are bringing in various leaders from all the disciplines that are involved with this process. We also have established concept teams that look at the essential tasks and capabilities that we need to establish as a Nation.

So we would be happy, since it is a very, very comprehensive decision directive, to give you an in-depth briefing on that, because it is quite complicated. Yes, we would be happy to.

Mr. THOMPSON. Now, has the President formally adopted it and provided it?

Ms. MENCER. We have done briefings up to the Secretary level. And of course, it is a presidential decision directive, so the President is aware of the directive, yes.

Mr. THOMPSON. No more questions.

Ms. DUNN. The Chair yields 5 minutes to the gentleman from—where are you from, Jim? Nevada?

Chairman Gibbons.

Mr. GIBBONS. Yes, I will take Nevada. Ladies and gentlemen, thank you very much for your presence here today. Thank you, for your testimony, it has been very helpful to us with regard to our better understanding of these exercises.

There are three very brief questions I want to ask, and perhaps, I should get them out first and let each and every one of you pick one of the three that you want to answer because 5 minutes isn't enough time to ask this.

First of all, with relation to focusing on regions, with these exercises, to what extent do you incorporate and at what point do you incorporate the military inasmuch as there is always going to be a jurisdiction who's got the best equipment, who's got a better response capability, who should be in charge when you are regionalizing that? I am sure that Seattle is a big area, but if the National Guard of the State of Washington were called in, it obviously would have a capability that perhaps the City of Seattle does not have.

So at what point in these regional exercises do you call in your military, your State military and/or Federal Military? That is one.

second, to what extent has public relations within the gambit of these exercises affected either the implementation of the lessons learned or the exercise itself? And how has public relations affected that? It is obviously very critical to have the public involved in what is going on, not only for confidence but also for just the basic control of what is expected out there in terms of the public's need-to-know.

And finally, the intelligence-sharing aspect is very critical to me. I want to know whether or not you feel the communities and, especially you, Chief, feel you are getting the intelligence you need today to meet the threats and the responses to these threats that you are planning for in the future. So any one of those three questions. You have 3 minutes; 1 minute each will be fine.

Mr. KIMERER. I think the wise person goes first, so you get to pick one of the three questions. Let me take the one I think you directed to me which has to do with the intelligence sharing.

Thing is, the big frontier, it represents one of the most challenging parts of creating the structure of prevention, detection, deterrence and response. We are working in our region through military nexus it so happens, through LINCS, which the Navy is kind of the sponsoring agency for. The model seeks to create a data warehouse that is secured and enables agencies throughout the region to access the information and then, further and more to the point, create a unified analytical structure, so that it is not raw data, but data that is being processed in a joint fashion.

That I think is an importable model. It can be used on a national level and represents what I think might emerge as kind of the gold standard in organizing this incredibly complicated and voluminous issue of intelligence collection, analysis, and sharing.

As far as our communication with DHS on the intelligence front through the Joint Terrorism Task Forces, it has been very good. I was prepared to say that we still have a lot of problems, and of course, we can always be better. You do not have to be bad to be better. But I am finding regular briefings, regular updates, regular access to my counterparts in the FBI and the Department of Home-

land Security on issues of the moment having to do with intelligence.

Mr. GRUBER. Sir, if I might, I will address the public relations question. At the request of the community, in TOPOFF 2, the very first seminar we conducted was on public relations and on emergency public information, because the community felt that was the most important issue that we had to struggle with. We had 74 public information officers who were involved in that exercise at that seminar. To make sure that the public was aware, a very important objective was to reassure the public about what we were doing. So we took out full-page ads in newspapers. We conducted press conferences in the venue. You saw a little bit in the video of Secretary Ridge conducting a national press conference so that the media could help inform the public about this event that was occurring.

The exercise was covered by over 670 media releases, print and press. It had very extensive coverage, as you saw reflected in the video. We also had an extensive network of citizen volunteers who helped in the exercise, role-played as victims, and supported the exercise activity. That was a very important component.

And finally, for future exercises, our Assistant Secretary for Public Affairs, Ms. Neely, and her team have been integral to the planning process to insure that, both in terms of reassuring the public and in terms of designing an exercise that accurately reflects the issues related to public relations, that that is done effectively and accurately.

Mr. MEFFERD. If I might, let me build on the public information and then move into the military for the second. I want to indicate one of the things that we really did, that we felt worked very well with regard to public information prior to the exercise, was a cooperative effort between DHS, which at that time was just the FEMA portion. FEMA conducted for the Chicago venue an Advanced Public Information Officers Course at their national academy in Evansburg. This gave us the opportunity to bring together public information officers from the City of Chicago, from the outer counties, as well as the State of Illinois, to work through one week of hard work, learning to work together as a team. And that is one of the things that we have tried to keep going since that time.

From the military side, and just the State military, but certainly one of the things that we have in the State of Illinois which we are pretty proud of is a seven-part response that relates not only to State capabilities but local capabilities. From the State capability, the State has built something called a State weapons of mass destruction response team. A critical component of that response team is the civil support team which is part of the National Guard Service. The system that we have established in the State of Illinois is that any time that there is a weapon of mass destruction or a terrorism incident, a call is immediately placed to the State Emergency Operating Center, and within 90 minutes tops—again, obviously the State of Illinois is a big State—but in 90 minutes tops, there will be representation on the ground from the State Weapons of Mass Destruction Team, including the Civil Support Team.

So we feel they are an integral part of our terrorism response, not only for planning but training.

Ms. DUNN. You did not run over.

Thank you all for your answers.

The Chair yields 8 minutes to the gentleman from Washington, Mr. Dicks.

Mr. DICKS. I want to thank all the witnesses today.

And Clark, good to see you again and appreciate your good work out there.

Let me just ask one thing on communications. There was—as I understand—there was a problem between the Seattle Fire Department and the Police Department, in terms of communications. Has that been fixed since TOPOFF 2 in terms of communications interoperability?

Mr. KIMERER. Yes, actually, we have a pretty good infrastructure in actually the whole of the State of Washington but particularly King County that supports sharing frequencies and allowing for an expansion of our interoperable communication as needed.

Of course, it tends to be a rather expensive proposition, but the ability of the Police and Fire Department, as well as mutual aid agencies in our region, has increased hundredfold immediately before and since TOPOFF† And we look to, you know, even broadening that to create a regional or even a Statewide network that allows for interoperable communication and flexibility in communications.

We were able to communicate on the basic frequencies. Where I think we had some challenges when we started breaking off into tactical frequencies, specific taskings, special operations things of that kind, the depth that we needed was not present. It is now. We still have more to do and more to go, but we have certainly addressed a fair number of those issues and will continue to work on it as we—

Mr. DICKS. In your statement, you mentioned doctrine, policy and plans. Give me a sense of what this doctrine—I mean, is this a doctrine of how to respond to a terrorist attack, or is it a doctrine of how to respond to a natural disaster? What is the difference here?

Mr. KIMERER. I can give you an example that exists which is probably the best one, rather than making one up. The doctrine of, say, incident command says that there are three priorities you address, and they are priorities. First, life safety. Second, incident stabilization. Third, property conservation.

As a commander in the field, when I have decisions to make, when I have resources that I need to commit, I now have a very clear set of principles that tell me what my priorities are and where I make the choices.

Similarly, with something like terrorism, the doctrine of importance to stabilize the incident and to contain it and to search for additional threats, additional acts of terrorism, is very high. It has to be always kept in mind. These are the kind of things that a commander—

Mr. DICKS. That is a terrific answer. Let me ask you this. As Ms. Mencer explained, it is a police scene, too, at the same time.

Mr. KIMERER. That is right.

Mr. DICKS. Where does that fit into this?

Mr. KIMERER. That is a very good question.

Mr. DICKS. I would hope it is not the highest.

Mr. KIMERER. Not the highest. The highest is treating the injured and dealing with the mass casualty, and that, too, defines how we respond and how we manage the scene. We yield to the fire department, who has the priority in dealing with the people that need the help. We support them. When we have to make a choice between preserving a crime scene and helping somebody who is injured, it's an easy choice to make. Those are the doctrinal issues that we hope become more and more and more clear as time goes on. Exercises help us do it. Some of the work that is being done by DHS is helping us.

But we want everybody in that town of 10,000 to know that that is the most important thing, this is the second most important, and then, from there, you build policies and plans.

Mr. DICKS. How did the mayor get along—the mayor was kind of running the show, right?

Mr. KIMERER. Yes, he was.

Mr. DICKS. And then the Federal Government had its lead agency. Was that FEMA?

Mr. KIMERER. The National Response Plan calls for the Principal Federal Official; the PFO was on the ground quickly in the incident and was the overall coordinator of the myriad Federal assets that were there.

Mr. DICKS. Who was?

Mr. KIMERER. Mike Byrne.

Mr. DICKS. From where?

Mr. KIMERER. DHS.

Mr. DICKS. As I understand it, Mr. Gibbons is not here, but when we were out at Northern Command and I asked this question, which, as a Member of the Defense Appropriations Subcommittee I have been concerned about, when is the military called into this, and how would that happen? And I was told that if the lead Federal agency feels that there is a requirement for military equipment or military personnel, that they would then be the person who would communicate with Northern Command, and you have got—we have, of course, the National Guard out there in the State of Washington, and they have got—what do they call it? The Regional Response Team.

Mr. KIMERER. Uh-huh.

Mr. DICKS. They would be involved, but there might be something beyond that you might need from the military in terms of if you were dealing with weapons of mass destruction or something like that. Did you guys get into that? Was the military called into this thing in any way, shape or form?

Mr. KIMERER. Military was present from the beginning.

Mr. DICKS. Was it the National Guard?

Mr. KIMERER. Both CERT, the National Guard, in fact there was NORTHCOM representation.

Mr. DICKS. They were actually there?

Mr. KIMERER. Yes. Of course, the issue is, when that switch is flipped, what are the conditions and criteria that need to be met to engage the military in whole or part?

Of course, States like Washington have laws about activation of the National Guard, and they proceed from declarations or proclamations of the governor.

But having said all of that, the help we received, the guidance, the counsel, the prepositioning of potential resources that might be needed as the situation unfolded from the military was invaluable. And it was well rehearsed, and I think it is going to be there for us in the event we do need to invoke that.

Mr. DICKS. How did the Federal-State relationship work? I mean, ultimately, you get down to making some decisions. How did that decision-making process work?

Mr. KIMERER. They were just remarkably respectful of us. I am not sure what was going on when they were all by themselves. No, I think that their posture was facilitation of counsel and guidance, of offering support and a position of readiness to take over when the jurisdiction needed to change.

We can't look at these incidents as being, you know, defined in a single event, single jurisdiction. When police and fire, fire in particular, have resolved a mass casualty incident, then you go into the crime scene investigation which is an FBI lead, which involves a change in jurisdiction of which then we become the support entity. When that is resolved—and there may be myriad of other changes in jurisdiction and resource allocation between then—we go into consequence management, which FEMA has a lead in, and DHS obviously has a big role to play.

That continuum of engagement, I thought, was played out pretty well in TOPOFF. It wasn't always pretty. We were doing some education along the way. But there was a spirit of helpfulness and support that I found to be pretty uninterrupted and pretty commendable during the course of the exercise.

Mr. DICKS. I am told that the hospitals, the health care side of this thing was of some concern. Is that right? I mean, of having adequate facilities or being able to work with—we had a lot of hospitals in the Seattle Puget Sound area.

Mr. KIMERER. We learned a lot about the public health coordination side of the thing. Tom might be the one to ask. They got the full meal deal on hospital coordination.

Mr. MEFFERD. As I indicated earlier, one of the big problems we had was communication between the hospitals. We ramped up and played, if I remember, we had 130 hospitals Statewide that played in this exercise. One of the comments I have made in my written testimony is the issue of, we have got to look at the scope of the exercise, and that is probably one of the areas that we went a little farther than we should have. And that led to some of our communications problems in the exercise.

As I indicated, one of the things we are currently working on in the State of Illinois at this time is the ability to communicate Statewide over a satellite-based communications system as well as an Internet-based data system tracking beds and patients and so forth. So, again, we have learned a lot from that exercise to more effectively work as a team.

But the one problem we get into when we deal with hospitals is hospitals are profit-making entities as compared to Government-run organizations. As we look at the Government operation, we

have to look at that a little differently as we look at hospitals, and I think we are doing very well with it.

Mr. DICKS. Thank you.

Ms. DUNN. Thank you very much, Mr. Dicks.

Let me just pursue one question that Mr. Dicks asked you, chief, and I would like you to respond. And that was the question that only the principal Federal official would be able to call in the military, NORTHCOM for example. What if there is a situation where, a political situation, perhaps, where a mayor or public official is the principal officer and does not want to give up control of the situation to the extent of calling the military? Is there anything there that is available, a team of people who can be there and see that it is time to call them in and yet they haven't been called in?

Mr. KIMERER. Well, of course, we are all going to be working in a centralized operations context, an operations center, which allows, obviously, access to all the key decision makers. The mayor can be dealing with the principal Federal official directly on issues that may result in some conflict or disagreement.

Of course, the use of the military, probably, I think literally has to proceed from a presidential directive, which brings it into an entirely different spectrum. I would actually be interested in kind of the mechanics of it from Sue and Corey's standpoint. But my understanding, the National Response Plan provides for that, but only with the appropriate checks and balance of it proceeding from a declaration from the Oval Office. And in that event, unless there is an exigency, we will be governed by, you know, obviously, the Federal requirements and the Federal law.

But I do say, on the other side of it, that nothing would be done in a vacuum the way we are structured now. The mayor would have, or the governor or the county executive would have, free and open opportunity to address the issue with the principal Federal official and anybody else that has jurisdiction over the matter.

Ms. DUNN. Good. Thank you very much.

Let me now call on the gentleman from New Jersey, Mr. Andrews, for 8 minutes of questioning.

Mr. ANDREWS. Thank you, Madam Chairman, and I appreciate the panel's work, and certainly the exercise is very worthy, and I have learned a lot by listening to your comments today. Thank you.

I want to pick up on something that Mr. Gibbons and Mr. Dicks was talking about, which is this crucial interface between military authority and the existing civilian authority at the time of an emergency.

Now, I am assuming that this exercise was designed in such a way that you began when the emergency was reported. Is that correct? So there wasn't any part of the exercise prior to the explosion of the radiological bomb and the detection of the first people with the plague. Is that correct?

Mr. KIMERER. Yes, as far as the full field exercise on May 12, that is correct. We did have an exercise the week before on cyber terrorism which was very interesting.

Mr. ANDREWS. One of the things I would suggest is, just in terms of the future TOPOFF, that you might want to start the process early. In Amman, Jordan, in April of this year, they did not have an exercise. They had a real situation where the Jordanian secret

police uncovered a plot to detonate several truck bombs around the U.S. embassy in Amman, Jordan. And the reports are they successfully intercepted the attack and prevented the deaths of anywhere from 20,000 to 80,000 people.

I am curious what would happen in our exercise if it began earlier. In other words, if you started the clock when there was some credible operational intelligence that trucks were on the way with a chemical weapon on them. That is when we get the answer to how the military fits into this concept.

You know, one of the intriguing policy and legal questions is this Principal Federal Officer—if I am using the correct term—if I read the law correctly, can ask for military help, certainly, but certainly can't order it. That is something that the President of the United States down through the Secretary of Defense would have to do, which raises some questions about posse comitatus and exceptions to the posse comitatus law.

It raises a whole host of the questions which were not dealt with in this exercise, I understand, about how this all relates. If people—I assume people from NORCOM—were people from NORCOM present? Northern Command?

Mr. KIMERER. Yes.

Mr. ANDREWS. I am sure they were present because they were invited to come and observe, correct?

Mr. KIMERER. Corey?

Mr. GRUBER. NORCOM and the Secretary of Defense's representatives have been involved, and have been involved in the design from the beginning of the exercise.

Mr. ANDREWS. I understand that, but in real life, they wouldn't be sitting there in the police operations center of Seattle or Chicago.

Mr. GRUBER. In fact, that would be at the request, again, of the mayor, the governor, and then the Federal authorities.

Mr. ANDREWS. I think our next scenario needs to start sooner, because, you know, really dealing with two problems here. It sounds to me you thoroughly vetted the second of the two problems, which is what do you do once a disastrous attack has occurred, in this case two of them? Who responds? What do you do when you are working that through?

There is another, which is, what do you do in those golden moments or hour when you, say, believe an attack is imminent and you have operational intelligence that might enable you to prevent the attack? What happens then? And I do think it is important that the next scenario take that into consideration.

Obviously, the 9/11 Commission is dealing with that question retroactively. They are looking at what happened on the morning of 9/11 between the initial attacks on New York and the ultimate attack on the Pentagon and the failed attack of the plane that crashed in Pennsylvania, and they are trying to unwind who was doing what, when who was responding to whom, when. And that is going to be a useful exercise for us to read that.

But I think it would be more useful to do it, to engage in a scenario where we had such a situation and, frankly, to the extent possible, within the ground rules of the game scenario, to do so under the conditions of surprise.

I think this is a profoundly important question because you have dealt, from what I can tell, rather well with questions of Federal versus local and State, and public versus private entanglements. And that is what this exercise is about, thinking that all through. You had hospitals run by private, for-profit and nonprofit corporations. You had local police departments and fire departments. You had mayors and Office of Emergency Management, the State and county level, and I think the fact that you gamed this all through is very, very important.

I think the missing link and one that literally may mean the difference between life and death some day is going to be how the military fits into this, when, who gets to make the decision, who falls into the subordinate chain of command once the decision is made and so forth.

One more question, I read the key after-action issues report, and I see that, on page 4, there is the rather understandable finding that there were numerous issues directly related to lack of command-and-control discipline. The people sort of improvised, made things up as they went along and did not follow the doctrines as necessarily were supposed to be followed. That does not surprise me, and I don't think that is in any way scandalous. But I would ask the Department, Ms. Mencer, what have you done about it since the finding? If, God forbid, we had an incident this afternoon, an attack this afternoon, what has changed since this after-action report came out?

Ms. MENCER. What has changed has been mentioned previously, that we now have the National Incident Management System, which we are training for all over the Nation to make sure that communities and essentials are up to speed with how they perform in the event of an emergency. So NIMS has been instigated, and that is crucial to command and control issues.

The National Response Plan, of course, is now also in effect. As we continue to train up, those two things will contribute a great deal to correcting that situation.

Mr. ANDREWS. I assume that the focus of the next TOPOFF is going to be how well that is working. It is one thing to promulgate it in theory and another thing to see it in practice. Is there a particular weakness that emerges from the analysis of the first exercise in terms of chain of command?

Mr. GRUBER. Sir, I think Clark talked about that eloquently, but perhaps a lot of it was that, in fact, we had a brand new Department with very significant responsibilities that was all of 74 days old. So much of what happened in the exercise was concept development and experimentation about those roles and responsibilities that have matured significantly because, getting back to your original point, there have been a host of exercises subsequent to TOPOFF 2 at a very senior level, looking very specifically at direction and control and how we do that.

In fact, we have conducted exercises specifically with the Department of Defense to look at the points you mentioned earlier and to explore those. In the next exercise, we will integrate roughly 60 days of pre-incident intelligence activity to build on the point that you made.

Mr. ANDREWS. I think that is important. And the recommendation I would make, to the extent it is feasible, is that the exercise start sooner. Perhaps it even start early enough that it could be prevented to see how we do under that kind of scenario.

Madam Chairman, thank you very much.

Ms. DUNN. Thank you very much.

I yield 8 minutes to the gentlewoman from the Virgin Islands, Mrs. Christensen.

Mrs. CHRISTENSEN. Thank you, Madam Chairman, and being the last one here, a lot of questions have been answered, at least in part. And I appreciate your testimonies.

Deputy Chief Kimerer, I thought, in your opening statement, based on my recollection of our trip to Seattle, that you were being very diplomatic and generous when you said you would hope that the Federal people would recognize that the local people have a lot more knowledge of their approximate areas. And in response to Congressman Dicks, you seemed to say that the relationship between the Feds and the local went very well, and they were very supportive.

But that is not what I remember from my visit. It seemed as though the coordination was not there and that, instead of relying on the local first responders, sometimes they were overstepped.

Was that really one of the lessons learned?

And then, I would ask Ms. Mencer, what has the Department done—if that is indeed the case that the Department of Homeland Security came and they started making some of the decisions that probably were best left to the local first responders who knew the people, who had been working together, who knew the area, if that indeed occurred—what has happened to fix that problem?

Mr. KIMERER. Thank you, Congressman Christensen, for saying I am diplomatic. I do not hear that very often.

The thing I expected to happen, which actually framed the way I presented it in my comments, was there would be an awful lot of what I refer to as jurisdiction creep, where there would be a lack of clarity as to who had that kind of priority or primacy of jurisdiction. So my expectations were low.

I was grateful and pleasantly surprised that, while I am sure things were going on behind the scenes to try and resolve questions and conflicts, the general posture of the Federal official, the Principal Federal Official and the Federal agencies was one of helpfulness. Again, it may not have been as crystalline as we would have liked.

Mrs. CHRISTENSEN. You were pretty upset in their reports that they were not—

Mr. KIMERER. I was focusing my attention on what was going on in the field. There were breakdowns in information in the field, certainly. I think many of them have been addressed or are in the process of being addressed.

Of course, my priority as a commander, as somebody who has been on the ground and who has commanded incidents is, Do I have, A, the independence as it were to make decisions and, B, do I have the support once I make those decisions?

Those, I think, were a success story in large measure in TOPOFF 2. Where we go from here and where I think kind of was the inspi-

ration for my comment was to just simply, you know, be vigilant about the inclusion of the local perspective. My Department, answers 850,000 calls a year and makes 26,000 arrests and is responsible for day-to-day policing.

We have a great body of experience, one that I know Ms. Mencer, the Secretary, and Corey Gruber appreciate. But I also know that when deadlines are tight and when we have an urgent job to do against an implacable foe, sometimes, it is easy to just rush into a decision process or a framework or a format. So I am trying to be the voice of a reminder to ensure that we have the experts and the inclusion we need to make this successful.

Mrs. CHRISTENSEN. What has happened since that time? Because you cannot have any confusion or conflict between who is in charge and who is making decisions when you are in real time.

Mr. KIMERER. That is correct. The gentleman that proceeded you asked about what we are doing tangibly. I am on a group called the Universal Task List Support Group which is identifying the essential tasks that every agency needs to do within its own limitations to respond to a whole sequence of possible terrorist events. That is real, on-the-ground kind of work that I think seeks to resolve all potential conflicts in times of calm rather than crisis and sets a benchmark for all agencies.

Mrs. CHRISTENSEN. My time is running really short. Ms. Mencer, did you want to comment briefly?

Ms. MENCER. What I think is interesting about exercises in general is that it becomes stressful, just like the actual incident would be. And so, because we do not generally hire type B personalities to deal with law enforcement and fire, and to be Federal officials, when you have an incident like that, with the type A personalities who would be in charge, because that is what they are trained to do, you do have some conflict occasionally.

With TOPOFF 2 Mike Byrne, who was the Principal Federal Official, was actually, in his previous life, a fire chief in New York City. So he had a local background and was able to relate on the scene, not only from the Federal perspective, but from the local one as well.

Mrs. CHRISTENSEN. I just hope that there is a standard protocol that does not allow for confusion. I understand what happens with human beings. But I hope that there is some kind of clear guidance.

Having gone through a couple of disasters when I was not a legislator, sometimes we wished they would stay out of our hair and out of the way. Is there a role—what is the role that you envision for your State legislators and for us? For example, in a hurricane, I would be at FEMA headquarters here in their command center. How do we make—how do we utilize us optimally and not interfere in decision-making?

Ms. MENCER. I will let Corey answer this as well, but I think, at the State level, we have continuity of Government operation plans that are in effect in various States so that the local legislators know where they are to regroup and how they are to maintain their continuity of government. Similarly, we need that in the Federal Government, as well, and certainly are working towards having a very comprehensive plan to do that. You do have an impor-

tant role to play. I think we saw that during President Reagan's funeral, when we had the plane over the Capitol and some concern.

Mrs. CHRISTENSEN. To me, our immediate impulse is to be there where things are going on.

Ms. MENCER. Right, and we do not want to add to the confusion.

Mrs. CHRISTENSEN. Where do you want us to be?

Ms. MENCER. I will ask Corey to step in.

Mr. GRUBER. Ma'am, I think, first and foremost, as you see in the lessons from TOPOFF 2, there were very specific issues about legal authorities at every level of Government. Perhaps where some legal authorities conflicted with one together, for example the Stafford Act, and the Public Health Act, it's very important that legislators at all levels of Government look at those and help to deconflict those so that, when we respond, we understand our roles and have the authorities and resources we need to do that.

And then the other role, of course, is adding hearings like this that help us bring attention and visibility to the results of the exercises so that legislators, again at the State, and local level, understand these issues and can act on them.

Mrs. CHRISTENSEN. I just, if I could just finish by saying, I see that Illinois has really done a great job in dealing with the health issues, but I hope that those lessons that they have learned become a part of the national way of operating.

Ms. DUNN. I thank the gentlewoman.

And thank the panel very much.

I would like the record to show that the record will remain open for 10 days for questions from folks or anything that you would like to follow up on, panel.

Thank you so much for coming back here to testify. It has been very helpful to us, I believe, listening to your analysis and your good lessons.

Thank you so much. This hearing is concluded.

[Whereupon, at 2:58 p.m., the committee was adjourned.]

APPENDIX

MATERIAL FOR THE RECORD

QUESTIONS FOR THE RECORD FOR C. SUZANNE MENCER, FROM THE HONORABLE JIM TURNER

Setting and Running Exercises

1. How did the Homeland Security Council set its 15 different scenarios for measuring readiness, and how do those measures relate to the performance standards mandated in HSPD–8? How are those measures used to determine the essential capabilities needed by each state and local government?

2. I continue to be concerned that the Department's inability to develop a comprehensive threat and vulnerability assessment is having a significant, negative impact on the conduct of your exercise program.

a. Do these major TOPOFF exercises focus on what an intelligence assessment says is a city's highest risk? Do the exercises take into account a city's specific critical infrastructure vulnerabilities? If not, why not?

b. Was there any reason to think that Seattle is at especially high risk for a dirty bomb or Chicago was at higher risk of biological weapons attack? Do these major TOPOFF exercises focus on what the intelligence and vulnerability assessment say is a city's highest risk?

c. Will future National-level exercises utilize scenarios that are consistent with the specific threats to and vulnerabilities of the location(s) conducting the exercise? If not, why not?

d. What "preparedness standard" is used when planning and conducting a terrorism exercise? What level of preparedness are we training to achieve? Is this level of preparedness based any risk assessment?

3. Homeland Security Presidential Directive 8 calls for a "multi-year national homeland security preparedness-related exercise plan" to be approved by the President. Has that happened? What will that multi-year exercise plan look like?

4. According to the TOPOFF 2 after action report, there were 41 participating federal agencies. What role did Congress have? Were there Members of Congress that played a role in the exercise? If not, how do you plan to involve the Legislative Branch in future exercises and/or the response to an actual terrorist attack?

5. How many cyberterrorism exercises have you run as part of the National Exercise Program? Have cyber events been included as part of any other large scale exercises? Which ones?

6. Some experts say that these exercises, including TOPOFF 2, are unrealistic and don't provide a real estimate of how difficult these disasters are to respond to. Many of the people brought in to simulate victims or "worried well" are well-behaved and calm. Especially in the event of a WMD attack, I would expect people to be extremely frantic. People might not line up in an orderly fashion to get vaccines. How do you build chaos into the system during these exercises to see how prepared we are to keep the peace?

7. If city in my district wants to conduct an exercise, how do they engage with ODP? Does a DHS person attend all of these exercises? Who does the evaluation and the drawing out of lessons learned?

Exercise Coordination

8. What is ODP's role in coordinating exercises that are led by the Coast Guard, FEMA, ICE, and other DHS agencies? When different DHS agencies are assisting state and local participants in running exercises, and how do you ensure that they provide the same technical guidance?

9. The hearing focused on exercises that are conducted to simulate potential terrorist attacks and improve our readiness for such events. But everyday, there are real-world emergencies and events that also highlight areas where we aren't secure enough. I'm interested in how the DHS exercise program incorporates these lessons

learned, whether from firefighters battling wildfires or the Secret Service running security for a national convention.

10. In conducting exercises, there's clearly going to be overlap with other federal departments. I assume that an exercise dealing with bioterrorism needs to be planned in consultation with HHS. An exercise on identifying and dealing with an animal disease has to be coordinated with USDA. How does that interagency process work for planning an exercise, working through an exercise, and in terms of paying for it? Can you provide a specific example?

11. How does ODP capture the lessons learned from exercises that are run by other departments, like HHS or Defense? Are they made part of the MIPT (Memorial Institute for the Prevention of Terrorism) database?

12. How much cooperation and "jointness" is there between DHS and DOD in homeland security exercises? Are there formal organizational ties between DHS and DOD? At what level? Does DHS participate in DOD exercises? To the extent that National Guard and Guard Civil Support Teams participate in DHS exercises, how does that work, and are the Guardsmen under the Governor's or Secretary of Defense's command?

TOPOFF 2 After-Action Reports/Lessons Learned

13. The TOPOFF 2 after-action report for the Emergency Preparedness and Response Directorate and the final after-action report from the Department as a whole identified numerous issues directly relating to a lack of command and control discipline during the exercise. Specifically:

a. There seemed to be little understanding of inter- and intra-agency command and control protocols, and many exercise players did not fully understand the reporting relationships between the FEMA Federal Coordinating Officer, the DHS Principal Federal Official, the FEMA Emergency Support Team, and the DHS Crisis Action Team.

b. The report also stated that a number of major, pre-existing interagency federal plans' coordination structures and processes were circumvented during the exercise.

What specific corrective actions have been undertaken by DHS to address these issues, and can you assure the Committee that we will not see the same types of problems in the next TOPOFF exercise.

14. The reports further noted that there were logistical difficulties accessing DHS assets and resources. Specifically, although the Strategic National Stockpile was at that time under "operational control" of DHS, exercise players were confused as to whether approval from the Department of Health and Human Services was necessary to access stockpile resources. In addition, the report states that ODP's prepositioned equipment program was unavailable for most of the exercise.

Again, what specific corrective actions have been undertaken by DHS to address these issues, and can you assure the Committee that we will not see the same types of problems in the next TOPOFF exercise.

15. Finally, the Department's after action report noted that the lack of a robust and efficient emergency communications infrastructure in Chicago's hospital system was apparent, and that resource demands—including short supplies of isolation and negative pressure rooms, as well as staff shortages—challenged these hospitals throughout the exercise.

How is DHS working with the Department of Health and Human Services to address these critical problems? Can you report on any progress in this area?

16. I understand that ODP is working with the Oklahoma City MIPT (Memorial Institute for the Prevention of Terrorism) to create a database for first responders with lessons learned from exercises. Can you tell me how many records there are in that database and how many you'd like to have and how many first responders have used it? Are lessons from all of the hundreds of exercises you run annually captured in the database? How do you notify the first responder community of the availability of new data in this database?

17. Does DHS use the results from these exercises in evaluating first responder grant applications? If a city works with ODP in an exercise and identifies gaps in its readiness, can ODP capture that information when it makes the next round of grants?

PREPARED STATEMENT FOR THE RECORD OF ADVANCED SYSTEMS TECHNOLOGY, INC.

Chairman Cox and members of the Committee, practicing through exercises and simulations will help all those who must respond in the wake of a terrorist attack to perform better in an actual emergency. Superior response, achieved through a range of proven exercises and simulations, will result in saved lives, minimized

damage, and quicker recovery. In a post-September 11 world, we cannot take the importance of preparedness and training for granted.

Advanced Systems Technology commends the Committee for recognizing this fact and for holding this important hearing. You should know of the wide range of computer-based simulation tools that are readily available for law enforcement and public safety personnel. And simulation exercises have proven to work well in both military and civilian sectors.

Simulation tools range from virtual, immersive simulations that are highly functional for first-responder decisionmaking activities, to constructive simulations that are highly functional for command-level decisionmaking activities, to predictive simulation models that are used to predict how particulates or gasses move through the atmosphere. Each of these simulation tools has a place in the exercise and simulation arena, if we expect all first responders (police, fire, emergency medical) at all levels of government (federal, state, local, military) to respond most aptly should a terrorist or other catastrophe occur on American soil.

One factor holding up practicing to make perfect involves allocation of homeland security funds. Our understanding is that the Department of Homeland Security has spent funds to examine several simulation tools, but has not yet allowed funds to be allocated to use cost-saving computer simulation tools by local and state governments in their training or exercise activities. It is important that the DHS Office of State and Local Government Coordination and Preparedness approve computer-based model and simulation tools as a required element of emergency-response decisionmaking exercises and training activities for all hazards preparation. Otherwise, taxpayer dollars will only be spent on expensive exercises that certainly have a place, but should not be viewed as the only tool in the preparedness training toolbox.

With regard to civilian-military interaction and cooperation, many successful cross-disciplinary activities have been conducted since the events of September 11, 2001. For example, in the National Capital Region, three exercises have been conducted with joint cooperation among local police, fire, emergency medical services, the U.S. Marshal's Service, the U.S. Marine Chemical-Biological Incident Response Force (CBIRF), and DHS Federal Protective Service.

In El Paso, Texas, the Department of Justice sponsored a large school safety exercise directed at command-level personnel. It involved two schools in different school districts and exercised 21 separate school, local, state, federal, and military emergency response agencies—this without touching precious first-line resources or disrupting school activities.

Each of these large-scale, multiagency, cross-disciplinary exercises was stimulated by the Emergency Preparedness Incident Command Simulation (EPiCS) system, a system that is owned and operated by the U.S. Army TRADOC Analysis Center. EPiCS is the result of an effort to use existing military technology for civilian applications. It is based on the U.S. Army's Janus war game program, with state-of-the-art visualization tools to enhance environmental realism. EPiCS puts decisionmakers from each agency involved in a computer simulation exercise to the test in "real time," using their own communications equipment. Unlike other programs, this simulation tool integrates on-site decisions and results in the likely consequences of such a decision. This aids in the learning process, which is why it has proven invaluable to crisis managers and their staffs from both civilian and military agencies. Command-level training goes hand-in-hand with first-responder training. Without one, the other will fail.

As most experts acknowledge, it is critical to train and exercise response agency personnel at all levels. Standards for such training are provided by the National Incident Management System and the National Response Plan, and measures are provided by the Homeland Security Exercise and Evaluation Program. Training and exercising these standards can be cost-effective, recorded, and repeatable using computer-based models and simulation.

A sound model for the emergency response community for standards training is used by the Defense Threat Reduction Agency, which conducts a series of five exercises in an exercise cycle. This stepping-stone sequence focuses on each core element individually and then combines these activities into a unified response. The sequence begins with a seminar exercise that introduces the overall objectives and procedures. Then comes a series of tabletop exercises that progressively involve local, state, federal, and military resources. Using the lessons learned from these exercises, all agencies thenparticipate in a unified command-level exercise that leads to the final full-scale exercise. This cycle provides opportunities to discuss, revise, retrain, and retest aspects of training without expending valuable resources until all the pieces come together for a capstone, full-scale exercise. At each step, simulation tools are used and have proven to be valuable, effective, and cost-saving.

Simulation, virtual reality, predictive models, and constructive models can and should all play important parts in reducing the cost and increasing the value of emergency response and terrorist-related training and exercises. Full-scale exercises are even more valuable after other types of exercise activities using models and simulation tools have been conducted. For instance, the $16 million expended on TOPOFF 2 could have been spent more effectively with more robust, recorded, and replayable results using computer-based simulation and modeling tools. Or the TOPOFF exercise could have been preceded by a progression of other sorts of exercises in order to maximize its value. This perspective should be considered as the third TOPOFF exercise is planned and executed.

While practice will make perfect where terrorism and emergency response is concerned, it is important to keep in mind that large-scale exercises—which involve large numbers of personnel, tie up limited resources such as fire trucks and helicopters, can disrupt city streets and the routines of citizens, and are usually costly—are just one of many kinds of exercises and simulations available for this mission. All the tools in the toolbox of preparedness training should be employed, each one filling a distinct, vital part in preparation for the worst.

Our nation's enemies will probably not strike in the same manner on the same targets each time, but they clearly intend to strike. Therefore, first responders across the nation—from the police officer on the street to the midlevel commander calling the shots and coordinating activities to top officials—all need training, and the training they get should be diverse, appropriate, and cost-effective. Exercises are important, and computer-based simulations can make them better.

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