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TARGET WASHINGTON: COORDINATING FEDERAL HOMELAND SECURITY EFFORTS WITH LOCAL JURISDICTIONS IN THE NATIONAL CAPITAL REGION

HEARING

BEFORE THE

COMMITTEE ON GOVERNMENT REFORM

HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTH CONGRESS

SECOND SESSION

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TARGET WASHINGTON: COORDINATING FEDERAL HOMELAND SECURITY EFFORTS WITH LOCAL JURISDICTIONS IN THE NATIONAL CAPITAL REGION

THURSDAY, JUNE 24, 2004

HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC.

The committee met, pursuant to notice, at 10:20 a.m., in room 2154, Rayburn House Office Building, Hon. Tom Davis of Virginia (chairman of the committee) presiding.

Present: Representatives Tom Davis of Virginia, Mica, Ose, Schrock, Waxman, Maloney, Cummings, Tierney, Clay, Watson, Van Hollen, Ruppersberger, and Norton.

Also present: Representative Moran of Virginia.

Staff present: David Marin, deputy staff director and communications director; Ellen Brown, legislative director and senior policy counsel; Robert Borden, counsel and parliamentarian; Rob White, press secretary; Drew Crockett, deputy director of communications; Brian Stout, professional staff member; Teresa Austin, chief clerk; Brien Beattie, deputy clerk; Robin Butler, financial administrator; Allyson Blandford, office manager; Rosalind Parker, minority counsel; David McMillen, minority professional staff member; Earley Green, minority chief clerk; and Jean Gosa, minority assistant clerk.

Chairman TOM DAVIS. Good morning.

The committee will come to order. A quorum appears to be present.

I want to welcome everyone to today's hearing entitled, "Target Washington: Coordinating Federal Homeland Security Efforts with Local Jurisdictions in the National Capital Region." We have a good regional group here today.

This hearing is the committee's third in our series on emergency preparedness in the NCR. Following last year's hearings, the committee asked the General Accounting Office to examine the budget and spending plans for the National Capital Region in hope that it would help Congress identify whether this region is sufficiently funded and whether the funds were being used effectively and efficiently. We are here today to examine the findings and to bring the key components of our regional homeland security efforts together to identify what has been done and what work remains.

The tragic events of September 11, 2001 unfortunately confirm the recognition of the National Capital Region as a top terrorist

target. The primary obligation of any government is the safety and security of its citizens and we have been acting on many fronts to fulfill this obligation.

The Federal Government and local Washington area jurisdictions have taken a number of actions to strengthen our ability to prevent and respond to emergencies and in the National Capital Region, this requires the highest level of coordination. The National Capital Region has to be the most prepared in the Nation. It is the home to 12 local jurisdiction, two States, the District of Columbia, the Federal Government, including the White House, the Congress and the Supreme Court. This is not an easy task for a region that has multiple police forces and emergency plans.

Recognizing the unique nature of the region and the need for a high level of coordination, Congress created the Office for National Capital Region Coordination within the Department of Homeland Security. This office was created to coordinate activities between the various entities in the region, to ensure the preparedness programs and activities are developed and evaluated under appropriate standards and to ensure that resources are allocated so as to improve and sustain regional preparedness.

The ONCRC has an important role in setting goals and priorities and assisting States and local jurisdictions to think, plan and prepare regionally. In fiscal years 2002 and 2003, the Federal Government appropriated approximately $340 million for homeland security efforts in the region. It is our understanding that all of the fiscal year 2004 urban area funding totaling $23.9 million, as well as portions of prior year funding have yet to be obligated. The time has come to ask difficult questions so that we can determine what is the road ahead. Congress has dramatically increased funding for these efforts over the last few years but have we increased our capabilities and preparedness as a region? What have we done with the Federal funding to date? How are the funding decisions for the region made? How do we enhance preparedness? What is the remaining gap and how do we intend to close it?

Some Members of Congress as well as some State and local officials have contended that funds provided for first responders have been insufficient. This has been an incomplete discussion, however, because in order to determine funding needs, we have to have a full and accurate assessment of where we are and where we need to be. It is readily apparent that we need to move away from the generalities when speaking of emergency preparedness and coordination and talk specifics.

General strategies are a beginning but they must transfer into specific road maps for local, State, Federal and private sector actions. Yesterday, the infamous Tractor Man who effectively held this region hostage for 2 days in March 2003 was sentenced to 6 years in prison. Justice was served. We are here again today asking if we are better prepared for prime time. We are here today wondering whether or how preparedness has improved in the past 14 months. It is my hope that this hearing will further this discussion and in doing so, will help Congress, the Department of Homeland Security and the localities within the NCR to set a mutually agreed upon baseline capability, identify the gaps, set priorities and measure progress.

The bottom line is that the funding needs of the region and the Nation are nearly infinite and therefore, it is of the utmost importance to structure the manner in which we go about fulfilling needs. In its testimony today, the General Accounting Office lays out the general challenges that the region faces in coordinating and managing emergency preparedness in our region. GAO's conclusions are troubling but not terribly surprising given the complexity of the task at hand. An earlier draft of the GAO report noted the vacancy at the top of the Office of National Capital Region Coordination is a contributing factor to the challenges we are facing. I am glad to see that the position has now been filled and that Mr. Lockwood is here today to share his vision for improving planning and coordination.

We have two impressive panels of witnesses before us to help us understand the issues surrounding this important topic. I would like to thank all of our witnesses for appearing before the committee and I look forward to their testimony.

I now yield to my ranking member, Mr. Waxman, for his opening statement.

[The prepared statement of Chairman Tom Davis follows:]

Opening Statement of Chairman Tom Davis
Committee on Government Reform
"Target Washington: Coordinating Federal Homeland Security Efforts With Local Jurisdictions in the National Capital Region"
June 24, 2004

Good morning. A quorum being present, the Committee on Government Reform will come to order. I would like to welcome everyone to today's hearing entitled, "Target Washington: Coordinating Federal Homeland Security Efforts With Local Jurisdictions in the National Capital Region."

This hearing is the Committee's third in our series on emergency preparedness in the NCR. Following last year's hearings, the Committee asked the General Accounting Office (GAO) to examine the budget and spending plans for the NCR in hopes that it would help Congress identify whether this region is sufficiently funded and whether the funds are being used effectively and efficiently. We are here today to examine their findings and to bring the key components of our regional homeland security efforts together to identify what has been done to date and what work remains.

The tragic events of September 11, 2001, unfortunately confirmed the recognition of the NCR as a top terrorist target. The primary obligation of any government is the safety and security of its citizens, and we have been acting on many fronts to fulfill this obligation. The Federal government and local Washington area jurisdictions have taken a number of actions to strengthen our ability to prevent and respond to emergencies, and in the NCR, this requires the highest level of coordination. The National Capital Region has to be the most prepared in the nation. It is home to 12 local jurisdictions, two states, the District of Columbia, and the Federal government, including the White House, the Congress, and the Supreme Court. This is not an easy task for a region that has multiple police forces and emergency plans.

Recognizing the unique nature of the region and the need for a high level of coordination, Congress created the Office for National Capital Region Coordination (ONCRC) within the Department of Homeland Security. This office was created to coordinate activities between the various entities in the region, to ensure that preparedness programs and activities are developed and evaluated under appropriate standards, and to ensure that resources are allocated so as to improve and sustain regional preparedness. The ONCRC has an important role in setting goals and priorities and assisting states and local jurisdictions to think, plan and prepare regionally.

In Fiscal Years 2002 and 2003, the federal government appropriated approximately $340 million for homeland security efforts in the NCR. It is our understanding that all of the Fiscal Year 2004 Urban Area funding, totaling $23.9 million, as well as portions of prior year funding have yet to be obligated. The time has come to ask difficult questions so that we can determine the road ahead. Congress has dramatically increased funding for these efforts over the last few years, but have we increased capabilities and preparedness as a region? What have we done with the federal funding to date? How were funding decisions for the region made? How did we enhance preparedness? What is the remaining gap and how do we intend to close it?

Some members of Congress, as well as some state and local officials, have contended that funds provided for first responders have been insufficient. This has been an incomplete discussion, however, because in order to determine the funding needs, we must have a full and accurate assessment of where we are and where we need to be. It is readily apparent that we need to move away from generalities when speaking of emergency preparedness and coordination and talk specifics. General strategies are a beginning, but they must transfer into specific roadmaps for local, state, Federal and private sector actions.

Yesterday, the infamous "Tractor Man," who effectively held the region hostage for two days in March 2003, was sentenced to six years in prison. Justice was served. But we're here again today asking if we're better prepared for "prime time." We're here today wondering whether and how preparedness has improved in the past 14 months.

It is my hope that this hearing will further this discussion, and in doing so help Congress, DHS, and the localities within the NCR to set a mutually-agreed upon baseline capability, identify the gaps, set priorities and measure progress. The bottom line is that the funding needs of the region and the nation are nearly infinite, and therefore it is of the utmost importance to structure the manner in which we go about filling these needs.

In its testimony today, the General Accounting Office lays out the challenges the NCR is facing in coordinating and managing emergency preparedness in our region. GAO's conclusions are troubling, but not terribly surprising given the complexity of the task at hand.

An earlier draft of the GAO report noted the vacancy at the top of the Office of National Capital Region Coordination as a contributing factor to the challenges we're facing. I'm glad to see that the position has now been filled, and that Mr. Lockwood is here today to share his vision for improving planning and coordination.

We have two impressive panels of witnesses before us to help us understand the issues surrounding this important issue. I would like to thank all of our witnesses for appearing before the Committee, and I look forward to their testimony. I now yield to the Ranking Member, Mr. Waxman, for his opening statement.

Mr. WAXMAN. Thank you, Mr. Chairman.

I am pleased the committee is holding today's hearing on the Emergency Readiness in the National Capital Region. Ensuring preparedness in this region is particularly challenging given the severity of threats facing the area and the range of Federal, State and local entities involved in responding to the threats across jurisdictional lines. This committee should do everything it can to promote optimal coordination of these efforts.

Just 2 weeks ago, we saw how quickly communications can break down in an emergency. The appearance of an unidentified airplane in restricted air space resulted in panic in the Capitol and confusion among responders. It is my understanding that the Mayor was not notified until after the threat was resolved.

The challenges of coordinating the activities of the multiple and overlapping jurisdictions in the National Capital Region are severe. So too are the consequences if we fail to meet those challenges. Today, the General Accounting Office will tell us that we don't have a good measure of the collective capacity of these jurisdictions to respond to an emergency. Nor do we have a good sense of what should be their capacity. Without these essential benchmarks, where are we and where do we need to be, it is impossible to devise a plan to get from one to the other. I am hopeful that this hearing will lead to a better understanding of these benchmarks.

I want to note that Congresswoman Norton of our committee has been tireless in her work to advance National Capital Region emergency preparedness. Her keen understanding of the deficiencies in planning and coordination of effort led her to write the original amendment that laid the foundation for the Office of National Capital Region Coordination, now directed by Mr. Lockwood, one of our witnesses today.

I want to welcome the distinguished witnesses who I know have devoted a lot of time and energy to regional preparedness. Your work may help prevent serious harm to many citizens of this area. Indeed, it may have already done so. I know I speak for many others in telling you how much I appreciate your commitment to this effort.

Finally, I want to commend Chairman Davis for having this hearing and for his strong interest in homeland security issues.

[The prepared statement of Hon. Henry A. Waxman follows:]

Statement of
Rep. Henry A. Waxman, Ranking Minority Member
Committee on Government Reform
Hearing on
The State of Emergency Readiness in the Nation's Capital

June 24, 2004

I am pleased that the Committee is holding today's hearing on emergency readiness in the National Capital Region. Ensuring preparedness in this region is particularly challenging given the severity of threats facing the area and the range of federal, state, and local entities involved in responding to the threats across jurisdictional lines. This Committee should do everything it can to promote optimal coordination of these efforts.

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I want to welcome the distinguished witnesses, who I know have devoted a lot of time and energy to regional preparedness. Your work may help prevent serious harm to many citizens of the National Capital Region – indeed it may already have done so. I know I speak for many others in telling you how much I appreciate your commitment to this effort.

And finally, I want to commend Chairman Davis for having this hearing and for his interest in homeland security issues.

Chairman TOM DAVIS. Thank you very much.

Are there any statements on our side? Ms. Norton.

Ms. NORTON. Thank you, Mr. Chairman.

I appreciate this hearing and I think you called it at a time when it is fair to look at the regional office. We did not call this hearing when it just had been created, we are now more than 2 years, probably going on 3 years.

I also want to say my concerns come against a background that has taught me not to do Monday morning quarterbacking, about why didn't we do this. I think the homeland security business is a startup business for the country. My own work on the Homeland Security Committee and on the Aviation Subcommittee certainly taught me that. For example, we were very critical on the Homeland Security Committee of spending but when we probed it, we learned that much of that was because the States had difficulties in their own procedures about how to gear up for the money that came out of this Congress in one huge tranche after September 11.

I certainly have not expected anything like perfection from this office. I have to tell you that when it comes to coordination, I have had a tougher standard because we did foresee the coordination problem in this committee. As the ranking member indicated, my own amendment for a coordinator was strongly supported on both sides of this committee and the administration itself not wanting to add to the expenses had compunctions but ultimately the administration accepted the notion that for the National Capital Region area where there are 600,000 people in this city, 2 million in the region and where the entire Federal presence is located, there needs to be special attention. We have the most at stake in the entire country and we are all aware of this.

So, in this region alone, the Federal Government pays for a regional coordinator. I was sufficiently impressed by at least some of what I have been hearing from that office that I have since sponsored an amendment that is included again in a bipartisan bill coming out of the Homeland Security Committee for regional coordinators paid for however by the States in order to essentially model on what we have done here and today, we look and see what that model has done.

A very large amount of money in my district alone was tracked. I know that OMB, for example, called the District often about whether or not it was spending on a quarterly basis. Sometimes they got it wrong. I called the District and would have to call back, you were wrong, we have spent.

When it comes to the region, the concern is not are you spending the money we have, but are you duplicating what one another is doing, are you buying the same things across regions, are you saving money, are you coordinating? Is somebody looking at the big picture, because the obligation of the Government of the District of Columbia, of Maryland and of Virginia is to be parochial. They are supposed to look and see whether or not they are doing their job. The whole point here was for somebody to help them understand the dependence of the entire region, one on another. We don't have a WMATA board when it comes to homeland security, the whole thing is together. That is essentially what this new post was supposed to do.

As I see it, this is a headquarters issue. This is an administration issue. First of all, the vacancy that was there for so long, a 5-month vacancy was absolutely inexcusable and scary, frankly. I don't think there was any shortage of people to fill. We have already filled it now with somebody from the region. There were all kinds of people in headquarters who could have filled it. I have a problem with that. It became such a problem for the region that the region sent a letter saying, please fill this vacancy. I would note that Mr. Ridge is prescribing remedies for regions across the country now, indicating that this is a headquarters problem, remedies like purchasing together on a multi-jurisdictional basis and having agreement to do so.

Initially after September 11, anyone can understand the do something mentality, spend some money, do something, show something but we were supposed to avoid that with coordination. The GAO report raises some considerable difficulties about that coordination. We have to get to the bottom of that, particularly since the Secretary himself in testifying before the Homeland Security Committee when I asked him about coordination in the regions that do not have a coordinator has been quick to say that we are pleased with what we see in the National Capital Region and we want to model that over the country. So for me, the question will be, is there a model here to send to the rest of the country.

Thank you again, Mr. Chairman, for this hearing.

Chairman TOM DAVIS. Thank you very much.

Mr. Van Hollen.

Mr. VAN HOLLEN. Thank you, Mr. Chairman.

Let me thank you for holding another in a series of hearings on the very important issue of security in the National Capital area. I have pleased we have Mr. Schrader, director of Maryland's Homeland Security Office here. I am also especially pleased that the administration has now filled the position of the Director for the National Capital Region Coordination Office. Welcome, Mr. Lockwood, and welcome from the State of Maryland where you were also very involved and thank you for your leadership there. I do think we lost valuable time in the 5-month interlude between Mr. Michael Byrne's resignation and your taking over in this position. I hope we can catch up for time lost.

I think as a Nation when you do approach this issue with two things in mind, one, we need to focus our resources on those areas in this country that are most at risk. Of course the National Capital area is among the top targets in that regard. Second, within those areas, we need to make sure that our resources are spent wisely and that they are well coordinated. The GAO report that we are going to be hearing more about today raises some very serious questions about whether or not we have done an adequate job of that in the many months since the creation of the office of the coordinator and focusing on these issues. I look forward to that report and thank them for looking into this because I think if we want to maintain the confidence of people in this region and around the country in our efforts, we have to show that these funds, first of all, are going to areas of greatest need and second, within those areas, the funds are being well spent.

I thank all of you for being here and, Mr. Chairman, thank you again for holding the hearing.

Chairman TOM DAVIS. Thank you.

Any other opening statements? We will just go straight down, Ms. Watson and Mr. Ruppersberger.

Ms. WATSON. Thank you, Mr. Chairman, for this hearing.

I have just a comment and then a few references to the GAO report.

My comment is this, that we are embarking in a direction that is absolutely new to us as a result of September 11, the Homeland Security Department was formulated in a rush and I do understand what it takes to put together a program that really secures us, that will create a filling of security among Americans and be a model. It is going to be difficult to do in a hurry, so I just want to say, we shouldn't rush through it, we should think through it.

When the GAO reported that the Department did not give enough feedback on preparedness plans and the jurisdictions have little idea what they should be doing better, I think is a very cogent point. We need to give direction and we need to think through that direction. When they reported there were no central source tracking, antiterrorism grants of the amount in this capital region and that there was a lack of supporting documentation that indicates a lack of financial controls. Absolutely.

So I am hoping that our panelists will suggest ways in which we can direct activities to help the region to develop a model. When there is an absence of clear Federal guidelines, local and State leaders use some of the funds to plug up their budget gaps. This is not new. When the money is out there, we are going to use it for the priorities that we have had traditionally.

I am hoping that those of you can help give the guidance and direction that is needed as this area goes about formulating their preparedness plans.

Thank you very much.

Chairman TOM DAVIS. Thank you.

Mr. Ruppersberger.

Mr. RUPPERSBERGER. Mr. Chairman, thank you and the ranking member for returning to this very important topic.

Certainly all Members of Congress have a personal stake in keeping our Nation's Capital Region safe for those who live, work and visit. It doesn't take a rocket scientist to recognize that this city and even Capital Hill are prime targets for terrorists but like you, Mr. Chairman, I am a former county executive and come from one of the States represented in this region, so this remains a vital topic to me and my constituents.

I have not read the GAO report being released today but I can only go by what I have read in the papers this morning and what I have read disturbs me. It states that intergovernmental coordination is critical to any successful plan and we can all appreciate the complexities involved. Those complexities are three levels of government, various funding streams, funding shortages, jurisdictional issues, private sector involvement, outreach to citizens and those who work in the city, planning, training, information sharing and implementation, complex problems being worked on by some very dedicated individuals but still almost 3 years after the attacks of

September 11, GAO finds that this critical coordination is lacking and that is disturbing.

An effort such as the National Capital Region Domestic Preparedness Plan needs more than State and local government coordination, it requires leadership from the top down and I believe the Department of Homeland Security must play a consistent role here. I am pleased to see Tom Lockwood with us today and congratulate him on his new role at DHS. I know how hard Tom worked with Dennis Schrader in the Maryland Office of Homeland Security. I know he brings a wealth of capability to DHS. Good luck. I urge Secretary Ridge and the other leaders at DHS to support Tom Lockwood in his efforts so that he can provide the much needed direction to move this coordination forward.

Of course keeping our homeland safe comes with a hefty price tag. As this region sets its priorities for protection including the necessary personnel, training, equipment and so on to tackle the many problems that remain as interoperability, I would hope that DHS and the Federal Government will provide the necessary resources to make the NCR plan successful. Local leaders are crying out for funding. The States are doing the best they can with competing priorities. I think we need to find a way to get this money directly to those who need it the most. There is much we can do in Congress to make efforts like this all across the country more successful. We can finally pass legislation to create national standards for homeland security so we know what we mean by being prepared and make sure we spend our money wisely. We can also look at viable risks and set priorities based on credible threats and we can continue to provide this critical oversight.

Thank you, Mr. Chairman.

[The prepared statement of Hon. C.A. Dutch Ruppersberger follows:]

Congressman C.A. Dutch Ruppersberger
Government Reform Full Committee Hearing
Target Washington: Coordinating Federal Homeland Security Efforts with Local Jurisdictions in the National Capital Region Hearing
06.24.2004

Thank you Mr. Chairman. I thank you and the ranking member for returning again to this very important topic. Certainly all Members of Congress have a personal stake in the keeping our Nation's Capital Region safe for those who live, work and visit here. It doesn't take a rocket scientist to recognize that this city and even Capital Hill are prime targets for terrorists. But like you Mr. Chairman, I am a former county executive and come from one of the states represented in this region… so this remains a vital topic to me and my constituents.

I have not had an opportunity to read the GAO report being released today so I can only go by what I read about it from this committee's memos and the Washington Post article this morning. And what I read disturbs me. It states that intergovernmental coordination is critical to any successful plan and we can all appreciate the complexities involved. 3 levels of government. Various funding streams. Funding shortages. Jurisdicational issues. Private sector involvement. Outreach to citizens and those who work in this city. Planning, training, information sharing and implementation. Complex problems being worked on by some very dedicated individuals. But still, almost 3 years after the attacks of September 11… GAO finds that this critical coordination is still lacking. That is disturbing.

An effort such as the National Capital Region domestic preparedness plan needs more than state and local government coordination. It requires leadership from the top down and I believe the Department of Homeland Security must play a consistent role here. I am thrilled to see Tom Lockwood with us today and congratulate him on his new role at DHS. I know how hard Tom worked with Dennis Schrader in the Maryland Office of Homeland Security and I know he brings a wealth of capability to DHS. I urge Secretary Ridge and the other leaders at DHS to support Tom Lockwood in this effort so he can provide the much needed direction to move this coordination effort forward.

And of course, keeping our homeland safe comes with a hefty price tag. As this region sets its priorities for protection including the necessary personnel, training, equipment and so on to tackle the many problems that remain such as interoperability – I would hope that DHS and the federal government will provide the necessary resources to make the NCR plans successful. Local leaders are crying out for funding. States are doing the best they can with competing priorities and I think we need to find a way to get money directly to those who need it when they need it.

There is much we in Congress can do to make efforts like this all across the country more successful. We can finally pass legislation to create national standards for homeland security so we know what we mean by being prepared and make sure we spend our limited money wisely. We can look at viable risks and

set priorities based on the credible threats. And we can continue to provide this critical oversight.
I commend the leadership of this committee for this follow up hearing and I look forward to hearing the testimony of these witnesses.

Thank you Mr. Chairman.

Chairman TOM DAVIS. Thank you very much.

Mr. Schrock.

Mr. SCHROCK. Thank you, Mr. Chairman.

Let me first begin by thanking the witnesses for being here today and giving us our testimony, and for their efforts in addressing an issue which impacts all of us greatly here in the Nation's Capital and beyond.

In the aftermath of the tragedies of September 11, many lessons were learned and many vulnerabilities were realized. Given that the National Capital Region was clearly a desired target of our enemies, it was the recipient of well over $300 million through a number of grants. These funds were to be utilized by all of our areas first responders, whether Federal, State or local in a coordinated effort of planning, preparation, training and execution of appropriate responses to whatever the circumstances dictate in terms of an attack or an incident in the D.C. area. Additionally, similar grants have also been issued nationwide to heavily populated regions for the same purpose as applies to their respective areas.

We, in Congress are the keepers of the funds and we are responsible to the taxpayer to ensure they are spent wisely and in the interest of homeland security and the American taxpayer. Further, the NCR is at the helm of this issue and the example we set locally should provide value to the other areas throughout America. Our lives, our security and very realistically our futures depend on it.

I look forward to hearing the testimony today and learning of the progress those changes have had in implementing these efforts that have been made.

Mr. Chairman, I thank you for arranging this very important hearing. I look forward to a healthy exchange of questions and answers following this testimony.

I don't live in the District but I live in the Hampton Roads area where we have one of the largest ports in America and the largest concentration of military anywhere in the world. So what is said here today, I am going to listen to carefully because the impact here is going to have the same impact in our area. Every time I go home, which are the happiest days when I go home, every time I pass through the Hampton Roads bridge tunnel underneath that tunnel, I think, "who is under there and what are they getting ready to do." I worry about that every single time. Hopefully we can learn something here today that maybe will prevent something like that.

I thank you all, especially those in uniform. I wore the uniform in the Navy for 24 years, so I naturally hone in on anybody wearing a uniform. I thank you for what you do and for what you are trying to do to help solve this problem and eradicate terror from the face of the Earth. Thank you and I look forward to your testimony.

Thank you, Mr. Chairman.

[The prepared statement of Hon. Edward L. Schrock follows:]

House Government Reform Committee
"Target Washington: Coordinating Homeland Security Efforts With Local Jurisdictions in the National Capital Region"
June 24, 2004
Statement by Congressman Ed Schrock (VA-02)

I'd like to begin by thanking these witnesses for their testimony today, and their efforts in addressing an issue which impacts all of greatly here in the nation's capital and beyond.

In the aftermath of the tragedies of 9/11, many lessons were learned and much vulnerability were realized. Given that the National Capital Region (NCR) was clearly a desired target of our enemies, it was the recipient of well over $300 million through a number of grants. These funds were to be utilized by all area first responders, whether Federal, state or local, in a coordinated effort of planning, preparation, training and execution of appropriate responses to whatever the circumstances dictate in terms of an attack or an incident in the DC area.

Additionally, similar grants have also been issued nationwide to heavily populated regions for the same purpose as applies to their respective areas. We in Congress are the keepers of the funds and are responsible to the taxpayer to ensure they are spent wisely and in the interest of homeland security and the American taxpayer.

Further, the NCR is at the helm of this issue, and the example we set locally should provide value to the other areas throughout America. Our lives, our security, and very realistically, our futures depend on it.

I look forward to hearing the testimony today and learning of the progress those charged with implementing these efforts have made. Mr. Chairman, thank you for arranging this important hearing and I look forward to a healthy exchange of questions and answers following their testimony.

Chairman TOM DAVIS. Thank you very much.

Mr. Moran.

Mr. MORAN OF VIRGINIA. Thank you, Chairman Davis.

Chairman TOM DAVIS. Thanks for joining us today.

Mr. MORAN OF VIRGINIA. I wanted to participate in this important hearing on the emergency preparedness of our region because it directly affects the lives of our constituents, our districts and the Nation's Capital.

The response to the terrorist attack on the Pentagon on September 11 demonstrated the heroism and the professionalism of the emergency responders in Arlington, Alexandria, Fairfax County, surrounding localities and our Federal emergency responders. I am particularly proud of the Arlington County fire departments' emergency response to the Pentagon. The Federal Commission that investigated the terrorist attacks issued a report which characterized Arlington's response as a success, overcoming all the inherent complications that arise when so many Federal, State and local jurisdictions are involved. Our Fire Chief sees that I am wearing Arlington's official tie to underscore that.

Unfortunately, the largest lessons of September 11 made clear that this region was not adequately prepared to respond to that disaster and regional coordination was virtually nonexistent. It was a good thing that an office of the National Capital Region was established within the Department of Homeland Security to address the unique challenges to emergency response that our Nation's Capital is bound to face. Yet, the General Accounting Office will attest today that nearly 3 years after the terrorist attacks of September 11 and after receiving a huge influx of money to secure the region and make it better prepared, the Washington area still lacks a coordinated plan to deal with emergencies and is unable to explain where critical security gaps remain and why most of the money that has been made available so far has in fact yet to be spent.

Not only am I concerned with the lack of coordination among the various localities, I have been discouraged by the lack of transparency and information sharing of the decisions being made by the Office of the National Capital Region with the members who represent it. On September 11, 2003, the 2-year anniversary of the attack, I suspect a number of my colleagues may have written similar letters, I wrote a letter to Secretary Ridge. The letter said, "I continue, however, to hear concerns raised by first responders, health department officials and law enforcement officers as they prepare for possible contingencies. I think a checklist with benchmarks might be a very useful approach to measure and determine this region's reliable functioning capabilities, those this region has and those it lacks. The area congressional delegation will do all that it can to provide the necessary resources." At least as of today, we have yet to receive any response to this letter or to that proposal. That was more than a year ago. That, I think, gets to the heart of today's hearing.

Mr. Lockwood, I don't mean for you to be the one in the hot seat. I understand you came very highly recommended and not just by Congressman Ruppersberger and by Governor Erlich and I know you were just newly appointed to your position, but it took 5

months to have the vacancy left by Michael Byrne, your predecessor, to be filled after he went off to Microsoft.

Mr. Chairman, I do commend you for holding this hearing and I know you are determined to lead the effort to improve and enhance coordination among the region's jurisdictions and I appreciate that apparently, at least in the case of the Nation's Capital, financial resources are not as much of a problem as is the management of those resources. Again, I appreciate your leadership in having this hearing, Mr. Chairman. You are right on top of it in a timely manner given the front page article in the Washington Post. Again, this is going to be a very productive hearing and I appreciate the opportunity to participate.

Thank you, Mr. Chairman.

[The prepared statement of Hon. James P. Moran follows:]

Congressman James P. Moran
Committee on Government Reform
Coordinating Homeland Security Efforts with Local Jurisdictions
In the National Capital Region
June 24, 2004

- Mr. Chairman, thank you for inviting me to participate in this important hearing on the emergency preparedness of our region which directly affects our constituents, our districts, and the nation's capital.

- The response to the terrorist attack on the Pentagon on September 11th demonstrated the heroism and professionalism of the emergency responders in Arlington, Alexandria, and Fairfax County and surrounding localities.

- I am particularly proud of the Arlington County fire department's emergency response to the Pentagon. The commission which is investigating the terrorist attacks issued a report which characterized Arlington's response as a success, overcoming inherent complications that arise when numerous local, state and federal jurisdictions are involved.

- Unfortunately the larger lessons of 9/11 made clear that this region was not adequately prepared for such disaster response and regional coordination was virtually non-existent.

- We were all pleased that an Office of the National Capital Region was established within the Department of the Homeland Security to

address the unique challenges to emergency preparedness in this region.

- **Yet, as the General Accounting Office will attest to today, nearly three years after the terrorist attacks of 9/11 and after recieveing a huge influx of money to secure the region and make it more prepared, <u>the Washington area still lacks a coordinated plan to deal with emergencies and is unable to explain where critical security gaps remain</u>.**

- Not only am I concerned with the lack of coordination among the various localities, I have been discouraged by the lack of transparency and information sharing on the decisions being made by the Office of the National Capital Region with the Members who represent these districts.

- On September 11, 2003, I wrote a letter to Secretary Ridge stating that, ***"I continue, however, to hear concerns raised by first responders, health department officials and law enforcement officers as they prepare for possible contingencies. I think a checklist with benchmarks might be an extremely useful approach to measure and determine this region's 'reliable functioning capabilities;' those this region has and those it lacks. The area congressional delegation will do all it can to provide the necessary resources."***

- To date, neither I, nor my staff have received any response to this letter. And I think this gets at the heart of today's hearing.

- Mr. Lockwood, I don't mean for you to be the one in the hot seat, since you were just newly appointed to your position, but it took 5 months to have the vacancy left by Mike Byrne, your predecessor to be filled.

- Mr. Chairman, I commend you for holding this hearing to examine our area's shortfalls in emergency preparedness and launch an effort to unearth new ways to improve and enhance coordination among the regional jurisdictions.

- I eagerly look forward to hearing the testimony of the witnesses here today and appreciate the opportunity to ask questions. Thank you.

Chairman TOM DAVIS. Thank you, Jim.

Mr. Cummings.

Mr. CUMMINGS. Mr. Chairman, I will be very brief.

I want to thank you for holding this hearing.

In the Homeland Security Act of 2002, Congress created the Office for National Capital Region Coordination within the Department of Homeland Security in order to ensure that activities between the regional governments and the Federal Government were coordinated. By providing millions of dollars in grant funding, the Federal Government is attempting to assist regional jurisdictions in preparation for combating terrorism and responding to emergencies. All of the 50 States and the U.S. territories are eligible for this funding.

As a result of this committee's two previous hearings, the U.S. General Accounting Office has requested to examine the budget and spending plans for the National Capital Region in order to ensure that it is sufficiently funded and that the fund distributed are used appropriately to address emergency preparedness. The GAO report entitled, "U.S. General Accounting Office, Homeland Security Management of First Responders," has identified three challenges in coordinating the homeland security funds provided to the jurisdictions in the National Capital Region. First, there are no current standards for determining existing first responder capacity. Second, there is no existing plan for establishing these standards. Third, ONCRC has not obtained complete information on the amount of DHS grant funds available to each jurisdiction within the NCR. These deficiencies make it difficult to develop adequate plans for addressing outstanding needs within the region and to determine if DHS funding is being spent effectively and efficiently.

More than ever with our Nation's increasing budget deficit and the constant threat of organized terrorist activity, it is important that we ascertain that the Federal dollars spend to make the NCR safe are used effectively and efficiently. I have often said, Mr. Chairman, that one thing it seems that Democrats and Republicans agree upon is that the taxpayers' money must be, must be, must be used effectively and efficiently and there are processes put in place that ensure a well prepared region in the event of an emergency.

So I look forward to hearing from today's witnesses and hope this hearing will help us to better assess our progress in preparing the National Capital Region to deal with potential threats to determine what our needs are for better coordination and planning and evaluate emergency preparedness funding for our Nation's Capital.

I am very pleased to see with us, Maryland's Director of Homeland Security, Dennis Schrader. I am very pleased to have you with us and all of our witnesses, we thank you.

With that, Mr. Chairman, I yield back.

Chairman TOM DAVIS. Thank you very much.

We will now move to our first panel of witnesses consisting of Thomas Lockwood, the new Director of the Office of National Capital Region Coordination, Department of Homeland Security; William Jenkins, Director, Homeland Security and Justice Issues, General Accounting Office; the Honorable George Foresman, assistant to the Governor for commonwealth preparedness, Common-

wealth of Virginia; Dennis Schrader, director, Office of Homeland Security, State of Maryland, who will not provide testimony but is available for questions; and finally, Ms. Barbara Childs-Pair, director, D.C. Emergency Management Agency, accompanied by Mr. Robert Bobb, city administrator, interim Deputy Mayor for public safety and justice; Mr. Steven Crowell, acting administrator, State Homeland Security; and Ms. LeAnn Turner, director, Homeland Security Grants Administration.

Let me thank all of you for taking time from your very busy schedules to be with us today, share your testimony and answer some questions. Our committee swears all witnesses before testifying.

[Witnesses sworn.]

Chairman TOM DAVIS. Thank you.

We have some lights here on the front table. They will turn green when I recognize you, they will stay green for 4 minutes and turn orange for 1 minute and when that red button comes on, we would like you to move to sum up. Your entire written testimony is in the record and questions will be based on the entire testimony but the 5-minutes gives you time to emphasize it.

Mr. Lockwood, we will start with you and move down. Again, welcome. You are no stranger to this. We are happy to see you on board and thank you for being here.

STATEMENTS OF THOMAS LOCKWOOD, DIRECTOR, OFFICE OF NATIONAL CAPITAL REGION COORDINATION, DEPARTMENT OF HOMELAND SECURITY; WILLIAM JENKINS, DIRECTOR, HOMELAND SECURITY AND JUSTICE ISSUES, GENERAL ACCOUNTING OFFICE; GEORGE FORESMAN, ASSISTANT TO THE GOVERNOR FOR COMMONWEALTH PREPAREDNESS, COMMONWEALTH OF VIRGINIA; DENNIS SCHRADER, DIRECTOR, OFFICE OF HOMELAND SECURITY, STATE OF MARYLAND; AND BARBARA CHILDS-PAIR, DIRECTOR, D.C. EMERGENCY MANAGEMENT AGENCY

Mr. LOCKWOOD. Thank you. I am honored to be here.

I would like to summarize my statement and ask the full statement be included in the record.

I am Tom Lockwood, the new Director for the National Capital Region Office of Coordination. I am honored to be here today.

I want to thank Congress for having the wisdom of having an office like the National Capital Region which focuses on a critical region in the United States. Some of the key roles of this office, which have been summarized by both sides, is the coordination of activities within the Department of Homeland Security relating to the National Capital Region, be an advocate for the region, to provide information to the region, to start working with State, local, not for profit and regional organizations for an integrated, cohesive plan for emergency preparedness. This is a very complex region. There are multiple jurisdictions, there are multiple levels of government and divisions within government. It is a challenge but it is doable.

In the spirit of cooperation, this office is actively working with the District of Columbia, the State of Maryland, and the Commonwealth of Virginia and through the senior leadership we have

formed a group, the Senior Policy Group, which have been working at unprecedented levels of cooperation. This office has been actively coordinating across Federal agencies. A key mechanism has been the Joint Federal Committee whose members are drawn from multiple Federal agencies across the Federal Government. Specific examples of the efforts being worked on right now are issues such as protective measures across the National Capital Region; standard protective measures across the National Capital Region, standard protective measures; credentialling, working through protocols and sharing information; and again, not only is the Federal Government working between itself but these will be integrated with local and State government authorities.

One of the key roles we have to improve, is we need to integrate and synchronize some of the investments we have talked about thus far. Working through the Senior Leadership Group, the Senior Policy Group [SPG], working with the county administrative officers, working with the Emergency Preparedness Council, it has been quite an opportunity to bring in different views at different levels, many voices, same message of participation.

It is critical that we have an integrated strategy, that it is a strategy that is based with local government and State government working together within the region with an office like this office coordinating between the levels and with Federal Government. This coordination provides the foundation for the emergency preparedness for the region, the process has been much more formalized in the last several months where there is active commitment from local government within the prioritization of the resource allocation. That has been accepted by the region and we have been actively working through that process.

The region will be coordinating over the next several months to build an integrated plan, Federal, State and local and we are actively committed to that. The region is taking great strides to develop our plans and our protocols; we have been working quite actively with the emergency response community.

In closing, the NCR provides a unique challenge to protect our citizens, our guests, our institutions. We have worked and developed a solid foundation that is built with a relationship between Federal, State and local governments, the nonprofits, the regional authorities, and the general public. We are committed to continue that relationship on this integrated approach.

Thank you very much.

[The prepared statement of Mr. Lockwood follows:]

Statement of Thomas J. Lockwood
Director, Office of National Capital Region Coordination
Department of Homeland Security

Committee on Government Reform
U.S. House of Representatives

June 24, 2004

Introduction

Good morning. Mr. Chairman and committee members, I am honored to be here with you today to discuss emergency preparedness in the Nation's Capital. I am Tom Lockwood, director of the Department of Homeland Security's (DHS) Office of National Capital Region Coordination (ONCRC).

The Office of National Capital Region Coordination was established by Section 882 of the Homeland Security Act of 2002 to oversee and coordinate Federal programs for and relationships with State, local and regional authorities in the National Capital Region (NCR). The Office came into being on March 1, 2003 when the major components of the Department came together. The establishment of an office solely dedicated to the NCR recognizes the importance of our region as a symbol of our nation and the seat of our government and the complexity of relationships, roles and responsibilities that exist within the NCR.

Roles and Responsibilities

The Office of National Capital Region Coordination has been given broad responsibilities in the Homeland Security Act of 2002. These responsibilities include:

- Coordinating the activities of DHS relating to the NCR;
- Assessing, and advocating for, the resources needed by State, local, and regional authorities in the NCR to implement efforts to secure the homeland;

- Providing State, local, and regional authorities in the NCR with timely information, research, and technical support to assist the efforts of State, local, and regional authorities in the NCR in securing the homeland;
- Developing a process for receiving meaningful input from State, local and regional authorities and the private sector in the NCR to assist in the development of the homeland security plans and activities of the Federal Government;
- Coordinating with Federal agencies in the NCR on terrorism preparedness, to ensure adequate planning, information sharing, training, and execution of the Federal role in domestic preparedness activities;
- Coordinating with Federal, State, local, and regional agencies, and the private sector in the NCR on terrorism preparedness to ensure adequate planning, information sharing, training, and execution of domestic preparedness activities among these agencies and entities; and
- Serving as a liaison between the Federal Government and State, local and regional authorities, and private sector entities in the NCR to facilitate access to Federal grants and other programs.

The complexity of relationships, jurisdictions, roles and responsibilities within the NCR is staggering. Eighteen separate local jurisdictions must work in concert with each other, their State counterparts, the Federal government – all three branches – and the private sector in order to achieve the type of cohesive planning in prevention, preparedness, response and recovery that is necessary to secure the NCR and save it harmless from all incidents, natural or manmade. To function, this office must coordinate and work with and through others to fulfill its responsibilities.

In this spirit of cooperation, senior representatives of the District of Columbia, State of Maryland, the Commonwealth of Virginia, and this office, participate on the NCR Senior Policy Group (SPG), continue to effect an unprecedented level of cooperation among the jurisdictions.

I also note this office's active coordination across the Department as well as across the Federal family. Working through the Joint Federal Committee – whose membership is drawn from law

enforcement, protective services, and emergency preparedness communities from the Federal Government's executive, legislative, and judicial branches – the office seeks to create a regional focus among the federal government, increasing emergency preparedness and response. Specific examples of the Joint Federal Committee efforts include issues such as Federal workforce emergency release processes, security related access control, and to solidify a regional street closure process during emergencies.

Monitoring Grant Monies

With respect to regional funding decisions, the role of the ONCRC is to better synchronize and facilitate integration of efforts and not to create duplicative and competing organizational structures. This office works collaboratively with the National Capital Region SPG, regional Chief Administrative Officers (CAOs), and the NCR Emergency Preparedness Council (EPC) to accomplish essential region-wide resource allocation and asset management coordination. These groups have worked to maintain organizational discipline – sustaining proven relationships between levels and agencies of government as well as successful processes for grant management.

Critical to efficient grant management and effective resource allocation is a coordinated, region-wide plan for establishing first responder goals, needs, and priorities and assessing the benefits of all expenditures to enhance first responder capabilities. To prepare the foundation for a regional asset management strategy, this office in cooperation with the Office for Domestic Preparedness sponsored a regional risk, capabilities, and needs assessment which resulted in the first Urban Area Homeland Security Strategy for the region and the nation. On February 4, 2004 the region

formally adopted the National Capital Region Review and Recommendation Process to ensure coordination of asset management activities among all jurisdictions.

The governance structure for the NCR was founded on the principles of full disclosure of information, joint decision-making, and equality of parties. This office's unique role is not of federal control and direction, but coordination and cooperation. The ONCRC works collaboratively with the SPG, CAOs, and EPC to establish funding decisions and priorities.

Gaps in Incident Preparedness

The region in coordination with this office is presently invested in numerous efforts to enhance the preparedness, prevention, mitigation, response, and recovery capabilities within the NCR. The region has taken great strides to develop or enhance necessary plans and protocols, outfit emergency service providers with necessary personal protective equipment, create additional capacity to provide both basic and advance training for regional first responders, and engage the region in comprehensive exercises. For all the progress made to enhance the region's homeland security capabilities, much work still exists. This office recognizes the need to develop more specific preparedness standards, clearer performance goals, and establish an improved method for tracking regional initiatives to facilitate efficient and effective asset management and resource allocation decisions in future efforts.

Close

In closing, the NCR presents a unique challenge for those who protect its citizens, property and institutions. The region has developed a solid foundation for meeting these challenges and will continue to work toward addressing region-wide preparedness needs. The ONCRC is committed

to ensuring that cooperative actions are taken to enhance coordinated asset management and resource allocation in the NCR.

Chairman TOM DAVIS. Thank you very much.

Mr. Jenkins, thank you for your work on this.

Mr. JENKINS. I appreciate the opportunity to be here today to discuss our report for this committee on "Federal First Responders Grants and Capacity Building in the National Capital Region." Our report discusses issues within the NCR associated with managing first responder grants, assessing gaps in first responder capacities and preparedness and the evolving role of the Office for National Capital Region Coordination and the very difficult task of coordinating and assessing efforts to enhance first responder capacity across the NCR.

When DHS was created in 2002, Congress created the NCR Coordination Office within the Department of Homeland Security to coordinate Federal programs for and relationships with Federal, State, local, regional and private sector agencies and entities in the region, to ensure adequate planning, information sharing, training and the execution of domestic preparedness activities among these agencies and entities.

The office's responsibilities include preparing an annual report to Congress that one, identifies required resources; two, assesses progress in implementing homeland security efforts in the region; and three, includes recommendations to Congress on any needed additional resources to fully implement homeland security efforts.

In our work, we focused on 16 Federal grants that provided us $340 million to NCR jurisdictions for emergency response and planning for fiscal years 2002 and 2003. Of this total, the NCR Coordination Office targeted all of the $60.5 million 2003 urban area security initiative funds for projects designed to benefit the region as a whole. Spending for the remaining $279.5 million for 15 grants was determined primarily by local jurisdictions to whom in some instances the grants were directly rewarded. The largest of these grants, the $230 million, 2002 Department of Defense Emergency Supplemental, was distributed before the NCR Coordination Office came into existence and it was targeted primarily for equipment.

Effectively managing first responder grants funds requires identifying threats and managing risks, aligning resources to address them and measuring progress in preparing for those threats and risks. The NCR Coordination Office and NCR jurisdictions face at least three interrelated challenges in managing Federal funds to maximize results, minimize efficiency and unintended and unnecessary duplication of effort. They need preparedness standards for first responders in the region and benchmarks such as best practices, a coordinated regionwide plan for establishing first responder performance goals, needs and priorities and assessing the benefits of expenditures and last, a readily available, reliable source of data on the Federal grant funds available to NCR first responders and the budget plans and criteria used to determine spending priorities and track expenditures compared to those priorities.

Without the standards, a regionwide plan and needed data, it is extremely difficult to determine whether the NCR has the ability to respond to threats and emergencies with well planned, well coordinated and effective efforts that involve a variety of first responder disciplines from NCR jurisdictions.

Regarding data collection, the recent report of the DHS Homeland Security Advisory Council has recommended that DHS, in coordination with State, local and tribal governments, develop an automated grant tracking system that would allow for real time tracking of the distribution and use of homeland security funds. We recognize that the NCR Coordination Office came into existence about 15 months ago and some startup time has been required to organize itself and establish processes and procedures for fulfilling its statutory responsibilities.

To date, the NCR Coordination Office has focused on developing a regionwide plan for use of the urban area security grant moneys. We recognize that the office had limited opportunity to coordinate spending from the remaining 15 grants. However, the NCR Coordination Office needs data on how moneys from these remaining 15 grants were spent and with what effect to develop a baseline of current first responder capacities in the region that can be used to compare what is to what should be and coordinate and monitor efforts to transition to what should be.

We have recommended that the NCR Coordination Office work with NCR jurisdictions to develop a coordinated strategic plan for building and maintaining first responder capacity and monitor progress in implementing that plan. In their comments on our report, DHS noted that a government structure has now been established that should provide essential coordination in the region.

That concludes my statement, Mr. Chairman. I would be pleased to answer any questions you or members of the committee may have.

[The prepared statement of Mr. Jenkins follows:]

United States General Accounting Office

GAO

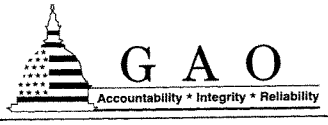
Testimony
Before the Committee on Government Reform, House of Representatives

For Release on Delivery
Expected at 10:00 a.m. EDT
Thursday, June 24, 2004

HOMELAND SECURITY

Coordinated Planning and Standards Needed to Better Manage First Responder Grants in the National Capital Region

Statement of William O. Jenkins, Jr.
Director, Homeland Security and Justice Issues



GAO-04-904T

June 24, 2004

GAO
Accountability · Integrity · Reliability

Highlights

Highlights of GAO-04-904T, a testimony before the Chairman, Committee on Government Reform, House of Representatives

HOMELAND SECURITY

Coordinated Planning and Standards Needed to Better Manage First Responder Grants In the National Capital Region

Why GAO Did This Study

Since the tragic events of September 11, 2001, the National Capital Region (NCR), comprising jurisdictions including the District of Columbia and surrounding jurisdictions in Maryland and Virginia, has been recognized as a significant potential target for terrorism. GAO was asked to report on (1) what federal funds have been allocated to NCR jurisdictions for emergency preparedness; (2) what challenges exist within NCR to organizing and implementing efficient and effective regional preparedness programs; (3) what gaps, if any, remain in the emergency preparedness of NCR; and (4) what has been the role of the Department of Homeland Security (DHS) in NCR to date.

What GAO Recommends

GAO recommends that the Secretary of DHS (1) work with local NCR jurisdictions to develop a coordinated strategic plan to establish capacity enhancement goals and priorities; (2) monitor the plan's implementation; and (3) identify and address gaps in emergency preparedness and evaluate the effectiveness of expenditures by conducting assessments based on established standards and guidelines.

DHS and the ONCRC Senior Policy Group generally agreed with GAO's recommendations and noted that a new governance structure, adopted in February 2004, should accomplish essential coordination.

www.gao.gov/cgi-bin/getrpt?GAO-04-904T

To view the full product, including the scope and methodology, click on the link above. For more information, contact William O. Jenkins, Jr., at (202) 512-8757 or jenkinswo@gao.gov

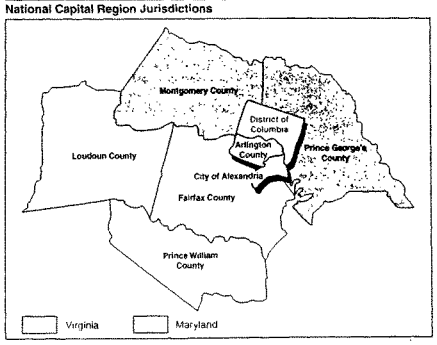
What GAO Found

In fiscal years 2002 and 2003, grant programs administered by the Departments of Homeland Security, Health and Human Services, and Justice awarded about $340 million to eight NCR jurisdictions to enhance emergency preparedness. Of this total, the Office for National Capital Region Coordination (ONCRC) targeted all of the $60.5 million Urban Area Security Initiative funds for projects designed to benefit NCR as a whole. However, there was no coordinated regionwide plan for spending the remaining funds (about $279.5 million). Local jurisdictions determined the spending priorities for these funds and reported using them for emergency communications and personal protective equipment and other purchases.

NCR faces several challenges in organizing and implementing efficient and effective regional preparedness programs, including the lack of a coordinated strategic plan for enhancing NCR preparedness, performance standards, and a reliable, central source of data on funds available and the purposes for which they were spent.

Without these basic elements, it is difficult to assess first responder capacities, identify first responder funding priorities for NCR, and evaluate the effectiveness of the use of federal funds in enhancing first responder capacities and preparedness in a way that maximizes their effectiveness in improving homeland security.

National Capital Region Jurisdictions



Source: National Capital Planning Commission.

Mr. Chairman and Members of the Committee:

I appreciate the opportunity to testify on the results of our work on the management of first responder grants in the National Capital Region (NCR). Our report is being released today, and my testimony highlights the major findings and recommendations of that report. [1]

Our report addressed the following questions:

- What federal funds have been allocated to local jurisdictions in NCR for emergency preparedness, for what specific purposes, and from what sources?
- What challenges exist within NCR to organizing and implementing efficient and effective regional preparedness programs?
- What gaps, if any, remain in the emergency preparedness of NCR?
- What has been the Department of Homeland Security's (DHS) role to date in enhancing the preparedness of NCR through such actions as coordinating the use of federal emergency preparedness grants, assessing preparedness, providing guidance, targeting funds to enhance preparedness, and monitoring the use of those funds?

To respond to these questions, we met with and obtained documentation from officials of DHS including its Office for National Capital Region Coordination (ONCRC), the Senior Policy Group, the Metropolitan Council of Governments, state emergency management agencies, and first responder officials from NCR jurisdictions. We identified 25 emergency preparedness programs that provided funding to NCR jurisdictions in fiscal years 2002 and 2003, and we selected 16 of them for detailed review. These 16 grants were selected to cover a range of programs, including the largest funding sources; grants provided for general purposes, such as equipment and training; and grants provided for specific purposes, such as fire prevention and bioterrorism. We collected and analyzed grant data from federal, state, and local sources; and reviewed relevant reports, studies, and guidelines on homeland security and domestic preparedness.

[1]See *Homeland Security: Management of First Responder Grants in the National Capital Region Reflects the Need for Coordinated Planning and Performance Goals*, GAO-04-433, (Washington, D.C.: May 28, 2004).

We conducted our review from June 2003 through February 2004 in accordance with generally accepted government auditing standards.

Summary

- In fiscal years 2002 and 2003, the DHS, the Department of Justice, and the Department of Health and Human Services awarded about $340 million through 16 grants to NCR jurisdictions. Of these funds, $60.5 million were from the Urban Area Security Initiative grant, designated for region-wide needs, and the Office of National Capital Region Coordination has developed a regional plan for their use. The remaining funds, about $279.5 million, were available to local jurisdictions for a wide variety of needs, such as equipment and training, and local jurisdictions determined how these funds were to be spent. Local jurisdictions used or planned to use monies from those grants to buy equipment and to implement training and exercises for the area's first responders, as well as improve planning for responding to a terrorist event. But, spending for these purposes was not generally based on a coordinated plan for enhancing regional first responder capacities and preparedness.

- ONCRC and the NCR face at least three interrelated challenges in managing federal funds in a way that maximizes the increase in first responder capacities and preparedness while also minimizing inefficiency and unnecessary duplication of expenditures. These challenges are (1) a lack of preparedness standards; (2) a coordinated region-wide plan for establishing first responder performance goals, needs, and priorities and assessing the benefits of expenditures in enhancing first responder capabilities; and (3) the lack of a readily available, reliable source of data on the federal grant funds available to first responders in NCR, budget plans and criteria used to determine spending priorities, and actual expenditures. Without the standards, a region-wide plan, and needed data on spending, it is extremely difficult to determine whether NCR first responders have the ability to respond to threats and emergencies with well-planned, well-coordinated, and effective efforts that involve a variety of first responder disciplines from NCR jurisdictions.

- During our review, we could identify no reliable data on preparedness gaps in the NCR, which of those gaps were most important, and the status of efforts to close those gaps. The baseline data needed to assess those gaps had not been fully developed or made available on a NCR-wide basis.

- To date, DHS and ONCRC appear to have had a limited role in assessing and analyzing first responder needs in NCR and developing a coordinated effort to address those needs through the use of federal grant funds. ONCRC has focused principally on developing a plan for using the Urban

Area Security Initiative funds. In its comments on a draft of our report, DHS said that a governance structure approved in February 2004, should accomplish essential region-wide coordination.

Background

Since September 11, 2001, the federal government, state and local governments, and a range of independent research organizations have agreed on the need for a coordinated intergovernmental approach to allocating the nation's resources to address the threat of terrorism and improve our security. The need for a coordinated approach was most recently stated in the report of the Homeland Security Advisory Council,[2] released earlier this month:

> Arguably, while each at-risk locality must be provided adequate resources to effectively fight this war, no single jurisdiction or response discipline can fight it alone. Effective homeland security efforts require continuous regional collaboration and coordination.

Such an approach includes developing national guidelines and standards and monitoring and assessing preparedness against those standards to effectively manage risk.

The National Strategy for Homeland Security, released in 2002 following the proposal for DHS, emphasized a shared national responsibility for security involving close cooperation among all levels of government and acknowledged the complexity of developing a coordinated approach within our federal system of government and among a broad range of organizations and institutions involved in homeland security. The national strategy highlighted the challenge of developing complementary systems that avoid unintended duplication and increase collaboration and coordination so that public and private resources are better aligned for homeland security. The national strategy established a framework for this approach by identifying critical mission areas with intergovernmental initiatives in each area. For example, the strategy identified such initiatives as modifying federal grant requirements and consolidating funding sources to state and local governments. The strategy further recognized the importance of assessing the capability of state and local governments, developing plans, and establishing standards and performance measures to achieve national preparedness goals. In addition, many aspects of DHS'

[2]U.S. Department of Homeland Security, The Homeland Security Advisory Council, *A Report from the Task Force on State and Local Homeland Security Funding* (Washington, D.C.: June 2004), p. 12.

success depend on its maintaining and enhancing working relationships within the intergovernmental system as the department relies on state and local governments to accomplish its mission.

ONCRC Responsibilities Include Assessing Capabilities and Advocating for Needed Resources

The creation of DHS was an initial step toward reorganizing the federal government to respond to some of the intergovernmental challenges identified in the National Strategy for Homeland Security. The Homeland Security Act established ONCRC within DHS to oversee and coordinate federal programs for, and relationships with, federal, state, local, and regional authorities in the NCR.[3] Specifically, ONCRC was mandated to

- coordinate the activities of DHS relating to NCR, including cooperating with the DHS' Office for State and Local Government Coordination;
- coordinate with federal agencies in the NCR on terrorism preparedness to ensure adequate planning, information sharing, training, and execution of the federal role in domestic preparedness activities;
- coordinate with federal, state, and regional agencies and the private sector in NCR on terrorism preparedness to ensure adequate planning, information sharing, training, and execution of domestic preparedness activities among these agencies and entities;
- serve as a liaison between the federal government and state, local, and regional authorities, and private sector entities in NCR to facilitate access to federal grants and other programs.[4]

With regard to resource assessments and needs, the NCR's responsibilities also include

- assessing and advocating for resources needed by state, local, and regional authorities in the NCR to implement efforts to secure the homeland and

[3]P.L. 107-296 §882.

[4]The Office of National Capital Region Coordination was also mandated to provide state, local, and regional authorities in NCR with regular information, research, and technical support to assist the efforts of state, local, and regional authorities in NCR in securing the homeland; and develop a process for receiving meaningful input from state, local, and regional authorities and the private sector in NCR to assist in the development of the federal government's homeland security plans and activities.

- submitting an annual report to Congress that (1) identifies resources required to fully implement homeland security efforts, (2) assesses progress in implementing homeland security efforts in the NCR, and (3) includes recommendations to Congress regarding additional resources needed to fully implement homeland security efforts in the NCR.

Grants Available to NCR Jurisdictions and Their Use

In fiscal years 2002 and 2003, 16 separate federal grant programs conveyed about $340 million to state and local emergency management, law enforcement, fire, public health, and other emergency response agencies in NCR. Two funding sources—the fiscal year 2002 Department of Defense Emergency Supplemental Appropriation (almost $230 million) and the fiscal year 2003 Urban Area Security Initiative ($60.5 million) accounted for about 85 percent of those funds. The Urban Area Security Initiative funds were designated for regional use, and a plan has been developed for using the funds to benefit the region as a whole. These funds have been targeted for equipment ($26.5 million), planning ($12.4 million), exercises ($4 million), and administrative costs ($1.8 million), among other things.

The other grant programs were not specifically designated for regional purposes, and spending for these funds was determined by individual local jurisdictions. These funds were available for such purposes as purchasing additional equipment and supplies for first responders; planning, coordinating, and evaluating exercises; training first responders; funding the emergency preparedness planning efforts and administration; and providing technical assistance. NCR jurisdictions reported using or planning to use these funds to purchase a range of equipment—for example, vehicles and communications equipment—supplies, training, and technical assistance services.

Challenges to Using Coordinated, Effective Use of Federal Grants in NCR

In our report, we discuss issues associated with managing federal first responder grants in NCR, assessing gaps in first responder capacities and preparedness in the region, and the role of the Office for National Capital Region Coordination in coordinating and assessing efforts to enhance first responder capacity across NCR. Effectively managing first responder federal grants funds requires the ability to measure progress and provide accountability for the use of public funds. A strategic approach to homeland security includes identifying threats and managing risks, aligning resources to address them, and assessing progress in preparing for those threats and risks. As with other major policy areas, demonstrating the results of homeland security efforts includes developing and implementing strategies, establishing baselines, developing and

implementing performance goals and data quality standards, collecting reliable data, analyzing the data, assessing the results, and taking action based on the results. The purpose of these efforts with regard to first responder grant funds to be able to answer three basic, but difficult, questions:

- For what types of threats and emergencies should first responders be prepared?
- What is required—for example, coordination, equipment, training—to be prepared for these threats and emergencies?
- How do first responders know that they have met their preparedness goals?

NCR is an example of the difficulties of answering the second and third questions in particular.

Lack of Standards, Plans, and Data Limit Effective Grant Management to Guide First Responder Spending in NCR

The region faces significant challenges in managing homeland security dollars. ONCRC and NCR jurisdictions face three interrelated challenges that limit their ability to jointly manage federal funds in a way that demonstrates increased first responder capacities and preparedness while minimizing inefficiency and unnecessary duplication of expenditures.

First, a lack of preparedness standards for both equipment and performance means that it is difficult to assess first responder capabilities, identify gaps in those capabilities, and measure progress in closing those gaps. As in other areas of the nation generally, NCR does not have a set of accepted benchmarks (best practices) and performance goals that could be used to identify desired goals and determine whether first responders have the ability to respond to threats and emergencies with well-planned, well-coordinated, and effective efforts that involve police, fire, emergency medical, public health, and other personnel from multiple jurisdictions.

Second, a strategic plan for the use of homeland security funds—whether in NCR or elsewhere—should be based on established goals, priorities, and measures, and align spending plans with those priorities and goals. At the time of our review, ONCRC had developed a regional spending plan for the Urban Area Security Initiative grants, but this plan was not part of a broader coordinated plan for spending federal grant funds and developing first responder capacity and preparedness in NCR. The lack of benchmarks and performance goals may contribute to difficulties in

developing a coordinated region-wide plan for determining how to spend federal funds and assessing the benefits of that spending.

Third, there is no established process or means for regularly and reliably collecting data on (1) the amounts of first responder grants available to each jurisdiction and (2) the budget plans and criteria used for determining spending allocations and budget priorities. Reliable data are needed to establish accountability, analyze gaps, and assess progress toward meeting established performance goals. Without such data, it is difficult to verify the results of preparedness assessments and to establish a baseline that could be used to develop plans to address outstanding needs. It should be noted that the fragmented nature of the multiple federal grants available to first responders—some awarded to states, some to localities, some directly to local first responder agencies—may make it more difficult to collect and maintain region-wide data on grant funds received and the use of those funds in NCR.

Guidance, Reliable Data Needed to Assess Remaining Gaps in First Responder Capabilities

Without national standards, guidance on likely threats and scenerios for which to be prepared, coordinated plans, and reliable data, it is difficult for us or ONCRC to determine what gaps, if any, remain in the emergency response capacities and preparedness within NCR.

Determining the existence of gaps in NCR's emergency preparedness is difficult currently because there is little baseline data on the region's preparedness, and DHS's Office for National Capital Region Coordination does not have information on how NCR localities used federal grant dollars to enhance their capacities or preparedness. Even if those data were available, a lack of standards against which to evaluate the data would also have made it difficult to assess any gaps. The Office for Domestic Preparedness collected information on regional security risks and needs for NCR jurisdictions, and ONCRC based funding decisions for the Urban Area Security Initiative on the results. However, as already noted, it is not clear how the Urban Area Security Initiative spending plan links to the actual and planned uses for the other funding sources that comprised about $279.5 million of the $340 million in federal homeland security grants to the NCR during fiscal years 2002 and 2003.

Each jurisdiction provided us with information on their perceived gaps and specific needs for improving emergency preparedness. However, there is no consistent method for identifying these gaps among jurisdictions within NCR. Several jurisdictions told us that they identify remaining gaps based on requests from emergency responder agencies. Other jurisdictions

said they have established emergency management councils or task forces to review their preparedness needs and are developing a more strategic plan for funding those needs. Officials of most NCR jurisdictions commonly identified the need for more comprehensive and redundant communications systems and upgraded emergency operations centers.

DHS and ONCRC Appear to Have Had Limited Role in Promoting Regional Coordination in NCR

We recognize that NCR is a complex multijurisdictional area comprising the District of Columbia and surrounding county and city jurisdictions in Maryland and Virginia. The region is the home to the federal government, many national landmarks, and military installations. Coordination within this region presents the challenge of working with numerous jurisdictions that vary in size, political organization, and experience with managing large emergencies.

According to emergency management officials we contacted, DHS' Office for National Capital Region Coordination could play a potentially important role in assisting them to implement a coordinated, well-planned effort in using federal resources to improve the region's preparedness. In our view, meeting ONCRC's statutory mandate would fulfill such a key responsibility.

We recognize that the Office for National Capital Region Coordination was created about 15 months ago, and that some start-up time has been required. To date, however, it appears that ONCRC's efforts have not focused on assessing what has been accomplished with funds available within NCR to date and identifying what needs remain and for what purposes. ONCRC has concentrated its efforts on developing a coordinated assessment and plan for the use of Urban Area Security Initiative funds. Although we believe that those steps are important for rationalizing and prioritizing the expenditure of homeland security dollars designated for region-wide use, ONCRC's efforts generally do not address expenditures from the majority of the homeland security grant dollars received in NCR. In addition, it is difficult for the ONCRC to meet its statutory responsibilities without an NCR emergency preparedness baseline, a region-wide plan for prioritizing expenditures and assessing their benefits, and reliable data on funds that are available and those have been spent.

According to DHS, a governance structure was approved in February 2004 that will provide the essential region-wide coordination that is necessary.

Our Recommendations

Our report contains several recommendations. To help ensure that emergency preparedness grants and associated funds are managed in a way that maximizes their effectiveness, we recommend that the Secretary of the Department of Homeland Security take the following three actions to fulfill DHS's statutory responsibilities in NCR:

- Work with NCR jurisdictions to develop a coordinated strategic plan to establish goals and priorities for enhancing first responder capacities that can be used to guide the use of federal emergency preparedness funds.
- Monitor the plan's implementation to ensure that funds are used in a way that promotes effective expenditures that are not unnecessarily duplicative.
- Identify and address gaps in emergency preparedness and evaluate the effectiveness of expenditures in meeting those needs by adapting standards and preparedness guidelines based on likely scenarios for NCR and conducting assessments based on them.

In their comments on a draft of our report, DHS and the Senior Policy Group generally agreed with our recommendations, but also said that NCR jurisdictions had worked cooperatively together to identify opportunities for synergies and lay a foundation for meeting the challenges noted in the report. The Senior Policy Group noted the challenge and critical importance of integrating private sector initiatives as part of the broader effort. DHS and the Senior Policy Group also agreed that there is a need to continue to improve preparedness by developing more specific and improved preparedness standards, clearer performance goals, and an improved method for tracking regional initiatives. They believe the governance process now in place will accomplish essential regional coordination.

Concluding Comments

Coordinated planning for the use of federal grant funds and monitoring the results achieved with those funds are fundamental for assessing and building the needed first responder capacity of the region to prepare for, mitigate, respond to, and recover from major emergency events in the region—whether the result of nature, accident, or terrorist act. The urgent nature of the security risk to the National Capital Region requires a coordinated, well-planned approach to the expenditure of federal first responder grants. To maximize the positive impact of such federal dollars, duplication needs to be minimized, available resources used to the maximum extent possible, and a strategic, region-wide plan based on an

assessment of preparedness gaps developed to guide those expenditures. Assessments of the current status of emergency preparedness and of any existing preparedness gaps require the existence and application of various types of standards. DHS's Office for National Capital Region Coordination has a significant, statutorily mandated role in meeting those requirements. It has made a good first step in developing a region-wide plan for the use of the Urban Area Initiative Grants. However, information and analysis of planned and actual expenditures by local NCR jurisdictions is also needed to develop a region-wide plan for the use of federal grants.

Mr. Chairman, that concludes my statement. I would be pleased to answer any questions you or other members of the Committee may have.

Contacts and Acknowledgments

For questions regarding this testimony, please contact William O. Jenkins, Jr., on (202) 512-8777 or Patricia A. Dalton, Director, on (202) 512-6737. Other individuals making key contributions to this testimony included Amelia Shachoy, Ernie Hazera, John Bagnulo, and Wendy Johnson.

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Chairman TOM DAVIS. Thank you very much.

Mr. Foresman, thank you for being with us.

Mr. FORESMAN. Thank you and thank you to the committee for having us.

I appreciate the opportunity to testify today to talk about the important issues surrounding preparedness in the National Capital Region.

Let me begin by acknowledging that the region is indeed better prepared today than it was on September 11, 2001. I point to the exceptional levels of cooperation among all levels of government with the private sector and communications with our citizens during the past 30 days with the dedication of the World War II Memorial as well as the State funeral for former President Reagan.

I also want to personally thank the staff from the U.S. General Accounting Office who just recently completed their review. They were diligent in their efforts to obtain a level of understanding of funding practices in a region that all of us agree is very complex in part because of the large presence of critical national government functions. Their task was made more challenging by the rapidly evolving nature of homeland security as well as related funding activities.

There are those who say that developing our homeland security capabilities locally at the State level and nationally is like trying to build a plane that is taking off. I expect for the GAO the same is true in terms of their ability to evaluate practices, processes and goals when the one constant is change.

Since the tragic attacks of September 11, 2001, the NCR has been allocated nearly $400 million in Federal funding. The funding has come in a variety of ways, direct earmarks through Federal grant programs and collaterally where we were the direct beneficiaries of Federal agency preparedness initiatives.

The benefit has come in the context of the whole. The sum capabilities of the local, District, State and private sector readiness has improved across the entirety of the NCR. Having talked about those benefits, it does not imply that every fire or law enforcement, emergency management, public health or a host of other local, State, District and private sector activities with critical responsibilities has been a direct beneficiary.

The simple fact is that there will never be sufficient financial resources to address the full range of potential needs of each community, discipline or organization. Consequently, much of our effort and the collaborative effort between local government, State government, regional partners and the private sector during the past 2½ years has been dedicated to addressing the higher priority needs and establishing prevention and preparedness focus that is right size against a full range of other legitimate competing priorities.

It represents a very disciplined approach on the part of the National Capital Region. This focus has required that we collectively undertake three key activities in the context of the National Capital Region. The goal from the beginning of local, State and Federal personnel has been to better coordinate and facilitate the integration of effort and not to create duplicative and competing organizational structures. The Office of National Capital Region Coordina-

tion was in fact established by the Congress in 2002 but the Department of Homeland Security and the Office of National Capital Region Coordination were not effectively stood up until early 2003. I would offer that local, State and Federal officials in the intervening time from September 11 and prior to that were effectively working together on a host of issues. We should not imply that there was no coordination prior to September 11 and it has dramatically increased in the intervening timeframe, especially even in advance of the creation of the Office of National Capital Region Coordination.

While we have been working during the past 2½ years with the stakeholder groups to gain a better understanding of efforts underway to identify needs to manage risk and to craft a solid approach of governance that improves our ability to manage the effort over the longer term, we have been doing this while concurrently moving forward on a host of critical preparedness and prevention initiatives identified by the Congress, State government, local government, the private sector and our citizens immediately after September 11. In short, we have been working hard to address many critical issues while at the same time putting in place the solid planning requirements needed to ensure sustainable, practical expenditure of funds over the longer term.

Mr. Chairman, members of the committee, we remain steadfast in the commitment to find the right balance between speed and diligence in terms of moving forward with our efforts in the National Capital Region. We are very quickly putting into place the synchronized efforts that must survey beyond short term accomplishment. We are in various stages of addressing many of the readily identifiable issues, improve preparedness across the entire NCR. Public and private sector will require more than addressing these readily identifiable issues. It is a longer term effort. It does require the sustained planning activities currently ongoing and have produced a number of notable accomplishments including the fact that the Senior Policy Group and our chief administrative officials are meeting literally monthly to discuss these issues in the National Capital Region.

The one thing I would offer, Mr. Chairman, is Mr. Jenkins made reference to the task force report that was produced for the Homeland Security Advisory Council. There are a number of solid recommendations in that report that mirror some of the issues we have in the National Capital Region. The one thing I would offer is I don't think anyone recognized on the front end what a monumental task this was going to be. Having said that, the one thing I do encourage this committee to do and you all as Members to do is to give careful consideration to suspension of the Cash Management Act guidelines for the 2005 grant cycle. That will allow us to get badly needed cash into local communities so that they can expedite many of the preparedness functions that are caught in the conundrum between the unavailability of cash and the need to go through procurement processes.

Mr. Chairman, members of the committee, thank you all for the opportunity to appear today. Thank you for what you all are doing for the National Capital Region, the oversight and attention helps all of us do better.

Thank you.

[The prepared statement of Mr. Foresman follows:]

Testimony of
The Honorable George W. Foresman
Office of the Governor
Commonwealth of Virginia

Before The
Committee on Government Reform
June 24, 2004

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Mr. Chairman and Mr. Ranking Member thank you for the opportunity to testify today to discuss the important issue of preparedness in the National Capital Region (NCR).

Let me begin by acknowledging that the region is better prepared today. I point to the exceptional levels of cooperation among all levels of government during the past thirty days with the dedication of the World War II Memorial and the State Funeral for former President Reagan. In one case we knew the date certain well in advance. In the other it was expected but there was no date certain. In both cases, plans were executed in a manner that allowed activities to proceed safely and as anticipated. The ability for plans to be transformed into successful action is a strong performance measure of whether we are making progress. While the execution was not flawless, it is clear that our collective communication and coordination is stronger and better. It is in that vein of measurable results that I would offer the region is indeed better prepared today.

I should also note that Governor Warner, Governor Erhlich and Mayor Williams are meeting tomorrow in Richmond as part of their regular on-going regional discussions. One of the standing topical areas for these meetings is the status of National Capital Region preparedness initiatives. The fact that this is a regular discussion topic among those three, combined with regular local and Congressional attention, points to the fact that our regional efforts are closely monitored by key leaders. This is good for the NCR.

I also want to personally thank the staff from the U.S. General Accounting Office (GAO) who just recently completed their review of grants management issues in the NCR. They were diligent in their efforts to obtain a level of understanding of funding practices in a region that is very complex, in part, because of the large presence of critical national government functions. Their task was made more challenging by the rapidly evolving nature of homeland security as well as related funding activities. There are those who say that developing our homeland security capabilities locally, at the state level and nationally is like trying to build a plane that is taking off. I expect for the GAO the same is true in terms of their ability to evaluate practices, processes and goals when the one constant is change.

Mr. Chairman I know the Committee is anxious to discuss the NCR. But it is also important that I provide some perspective about the entire Commonwealth because our activities mirror the focus in the NCR. Since the tragic attacks of September 11, 2001, the Commonwealth has been allocated more than 300 million dollars in federal funding. The funding has come in a variety of ways, direct earmarks, through federal grant programs and collaterally where we were the direct beneficiaries of federal agency preparedness initiatives. Every city and county in the Commonwealth has benefited. State government and the private sector have benefited. Every Virginia citizen and those who visited the Commonwealth have benefited. The benefit has come in the context of the whole. The sum capabilities of local, state and private sector readiness has improved. Mr. Chairman, without objection I would like to offer our latest spreadsheet of some of the major federal prevention and preparedness local funding allocations for Virginia for the record. I will caveat that the amounts change daily so I cannot guarantee its total accuracy.

Having talked about benefits it does not imply that every fire, law enforcement, emergency management, public health or the host of other local, state and private sector activities with critical responsibilities has been a direct beneficiary. The simple fact is that there will likely never be sufficient financial resources – federal, state, local or private – to address the full range of potential needs of each community, discipline or organization. Consequently, much of our effort during the past 2 ½ years has been dedicated to addressing the higher priority needs and establishing a preparedness focus that is "right sized" against the full range of other legitimate competing priorities ranging from gang violence, to health care to transportation. All that needs to be done cannot be accomplished overnight. We are focused on pro-actively managing the homeland security effort rather than reacting to it.

This is important. It mirrors the approach in Maryland and the District of Columbia and in other states and communities across America as well as our federal government. It represents a disciplined approach. This focus has required that we collectively undertake three key activities.

First we have spent a great deal of time simply "getting a handle" on the wide range of on-going prevention and preparedness initiatives and efforts, many that pre-dated 9/11, with the goal of leveraging, wherever possible, on-going or completed work. This ranges from DoD sponsored assessments of critical infrastructure in Tidewater and Northern Virginia begun prior to 2001 to assessing advancements in our Northern Virginia communities provided through federal funding following the September 11th attacks. It also includes the wide-ranging effort being placed on strengthening public health, hospital and private health care capabilities. Simply put it would be unwise to use limited financial resources to undertake efforts that may have already been completed or to duplicate other on-going activities. Also, it was and is critically important that we synchronize all efforts towards common goal.

Secondly we continue to focus on identifying the wide range of needs. Let me be clear, needs differ from wants. The understanding of the terrorism threat continues to

evolve. Through education the ability of local and state officials and our private sector partners to manage risk has dramatically improved. Homeland Security is not simply about terrorism. It represents our ability to prevent, respond to and recover from emergencies and disasters, including terrorism. Consequently as we manage the full range of risks facing Virginia we do so focused on identifying the level of risk we must reasonably accept. This management process allows us to prioritize those processes, systems and capabilities – human and equipment – that are needed to mitigate that risk we cannot accept. This drives us to identifying our needs.

Finally we are placing a premium on creating a sustainable approach to governance that is adaptable to future changes in risk and reinforces proven existing structures. Governor Warner said it very simply. Don't create a new bureaucracy. We work with and through others – existing structures and processes – to create and enterprise approach to prevention and preparedness. It requires us to reduce stovepipes and turf with the goal of creating an enterprise wide approach – vertically between the three levels of government and horizontally among all agencies of government and with the private sector and citizens. This is a culture change process and its success is dependent on how we "govern" this change.

As noted efforts in Virginia reflect the approach for governance across the NCR. The approach is to work with and through others. The most valuable lesson learned after 9/11 was in identifying where ultimate coordination needed to occur to achieve unity of effort. In the case of Virginia, Maryland and the District of Columbia the two Governor's and Mayor indicated it would be the Senior Policy Group. At the local level it became the appropriate role of the Chief Administrative Officials (CAO's). The creation of the Office of National Capital Region Coordination addressed the federal executive branch coordination needs with state and local efforts. Organizations including the Washington Metropolitan Council of Governments, the National Capital Region Emergency Preparedness Council, the Washington Board of Trade, WMATA, Northern Virginia Regional Commission and a host of others have "rounded out" the stakeholders needed to turn concepts into completions.

The forerunner of the NCR Senior Policy Group was created in the spring of 2002, in advance of Administration or Congressional action to create the Department of Homeland Security/ONCRC. The two Governors and Mayor recognized the coordination challenge and the critical roles of the two states and the District towards enhancing cooperation and coordination. Encouraged by both expanding White House commitment to address federal executive branch coordination issues and concurrent NCR Congressional delegation efforts to bring a more orderly approach to the plethora of federal funding requests across the region, the Governors and Mayor initiated the executive level coordination group. This group later became known as the Senior Policy Group.

The goal from the beginning has been to better coordinate and facilitate the integration of effort and not to create duplicative and competing organizational structures. During the past 2 ½ years we have been working across the stakeholder groups in the

NCR to gain a better understanding of efforts already underway, identifying needs to manage risk and crafting a solid approach that improves our ability to manage the effort over the longer term. I will be the first to admit we have not been error free along the way. Because the true regional approach in the context of preparedness represents a departure from the norm we had to create new structures for governance in the context of making as well as executing spending and program decisions. I would offer that much credit goes to our local partners who have invested time and energy to "walking the walk" in terms of regional cooperation. Along the way we have all adjusted our approaches to solve problems.

We remain steadfast in the commitment to find the right balance between speed and diligence. The foundation we are putting in-place to synchronize efforts must survive beyond short-term accomplishments. We are in various stages of addressing many of the readily identifiable issues. Improved preparedness across the entire NCR – public and private sector -- will require more than addressing these readily identifiable issues. It is a longer-term effort. As the national approach to homeland security matures so will the NCR's. Consequently, the combination of this maturity process and the increasing complexity of issues yet to be addressed requires that our structures to prioritize, manage and synchronize efforts are well developed.

This is not bureaucracy. It is simply good management. Leaders and citizens expect and deserve evidence that we are applying limited resources in a manner that does the most good. No doubt at some point in the not to distant future GAO, Congress or the media will be asking for the qualitative measures of progress. The governance structure is designed to make this happen.

You have asked what are the challenges. There are many but I would respectfully call the Committee's attention to the recent report of the Homeland Security Funding Task Force established by Secretary Ridge to look at systemic issues associated with the funding processes. Governor Warner worked with other state as well as local elected officials on the Task Force in a bi-partisan effort to assess concerns about whether funding was reaching intended recipients effectively. Mr. Chairman, without objection I would like to offer that recently released report for the record.

Simply put the real and perceived concerns expressed by many during the past year and reflected in the Task Force report replicate the governance challenges that we continue to face in the NCR. These include; 1) the necessity for forward thinking planning about future efforts concurrent with immediately addressing the higher priority prevention and preparedness issues with current grant awards, 2) using grants management cash management guidelines designed for ordinary program delivery to address needs during what is arguably a current and high threat environment 3) a clear need for better management of expectations across the full spectrum – local, state, federal and private sector officials as well as our citizens and 4) processes for measuring performance that is not simply based on the speed of moving funding.

Underscoring the findings were two major attributes that guided the work of the task force. First the goal was not to assign blame because frankly these were "enterprise wide problems that demanded an enterprise wise set of solutions". Secondly, that major adjustments in the funding processes at the time they were beginning to mature and when local, state and tribal officials were gaining expertise in their administration would be counter-productive. I would call your attention to the primary recommendation that Congress consider suspension of application of the Cash Management Act for FY 2005 for certain grant programs in an effort to further infuse energy into local, state and prevention and preparedness initiatives. This will help all of us, including the NCR.

As I noted earlier these and the other activities that are being discussed today are being done concurrent with initiation of work on the more readily identifiable and higher priority readiness activities. Much progress has been made. While I appreciate the work of the GAO in evaluating these efforts I believe their focus, and appropriately so, was limited to a small part of the grant process. It did not look at the broader operational, program and policy coordination issues that have permeated across the entire region. For instance, in preparing for today's testimony the SPG consulted so that we provided the Committee the broadest possible overview of initiatives without too much duplication or repetition.

Let me briefly comment about the Office of National Capital Region Coordination (ONCRC). I personally was not in favor of the office when initially proposed. That was a mistake on my part and I was wrong. Mr. Lockwood and his predecessor Mr. Byrne along with Mr. Wall who was the Acting Director have made phenomenal contributions to the NCR. While we continue to work with our local, District, Maryland and private sector partners to synchronize our efforts, the ONCRC has been effective at serving a similar critically needed coordination function within DHS and across the federal government. There is real synergy between everyone and the ONCRC continues to be a very effective partner in the overall efforts. This is truly a group effort.

The ONCRC, Senior Policy Group and the local Chief Administrative Officials have worked to maintain organizational discipline – building on proven relationships between levels and agencies of government and the private sector as well as successful processes for grant management and performance measurement. It has not been easy or error free. Creating a regional process in an environment where stakeholders typically measure performance by accomplishments of individual communities has required adjustments. This includes getting beyond the idea of measuring an individual jurisdictions success by how many dollars it has received. I think many of the challenges we continue to overcome reflect the fact that we are exploring new ground individually as a region and collectively as a nation.

Finally, the GAO report does not provide the full picture of the challenge – the critical importance of integrating private sector initiatives as part of the larger effort. There are significant policy issues that are being considered within the context of the private sector's role within the NCR. There are a number of issues to be resolved about

the commitment of public funds to address priority needs in the private sector. I am comfortable noting that much progress has been made on all fronts since 9/11. While much attention has been focused on public sector activities it has not been to the total exclusion of our private sector partners. Clearly it has not been at a level that all of us would have liked. Reality dictated that we prioritize and focus efforts. We have, however, reached a point in the maturity of our governance and program processes that we can place additional emphasis on better integration of private sector prevention and preparedness efforts during the coming year.

The acknowledgement by GAO of progress made thus far in increasing the preparedness of the National Capital Region is appreciated and we agree that we must continue to work towards improved prevention and preparedness through the development of standards, clear performance goals and the establishment of an improved method for tracking regional initiatives. Work must be done to ensure that the efforts of the ONCRC, SPG and the localities, which have given us a solid framework, are not lost in a mix of misunderstandings. We are looking forward working together to move forward and build upon our improved prevention preparedness efforts in the NCR. We appreciate the Committee on Government Reform and the GAO's continuing commitment to helping us improve the collective readiness of Virginia and the NCR.

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

HOMELAND SECURITY GRANT PROGRAMS

GRANTS → / [redacted] / Reference Guide Attached	****State Equip Grant 1999 - 2002 (1)	Assist to Firefighters 2000 - 2003 (2)	NLD OJP 2001 (3)	Direct Pass-Thru 2002 (4)	State Equip Grant - I 2003 (1)	State Equip Grant - II 2003 (1)	EMPG 2000- 2003 (5)	OJP COPS O/T 2003 (6)	Medical Reserve Corps 2003 (7)	HRSA (BTCDP) 2003 (8)	*MMRS (9)	National Fire Academy Edu/Train 2000 - (10)	***Port Sec Grant 2002 - 2004 (11)	**UASI 2003 - 2004 (12)	Total For Recipient	Per Capita
STATE AGENCIES																
Shenandoah University										309,579					***$309,579***	
Virginia Commonwealth University										1,535,597					***$1,535,597***	
Virginia Department Emergency Manageme	1,764,719				5,576,800	12,329,400	3,470,607								***$23,141,526***	
Virginia Department of Fire Programs												348,000			***$348,000***	
Virginia Capitol Police								44,972							***$44,972***	
Virginia State Police				13,900,000											***$13,900,000***	
Virginia Railway Express (VRE)														800,000		
VITA	280,000														***$280,000***	
Total All State Agencies	***$2,044,719***	***$0***	***$0***	***$13,900,000***	***$5,576,800***	***$12,329,400***	***$3,470,607***	***$44,972***	***$0***	***$1,845,176***	***$0***	***$348,000***	***$0***	***$800,000***	***$40,359,674***	
JURISDICTIONS																
Accomack County	126,919	218,083			44,158	129,251	26,312								***$544,723***	**$14.22**
Albemarle County	63,579				72,963	224,335	42,199		49,744						***$452,820***	**$5.38**
Alexandria City	184,439	44,072		8,000,000	100,586	315,519	116,781	183,678							***$8,945,075***	**$69.73**
Alleghany County	30,271	98,666			30,931	85,591	4,120								***$249,579***	**$14.50**
Amelia County	29,504				27,285	73,553	3,870								***$134,212***	**$11.77**
Amherst County	39,799				40,137	115,979	52,856								***$248,771***	**$7.80**
Appomattox County	30,662	168,400			28,730	78,325	6,821								***$312,938***	**$22.83**
Arlington County	118,943	7,650	280,000	16,000,000	138,948	442,150	95,648		50,000		880,000				***$18,013,339***	**$95.08**
Augusta County	56,737	287,024			61,285	185,787	12,761								***$603,594***	**$9.20**
Bath County	26,313				23,301	60,404	2,828								***$112,846***	**$22.35**
Bedford City	26,942				24,086	62,994	27,077								***$141,099***	**$22.40**
Bedford County	54,103	431,250			57,996	174,931	11,901								***$730,181***	**$12.09**
Bland County	27,229	73,581			24,444	64,178	3,127								***$192,559***	**$28.02**
Botetourt County	39,096	111,780			39,260	113,085	7,001								***$310,222***	**$10.17**
Bristol County	32,501	290,323			31,027	85,906	54,944	10,859							***$505,560***	**$29.11**
Brunswick County	33,030	374,697			31,686	88,084	5,021								***$532,518***	**$28.91**
Buchanan County	37,329	22,500			37,054	105,802	22,253								***$224,938***	**$8.34**
Buckingham County	31,625	29,160			29,933	82,296	15,453								***$188,467***	**$12.06**
Buena Vista City	26,967				24,117	63,097	3,041								***$117,222***	**$18.46**
Campbell County	49,435	228,780			52,168	155,693	10,377								***$496,453***	**$9.72**
Caroline County	34,889	125,929			34,008	95,747	26,854								***$317,427***	**$14.35**
Carroll County	38,468	195,784			38,476	110,495	21,862								***$405,085***	**$13.85**
Charles City County	27,257				24,479	64,292	43,531								***$159,559***	**$23.04**
Charlotte County	30,043	264,169			27,957	75,773	4,045								***$401,987***	**$32.23**
Charlottesville City	145,507	507,360			45,251	132,861	9,388								***$840,367***	**$20.96**
Chesapeake City	341,582	182,872	280,000		145,051	462,295	76,368		48,820		220,000		170,000		***$1,926,988***	**$9.67**

Definition of program:
See Attachment "A"
Governor's Work Papers

HOMELAND SECURITY GRANT PROGRAMS

GRANTS →	****State Equip Grant 1999 - 2002	Assist to Firefighters 2000 - 2003	NLD OJP 2001	Direct Pass-Thru 2002	State Equip Grant - I 2003	State Equip Grant - II 2003	EMPG 2000- 2003	OJP COPS O/T 2003	Medical Reserve Corps 2003	HRSA (BTCDP) 2003	*MMRS	National Fire Academy Edu/Train 2000 -	***Port Sec Grant 2002 - 2004	**UASI 2003 - 2004	Total For Recipient	Per Capita
Reference Guide Attached	(1)	(2)	(3)	(4)	(1)	(1)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)		
Chesterfield County	282,588	435,584			183,130	587,992	104,633				176,000				*$1,769,927*	$6.81
Clarke County	30,133				28,070	76,145	17,098								*$151,446*	$11.97
Colonial Heights City	32,265	121,500			30,732	84,933	4,771								*$274,201*	$16.23
Covington City	26,944	80,082			24,088	63,002	32,531								*$226,647*	$35.96
Craig County	26,335				23,328	60,493	2,835								*$112,991*	$22.19
Culpepper County	40,988	103,332			41,622	120,881	28,584	25,000	42,275						*$402,682*	$11.75
Cumberland County	28,307				25,790	68,620	3,479								*$126,196*	$14.00
Danville City	48,095	568,133			50,496	150,172	91,843								*$908,739*	$18.77
Dickenson County	32,013	86,400			30,417	83,894	18,472								*$251,196*	$15.32
Dinwiddie County	36,101	511,988			35,521	100,741	15,855								*$700,206*	$28.54
Emporia City	26,623				23,688	61,681	37,224								*$149,216*	$26.34
Essex County	28,795				26,400	70,632	73,074								*$198,901*	$19.91
Fairfax City	34,577	142,476		1,500,000	33,617	94,458	32,067		47,000		220,000				*$2,104,195*	$97.88
Fairfax County	810,899	180,220		12,000,000	628,301	2,057,481	256,883								*$15,933,784*	$16.43
Falls Church City	28,990			500,000	26,643	71,436	3,702								*$630,771*	$60.79
Fauquier County	151,475	19,179			54,715	164,100	11,043								*$400,512*	$7.26
Floyd County	30,747	181,080			28,836	78,675	4,275								*$323,613*	$23.33
Fluvanna County	33,848	52,576			32,707	91,454	5,288								*$215,873*	$10.77
Franklin City	27,970	267,345			25,369	67,231	69,164				220,000				*$677,079*	$81.13
Franklin County	47,530	36,000			49,790	147,843	117,633								*$398,796*	$8.43
Frederick County	53,519				57,267	172,525	11,710								*$295,021*	$4.98
Fredericksburg City	33,462				32,226	89,864	39,171		45,950						*$240,673*	$12.48
Galax City	27,212	41,306			24,423	64,107	3,121								*$160,169*	$23.43
Giles County	32,145	205,560			30,581	84,436	18,784								*$371,506*	$22.30
Gloucester County	41,248	31,500			41,947	121,954	47,711				220,000				*$504,360*	$14.50
Goochland County	32,248				30,711	84,863	49,992				176,000				*$373,814*	$22.17
Grayson County	32,778	175,346			31,372	87,045	4,938								*$331,479*	$19.64
Greene County	31,435				29,695	81,511	4,500								*$147,141*	$9.65
Greensville County	29,585				27,385	73,885	3,896								*$134,751*	$11.66
Halifax County	42,542	72,990			43,562	127,284	43,553								*$329,931*	$8.83
Hampton City	180,669	343,147			111,971	353,100	148,525				220,000				*$1,357,412*	$9.27
Hanover County	67,138	553,648			74,270	228,649	16,156				176,000				*$1,115,861*	$12.93
Harrisonburg City	44,105	388,597			45,514	133,729	8,637								*$620,582*	$15.34
Henrico County	185,214	171,959			184,633	592,954	90,377				176,000				*$1,401,137*	$5.34
Henry County	52,877	12,852			56,465	169,878	81,774	80,732							*$454,578*	$7.85
Highland County	25,052				21,726	55,204	2,416								*$104,398*	$41.17
Hopewell City	35,007	66,492			34,154	96,230	146,646								*$378,529*	$16.99
Isle of Wright County	38,711	14,642			38,779	111,495	19,877				220,000				*$443,504*	$14.92

Definition of program:
See Attachment "A"
Governor's Work Papers

HOMELAND SECURITY GRANT PROGRAMS

GRANTS →	****State Equip Grant 1999 - 2002	Assist to Firefighters 2000 - 2003	NLD OJP 2001	Direct Pass-Thru 2002	State Equip Grant - I 2003	State Equip Grant - II 2003	EMPG 2000- 2003	OJP COPS O/T 2003	Medical Reserve Corps 2003	HRSA (BTCDP) 2003	*MMRS	National Fire Academy Edu/Train 2000 -	***Port Sec Grant 2002 - 2004	**UASI 2003 - 2004	Total For Recipient	Per Capita
Reference Guide Attached	(1)	(2)	(3)	(4)	(1)	(1)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)		
James City County	172,939				50,302	149,532	124,612	36,173			220,000				*$753,558*	$15.67
King and Queen County	27,108	28,890			24,293	63,679	3,087								*$147,057*	$22.18
King George County	32,218				30,673	84,738	4,756								*$152,385*	$9.07
King William County	30,381				28,380	77,168	4,156								*$140,085*	$10.66
Lancaster County	29,588	86,406			27,389	73,899	3,897								*$221,179*	$19.12
Lee County	35,627	73,269			36,810	104,997	5,869								*$256,572*	$10.88
Lexington City	27,227	49,185			24,442	64,169	3,126								*$168,149*	$24.49
Loudoun County	108,970	549,814		4,300,000	126,497	401,049	87,825		50,000						*$5,624,155*	$33.16
Louisa County	36,651	14,706			36,207	103,005	66,401								*$256,970*	$10.03
Lunenburg County	30,381	176,625			28,380	77,168	4,156								*$316,710*	$24.09
Lynchburg City	56,563	258,854			61,068	185,070	56,649								*$618,204*	$9.47
Madison County	30,067				27,987	75,872	4,053								*$137,979*	$11.02
Manassas City	41,427	113,733		1,500,000	42,170	122,688	7,762								*$1,827,780*	$52.02
Manassas Park City	28,947	72,511		500,000	26,588	71,256	3,688								*$702,990*	$68.32
Martinsville City	31,521	71,244			29,803	81,867	4,528								*$218,963*	$14.20
Mathews County	28,403				25,909	69,014	3,510								*$126,836*	$13.78
Mecklenburg County	40,043	305,010			40,442	116,985	27,990		50,000						*$580,470*	$17.93
Middlesex County	28,767	2,300			26,364	70,514	3,629								*$131,574*	$13.25
Montgomery County	160,786	101,835			72,582	223,078	15,715								*$573,996*	$6.86
Nelson County	31,034	288,049			29,194	79,857	4,369								*$432,503*	$29.94
New Kent County	30,540				28,578	77,822	96,256								*$233,196*	$17.32
Newport News City	193,826	296,065	280,000		133,114	422,891	175,695				220,000				*$1,721,591*	$9.56
Norfolk City	462,745	400,959	280,000		167,138	535,203	217,611				220,000		693,760		*$2,977,416*	$12.70
Northampton County	114,255				28,346	77,058	4,147								*$223,806*	$17.09
Northumberland County	29,936				27,823	75,332	4,010								*$137,101*	$11.18
Norton City	25,739	63,159			22,584	58,036	2,640								*$172,158*	$44.10
Nottoway County	113,117	124,445			29,997	82,507	4,579								*$354,645*	$22.55
Orange County	36,778				36,366	103,531	6,244								*$182,919*	$7.07
Page County	35,420				34,670	97,934	5,801								*$173,825*	$7.50
Patrick County	33,526	170,643			32,306	90,129	5,183								*$331,787*	$17.10
Petersburg City	40,726				41,295	119,801	37,626								*$239,448*	$7.10
Pittsylvania County	54,793	339,458			58,858	177,775	75,924								*$706,808*	$11.45
Poquoson City	29,588	30,488			27,389	73,897	3,897								*$165,259*	$14.29
Portsmouth City	297,718				83,203	258,138	148,864				220,000				*$1,007,923*	$10.02
Powhatan County	35,018	26,529			34,169	96,277	17,838								*$209,831*	$9.38
Prince Edward County	33,683	203,848			32,502	90,777	41,071								*$401,881*	$20.38
Prince George County	40,378				40,860	118,366	84,654								*$284,258*	$8.58
Prince William County	164,835	353,612		4,300,000	196,243	631,279	74,074								*$5,720,043*	$20.37

Definition of program:
See Attachment "A"
Governor's Work Papers

HOMELAND SECURITY GRANT PROGRAMS

GRANTS → / [redacted]	****State Equip Grant 1999 - 2002	Assist to Firefighters 2000 - 2003	NLD OJP 2001	Direct Pass-Thru 2002	State Equip Grant - I 2003	State Equip Grant - II 2003	EMPG 2000- 2003	OJP COPS O/T 2003	Medical Reserve Corps 2003	HRSA (BTCDP) 2003	*MMRS	National Fire Academy Edu/Train 2000 -	***Port Sec Grant 2002 - 2004	**UASI 2003 - 2004	Total For Recipient	Per Capita
Reference Guide Attached	(1)	(2)	(3)	(4)	(1)	(1)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)		
Pulaski County	41,423	437,550			42,165	122,672	61,770								***$705,580***	**$20.09**
Radford City	31,744	245,225			30,081	82,784	4,601								***$394,435***	**$24.87**
Rappahannock County	27,285				24,515	64,410	3,145								***$119,355***	**$17.09**
Richmond City	224,022	334,495	280,000		144,177	459,409	34,438				176,000				***$1,652,541***	**$8.36**
Richmond County	28,203	66,510			25,660	68,190	3,445								***$192,008***	**$21.80**
Roanoke City	71,453				79,657	246,434	131,018		50,000						***$578,562***	**$6.10**
Roanoke County	166,643	1,116,100			73,930	227,527	39,587								***$1,623,787***	**$18.93**
Rockbridge County	34,230	46,982			33,185	93,029	5,413								***$212,839***	**$10.23**
Rockingham County	157,797	75,114			62,608	190,155	48,124								***$533,798***	**$7.88**
Russell County	39,002	444,001			39,142	112,696	25,264								***$660,105***	**$22.56**
Salem City	36,209	161,648			35,655	101,184	47,212								***$381,908***	**$15.43**
Scott County	35,533	109,618			34,812	98,401	48,885								***$327,249***	**$13.98**
Shenandoah County	41,396	582,603			42,132	122,564	82,361								***$871,056***	**$24.83**
Smyth County	40,395	356,580			40,882	118,436	17,922		50,000						***$624,215***	**$18.87**
Southampton County	32,559	236,844			31,099	86,144	4,867				220,000				***$611,513***	**$34.98**
Spotsylvania County	69,185	594,395			76,825	237,085	61,471								***$1,038,961***	**$11.49**
Stafford County	70,215	343,709			78,112	241,331	85,835	68,334							***$887,536***	**$9.60**
Staunton City	35,759	303,404			35,094	99,333	5,912								***$479,502***	**$20.10**
Suffolk City	55,764	279,454			60,069	181,775	44,782		50,000		220,000				***$891,844***	**$14.01**
Surry County	27,208				24,418	64,091	11,316				220,000				***$347,033***	**$50.82**
Sussex County	30,059	229,905			27,977	75,839	4,051								***$367,831***	**$29.42**
Tazewell County	46,180	520,899			48,104	142,278	29,704								***$787,165***	**$17.65**
Virginia Beach City	555,142	508,124	280,000		286,830	930,300	189,922		49,991		220,000		506,599		***$3,526,908***	**$8.29**
Warren County	39,643	166,500			39,943	115,337	7,180								***$368,603***	**$11.67**
Washington County	49,448	224,722			52,184	155,745	24,037								***$506,136***	**$9.90**
Waynesboro City	33,583	154,594			32,377	90,363	5,201								***$316,118***	**$16.19**
Westmoreland County	32,175	108,315			30,620	84,562	4,742								***$260,414***	**$15.58**
Williamsburg City	154,834	124,200			27,660	74,791	3,968				220,000				***$605,453***	**$50.46**
Winchester City	35,625	123,671			34,926	98,778	27,622								***$320,622***	**$13.59**
Wise County	43,932	169,763			45,298	133,014	8,580								***$400,587***	**$9.49**
Wythe County	37,641	542,874			37,444	107,088	44,868								***$769,915***	**$27.90**
York County	135,390				55,441	166,497	161,397	37,344			220,000				***$776,069***	**$13.79**
****UASI**																
1. NCR														89,792,353	***$89,792,353***	**$49.47**
2. Richmond - Urban														6,543,378	***$6,543,378***	**$7.95**
Total All Jurisdictions	***9,714,281***	***21,335,450***	***1,680,000***	***48,600,000***	***7,139,201***	***21,353,600***	***5,103,209***	***442,120***	***583,780***	***0***	***5,280,000***	***0***	***1,370,359***	***96,335,731***	***$218,937,731***	**$30.93**
																does not included UASI funds

Definition of program:
See Attachment "A"
Governor's Work Papers

HOMELAND SECURITY GRANT PROGRAMS

GRANTS →	****State Equip Grant 1999 - 2002	Assist to Firefighters 2000 - 2003	NLD OJP 2001	Direct Pass-Thru 2002	State Equip Grant - I 2003	State Equip Grant - II 2003	EMPG 2000- 2003	OJP COPS O/T 2003	Medical Reserve Corps 2003	HRSA (BTCDP) 2003	*MMRS	National Fire Academy Edu/Train 2000 -	***Port Sec Grant 2002 - 2004	**UASI 2003 - 2004	Total For Recipient	Per Capita
Reference Guide Attached	(1)	(2)	(3)	(4)	(1)	(1)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)		
AUTHORITIES/LEGAL																
Port of Richmond													284,500		***284,500***	
Virginia Port Authority																
1. Norfolk													8,383,540		***8,383,540***	
2. Newport News													80,000		***80,000***	
3. Front Royal													674,600		***674,600***	
4. Portsmouth													120,000		***120,000***	
Total All Auth/Legal	***$0***	***$0***	***$0***		***$0***	***$0***	***$0***	***$0***	***$0***	***$0***	***$0***	***$0***	***$9,542,640***	***$0***	***9,542,640***	
PRIVATE SECTOR																
Allied Terminals, Inc.																
1. Norfolk													43,700		***$43,700***	
2. Chesapeake													149,500		***$149,500***	
APM Terminals North America, Inc.													133,000		***$133,000***	
Atlantic Energy, Inc.													340,488		***$340,488***	
BASF Corporation													54,000		***$54,000***	
International Matex Tank Terminals													92,038		***$92,038***	
Mid Atlantic Terminals, LLC													414,320		***$414,320***	
Potomac Riverboat Company, LLC													159,823		***$159,823***	
Virginia Marine Resources Commission													335,000		***$335,000***	
Total All Private Sector	***$0***	***$0***	***$0***		***$0***	***$0***	***$0***	***$0***	***$0***	***$0***	***$0***	***$0***	***$1,721,869***	***$0***	***$1,721,869***	
STATE TOTAL	***$11,759,000***	***$21,335,450***	***$1,680,000***	***$62,500,000***	***$12,716,001***	***$33,683,000***	***$8,573,815***	***$487,092***	***$583,780***	***$1,845,176***	***$5,280,000***	***$348,000***	***$12,634,868***	***$97,135,731***	***$270,561,914***	

MMRS - divided total number of jurisdictions within each MMRS to obtain average

*** UASI - NCR - made up of the following jurisdictions: Alexandria; Arlington; Fairfax City; Fairfax County; Falls Church; Loudoun; Manassas; Manassas Park; Prince William. Richmond/Urban - made up of the following jurisdictions: Richmond City, Chesterfield, Hanover, Henrico, Goochland VRE - Virginia Railway Express*

****** Port Security Grants equal FY 2002 $5,902,730, FY 2003 $5,050,858 and FY 2004 $1,681,280 totaling $12,634,868***

******* Included in the Jurisdictions totals are the Competitive Grants both Individual and Cooperative (Competitive grants are divided by the number of jurisdictions involved to obtain awarded amount)***

Definition of program:
See Attachment "A"
Governor's Work Papers

Chairman TOM DAVIS. Thank you very much.

Ms. Childs-Pair.

Ms. CHILDS-PAIR. Good morning.

Thank you for this opportunity to testify before you today.

On behalf of Mayor Anthony Williams, I am here today to provide information to the committee on emergency preparedness in the National Capital Region.

At this time, I would like to introduce Mr. Robert Bobb, city administrator for the District of Columbia and the interim Deputy Mayor for public safety and justice. The responsibilities of the Deputy Mayor for Public Safety and Justice include supporting Mayor Williams in the continued guidance and development of homeland security strategy for the District of Columbia; working in partnership with senior Federal, State and local officials within the National Capital Region to guide regional planning and implement regional policy, oversight of spending related to special appropriations and Federal grants, supporting homeland security and the direction of emergency preparedness activities for the District of Columbia.

In order to provide more effective and cohesive oversight, the Federal Department of Homeland Security now requires that homeland security grants being awarded to States be funneled through a single State administrative agent. The Mayor of the District of Columbia has appointed the Deputy Mayor as the homeland security point of contact through which all grant moneys must be administered. Over the past 3 years, the Deputy Mayor's office has developed an innovative administrative structure and grant management process that strengthens and supports security preparedness in the Nation's Capital.

The following strategic priorities guided the Deputy Mayor's administration of the grant funds that came to the city, approved the District and region administration of grant funding for disaster response and recovery ability by developing and maintaining an understanding of integrated operational capability, developed in coordination with our Federal partners, volunteer organizations, universities and the private sector, assist all levels of the District and regional government first responders, volunteer groups, universities and the public in meeting the responsibility of public emergency and challenges through program management and coordination activities.

This will allow for a methodology for strategic planning and a justification for resource allotment, provide critical information to Congress, the public, the media and the emergency management community by maintaining strict spending and activity records and by building partnerships with and among Federal and regional entities, District agencies, other responder organizations and the private sector.

Shortly after September 11, Congress appropriated funds for emergency preparedness and homeland security, including $155,900,000 to various agencies of the District of Columbia for fiscal years 2002 and 2003. A special appropriations also was delineated among 12 Federal payment categories across 13 agencies, including the District's Emergency Management Agency, Fire and

Emergency Medical Service Department and the Metropolitan Police Department.

Our goals and priorities included the following: ensure the District of Columbia is prepared to respond to and recover from emergencies and incidents of all kinds, including natural disasters, manmade disasters and terrorist attacks; ensure that law enforcement organizations are working together to prevent terrorist attacks to the greatest extent possible; maintain an appropriate balance between security considerations and openness; empower citizens to be prepared for any emergency or disaster; and engage non-governmental, private sector and community organizations as full partners in the District's homeland security emergency preparedness programs.

Our priorities included: outfitting and training our first responders with the proper equipment and tools they need to fulfill their responsibilities effectively and safely; train key personnel in our District response plans for all hazards; conduct and participate in tabletop and field exercises; meet or exceed emergency management accreditation program standards for emergency, disaster management, and business continuity planning; become the first city in the Nation to be accredited; and to develop interoperability among the key Federal, State and District agencies in the Washington, D.C. Metropolitan Region for large scale incidents. Additionally, as approved by Congress, in Public Law 107–206, 2002 Supplemental Appropriations Act for further recovery from and response to terrorist attacks on the United States, 1 percent of the funds were separated into a fund for administrative costs.

In summary, I would like to add the following. While we have our tracking tools, we are spending the money as available and expediting as we can but since September 11, the District has not faced many challenges in obtaining Federal funding for emergency preparedness based on the allocation of the $156 million in appropriations. Even though the District has not faced challenges in obtaining funding, we are concerned with maintaining the levels of readiness in the future if the grant levels are decreased. The upkeep and renewal of equipment, revision of plans based on new threats and policies and training of personnel within the regions have a significant financial impact if to the localities without future grant funding.

Challenges associated with receiving funds include personnel to support new equipment, maintenance responsibilities and associated training. An additional challenge is the Federal funds require many agencies to use approved training courses. Training must be done through federally approved programs but the training courses that we offer do not fulfill the District's training needs regarding preparedness and response. The Washington, DC, metropolitan area is subject to many potential hazards, both natural and manmade as well as major special events which are specific to the National Capital Region. Protests against the war in Iraq, the World War II Memorial dedication and the funeral of Ronald Reagan are recent examples of events that affected the city. The District's support for all of these events has been improved because of the planning, communications, training exercises made possible with the Federal funds and the support from the Office of the National Cap-

ital Region Coordination and NCRC has created a forum for all entities to engage and communicate effectively through meetings and conference calls that have allowed these events to occur in a safe and responsible manner.

Thank you for this opportunity to testify here today and for your continued support.

[The prepared statement of Ms. Childs-Pair follows:]

COMMITTEE ON GOVERNMENT REFORM

UNITED STATES HOUSE OF REPRESENTATIVES

THE HONORABLE TOM DAVIS, CHAIRMAN

Testimony of

Barbara Childs-Pair
Acting Director

District of Columbia Emergency Management Agency

June 24, 2004

Good morning Chairman Davis and members of the Committee on Government Reform. Thank you for this opportunity to testify before you today. I am Barbara Childs-Pair, Acting Director of the District of Columbia Emergency Management Agency. On behalf of Mayor Anthony A. Williams, I am here today to provide the committee information on emergency preparedness in the National Capital Region.

At this time, it is my honor to introduce Robert Bobb, City Administrator for the District of Columbia and interim Deputy Mayor for Public Safety and Justice (DMPSJ).

The responsibilities of the Deputy Mayor for Public Safety and Justice include:

- Supporting Mayor Williams in the continued guidance and development of homeland security strategy for the District of Columbia
- Working in partnership with senior federal, state and local officials within the National Capital Region to guide regional planning and implement regional policy
- Oversight of spending related to special appropriations and federal grants supporting homeland security, and
- Direction of emergency preparedness activities for the District of Columbia

In order to provide for more effective and cohesive oversight the Federal Department of Homeland Security (DHS) now requires that DHS grants being awarded to states be funneled through a single State Administrative Agent (SAA). The Mayor of the District of Columbia has appointed the DMPSJ as the Homeland Security point of contact through which all grant monies must be administered. Over the past three years, the Office of the DMPSJ has developed an innovative administrative structure and grants management process that strengthens and supports security and preparedness in the nation's capital.

The following strategic priorities guide the DMPSJ's administration of grant funds:

- Improve the District's and the Region's administration of grant funding for disaster response and recovery capabilities by developing and maintaining an

understanding of integrated operational capability developed in coordination with our Federal partners, volunteer organizations, universities, and the private sector.

- Assist all levels of District and Regional government, first responders, volunteer groups, universities, and the public in meeting the responsibilities of public emergencies and challenges, through program management and coordination activities.
- Use baseline program evaluation strategies to identify emergency preparedness areas in need of improvement. This will allow for a methodology for strategic planning and the justification of resource allotment.
- Provide critical information to Congress, the public, the media, and the emergency management community by maintaining strict spending and activity records and by building partnerships with and among Federal and Regional entities, District agencies, other responder organizations, and the private sector.

Shortly after September 11, 2001, Congress appropriated funds for emergency preparedness and homeland security, including $155,900,000 to various mayoral agencies of the District of Columbia for Fiscal Years 2002 and 2003. The special appropriation also was delineated among 12 Federal Payment (FP) Categories across 13 District agencies including;

- District of Columbia Emergency Management Agency (DCEMA);
- Fire and Emergency Medical Services Department (Fire & EMS);
- Metropolitan Police Department (MPD);

The following goals and priorities assisted the District in directing emergency preparedness funds:

Goals

- Ensure the District of Columbia is prepared to respond to and recover from emergencies and incidents of all kinds, including natural disasters, manmade disasters, and terrorist attacks;

- Ensure law enforcement organizations are working together to prevent terrorist attacks to the greatest extent possible;
- Maintain an appropriate balance between security considerations and openness.
- Empower citizens to be prepared for any emergency or disaster; and
- Engage non-governmental, private sector, and community organizations as full partners in the District's Homeland Security and Emergency Preparedness program.

Priorities

- Outfit and train first responders with the proper equipment and tools they need to fulfill their responsibilities effectively and safely;
- Train key personnel from the Emergency Support Function lead and support agencies on effective coordination and the use of the District Response Plan for all hazards;
- Conduct and participate in tabletop and field exercises to ensure that all agencies know their roles and responsibilities under the District Response Plan;
- Meet or exceed the Emergency Management Accreditation Program Standards for Emergency/Disaster Management and Business Continuity Planning, becoming the first city in the nation to be accredited; and
- Develop interoperability among the key federal, state, and District agencies in the Washington, DC metropolitan region for large-scale incidents.

Congress also appropriated $39,100,000 directly to the Washington Metropolitan Area Transit Authority (WMATA) to meet region-wide security requirements and $5,000,000 to the Metropolitan Washington Council of Governments (MWCOG) to enhance regional emergency preparedness. DMPSJ does not provide oversight for these organizations. DCEMA received $12,652,000 in 2002 through PL 107-96 for planning, training, and personnel costs required for the development and implementation of the emergency operations plan for the District of Columbia.

As approved by Congress subsequently in PL 107-206, the 2002 *Supplemental Appropriations Act for Further Recovery From and Response to Terrorist Attacks on the United States,* one percent of the funds were segregated into a fund for administrative

costs. This administrative cost fund supported items such as the development, maintenance, and upkeep of the tracking tool and the creation of the Government Preparedness Office within the District's Office of Contracting and Procurement (OCP), which was designed specifically to coordinate and assist in expediting the emergency preparedness procurement process.

Other Emergency Preparedness Grants

In addition to Public Laws 107-117 and 107-96, many District agencies received federal funding from other sources in the months after September 11, 2001. Some of the grants included were:

- Citizens Corps
- Bioterrorism Hospital Preparedness Program
- Terrorism Related Disaster Relief Grant
- Assistance to Firefighters Grant

Local Funding

The District of Columbia also contributed to emergency preparedness/homeland defense with locally appropriated funds. Two examples of the District's use of local funds include approximately $1,500,000 to create a dedicated hazardous materials unit and $72,000,000 to fund a Unified Communications Center (UCC) to consolidate the various emergency responder call centers.

Federal Funding

The District of Columbia has received a total of $17,916,000 in federal grant funding under the State Homeland Security Grant Program (SHSGP) from the Department of Homeland Security for fiscal year 2003. These funds are being used to further enhance the capabilities and preparedness of our first responders to respond to acts of terrorism. Funds distribution to DC agencies included:

- Metropolitan Police Department: $5,512,092
- Fire and Emergency Medical Services: $4,253,312

- Emergency Management Agency: $2,430,850
- DC Public Schools: $2,000,000

For fiscal year 2004, DHS has allocated $19,248,000 to the District under the SHSGP, Law Enforcement Terrorism Prevention Program (LETPP), and Citizen Corps Program (CCP).

The Deputy Mayor for Public Safety and Justice oversees the expenditure of the District's emergency preparedness appropriations and grants. DMPSJ has developed a centralized emergency preparedness procurement process to ensure proper accountability with dedicated supporting personnel in the DC Office of Budget and Planning (OBP) and the DC Office of Contracting and Procurement (OCP). The Deputy Mayor's role in reviewing procurement requests was to ensure that funds were obligated for projects that fell within the guidelines of the appropriation and were aligned programmatically with agency spending plans and needs.

OBP coordinated all centralized financial monitoring and reporting, including Congressionally mandated reporting requirements. Additionally, OBP notified key District stakeholders on agency expenditure status, thereby assisting in the identification of un-obligated funds. Within OCP, emergency preparedness procurements were filtered through the Government Preparedness Office, which focused exclusively on these purchases, enabling the staff to develop a procurement area of expertise. This staff was responsible for ensuring that all procurements complied with relevant laws and regulations in substance and process, that dollars were maximized in bulk purchasing, and that there was consistency in the types of goods procured.

A system to track purchase requests and expenditures across the 12 Federal Payment categories was needed to fully account for emergency preparedness funds
A tracking tool was created for this purpose. Initially, our tracking was done manually, but it has since evolved into an electronic system. Over the life of the funding, the database updates are based on periodic feedback from the District's System of

Accounting and Reporting (SOAR), agency budget and finance specialists, and the Government Preparedness Office.

Since September 11, the District has not faced many challenges in obtaining federal funding for emergency preparedness based on the allocation of the $156 million appropriation and the Federal grant funding that has been received under the State SHSGP and Urban Area Security Initiative (UASI). Even though the District has not faced challenges in obtaining funding, we are concerned with maintaining this level of readiness in the future if grant funding levels decrease. Upkeep and renewal of equipment, revision of plans based on new threats and policies, and training of personnel have a significant financial impact if left to the locality without future grant funding.

Challenges associated with receiving these funds include personnel to support new equipment, maintenance responsibilities and associated training. An additional challenge is that federal funds require many agencies to use approved training courses. Training must be done through federally approved programs but the training courses that are offered do not fulfill the District's training needs regarding preparedness and response.

The Washington, DC metropolitan area is subject to many potential hazards, both natural and manmade as well as special events, which are specific to the NCR. Protests against the war in Iraq, World War II Memorial Dedication, and the funeral of President Reagan are recent examples of events that affected the city. The District's support for all these events have been improved because of the planning, communication, training and exercises made possible with federal funds and support from the Office for National Capital Region Coordination (ONCRC). The ONCRC has created a forum for all entities to engage and communicate effectively through meetings and conference calls that have allowed for these events to occur in a safe and responsible manner.

Thank you for the opportunity to testify here today and for your continued support.

Chairman TOM DAVIS. Thank you all very much. I will start the questioning.

Mr. Lockwood, Department of Homeland Security left this position open for several months. Much of what we have talked about today is the setting of priorities, placing available resources against those priorities. No one can be successful in this job if they don't have enough visibility and resources within DHS to fulfill that mission. The fact that they left this open so long and so on, do you think you have needed clout there or do you think we need to write some law? What do you think? For you to be successful, you have to be able to have clout within the agency. The fact they left this open for so long, I think leaves a lot of us in doubt in terms of what is the commitment of the administration.

Mr. LOCKWOOD. I would like to think they left it open so long that they could pick the good person for this job. Let me just say, Secretary Ridge is very much interested in the National Capital Region. He works here, he is here, his senior staff is here. This is something very important to DHS. I have talked to Secretary Ridge on several occasions as well as the senior staff. This is something everyone is very clear on what this position is.

Coming back to where Michael Byrne was, I am standing on the shoulders of the giants that come before me. Mike set an atmosphere of cooperation and of coordination. This is a job that you can't be successful at unless you work through and with other people, through local government, through State government, through the Federal Government.

Do I have the visibility in the organization? Absolutely. Do I have the support? Right now with great team mates like we have at the table here and behind us, absolutely.

Chairman TOM DAVIS. We want to hear from you if you don't think you are getting it because I think this is critical for the safety of the government and for the millions of residents who live here, which leads me to my second question.

We had a disaster in March 2003 with the Tractor Man who got sentenced to 6 years yesterday, which is I think a fitting ending to the chaos that he caused in the region. This was before Mr. Byrne appeared on the scene to coordinate this. This is just my opinion. This was one of the most badly coordinated efforts I have ever seen, one person driving a tractor holding up the regional traffic for three separate rush hours. You talk about peoples' safety, ambulances couldn't get through for heart attack victims, if somebody was injured, police couldn't get through. It was complete gridlock and that was all because they were concerned about one guy driving a tractor and not wanting to injure this person. It was a disaster.

If something like that occurs again, are you willing to step in and weigh all the different considerations for the safety of the public but also the traffic flow and the fact the Government needs to continue operating, that one person shouldn't be able to shut down the Federal Government for a day and a half? That is a prejudiced question but I feel strongly about that. So do a lot of my constituents.

Mr. LOCKWOOD. Today is day 30 on the job. In day 30, we have gone through the World War II planning event, we have gone

through the Reagan funeral, we have gone through a senior leadership seminar. Will incidents occur in this city? They occur every day. We have a great team behind us within local government, within State government to manage those. We have been actively working the protocols and the procedures to better integrate, better form incident management and unified command.

Is there work to be done? Absolutely, and that is part of the plan working with local and State partners.

Chairman TOM DAVIS. And everything went well, I think, in a general sense through the opening of the World War II Memorial and the funeral but we have had numerous incidents since I have been involved in politics where one person is on a bridge and having a bad day and stops East Coast traffic for hours, where we really haven't had a good response that looks at the good of the overall region. It focuses on that person. We need a global focus on this to understand what makes this city work, understand there are tens of thousands if not hundreds of thousands of people affected by one person.

As you take this job, we want you to keep that in mind. Holding up the traffic for 6 hours and talking somebody off a bridge is not necessarily successful, in my opinion. That is my own opinion. It may be the minority opinion up here, I don't know, but they finally shot the guy down with a beanbag, I think in one incident and didn't charge him.

If we allow one person to do that, it just empowers the next person. Nothing is going to happen to me, nothing is going to happen to me. This is the seat of government, we have a responsibility to keep it going and keep traffic moving. I just think for the average person, that is what they are concerned about. That is where they need to see coordination. Obviously we all fear a major disaster and how we would respond to that and that is important as well, but I think you are more likely to have these traffic terrorists or something, having a bad day and want to take it out on the region. I think they need to be dealt with quickly and effectively. My question is, I guess, are you prepared to do that?

Mr. LOCKWOOD. Yes, sir, I am prepared. When we worked together for the Reagan event, we had a series of teleconferences, Federal, State and local, to make sure we were well coordinated.

Chairman TOM DAVIS. I will just tell you if it doesn't work out, just be thinking every minute that you are going to be up here before the committee explaining why you are doing everything. Monday morning is always a little different than Sunday afternoon on the field.

Ms. Norton.

Ms. NORTON. Thank you very much, Mr. Chairman.

I am trying to figure out in a real sense how you figure into unexpected disasters because that is the whole reason for our preparedness. I want to take as an example another traffic example. The chairman took the example that exasperated the region. I want to take one that scared the you know what in everybody and the Congress—thank you, sir—bejesus, I am told. I am talking about the day we were all chased out of the Capitol. I know we were chased out of the Rayburn and I have come to think when you hear these bells go off, well, you know, I will go because I am sup-

posed to go but once again, they are testing. It was when they began to talk on the loud speaker that I said, well, I guess I am going and then we all start—and they told us to run, not walk and we did what they said and it turned out to be nothing. Let me tell you what we know and I want to figure out where you fit into this because this is really what we are interested in. We know you weren't the controller, we are trying to figure out what role you play in light of the unexpected.

First of all, it wasn't Kentucky's fault. It turns out to have been the fault at our end because Kentucky apparently alerted the FAA. Apparently within the time period he took off at 3:45 p.m., and they didn't realize their error until 4:34 p.m. and that was, according to this report, 3 minutes after the Capitol evacuation was ordered and that the aircraft was 11 miles or 3 minutes away.

Who should have been coordinating apparently was the National Capital Regional Coordination Center, whatever that is. The FAA air coordinator apparently did not notify this center. I am on the Aviation Subcommittee and they are looking at it. I am on Homeland Security and we are looking at it, so I know kind of where those folks fit in and maybe you shouldn't fit in but my question is, when something like that happens, are you even in the loop? If so, what is your role and what do you do, and what did you do on that day when that happened?

Mr. LOCKWOOD. On that day after that happened, that evening we went through the initial lessons learned to understand what the events were.

Ms. NORTON. You misunderstand my question. First, are you in the loop? Did you know about it? Did you have any role to play or is there no role? I am prepared to accept the notion that if it is an airplane or something, maybe you have some role or maybe no role but my question is, does the coordinator for this region have any role when the highly unexpected happens and no one knows—by the way, that was one of the days of the Reagan funeral, I might add, when you were all supposed to be on very special alert. My question is, what was your role, when were you notified, and what did you do at that time, not what was your debriefing role, what did you do at that time?

Mr. LOCKWOOD. During the events of the Reagan funeral, there were various operations centers around the region that were up and operating. One of the roles I had that day was walking through each of the operations center to have an understanding of how they work and how they interact with each other. I was there through the discussion of what occurred.

Am I a part of the discussion? Yes, I was present as this was unfolding. Yes, I was present at the debriefing and yes, I have been present within the lessons learned and the integration processes to not only understand the root cause of the problem but to correct that root cause and other related issues. I understand TSA is the lead for that effort right now.

Mr. FORESMAN. Ms. Norton, would you allow me to offer a perspective as well?

Ms. NORTON. Yes.

Mr. FORESMAN. First, I wouldn't note that the evacuation of the Capitol was in fact a failure. The fact that the notification process

worked, that there was an unidentified aircraft taken into account, that there were some problems on the front end in terms of it.

Ms. NORTON. The cops up here did what they were supposed to do. We are quite aware of that.

Mr. FORESMAN. Absolutely, but I would point out, I think what is important to understand for all of us is to recognize there are existing structures and processes and the Office of National Capital Region Coordination is designed to be a facilitator of programmatic coordination activities on a day to day basis but when operational events occur, those crisis operational structures are there and are in place, they have been there prior to the establishment of this office and it is really about not creating new structures but making sure the other ones work.

Tom serves a critical role in making sure that all of the apparatus that are in that decisionmaking, operational structure, if there is a problem to help deconflict it, particularly on the Federal side and has been extremely valuable both he and his predecessor and when Ken Maul was the acting director.

The one thing I would offer is this is bigger than one person in one office. Part of what we are doing is making sure we work with our local officials, our State agencies and our Federal agencies not to create new structures that people need to learn about but to go through the existing structure.

I would just offer from a Virginia perspective, we don't see Tom as being the belly button for an operational activity, but if there is a problem, he is my first call.

Ms. NORTON. Mr. Chairman, I know my time is up but that is an important intervention and we fully understand he is not operational. That is why my question was, is he in the loop and let me tell you why that is my question. Precisely because he has a view, or should have, a view of this region that nobody else has precisely because of his coordination role, not that he has an operational role, it is that among the people who should be "in the loop," he ought to be one of them because he may know something. What in the world does the FAA know about us in particular, what do they know about interoperability, for example, here in particular? So if the Coordinator has knowledge that others don't have, at least if they need to know that, he should be in the loop so that he is available to tell them what they don't know.

Thank you, Mr. Chairman.

Mr. SCHROCK [presiding]. Thank you, Ms. Norton.

Thank you all for being here. Your testimony is interesting and I am really listening carefully to this. I guess I never realized the Commonwealth of Virginia thought Mr. Lockwood was a bellybutton but that is a new one for the books.

The chairman commented on "Tractor Man" here a year ago March and the havoc he created and I just wonder at what point do we put a stop to that stuff and 1 hour after Tractor Man II comes along, we go in there and take him out. My military mind tells me we have to do that because if you have 10 tractor mans all around this area, you could literally paralyze this area for days and days. My solution to that would have been to send five members of a special operations force in there and you get rid of the guy, get him out of there. We cannot allow this to happen but the

problem is, if they do that and the police shoot him, it is police brutality. I am really getting kind of tired of that. I think that is what we have police and law enforcement officials for, to do that, and the media be damned when it comes to that kind of stuff. We have to take stronger action.

Of all the things that were said, Ms. Childs-Pair, one of the last things you said was will funding continue to be there. I worry about that too because as far as I am concerned, the first responders not only in the Capital Region but around America are doing a magnificent job working together. They are in the Hampton Roads area I represent and when bad things don't happen, Americans think, OK, we are safe again. We are real impatient. We think 5 minutes after something is supposedly corrected, we go on to the next issue and do we start cutting funding.

I will use two examples. When everybody thought the world was at peace, defense spending was cut. Nothing could have been further from the truth. We had a lively debate on the floor yesterday about intelligence spending. Everybody thought after the cold war was over, we didn't need to put money into intelligence and we cut it. Are we going to do the same thing here? I don't think we can afford to do that and frankly, the people who sit on this side of the room have to make sure that never happens again. That was a very good question and I think that is something we need to address.

I hate to say it but in the Hampton Roads area, gridlock is starting to get real nasty down there as well, so I am watching what happens up here to see what is going to hit us in about 5 years. We are all too familiar with gridlock on the roads even in the best times during twice daily rush hours. In the event of an attack, in which case we can add chaos and panic to the evacuation equation, would any of you state we are any better off today than we were on September 11 and if so, please support that answer and if not, why not and what then do we have to show for the money we have spent and how soon if we are not getting results, can we expect results?

Mr. FORESMAN. I would like to start because I was here on September 11. Actually, I was in Montana but got back here on September 12. Yes, we are much better, we are phenomenally better. I want to point to September 11. The men and women, local, State, Federal, who responded to the Pentagon from all across this region did their jobs with exceptional coordination and diligence. In fact, it was a very effective response. The perception we have across this region that it was an ineffective response was because we did have gridlock and that is a reality. We had well intentioned decisions made within the Federal family for release of the Federal work force that were not appropriately coordinated with State and local authorities.

Just 30 days ago, when we talked about the whole issue of the Reagan funeral, when we talked abut the World War II dedication and all those Federal decisionmakers were on the phone with the State decisionmakers, and the local chief administrative official saying do we open or close State government, do we open or close the Federal Government, what are we going to do with local gov-

ernment? So from that standpoint if it were to happen today, I think we are phenomenally better prepared.

Second, I would like to point out you talked about "Tractor Man" and I think that is a phenomenally great example. There are two types of decisions. There are tactical decisions and there are strategic decisions. In our public safety community, we have great experience with making tactical decisions. We have done it for years, you understand it with your military background, but we have engaged in an error where chief administrative officials, chief elected officials at the local and State level have to make strategic decisions on top of tactical decisions and balance the economic and societal consequences of decisions about whether you do or don't go in and subdue a suspect, and balance those against all of that.

Mr. Lockwood mentioned the fact that we did a senior leaders exercise and the effort is designed to make sure that at the tactical level, fire, EMS, law enforcement, and emergency management can make those tactical decisions but at a strategic level, those governance issues that the chief appointed or chief elected officials at the various levels of government are engaged in that process. I think we are doing a phenomenally better job around the region.

The discussion we had last week was not about where do we place the command post, it was about what is the societal implication of closing or not closing government in the aftermath of attack.

Mr. SCHROCK. George, the problem is the poor law enforcement people are damned if they do and they can't win. If they had gone in and taken out "Tractor Man" and 1 day, oh, that is a horrible thing but look what he did. He was perfectly harmless, we understand that, but at some point we have to say enough is enough, we won't do that anymore and let the chips fall where they may. I think the bulk of the American public would respect that. The media can harp on the thing as much as they want but at some point, we have to put a stop to this kind of stuff because as I said, a dozen tractor mans in this area, Virginia, Maryland and D.C. and we would be shut down completely.

Mr. FORESMAN. Congressman, if I might briefly follow on to that, I think that is a prime example where if a tactical decision is made not to do something or to do something, then we need to make sure at the strategic level, at chief executive levels, that they concur or don't concur with it because it is not only an operational decision, it is a political decision when you are talking about national security.

Mr. SCHROCK. Thank you.

Mr. Van Hollen.

Mr. VAN HOLLEN. Thank you very much, Mr. Chairman, and thank all of you for your testimony.

I was just reviewing some of the testimony from the previous hearing we had on this issue of defending the capital region and I understand there has been a great spirit of team work and desire and intention to collaborate. I think the question the GAO report raises is a gap between good intentions and implementation and follow through.

In that regard, Mr. Jenkins, I understand from your report that you looked at the moneys that have been channeled toward the Capital Region over the last 2 years. As I read your conclusions,

you say the Coordination Office, the Department of Homeland Security has spent most of their efforts in determining how to use the $60.5 million for the urban area security initiative funds, is that right?

Mr. JENKINS. That is correct.

Mr. VAN HOLLEN. I saw your breakdown of how those have been spent. Have you had any opportunity to analyze the effectiveness of the allocation of those moneys? Do you think those moneys are being well spent for the purposes?

Mr. JENKINS. We didn't really have an opportunity. We got some basic summary of what those moneys were for and why in the form of a table. One of the things we wanted to get that we didn't get that would have been helpful to us was the feedback they gave to local jurisdictions about their plans because the $65 million, decisions on that was based on analysis of the plans that local governments sent to the Office of Domestic Preparedness but we never saw what those assessments were, so that made it very difficult for us to determine how this process worked.

It certainly is true, and I think it is laudable that what they tried to do was look at it on a regionwide basis and tried to look at both private sector, public and State but we didn't have the information to really assess whether this was a good plan or a so-so plan.

Mr. SCHROCK. Did you ask for that information?

Mr. JENKINS. We did ask for that information.

Mr. SCHROCK. We can followup on that.

Mr. VAN HOLLEN. Have you had any opportunity to analyze the effectiveness of the allocation of those moneys? Do you think those moneys are being well spent for the purposes?

Mr. JENKINS. We didn't really have an opportunity. We got some basic summary of what those moneys were for and why they were for in the form of a table. One of the things we wanted to get that we didn't get that would have been helpful to us was the feedback they gave to local jurisdictions about their plans because the $65 million decision was based on an analysis of the plans that local governments had sent to the Office of Domestic Preparedness but we never saw what those assessments were so that made it very difficult for us to determine how this process worked.

It certainly is true and I think what they tried to do is laudable in looking at it for a regionwide basis and tried to look at both private sector, public and State but we didn't have the information to really assess whether this was a good plan or a so-so plan.

Mr. VAN HOLLEN. Did you ask for that information?

Mr. JENKINS. We did ask for that information.

Mr. VAN HOLLEN. We can followup on that later.

That $60.5 million, who has control of that money?

Mr. JENKINS. The District is actually the administrative officer for that money, the District of Columbia, but actually is money that has been appropriated to the region and it is the senior policy group that has been determining how to do that. They made a decision, Mike Byrne and the Senior Policy Group, made a specific decision to use that money solely for purposes that had regionwide benefit, not specific local jurisdiction benefit.

Mr. VAN HOLLEN. So for example, now Mr. Lockwood would have direct influence over where those moneys were spent?

Mr. JENKINS. Right.

Mr. VAN HOLLEN. Can they be released without your approval, Mr. Lockwood?

Mr. LOCKWOOD. Part of the structure that we have changed is it is not just a State only process anymore. This is in collaboration with the county administrative officers, with the city administrative officer working through the CAOs. The CAOs fundamentally define those things that need to be done. My role is to make sure that we solicit, facilitate, coordinate between the region for the resources. What we decided was it was more efficient to commit all these resources to the region than to break it up and divide it three ways. That doesn't enhance the safety.

What we then said was, instead of breaking up the management of this, the District of Columbia stood up and said we are willing to take on this additional responsibility, not necessarily for additional resources or additional glory because they definitely take the burden of trying to do the administrative execution of this money.

We are actively walking through the execution of these dollars at this point. Roughly 37 percent of those dollars are going for personal protective equipment. Those purchase requests are now moving at this point.

Mr. VAN HOLLEN. Can that money be released without your OK?

Mr. LOCKWOOD. I believe it can be released without my OK. I believe this is coordinated through the State administrative agent.

Mr. FORESMAN. The way Congress designed the program, it flows through the State administrative agent, in this case, the District of Columbia, but it is really dependent on the representatives, the Mayor and the two Governors and the chief administrative officials to determine it but we seek to achieve unanimous consensus on these decisions. We will not always achieve unanimous consensus on these decisions. We will not always achieve unanimous consensus but Tom is not the bellybutton for turning the dollars on or off.

Mr. VAN HOLLEN. All right. Let me get to the other part of the question.

We talked about the $60.5 million, that leaves about $280 million according to the GAO report that has been allocated in the last couple years. Your first recommendation is to work with NCR jurisdictions to develop a coordinated strategic plan to establish goals and priorities for enhancing first responder capacities that can be used to guide the use of Federal emergency preparedness funds which is what I thought was being done.

I see my time is running out but if you could tell me, have you seen a document that shows of those $280 million, where they are being spent, where they are in the pipeline with respect to all the jurisdictions because that would be very helpful just to get at least a rough handle on where these moneys are going and whether they are being coordinated. Have you seen such a document and if you haven't, do you know whether one is being prepared?

Mr. JENKINS. Let me put it this way, we never were able to identify one. We put humpty dumpty together from a variety of sources and it wasn't easy to get that information.

Mr. VAN HOLLEN. At least going forward, it seems to me that should be the job of Mr. Lockwood's office. GAO shouldn't be having to pull this all together, it should be there. Would you agree?

Mr. LOCKWOOD. That is one of the initiatives of DHS in general and will be executed in the region.

Mr. HOLLEN. We look forward to getting something like that. Thank you very much.

Mr. SCHROCK. Ambassador Watson.

Ms. WATSON. Thank you, Mr. Chairman.

I would like to dovetail on those questions that were addressed to you previously. Is there an evaluation component? Do you see a trial run of the coordination of emergency services so that you could report back as to how effective they were or what is needed? Is there anything like that being developed?

Mr. JENKINS. Are you asking me?

Ms. WATSON. Yes.

Mr. JENKINS. That is one of the principal purposes of the exercises, to be able to test what you think you can do, what your capabilities are, so in that sense they are useful. We haven't seen any analysis of exercises.

Ms. WATSON. Is that something you will require? How do we know if what we have developed is really going to work if there isn't some feedback to the coordinated effort. We can't require anything.

Mr. JENKINS. Ask Mr. Foresman or Mr. Lockwood. We can require nothing.

Mr. FORESMAN. Congresswoman, one of the things we are required to do as a requirement of those grants is to conduct exercises. One of the base things you do when you conduct the exercise is evaluate the exercise. We have a regional exercise scheduled that goes out I believe 12 or 18 months at this point.

Ms. WATSON. That is my question.

Mr. FORESMAN. We will be testing and exercising ourselves on a regular basis. I would be happy to say that come the fall, it would probably be good to come back here and tell you how the exercises are going and we will have a spreadsheet for you that shows you where all the dollars are in the pipeline.

Ms. WATSON. That is what I am asking, that we do get some feedback so we can monitor and can see where we need to make recommendations for adequate funding so the system does work.

Mr. Chairman, I would hope that we would hold another hearing in the fall so that we could gather this information and be on top of how effective and if we are supplying you with enough resources.

Chairman TOM DAVIS [presiding]. I hope it is under those circumstances and not other circumstances.

Ms. WATSON. I do also.

Thank you.

Chairman TOM DAVIS. Mr. Moran.

Mr. MORAN OF VIRGINIA. First of all, some basic questions I want to ask Mr. Lockwood. It is my understanding that the Office of the National Capital Region has yet to spend its fiscal year 2003 grant money, has yet to obligate its fiscal 2004 money and has not even begun planning for how it intends to allocate funds for fiscal year 2005 even though the House has determined the amount of money

that will be available for 2005, so basically 3 years in arrears in terms of expenditure planning.

I would like to get a fuller explanation of why the hold up and if we can get a timetable for the expenditure of that money?

Mr. LOCKWOOD. As we started this program of urban area security initiative which the majority of the report focused on, to develop a collaborative process, to get the region as a whole to start defining what their priorities were for the spending of that money did take some time. After we have come to agreement with those, those task orders right now, those contract orders are being placed through the District of Columbia. So the money for fiscal year 2003 is being allocated as we speak. That is being allocated to the plan that was agreed to, prioritized by the region.

In the opening weeks of July, the county administrative officer, the city administrative officer, and the SPG will be getting together to talk about their fiscal year 2004 planning efforts and overall strategic planning and priorities for the area. Part of the feedback that I intend to provide that group is some of the real life exercise experience that we have had through the last two events as well as the senior leadership seminar that we had last week so that they might better prioritize investments for fiscal year 2004 and the recommendations for fiscal year 2005.

Mr. MORAN OF VIRGINIA. I don't think if you were up here you would find that response satisfactory but I am not going to take issue with you. It just seems to me that this is not a perfunctory kind of process. We are talking about the likelihood, according to Secretary Ridge, of a terrorist attack occurring. The resources are there and it seems to me that we ought to be putting things in place as fast as possible. There needs to be a sense of urgency.

In your answer, and I am sure it is not intended, but particularly in the results of what has happened over the last 3 years, there really doesn't seem to be a sense of urgency on the part of DHS with regard to the National Capital Region which we know is going to be target No. 1 in any attack. That is my concern. I am not going to ask you to take another crack in answering it but I think it is still a legitimate concern.

I would like to ask, what are the top five priorities for the Office of the National Capital Region Coordination?

Mr. LOCKWOOD. Some of the key priorities right now are public awareness.

Mr. MORAN OF VIRGINIA. So education and information?

Mr. LOCKWOOD. Public education, public awareness campaign. We are actively working to develop a campaign that we can leverage the Federal resources, the content that is already available. Communications, and one of the priorities we have talked about is interoperability and interoperability within the National Capital Region and integration of capabilities and intelligence and information sharing. We have been actively working with the JTTS and through the JTTS and the antiterrorism task forces. So those are some near term priorities we are working on.

Another key priority is to get the money out. Going back to your concern with regard to putting a priority on moving the money, one of the pieces we have been very concerned about is getting this money released into the procurement to buy what we need so we

can field that. Additionally, we have exercises. Those exercises are to confirm how we are going to use this equipment when it is received, to make sure people can adequately use this as well as provide feedback to future investment priorities and recommendations.

Mr. MORAN OF VIRGINIA. Let me ask one last question, if I could. We have a potential situation that is a real threat to our security in the National Capital Area and that is the rail line that runs right through the capital, right by the congressional office buildings and then across the river and through very dense residential areas. We know that rail line often carries very dangerous materials, large volumes of chlorine gas, molten sulfur, hydrogen chloride and it runs adjacent or within less than a mile of some of the most critical installations and facilities. We had the NFL promotion event on the Mall and yet the rail cars continued to run.

We haven't gotten a recommendation, nor do I see that there has really been much thought given to rerouting it out of the most critical, dangerous areas or having some limitation on what those railcars can carry. I had a bill that I thought might at least alert us to the potential threat. We sell these .50 caliber sniper rifles legally, you can buy them over the Internet and one of the things they advertise is that they will penetrate the fuselage of a commercial jet aircraft or the side of a rail car. I trust the advertising is accurate but it wouldn't take much to perch along the banks of that rail line and shoot through the hull of one of these freight cars carrying chlorine gas or sulfur or whatever and hundreds of thousands of people would be immediately affected, most of them in a lethal manner. Have we given any thought to this? It seems relevant to the homeland security priorities.

Mr. LOCKWOOD. Yes, sir. With regard to passenger first and then freight, we have been actively working on a prototype at the New Carrollton Station with the Metro and there has been active coordination with WMATA, both WMATA, Marc and VRE.

Mr. MORAN OF VIRGINIA. It is not the passengers inside the rail cars I am worried about, it is a terrorist outside shooting through, puncturing the walls of a freight train that might carry lethal materials.

Mr. LOCKWOOD. Yes, sir. Moving from the passenger side to the heavy rail side, to the hazardous materials side, there are actions and activities within the Department of Homeland Security. I know some of that has been briefed and the local level back over to D.C. Council members with regard to legislation they have had, I know there is a prototype in place with regard to monitoring the rail corridor, a sensing network that has been discussed for the rail corridor to provide additional protective measures but I am not prepared to talk in details at this time.

Ms. CHILDS-PAIR. Mr. Moran, I can add to that. The D.C. City Council in concert with the Mayor has been looking at that and actually came up with legislation to try to reroute the train system when they have the chlorine or to stop it altogether, realizing that it is within the densely populated areas. One of the things they made clear to us, and probably what we need your help on, is that they could federally pre-empt any law that we would put into legislation so that they would make it null and void. That is one of the areas we have been working on.

Mr. MORAN OF VIRGINIA. I am glad the D.C. Council is looking at it. It runs right under the Capitol, as you know, the Capitol grounds. I don't want to give any ideas to terrorists but when you think about some of the things that could happen and we look back and think, my God, why didn't we think of that. That seems to be one of those possibilities, one of those threats.

Thank you, Mr. Chairman.

Chairman TOM DAVIS. Thank you.

Mr. Ruppersberger.

Mr. RUPPERSBERGER. I want to get to the issue of grants. We are talking about giving resources and we have talked about a lot of different issues today but bottom line, our local governments need the money to be able to move forward.

I want to refer you to a situation that really happened in the State of Maryland, the central part of Maryland and the Eastern Shore where you have two jurisdictions attempting to work regionally on an interoperability type program. I think Mr. Schrader you are aware of that situation where the good news was the grants were received, they were OK'ed, the Department of Justice but then you have two different requirements of instructions once the grants are given. One had to do with the Cops Program and the other had to do with I believe FEMA. So one program said that you had to do one thing and one said you had to do another, so all of a sudden we are promoting regionalism, we are trying to do the best we can to pull it together and when we put forth a system or a plan, then our Federal instructions, our grants have mixed messages. This happened to be within the Department of Justice or whether it could be within Homeland Security or together.

I would like you to comment, first, maybe Mr. Schrader and then maybe Mr. Lockwood or anyone else on the panel, about what you think we need to do because as Congress there are certain things we can do, we can pass laws, at least we can try, and I would think we have to fix the grant process so that it goes directly.

As a former local elected official, I believe the money needs to go directly to the locals. I am sure Mr. Schrader, representing the State, you may disagree, but I have seen many times where grants would come and if it came through the Federal/State process have the money is gone before it even gets to where it needs to be versus the Cops Program that goes directly as long as you can justify it.

Could you please comment on what you would recommend we need to do to fix this grant situation to get the resources and the money, especially when you are dealing with regional jurisdictions that don't have a lot of money to begin with.

Mr. SCHRADER. Yes, Congressman. It is a pleasure to be here with you.

In this particular case, the State has been working actively to coordinate these grants regionally in collaboration. We met as recently as yesterday morning with the city of Baltimore in working on this particular problem with the Cops grant. This CMARC project is what it is called for central Maryland. It does have the Cops Grant Program.

Mr. RUPPERSBERGER. Why don't you explain what that is.

Mr. SCHRADER. There are two major grants that were issued last year for about $5 million plus each, one on the Eastern Shore of

Maryland and the other in the Central Maryland region focused on Baltimore and the surrounding counties. Both projects are focused on using what are called, and I apologize for the acronym, NIPSPACS channels. There are five channels that can be used for communicating emergency messages. Those two pilot projects are being developed.

The good news is that we have been coordinating both these regions at the State level and recently through the Urban Area Work Group, which is a group that has each of the executives and central Maryland has appointed two people and working through that group, they have been coordinating this particular grant.

Mr. RUPPERSBERGER. Let me get to the bottom line which is because of the fact there were mixed messages and instructions on the grants, we were not able to get the matching funds from the different jurisdictions, correct?

Mr. SCHRADER. We are actually meeting with DOJ on July 7th.

Mr. RUPPERSBERGER. I know our Baltimore delegation sent a letter to Secretary Ridge to try to deal with it.

I want to ask this question and anybody can answer because I don't have a lot of time. Based on the issue of the mixed message with grants, different instructions, the problem we have is we get the grant and then we don't know how to fulfill it. What can the Federal Government and Congress do to help States and regional groups so this flexibility is built in through legislation?

Mr. FORESMAN. Three quick answers, Congressman. First, we need to manage the expectations. The vast majority of Federal grants are reimbursement programs. There is no such thing as the money being missing when it gets down to them because it is based on local or State government submitting to Federal agencies requests for reimbursement. So we have to manage the expectations and make sure all of us understand the vast majority of Federal grants are reimbursement grants.

Second, we have to be careful to not look at 1 year's worth of grant activity and go in and make major changes. My brother is a fire chief in a small rural department in western Virginia. I love him to death but his ability to adjust to multiple grant programs is minimal sometimes and if we change it every year, it causes him even more angst. The issue is we have to stay the course in terms of the mechanics for the grants processes but clearly the one thing this Congress could do is to work to make sure the Federal agencies come up with a standardized grants management process.

Mr. RUPPERSBERGER. That is the answer I would hope I would hear, to standardize. It seems to me you need to recommend to us what those standards need to be. We have a lot of bills in the hopper right now about standards but from your perspective, from local moving up to Federal, we need to know that.

Mr. FORESMAN. Congressman, I would just echo that it is going to require a disciplined approach on the part of Congress that as people change they don't like changes. It is going to require us to go through two or three grant cycles to see whatever a disciplined approach is, whatever a standardized approach is, whether it is going to work over the longer term.

Mr. RUPPERSBERGER. Thank you.

Chairman TOM DAVIS. Thank you very much.

Let me thank this panel. This has been very illuminating for the Members. I will dismiss you with our deep thanks and we will take a 2-minute recess before we call our next panel.

[Recess.]

Chairman TOM DAVIS. We have a great panel. We have Anthony Griffin, county executive, Fairfax County, who I have had the pleasure to work with for many, many years, about 20 years; we have Mary Beth Michos, the fire chief for Prince William County and the last year's Fire Chief Magazine career chief of the year; James Schwartz, director of emergency management, Arlington County and the new Fire Chief for the county effective this coming Monday. Congratulations, I am a veteran of the Cherrydale Fire House where I did my Cub scout meetings as a kid. We have also have Dr. Jacqueline F. Brown, chief administrative officer, Prince George's County. I want to thank her for being here as well.

[Witnesses sworn.]

Chairman TOM DAVIS. We swear everyone here because we are the major investigative committee in the Congress. That is just what we do. Once we had the opportunity to have Wes Unseld, the general manager of the Washington Bullets, now the Wizards, in front of me and I got to ask him under oath if the Bullets would have a winning season. He said, I can just promise you exciting basketball. I think they won 13 games the next year. We almost hauled him up here on perjury but we figured he was giving his best effort.

Tony, we will start with you. Thank you very much for your leadership in the region and for being with us today. I would note for Mr. Schrock that Mr. Griffin when he leaves has to go down to a regional meeting in Virginia Beach in your district, so you don't want to keep him too long.

Mr. SCHROCK. If he has room, I will go with you.

STATEMENTS OF ANTHONY H. GRIFFIN, COUNTY EXECUTIVE, FAIRFAX COUNTY; MARY BETH MICHOS, FIRE CHIEF, PRINCE WILLIAM COUNTY; JAMES SCHWARTZ, DIRECTOR OF EMERGENCY MANAGEMENT, ARLINGTON COUNTY; AND JACQUELINE F. BROWN, CHIEF ADMINISTRATIVE OFFICER, PRINCE GEORGE'S COUNTY

Mr. GRIFFIN. Thank you, Chairman Davis, for the opportunity to testify before the Committee on Government Reform on the subject of grant management and coordination for emergency management from the perspective of Fairfax County.

I am Anthony H. Griffin, county executive for Fairfax County, an appointed position.

Grants for homeland security have been allocated to Fairfax County in three ways: direct allocation by the Federal Government; allocation through the State of Virginia; and indirect allocation through funding to the National Capital Region for enhancing the region's response to potential terrorism.

The county has used the money to supplement its emergency preparedness efforts to include strengthening emergency planning programs, conducting training and exercises and purchasing equipment directly related to emergency management and response. The Fairfax County Office of Emergency Management, a newly created

agency, is the agency responsible for managing homeland security grants. An interagency committee assists OEM in identifying unmet needs and matching them to grant funding opportunities.

The following is illustrative but not limited to in how grants funds have been used. Equipment has been purchased for an alternate emergency operations center located in the county's government center to be operational by the beginning of August of this year. A new fire department mobile command post has been purchased, screening devices and security cameras have been purchased, protective gear for first responders has been or is in the process of being acquired. A fully operational Citizens Corps program is being established with several hundred citizens having completed community emergency response team training. A data base has been established to track and notify these volunteers.

A Medical Reserve Corps has been developed with 5,200 volunteers. In October of last year, the MRC participated in a full scale dispensing site exercise at a local high school. A new terrorism annex has been written for the county's emergency operations plan. The annex is more detailed and outlines roles and responsibilities for county agencies in the event of a nuclear, chemical or biological event. In 2003, the county conducted a tabletop exercise with a dirty bomb scenario with more than 100 participants from a cross section of agencies and volunteer groups.

The list of accomplishments is a beginning in the county's efforts to be responsive in case there is a significant terrorism event. Training and a shift in readiness is underway but emergency preparedness will require sustained attention over the next several years. The grant funding must continue if these efforts of preparedness are to succeed. The Federal Government should review the criteria for the expenditure of grant funds because in some instances, the preparedness needs of a community are not supported by current regulations. For example, the county's largest expenditure by far is for a new emergency operations center to include an emergency communications center. The prohibition against bricks and mortar makes this facility a major funding challenge for the county.

Finally, while this is not a grant issue, one area of emergency preparedness that needs continuous focus in the NCR is the coordination and communication of Federal agencies with State and local governments. Federal agencies need to be continually encouraged to work with State and local governments on the timely sharing of information and the integration of Federal agency planning with State and local plans. The implementation of the new National Response Plan and the National Incident Management System is a good beginning but it is only that.

In closing, significant progress has been made but significant work on readiness remains and a partnership between the three levels of government is necessary to enhance our success. In particular, I want to thank the chairman for his support of the county and its efforts to enhance security and emergency response.

If I may, listening to the earlier testimony, wearing my hat as chairman of the Chief Administrative Officers for the Washington Metropolitan Area, I did want to note for the record that of the $60 million that has been allocated in fiscal year 2003, those funds

have been distributed and are in the pipeline for the acquisition of appropriate training and equipment and approximately 80 percent of the $29 million available, the 2004 money, has similarly been allocated. On July 7, the CAOs, working with the senior policy group, will continue the discussion about the remaining allocation of the 2004 money and will begin discussion about our priorities in anticipation of appropriations of 2005 money.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Griffin follows:]

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V I R G I N I A

Statement of Anthony H. Griffin
County Executive, Fairfax County, Virginia
Government Reform Committee Hearing
Emergency Preparedness in the Nation's
Capital with an Emphasis on Grant
Management and Coordination
June 24, 2004

Thank you Chairman Davis for the opportunity to testify before the Committee on Government Reform on the subject of grant management and coordination for emergency management from the perspective of Fairfax County.

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The Fairfax County Office of Emergency Management (OEM) is the agency responsible for managing Homeland Security grants. An interagency committee assists OEM in identifying unmet needs and matching them to grant funding opportunities. The following is illustrative of how grant funds have been used:

- Equipment has been purchased for an Alternate Emergency Operations Center (AEOC) located in the County's Government Center to be operational by the beginning of August this year.
- A new fire department mobile command post has been purchased.
- Screening devices and security cameras have been purchased.
- Protective gear for first responders has been or is in the process of being acquired.
- A fully operational Citizens Corp program is being established with several hundred citizens having completed Community Emergency Response Team (CERT) training. A data base has been established to track and notify these volunteers.

- A Medical Reserve Corp (MRC) has been developed with 5,200 volunteers. In October, 2003, the MRC participated in a full scale dispensing site exercise at a local high school.
- A new Terrorism Annex has been written for the County Emergency Operations Plan. This annex is more detailed and outlines roles and responsibilities for County agencies in the event of a nuclear, chemical or biological event. In 2003, the County conducted a table top exercise with a "dirty" bomb scenario with more than 100 participants from a cross section of agencies and volunteer groups.

The list of accomplishments is a beginning in the County's efforts to be responsive in case there is significant terrorism event. Training and a shift in readiness is underway, but emergency preparedness will require sustained attention over the next several years. The grant funding must continue if these efforts at preparedness are to succeed. The Federal government should review the criteria for the expenditure of grant funds, because in some instances the preparedness needs of a community are not supported by current regulations. For example, the County's largest expenditure, by far, is for a new Emergency Operations Center to include an Emergency Communications Center. The prohibition against "bricks and mortar" makes this facility a major funding challenge.

Finally, while this is not a grant issue, one area of emergency preparedness that needs continuous focus in the NCR is the coordination and communication of Federal agencies with state and local governments. Federal agencies need to be continually encouraged to work with state and local governments on the timely sharing of information and the integration of Federal agency planning with state and local plans. The implementation of the new National Response Plan and National Incident Management System (NIMS) is a good beginning, but it is only that.

In closing, significant progress has been made, but significant work at readiness remains and a partnership between the three levels of government is necessary to enhance our success. In particular, I want to thank the Chairman for his support of the County in its efforts to enhance security and emergency response.

Chairman TOM DAVIS. Thank you very much.

Tony, thank you very much.

Chief, thanks for being with us.

Ms. MICHOS. Thank you for this opportunity to testify before your committee today. My name is Mary Beth Michos and I am the chief of fire and rescue and also an assistant emergency services coordinator in Prince William County, VA. I am here today to provide testimony on Prince William County's experience with emergency preparedness coordination, being part of the National Capital Region with the emphasis on our grants management and coordination.

We are a rapidly growing community and we are challenged on a daily basis from this growth to provide our basic services of police, fire and emergency medical services, but in addition to this, now we are also being challenged by the emerging issue of keeping our community safe in the event of terrorism. As you know, this is very costly and we are very grateful that the Congress has allocated homeland security funds for States and local jurisdictions. We are also very grateful that you have recognized our vulnerability here in the National Capital Region and have provided us with the Office of National Capital Regional Coordination.

Over the past 2½ years, Prince William County has been fortunate in that we have received $5.3 million in Federal funds for emergency preparedness. Right now we have staff sequestered and they are working on finalizing a grant request for another $905,000 which has to be submitted tomorrow.

The first $4.3 million for the county was a direct earmark in a supplemental appropriation bill passed shortly after the September 11 terrorist acts. These funds have been expended on equipment and needed training to strengthen our ability to be first responder in the event of weapons of mass destruction incidents. Additional resources are being allocated to Prince William County through the Urban Security Initiative administered by the Department of Homeland Security.

Our Chief Administrative Officers have been very involved in working with this and this has allowed for range of emergency service functions within the region to collaborate to identify regional solutions that are beyond the scope of what we could do on an individual basis as a local jurisdiction.

We do appreciate all the resources that Congress has provided to local governments and first responders. However, it is important that you know that performing the processes to assess our capabilities, identify our vulnerabilities, develop plans and needs assessments for our homeland security preparedness is both highly staff and time intensive. The efforts to conduct this work in my department have taken over a year and despite the intense work and high quality of the strategies that resulted, we still find that when we get information on grants that we have to complete, there is still additional information that is wanted and often times the timeframes are inadequate.

It may appear that the timetables the Federal and State governments place on grant deadlines are sufficient for local governments. However, by the time these grant processes go through the Federal Government, come down through the State, we generally only have

a few weeks to do our work to submit the grants. During these few weeks, we have a lot of coordination with other agencies throughout our county government, agencies funded both by State and local governments. In our case, we have four incorporated towns we have to coordinate with, volunteer agencies such as our volunteer fire and rescue companies and then we have to assess our local ability to manage the ongoing and operational and replacement costs of what we are requesting in these grants because that money is not available from the State or the Federal Government. Last, we have to obtain authorization from our Board of County Supervisors. While we have developed a priority list of needs to guide us in developing our requests, the workload associated with these requests has increased as our staff is required to attend numerous planning and coordination meetings, locally, regionally and within our State. To give you an example, in the last 18 months my meeting schedule alone has more than doubled and I am just one member of our department who attends these meetings. I am just one agency head within the county government attending these meetings.

Recognizing the increased workload and short turn around times, in Prince William we have hired an emergency services coordinator and some assistants to coordinate all these processes. We are fortunate that Prince William County has the resources to staff these positions because that funding isn't available from other sources.

As far as gaps in emergency preparedness in the National Capital Area, we feel that the State and Federal Governments don't have the same degree of coordination and cooperation that we are seeing on the local level. This sometimes hinders our local and regional efforts. A serious obstruction does exist to effective mutual aid assistance between Virginia, Maryland and the District of Columbia. Congress must act to address the liability and indemnification issues which arise when emergency aid is provided across boundaries. The need for legislation for homeland security has been specifically addressed by the Governors of Maryland, Virginia and the Mayor in their eight commitments to action with the Department of Homeland Security.

We are very appreciative of the efforts made by ONCRC of the Department of Homeland Security, there is still a lot of work to do. We can't lose sight that, while we are doing this work we still have our normal daily incidents to respond to and normal daily workloads to handle. Whatever the Federal Government has local jurisdictions do with regard to vulnerability assessments, grant applications, reimbursement requests or other bureaucratic processes, it ought to be done to fill a clear need and with our input to make sure that what is being done is going to be of help to us. We don't mind doing the work at the local level if we know it is going to improve the situation.

Prince William County participated in the required vulnerability assessment that took away 10 staff members for a 2-week period last year. This effort has given back very little to our community and although we know that our fiscal year 2004 and 2005 security grants will be evaluated against this, we are able to articulate our vulnerabilities with a higher degree of confidence than this document is giving us.

In summary, Prince William County is in a much stronger position to respond to any manmade event, whether chemical or biological than we were before September 11. There is also better coordination and cooperation at the local and regional levels. Our predominant focus has been to keep pace with the requirements of the grants as well as to make sure that we are doing the right things to be as prepared as we possibly can.

Our senior officers and administrative staff have justifiably been inundated with homeland security duties. I believe it is essential for all levels of government to find new and better ways to work with each other so that we can optimize the limited time and staff that we have to get the results you want. I will be satisfied when we reach a point where all of our firefighters, our police officers, and our EMTs express their confidence that they feel they are capable to respond effectively to any WMD contingency.

In closing, I want to thank you again for giving me this opportunity and I will be glad to answer any questions later.

[The prepared statement of Ms. Michos follows:]

Testimony of Mary Beth Michos
Chief of Fire and Rescue
Prince William County, Virginia

U.S. House of Representatives
Government Reform Committee
Honorable Thomas M. Davis, III (11th-VA), Chairman
Thursday, June 24, 2004

Mr. Chairman, Vice Chairs and Members of the House Government Reform Committee, thank you for this opportunity to testify before the Committee. My name is Mary Beth Michos and I am the Chief of Fire and Rescue for Prince William County, Virginia. I am here today to provide testimony on Prince William County's experience with Emergency Preparedness Coordination matters in the National Capital Region, with an emphasis on grant management and coordination.

Prince William County is a rapidly growing suburban community located approximately 30 miles south of Washington D.C. Our community is home to the United States Marine Corp base at Quantico and two national parks: Prince William Forest Park and Manassas National Battlefield. Our population is currently estimated at approximately 330,000, which includes the four towns of Occoquan, Dumfries, Haymarket and Quantico. The population count does not include those of the independent Cities of Manassas and Manassas Park, which are currently estimated at 37,000 and 11,000, respectively. At the time the U.S. Census was taken in 2000, our population was enumerated at 280,813.

The rapid growth of our community has challenged us to not only keep up with growth related matters such as the appropriate provision of police and fire and rescue services, but in addressing the emerging issue of keeping our community safe in the event of terrorism. As you are aware, the costs associated with strengthening our ability to respond to such events are high. For this reason, we are grateful that the U.S. Congress has allocated Homeland Security funds for states and local jurisdictions, and recognized the vulnerability of the National Capital Area to terrorism and established

the Office for National Capital Regional Coordination (ONCRC) inside the Department of Homeland Security.

Over the past two and a half years, Prince William County has been the recipient of approximately $5.3 million in federal funds for emergency preparedness with an additional $905,930 grant that my staff is processing for submission by tomorrow's deadline. The first $4.3 million for the County was a direct earmark in a supplemental appropriations bill passed shortly after the 9/11 terrorist attacks. These funds were expended on equipment and training to strengthen our ability to be the "First Responder" in the event of a weapons of mass destruction incident.

Additional resources are being allocated to Prince William County through the Urban Area Security Initiative administered by the Department of Homeland Security. Requests for these resources were developed by the governors of Virginia and Maryland and the Mayor of the District of Columbia. There is now local government involvement into the allocation of National Capital Region Urban Area Security Initiative funds. Involvement of Chief Administrative Officers has allowed for the range of emergency service functions within the region to collaborate to identify regional solutions that are beyond the scope of what each of the jurisdictions can do effectively individually.

We appreciate all of the resources that the Congress has provided local government first responders. However, it is important for you to know that performing the processes to assess our capabilities, identify our vulnerabilities, and develop plans and needs assessments for our homeland security preparedness is both highly staff and time intensive. The effort to conduct this work in my department took over a year. And despite that intense work and the high quality of the strategy that resulted we still find that the requirements of the grants typically require much additional work to be completed in an insufficient time frame.

It may appear that the timetables that the federal and state governments place on grant deadlines are sufficient for local governments. However, by the time these grants process through the federal agency then through the state agency the local government may only have a few weeks to do our work to submit for the grant. During these few weeks we must

coordinate with most of the agencies of County government, agencies that are funded by both state and local governments, the four incorporated towns, volunteer agencies such as our volunteer fire and rescue companies, assess our fiscal ability to manage the ongoing operating and replacement costs to sustain the initiatives and obtain authorization from our Board of County Supervisors to apply for the grant.

While we have developed a priority list of needs to guide us in developing our requests, the workload associated with these requests has increased as our staff is required to attend numerous planning and coordination meetings locally, regionally and within our state. Just to give you an example my meeting schedule alone has more than doubled in the past 18 months due to having to attend these meetings and I am just one of many on my staff who have these types of meetings to attend. Recognizing the increased workload and short turnaround times, we hired an Emergency Services Coordinator and an assistant to direct these processes within our own County and to liaison with regional, state and Federal agencies. We are fortunate that Prince William County has the resources to staff these positions as this funding is not available from the federal or state governments.

As far as gaps in emergency preparedness in the National Capital we feel that at the state and federal levels we don't have the same degree of coordination and cooperation as we do at the local and regional levels. This sometimes hinders our local and regional efforts.

A serious obstruction exists to effective mutual aid assistance between Virginia, Maryland and the District of Columbia. Congress must act to address liability and indemnification issues which arise when emergency aid is provided across boundaries. The need for legislation for homeland security has been specifically addressed by the Governors of Maryland, Virginia and the Mayor in their "eight commitments to action" with DHS Secretary Ridge.

While we are also very appreciative of the effort made by the ONCRC of the Department of Homeland Security, there is still a lot of work to do. We can't lose sight that while we have to address the growing homeland security concerns our staffs still have their everyday workloads. Whatever

the federal government has local jurisdictions do with regard to vulnerability assessments, grant applications, reimbursement requests or other bureaucratic processes it ought to be done to fill a clear need and with our input to make sure whatever it is it will be beneficial. We don't mind doing the work if we know it will improve the situation. Prince William County participated in the required vulnerability assessment that took away 10 staff from their normal duties for approximately two weeks. This effort gave little value back to the County. And although we understand that our FY 04 and FY 05 Homeland Security grants will be evaluated against the assessment results I am able to articulate our vulnerabilities with much less effort and with a higher degree of confidence when compared to that assessment process and its results.

In summary, Prince William County is in a much stronger position to respond to any man made event, such as a chemical or biological attack, than before 9/11. There is also better coordination and cooperation at the local and regional levels. However, the coordination and cooperation is probably not evident to the street level provider who is the "First Responder" in most, if not all events. Our predominant focus has been to keep pace with the requirements of the grants as well as to make certain we're doing the right thing to be as prepared as we possibly can. Our senior officers and administrative staffs have justifiably been inundated with homeland security related duties. I believe it is essential for all levels of governments to find new and better ways to work with each other so that we can optimize the limited time and staff we have to get the best results. I'll be satisfied when we reach a point when all of our firefighters and EMTs express their confidence that they feel prepared to respond to any WMD contingency.

In closing, thank you for affording me this opportunity to testify and I would be glad to stand for questions.

Chairman TOM DAVIS. Thank you very much.

Chief Schwartz, welcome.

Mr. SCHWARTZ. My name is Jim Schwartz. I am the director of emergency management for Arlington County and as the Chair so graciously acknowledged at the beginning, I will assume the position of fire chief for Arlington County next week. I also served as the incident commander for the September 11 response to the Pentagon.

I appreciate the opportunity to provide testimony on the issue of homeland security in our National Capital Region today, and I am grateful, Mr. Chairman, for your leadership in trying to ensure as effective and efficient a process as possible to provide resources to the level of government with the greatest responsibility to respond to an act of terrorism, not just to protect that Government's citizens and resources, but in this region, to also protect Federal employees and Federal resources. Our county is not only home to the Pentagon, but also provides approximately 60 percent of its commercial office space to Federal agencies. Our county bears significant responsibilities for protection and response to critical parts of the Nation's national defense and anti-terrorism capacity.

The successful response of Arlington and its regional partners in the wake of the attack on the Pentagon on September 11 underscores the fact that the National Capital Region has a strong foundation upon which to build. While the incident at the Pentagon paled in comparison to the attacks in New York, it was, nonetheless, an indication of the years of work of regional leaders. We knew we had the capacity to coordinate responses, and, indeed, based upon those experiences, we think we have made significant improvements since then.

It is clear that continued progress is needed, and, therefore, we regard this hearing as a positive opportunity. This morning I would like to focus my testimony on the priority setting process, the undermining uncertainty of the Federal funding process, the lack of coordination of the plethora of Federal funding streams, the inadequacy of current assistance, the significant administrative burden imposed on local government recipients, and mutual aid indemnification.

Former Utah Governor and current EPA Administrator Michael Leavitt made the point after his State hosted the Winter Olympics that we really need a new paradigm in our intergovernmental anti-terrorism process. As he said, it can no longer be a top-down process; rather it must be some combination of bottom-up, horizontal, and top-down. It must more closely resemble emerging global corporate trends of governance.

Ironically, it was our National Capital Region that brought the issue of interregional coordination with Federal support to the Federal Government's attention after the 1995 incident in the Tokyo subway system.

Our efforts led to the first locally staffed terrorism response team in the Nation. That team, the Metropolitan Medical Strike Team, was the predecessor of the Metropolitan Medical Response System [MMRS], which remains the only federally funded program to require a systematic and integrated regional approach to planning

and response to acts of terrorism. It is a model that should be expanded, not scrapped.

The Federal Government should ensure a meaningful role for the level of government most affected by terrorist threats and should shift to a threat-based formula that more appropriately recognizes greater responsibilities for those local governments that will be first to arrive, render aid to casualties, and manage the incident. Local governments should not be junior partners.

We appreciate that there have been adjustments made in the NCR to ensure a more meaningful process for local input for the establishment of homeland security priorities in the National Capital Region. We encourage the direction of the change and a longer term commitment to our regional governments' critical role in the provision of homeland security.

As said by other witnesses, there is a significant uncertainty in the Federal funding process. Federal funding shifts from year-to-year, even after grant programs are decided; decisions are made to retroactively cut funds and transfer them to other uses. It is difficult to discern whether the war on terrorism is a year-to-year effort, or a long-term commitment.

The Federal process makes it difficult to develop a longer term plan and meaningful first responder infrastructure. We would respectfully suggest, Mr. Chairman, consideration of consolidating the many and varied Federal grant streams in the NCR into a 5-year block grant program. Such a change would significantly increase our regional capacity to put together the infrastructure necessary to make real and sustainable changes.

There remain too many funding streams, often not coordinated at the Federal and State levels. They reflect competing purposes at the Federal level, but immense administrative demands at the local and regional level. It means we devote too much time to trying to determine what Federal or State officials want, instead of focusing on the most critical needs in the region.

The Homeland Security Act of 2002 created the Office for National Capital Region Coordination within the Department of Homeland Security in recognition of the vulnerability of the region, its high risk of terrorism, and the unique and dominant Federal presence. Despite that recognition, the region receives less in Federal per capita assistance than Wyoming.

We appreciate that there are serious debates in the House about modifying the formula, but we think any discussion of how terrorism funds are allocated should reflect the unique characteristics of this region. We believe it would be constructive to ask DHS to establish baselines—basic requirements for local governments based upon tiers of risk assessment—so that Federal grant funds meet fundamental needs and build capacity from there.

Because of the many different grants and funding streams, Arlington devotes enormous administrative and management resources to emergency preparation and prevention which are ineligible for reimbursement. This diverts resources from priority needs, again, so that we are forced to devote resources to a plethora of grants and grant management requirements that detract from the job at hand.

As the House and Senate work to reauthorize a 6-year surface transportation program, we believe the concept has merit for emergency preparedness. To the extent that Federal funding beyond next September 30th, on an annual basis, remains uncertain, it directly affects local budget decisions about whether to make longer term investments in human and capital infrastructure to prepare and respond, or whether to make short-term purchases. This uncertainty is increased by reprogramming requests made by the Department of Homeland Security in the last 2 months of funds already appropriated by Congress. Can you imagine the construction of the mixing bowl project or the new Wilson Bridge in such circumstances?

I am going to leave the rest of my testimony for the record. I am obviously over my time but I appreciate the opportunity and would look forward to answering any questions you may have.

[The prepared statement of Mr. Schwartz follows:]

EMERGENCY PREPAREDNESS IN THE NATION'S CAPITAL

Testimony

before the

Committee on Government Reform

June 24, 2004

by

James H. Schwartz,

Director of Emergency Management,

Arlington County, Virginia

Mr. Chairman and members of the Committee, my name is Jim Schwartz. I am the Director of Emergency Management for Arlington County and, effective this week, will become the Fire Chief. I served as the incident commander after the attack on the Pentagon.

I appreciate the opportunity to provide testimony on the issue of homeland security in our national capital region today, and I am grateful, Mr. Chairman, for your leadership in trying to ensure as effective and efficient a process as possible to provide resources to the level of government with the greatest responsibility to respond to an act of terrorism—not just to protect that government's citizens and resources, but in this region, to also protect federal employees and federal resources. Our county is not only home to the Pentagon, but also provides approximately 60 percent of its commercial office space to federal agencies. Our county bears significant responsibilities for protection and response to critical parts of the nation's national defense and anti-terrorism capacity.

The successful response of Arlington and its regional partners in the wake of the attack on the Pentagon on 9-11 underscores the fact that the National Capital Region has a strong foundation upon which to build. While the incident at the Pentagon paled in comparison to the attacks in New York, it was, nonetheless, an indication of the years of work of regional leaders. We knew we had the capacity to coordinate responses, and, indeed, based upon those experiences, we think we have made significant improvements since then.

It is clear that continued progress is needed, and, therefore, we regard this hearing as a positive opportunity.

This morning I would like to focus my testimony on the priority setting process, the undermining uncertainty of the federal funding process, the lack of coordination of the plethora of federal funding streams, the inadequacy of current assistance, the significant administrative burden imposed on local government recipients, and mutual aid indemnification.

Priority Setting Process

Former Utah Governor and current EPA Administrator Michael Leavitt made the point after his state hosted the Winter Olympics that we really need a new paradigm in our intergovernmental anti-terrorism process. As he said, it cannot be top-down; rather it has to be some combination of bottom-up, horizontal, and top-down. It must more closely resemble emerging global corporate trends of governance.

Ironically, it was our national capital region that brought the issue of interregional coordination with federal support to the federal government's attention after the 1995 incident in the Tokyo subway system.

Our efforts led to the first locally-staffed terrorism response team in the nation. That team, the Metropolitan Medical Strike Team, was the predecessor of the Metropolitan Medical Response system (MMRS), which remains the only federally funded program to require a systematic and integrated regional approach to planning and response to acts of terrorism. It is a model that should be expanded, not scrapped.

The federal government should ensure a meaningful role for the level of government most affected by terrorist threats and should shift to a threat-based formula that more appropriately recognizes greater responsibilities for those local governments that will be first to arrive, render aid to casualties, and manage the incident. Local governments should not be junior partners.

We appreciate that there have been adjustments made in the NCR to ensure a more meaningful process for local input for the establishment of homeland security priorities in the National Capital Region. We encourage the direction of the change and a longer term commitment to our regional governments' critical role in the provision of Homeland Security.

Uncertainty in the Federal Funding Process
There is significant uncertainty in the federal funding process: federal funding shifts from year-to-year, even after grant programs are decided; decisions are made to retroactively cut funds and transfer them to other uses. It is difficult to discern whether the war on terrorism is a year-to-year effort, or a long-term commitment.

The federal process makes it difficult to develop a longer term plan and meaningful 1st responder infrastructure.

We would respectfully suggest, Mr. Chairman, consideration of consolidating the many and varied federal grant streams in the NCR into a five-year block grant. Such a change would significantly increase our regional capacity to put together the infrastructure necessary to make real and sustainable progress.

Lack of Coordination of the Plethora of Federal Funding Streams
There remain too many funding streams, often not coordinated at the federal and state levels. They reflect competing purposes at the federal level, but immense administrative demands at the local and regional level. It means we devote too much time to trying to determine what federal or state officials want, instead of focusing on the most critical needs in the region.

Inadequacy of Current Assistance
The Homeland Security Act of 2002 created the Office for National Capital Region Coordination within the Department of Homeland security in recognition of the vulnerability of the region, its high risk of terrorism, and the unique and dominant federal presence. Despite that recognition, the region receives less in federal per capita assistance than Wyoming. We

appreciate that there are serious debates in the House about modifying the formulae, but we think any discussion of how terrorism funds are allocated should reflect the unique characteristics of this region. We believe it would be constructive to ask DHS to establish baselines—basic requirements for local governments based upon tiers of risk assessment—so that federal grant funds meet fundamental needs.

Significant Administrative Burden Imposed on Local Government Recipients
Because of the many different grants and funding streams, Arlington devotes enormous administrative and management resources to emergency preparation and prevention which are ineligible for reimbursement. This diverts resources from priority needs—again, so that we are forced to devote resources to a plethora of grants and grant management requirements that detract from the job at hand.

Provide Greater Budget Certainty
As the House and Senate work to reauthorize a six-year surface transportation program, we believe the concept has merit for emergency preparedness. To the extent that federal funding beyond next September 30th—on an annual basis—remains uncertain, it directly affects local budget decisions about whether to make longer term investments in human and capital infrastructure to prepare and respond, or whether to make short-term purchases.

This uncertainty is increased by reprogramming requests made by the Department of Homeland Security in the last two months of funds already appropriated by Congress. Can you imagine the construction of the mixing bowl project or the new Wilson Bridge in such circumstances?

Last month, the Administration requested to "redirect" $55 million in already appropriated FY 2002, 2003, and 2004 bioterrorism funds to states and local governments and instead provide the funds to the U.S. Postal Service and to 21 cities. This would be robbing Peter to pay Paul. It would be a retroactive cut in already inadequate bioterrorism funds that are urgently needed to ensure that local health departments can promptly detect and respond to bioterrorism attacks or outbreaks. The adverse impact of this "redirection" would be in addition to the new unfunded federal mandate that has been created by the installation of Biodetection Systems in postal facilities across the country—as it would simply impose new costs on local governments who are expected to respond to adverse test results, with no funding for the extra staff needed and no provisions for compensation for costs incurred. Worse, it came in the wake of an unexpected request by the Homeland Security Department to reprogram $40 million in already appropriated funds for the Metropolitan Medical Response System (MMRS) to buy anthrax vaccines and anti-viral pharmaceuticals for the National Strategic Stockpile. The DHS reprogramming request for the MMRS funds was made in the last week in April, just a month after Michael D. Brown, DHS undersecretary for emergency preparedness and response, told the House Homeland Security Appropriations Subcommittee the MMRS funds would be expended as appropriated.

These twin requests, coming as the 9-11 Commission hearings have demonstrated the importance of comprehensive organization at the regional level to respond to a terrorism incident, raise grave concerns about what federal commitment or resources states and local governments can anticipate—even those that Congress has previously enacted and funded. As the level of government that bears a first response responsibility, this is especially troubling.

Bioterrorism preparedness became a priority following September 11, 2001. Arlington's public health team has been responsible not just for the county, Pentagon, other federal military installations within its borders and Ronald Reagan National Airport, but has also expended county funds and resources to respond to a false anthrax test at a D.C. Post Office.
Building an effective bioterrorism response capacity will require long-term commitment and investment. That can only be achieved through a long-term, stable, and equitable federal commitment.

Neither Arlington, nor any other grantee was informed of the abrupt decision. The MMRS is a local capability that is organized, trained, and equipped to respond to a terrorist incident. It is specifically designed to integrate the planning and response elements of a region toward the human health consequences resulting from such an event. 120 local governments in regions across the country have developed, or are in the process of developing, such systems under contract with the U.S. Department of Homeland Security (DHS). Communities under contract with the Department of Homeland Security are required to develop detailed operational plans for response to chemical, biological, radiological, and explosive incidents. They must also develop plans for incident management, pharmaceutical distribution, and coordination of how hospitals will be part of the response effort. The development of these plans must result in an operational system that reflects an integrated approach that includes all response disciplines. A study by the Institute of Medicine has validated this approach.

Arlington is currently under contract with DHS and had anticipated $280,000 in FY 2004 funds to continue our MMRS development and possibly expand it throughout the Northern Virginia region. When these funds were first added to our contract, they were represented as the first steps toward sustaining developed systems and were described by DHS as part of the strategic plan for the future of MMRS.

MMRS is one of the best approaches ever devised for regional planning and response to a large scale incident. We think MMRS should be considered as a national model for how local governments should plan and organize for a large scale incident where mass casualties are involved, as well as to address the additional hazards that an integrated approach to planning affords. This unanticipated interruption could jeopardize all such efforts.

This systematic approach integrates the planning and response of first responders (fire, EMS, hazmat and law enforcement), including public health, emergency management and hospitals

and medical care facilities to work together to develop the capability to reduce the human health consequences which result from terrorist acts. It also requires concurrent integration with neighboring jurisdictions and State and Federal agencies.

Arlington County is in the second year of its contract for development of its MMRS. Completion of all base contract requirements is expected by September 2004. In fulfilling contract deliverable requirements, Arlington County has coordinated all MMRS development with neighboring jurisdictions in the Northern Virginia area, including:

- City of Alexandria
- Fairfax County
- Fairfax City
- City of Falls Church
- Loudoun County
- Prince William County

Together with Arlington County, and for the purpose of this proposal, the above listed jurisdictions make up the Northern Virginia (NOVA) Region.

Mutual Aid Indemnification

Finally, we support federal legislation to provide for mutual aid indemnification. The incidents in New York and at the Pentagon graphically demonstrated that major emergencies cannot be managed without mutual aid from all jurisdictions in a region. A serious obstacle for inter-jurisdictional response to major emergencies in the Capital Region is lack of indemnification for mutual-aid responders. This problem is created by the differing sovereign immunity laws in the District, Maryland, and Virginia. This is not an abstract legal issue for Arlington: we suffered a major legal and financial loss in 1979 when a civilian was severely injured during a pursuit in the District. Police departments in the region have found a creative solution for mutual assistance to the District when there is adequate time to plan ahead: Maryland and Virginia police officers are deputized as federal marshals. However, Arlington has no solution for unplanned situations requiring police mutual assistance or for any situations requiring fire and emergency medical service. The Metropolitan Washington Council of Governments has passed a supportive resolution. We would hope the DHS regional office would be a strong advocate for this proposal.

I trust these comments are helpful and appreciate your consideration of them. I look forward to answering any questions you might have.

Chairman TOM DAVIS. Chief, thank you very much.

Dr. Brown, thanks for being with us.

Ms. BROWN. Good morning, Chairman Davis and committee members. I am grateful for the opportunity to appear before you today to testify on emergency preparedness in the National Capital Region with an emphasis on first responder grant management. This subject is very critical to Prince George's County where over 835,000 residents live and over 100 different languages and dialects are spoken.

During fiscal years 2002 and 2003, Prince George's County received approximately $10.4 million dollars in grant funding for items such as: Hazardous materials truck, decontamination supplies, decontamination vehicle, breathing air units, incident command training, incident command vehicles, radios, radiological detection unit, tanker unit, keycard control system, salaries, personal protective equipment (level A,B,C,D), CAD upgrades, emergency management salaries, disease surveillance system, epidemiologic response plan, high speed Internet connection, critical information network, training of key public health officials and citizen volunteer training.

There are several challenges in obtaining Federal funding for emergency preparedness. Timeliness is a major one. There are delays in receiving money from the State. Once the Federal Government decides how much each State is to receive, the State must then determine the recipient amount to be awarded. The assessment phase should be a clearly defined process. For instance, in 2003, a State assessment input session was held at Dulles Airport. There were problems and it could not be completed at that time. There were limited resources available to assist the county in preparing for the completion of this process. However, that assessment has been and continues to be the qualifying factor for funding over the last 2 years without any opportunity for adjustments.

There is also a need for the clarification of processes in areas where there is State and regional funding sources. At times there appear to be overlaps in the accomplishments of the two funding sources, and that has been referred to before.

Advance notice of grants is going to be very important for us. We recently learned that at least $2 million had been allocated to our county via a reimbursable grant. Funds for this amount were unavailable; therefore, we were forced to go into unfunded and unplanned forward funding. So the timeliness of things makes a lot or sense. Additionally a lack of consistent awards causes a deficiency in the algorithm of the budget process. Understanding the reimbursement basis of grant funding especially as it relates to jurisdictions within the State and the county would be a tremendous benefit.

The National Incident Management System is the most recent criteria that must be adhered to regarding upcoming funding. We are looking forward to the training coming up on the 28th. We really need to make sure everybody understands this.

We also have challenges in terms of organizing and implementing efficient and effective regional preparedness programs. While most events in this area would become a regional issue, there is no regional emergency operations center, or no regional emergency co-

ordination center from which to command activities presents a problem. We are fortunate to have a regional emergency coordination plan and this area could be better served with a regional emergency operations center with regional emergency response teams. with so many jurisdictions in the NCR, collaboration is a real challenge.

There are several gaps which remain in the emergency preparedness of the NCR Interoperability issues still exist and are at the top of the list. This issue is extremely expensive and we are still experiencing inter and intra communication deficiencies within this county. There is an inability for us to speak with each other except through patching. There is also an inability to speak with our neighbors, our regional partners via 800 MHz.

There should be regional coordination of emergency plans. All plans in the region should be shared among the various jurisdictions. Discussions are needed concerning mass evacuations that would include naming evacuation destinationsites throughout various counties. There is also a need for clear and concise intelligence information. The Office of the National Capital Region Coordination has been effective in setting priorities but standards have not been set in many areas including standards for an Emergency Operations Centers.

The type of guidance that we would like to see from the Department of Homeland Security may take time to accomplish. There should be a regional emergency operations center to include the development of a regional response team. Would like more formal training regarding the National Incident Management System. It appears that the only training that is being offered is paid training conferences and seminars—other than Incident Command System. Formal training for the National Incident Management System so that the jurisdictions will be prepared to comply. The development of standards for distribution, management and oversight of the grants; a clearer direction on the States role as we are a member of a State and a regional partner; the provision of increased assistance in the development of planning concerning cybersecurity and; the enhancement of grant training and technical assistance will all improve the guidance needed in the National Capital Region.

There really should be a regional coordination of emergency plans. All plans in the region should be shared among the various jurisdictions and I think we are moving toward that in a manner that is worthwhile applauding.

In the end, I think what I would like to say is that there are three questions that guide our work locally in Prince George's County. Those questions are, what is it that we wish to achieve regionally and locally in terms of emergency preparedness and by when. That is the standards and the priorities issue. How will we achieve this, task time, talent, costs, both fiscal and human? That is the multiyear strategy piece. The final question is how will we know when we have done it well? What are your performance measures? What are your performance measures processwise, productwise, perceptionally and politically because that is the reality that we live in.

We will continue to work with our regional partners to develop a management framework that truly reflects continued improve-

ment and accountability for our citizens. We would hope that these three questions that guide us locally will in fact begin to guide us in our framework as we move forward. We also need to address the fact that we do not have regional standards yet for emergency preparedness. That is critical.

Thank you, so much.

[The prepared statement of Ms. Brown follows:]

Statement of Dr. Jacqueline F. Brown
Chief Administrative Officer
Prince George's County Government
Government Reform Committee Hearing
Emergency Preparedness in the Nation's Capital with an Emphasis on Grant Management and Coordination
June 24, 2004

Good Morning.

I am grateful for the opportunity to appear before you today to testify on emergency preparedness in the National Capital Region (NCR) with an emphasis on first responder grant management and coordination. This subject is crucial to Prince George's County where over 835,000 residents live and over 100 different dialects are spoken.

During fiscal years 2002 and 2003, Prince George's County received approximately $10.4 million dollars in grant funding. Details of the funding use are as follows: Hazardous materials truck, decontamination supplies, decontamination vehicle, breathing air units, incident command training, incident command vehicles, radios, radiological detection unit, tanker unit, keycard control system, salaries, personal protective equipment (level A,B,C,D), Computer Aided Dispatch System upgrade, emergency management salaries, disease surveillance system, epidemiologic response plan, high speed internet connection, critical information network, training of key public health officials and citizen volunteer training.

There are several challenges in obtaining federal funding for emergency preparedness. Timeliness—there are delays in receiving money from the state. Once the federal government decides how much each state is to receive, the state must then determine the recipient amount to be awarded. The assessment phase should be a clearly defined process. In 2003, a state assessment was conducted. There were limited resources available to assist the County in preparing for the completion of this process. This assessment has been and continues to be the qualifying factor for funding over the last two years without any opportunity for adjustments.

There is also a need for the clarification of processes in areas where there is state and regional funding sources. At times there appear to be overlaps in the accomplishments of the two funding sources –State Homeland Security and Urban Area Security Initiative. There have even been occurrences where the state has created internal regional relationships adding yet another dimension to this situation. The state on at least two occasions has made an allocation a regional grant between 3 counties with vastly different geographies, populations and vulnerabilities. The three entities had to come to a consensus on the spending before the funds were allocated. After more than 6 months of this issue being unresolved, the state approved an equal split of the funds.

Advance notice that grants will be reimbursable would assist us in enhanced planning during our budgetary process. We recently learned that at least $2MM had been allocated to our county via a reimbursable grant. Funds for this amount were unavailable; therefore, we are faced with unplanned forward funding. Additionally a lack of consistent awards causes a deficiency in the algorithm of the budget process. Understanding the reimbursement basis of grant funding especially as it relates to jurisdictions within the County would be a tremendous benefit.

The National Incident Management System is the most recent criteria that must be adhered to regarding upcoming funding. Little has been shared regarding the details of the protocols for compliance, but we are expected to be prepared to adopt this initiative within three months.

Many jurisdictions lack the experienced personnel to handle the grant processes at all levels—local, state and federal. The State Administrative Agency should be readily accessible for assistance/clarification regarding the funding process.

Challenges continue to exist within the NCR related to organizing and implementing efficient and effective regional preparedness programs. While most events in this area would become a regional issue, there is no regional emergency operation/coordination center from which to command activities. We are fortunate to have a regional emergency coordination plan and this area could be better served with a regional emergency operation/coordination center and regional response teams.

With so many jurisdictions in the NCR, collaboration is a real challenge.

There are several gaps which remain in the emergency preparedness of the NCR
Interoperability issues still exist and are at the top of the list. This issue is extremely expensive and we are still experiencing inter and intra communication deficiencies within this county. There is an inability for us to speak with each other except through patching. There is also an inability to speak with our neighbors, our regional partners via 800 MHz.

There should be regional coordination of emergency plans. All plans in the region should be shared among the various jurisdictions. Discussions are needed concerning mass evacuations that would include naming evacuation destination sites throughout various counties. There is also a need for clear and concise intelligence information

The Office of the National Capital Region Coordination has been effective in setting priorities but standards have not been set in many areas including standards for an Emergency Operations Centers.

The type of guidance that we would like to see from the Department of Homeland Security may take time to accomplish. There should be a regional emergency operations center to include the development of a regional response team. Would like more formal training regarding the National Incident Management System. It appears that the only training that is being offered is paid training conferences and seminars (other than Incident Command System). Formal training for the National Incident Management System so that the jurisdictions will be prepared to comply. The development of standards for distribution, management and oversight of the grants; a clearer direction on the states role as we are a member of a state and a regional partner; the provision of increased assistance in the development of planning concerning cyber security and; the enhancement of grant training and technical assistance will all improve the guidance needed in the National Capital Region.

Chairman TOM DAVIS. Thank you all very much. I will start the questioning with Mr. Schrock.

Mr. SCHROCK. Thank you, Mr. Chairman and thank you all very much for being here.

I want to note for the record that Tom Lockwood from the first panel is here and I think that is a very good thing because he cares enough to hear what these folks have to say. These folks are at the tip of the spear as we say in the military and when the balloon goes up, they are going to be the first ones on the scene as they were at the Pentagon that day because I saw them.

Chief Schwartz, you said the death toll was not as great at the Pentagon as it was in New York and you are right, but had that wedge at the Pentagon been fully occupied as it was about to be because of the reconstruction, I believe the death toll there would have been far worse than it was in New York City. It is just a blessing that they weren't.

You are absolutely right, junior partners no. You have to be full partners in this effort because you are the ones we are going to expect to be on the scene from the very first moment and we need to make sure we here do everything we can to help you.

Dr. Brown, you talked about reimbursable grant. That is kind of a contradiction in terms, isn't it? I thought a grant was something you gave to people.

Ms. BROWN. What happens is you get the awards and then we forward fund it and pay for it and then we can get reimbursed. That is the nature of some of the awards that are coming.

Mr. SCHROCK. I see. I don't know how many of you really listened carefully to what my friend, Mr. Moran, was saying during the last round. He was talking about the rail and concerns he has. I have the same concerns and the same concern I expressed to you all when I go through the Hampton Roads Bridge Tunnel every week, as you will today, Mr. Griffin, I have with the trains because the trains run right under my office. I am not going to mention the name of the building to give anybody any ideas but that is a real concern. I think if we are not careful, something is going to happen and I am genuinely concerned about that.

Mr. Lockwood in the last panel advised that they are working with the Joint Terrorism Training Task Force and I am wondering how the Federal Government is managing to share intelligence with uncleared, non-Federal employees such as the local responders as you and your staff and are procedures working adequately to get non-Federal employees cleared to receive this information? Do we in Congress need to address this specifically to make sure you do get the information you need so that somebody doesn't sit on it which could be the piece of the puzzle to help solve the problem?

Ms. BROWN. The intelligence piece becomes very important, if I am understanding your question correctly and the clearance of the people to receive it. That was an issue in our written testimony that the triggers for intelligence that tend to be general and kind of nebulous still trigger things locally for us to do. As Chief Michos was saying, it does bring a labor and a personnel and resource intensity to our budgets and to our jurisdictions. The clearance would be good.

Overall, what we need is if this is a Federal piece, what are some of the standards? Those are the standards that perhaps the States can adhere to. If the States are the ones that are going to set the standards for emergency preparedness including security levels needed for personnel to receive certain intelligence, that is the kind of guidance we need. This is an important piece but I believe that kind of guidance really must come from either the Federal Government and/or the States in conjunction with the Federal Government. This is not something localities are set up to do in terms of high level security clearance for national things. They are geared to do it for police departments, to do it for certain first responders but if you are in a jurisdiction like mine where we have tried to mirror the Federal structure and set up an Office of Homeland Security with a separate director and merged some first responder offices, then those security clearances that we need, we are making our best guess about what you need and hiring accordingly but we certainly need that kind of guidance. It would be most welcome.

Mr. SCHROCK. Chief.

Ms. MICHOS. At the local level, traditionally the fire service has been kept out of the intelligence loop.

Mr. SCHROCK. Kept out of?

Ms. MICHOS. Traditionally that is what has happened. Several years ago, the FBI did appoint a liaison in this region to the fire service and it has been invaluable and I think Jim found this to be an important asset for him at the Pentagon. The liaisons have been very active in coming to our meetings and planning with us and providing us with a regular line of information that we could share with our folks so that we have increased awareness of things that are going on when the intelligence is available.

Mr. SCHROCK. So they are starting to include you?

Ms. MICHOS. Oh, yes, and that has been very valuable to us over the last few years.

Mr. SCHWARTZ. The local jurisdictions that do pony up representatives to the Joint Terrorism Task Force do that without reimbursement. We do that at local cost, so the fact we are getting intelligence information and relationships that do exist are still on the backs of the locals to finance.

I can tell you at a street level some of the difficulties we have even though we get good intelligence from the relationships that exist. Last year, the Federal Government decided to make available to local jurisdictions the bioassays that are used to test for biological agents, something the military has, a very good system for developing and they rely on those extremely well. It was decided that those bioassays would be available for local jurisdictions so hazmat technicians could use them in the street to assess the proverbial white powder calls and that sort of thing. What they would not give us, however, are what amount to the evaluation instruments so that once you use the assay and get an indication on it, you cannot read it, you have no way to evaluate what the ticket says because they kept that information classified. That is not shared with us. You can actually get it outside this country but you cannot get it inside this country.

I use that as an example to say really our system of intelligence sharing is based on a cold war mentality. It is based on the nuclear

threat of 50 years ago and somehow we have to come up with a system of what we commonly refer to as trusted agents, something that will recognize that there is another level of information sharing that can assist locals in those kinds of instances.

Mr. SCHROCK. Kind of like buying a car without wheels?

Mr. GRIFFIN. If I may, after September 11, Fairfax County established an intelligence unit in our police department. We had disbanded it for budget reasons in the 1990's but that unit was so successful, the FBI asked to join it. Again, I would underscore Chief Schwartz's point that is on our nickel. We have since, as a county, taken the lead in terms of forming an intelligence unit on a regional basis in northern Virginia. Again, that is on our nickel.

One of the hats I wear is as director of emergency management but the only access I have to intelligence is through my police chief who has top secret clearance but that individual needs to be very circumspect in terms of what they tell me. I think that kind of sharing of information can be improved. I don't necessarily have any answers but it can be better.

Mr. SCHROCK. So the chief of police who reports to you has a top secret clearance and you don't?

Mr. GRIFFIN. That is correct. The initiative to get the police chief's top secret clearance only occurred after September 11 and it took almost 2 years to happen.

Mr. SCHROCK. Thank you, Mr. Chairman.

Chairman TOM DAVIS. Thank you very much.

Mr. Ruppersberger.

Mr. RUPPERSBERGER. The 911 Commission cited a lack of communication between Federal, State and local agencies as one of the biggest failures of the Government on September 11. If a catastrophic event were to occur in the capital region today, is there any standard protocol for different agencies communicating together? Also, is there a way that local law enforcement can communicate with the military?

Mr. GRIFFIN. I will start that if I may. One of the chief failures, as you noted, after September 11 particularly in the Washington region as related to communication is we did not have good regional communication. I believe in terms of the incident itself there was good communication because most of the agencies transitioned to the 800 MHz radio system that allowed interoperability between organizations.

I was Chair of the Chief Administrative Officers at that time and I did convene a conference call of all the chief administrative officers but it occurred approximately 8 hours after the initiation of the events on September 11. To address that, we have created what we call the RICCS system, the Regional Incident Communication and Coordination System which takes advantage of the current technology. That system is in place and is practiced on a regular basis. It now enables myself or others depending on where the event occurs to convene a conference call in less than 30 minutes. The RICCS system is set up such that it is not just for the chief administrative officers, there are groups of individuals by discipline that have been created who also have access to that system, be it fire chiefs, police chiefs, transportation officials, health directors. We are even getting the hospital system integrated to that system.

Not all events that occur in the region need to be elevated to the chief administrative officers but we are encouraging the various disciplines to use the system because it really does enhance the communication.

Mr. RUPPERSBERGER. Any other comments?

Mr. SCHWARTZ. I would like to add that when we talk about the communications problem as it relates to interoperability, there are different layers. Mr. Griffin identifies a layer that the chief administrative officers would use. Communications on the incident at September 11 at the Pentagon were largely good for the response. We are never going to solve the problem of getting everybody on a common frequency. In fact, obviously for the Pentagon response, we had representatives from DOD that were a part of the unified command.

Mr. RUPPERSBERGER. You had representatives from Maryland, from Virginia and from Washington all together, correct, at the Pentagon?

Mr. SCHWARTZ. No, sir, we do it by discipline. We do it so that we have fire and EMS representatives, we have law enforcement representatives. There were Federal representatives because they have the lead agency responsibilities for acts of terrorism, namely the FBI, and we had DOD because it was their property and they brought a significant amount of resources to the incident.

My point is that it is a unified command under a recognized incident management system that will do more for the communications interoperability problem than getting everybody on the same frequency and push to talk.

Mr. RUPPERSBERGER. Is that opinion shared throughout your industry?

Mr. SCHWARTZ. I believe it is. That is not to suggest that we don't need to continue to make advances across this country so that the kinds of situations that we have in the National Capital Region which is that almost all of the jurisdictions operate on common frequencies but if you start trying to put the FBI on our frequencies, the Department of Defense on our frequencies and every other Federal agency that would come in support of a local jurisdiction, we are going to have too many people operating on frequencies and they will be completely unusable. The incident management system has to be utilized to effect good communications.

Mr. RUPPERSBERGER. Let me ask you this broad question. If we could give you one thing here today to help you as relates to the whole communications, what would you want us to do?

Mr. SCHWARTZ. I would like Dr. Brown to answer that question because I think part of her remarks add another layer of communication which is the coordination among the Government entities that are overseeing a response.

Mr. RUPPERSBERGER. Dr. Brown.

Ms. BROWN. I am really grateful for this opportunity. One of the things that happens is when September 11 came in, people were growing. If you could see the localities, we were growing at our own rates. We had a regional awareness there but September 11 really brought it together in terms of looking at it regionally. Therefore, the issues of comparability and standardization of levels of ability and capability to respond all of a sudden became glaringly clear

that we hadn't done it. Some of us don't have 800 MHZ, some of us are working out of an EOC that is an abandoned school building as a way to handle a jurisdiction with 835,000 people in the home of Air Force 1 and over 300 vulnerable places within the jurisdiction. So the larger picture for us in the Maryland region and in the region of the National Capital Region is if our people from the different areas had to go to different peoples' EOCs, could they even work the equipment, would they even be there, even if they were jointly trained and part of that equipment is communication. It is also communication at a level of being able to receive intelligence, be able to see the strategic big picture regionally and to deal with it.

Until we bring everybody up to a minimum competency standard to receive the information, then we have a big hole of vulnerability and we need to address that. I understand that the removal of being able to do things with brick and mortar is kind of going against what it is we need to do but we need to look across the region.

Mr. RUPPERSBERGER. Who should determine what that standard should be?

Ms. BROWN. I think the National Capital Region. We would look for them along with input from, building input from the CAOs, from the Federal Government, from the military players, from all of the other ones that have the capability and the expertise.

Mr. RUPPERSBERGER. But who should that be, in your opinion, based on what you know?

Ms. BROWN. Who should be the one to set the standards?

Mr. RUPPERSBERGER. Yes.

Ms. BROWN. I would expect that it should come from the National Capital Region.

Mr. RUPPERSBERGER. Who do you think?

Mr. SCHWARTZ. I should say Congressman that there is a proposal in to the National Capital Region Office under the URASI grants to look at the issues of EOC interoperability so that we figure out exactly what those standards are and then how to apply future grant funds to each of the local EOCs so that they are interconnected, so that they can interoperate.

Mr. RUPPERSBERGER. Thank you.

Chairman TOM DAVIS. Thank you very much.

Let me ask just a couple questions.

As the Office of the National Capital Region Coordination communicated to you the areas you are lacking in terms of being able to fulfill your duties and be able to respond to regional emergencies? They did, as I understand, an assessment last year. Have they communicated with any of you the shortcomings? Tony.

Mr. GRIFFIN. Initially, I think through the assessment there was an effort to identify what the deficiencies were in each jurisdiction and the Capital Region participated in that. Some of the difficulty and some of the friction early on occurred because having participated in that assessment, we didn't see the results of it and the Senior Policy Group made the initial allocations for the $60 million allocated to the National Capital Region based on that assessment. Not having seen it and not being sure what it was about and con-

cern about the local jurisdictions being the local responders, the first responders, there was some friction there.

I think that friction has been mitigated to a large extent because there was a recognition that the Senior Policy Group and the CAOs and the other players really needed to come together and participate together. I think by December we had reached that common ground and we have been working together I think pretty well over the last 6 months at better identifying what our gaps are and getting better participation from all the players in identifying what those gaps are. I think the Chiefs may have a perspective on that.

Chairman TOM DAVIS. Yes, let me ask you. Ms. Brown.

Ms. BROWN. Taking off on what he said about the assessment, we have gotten some feedback and I guess our feelings on a local level are that it really wasn't truly reflective and we questioned at the time, the value of the tool that was being used but we did it like everyone else. So right now we are in a period where they are allowing us to look at the results of the assessment to do some tweaking since the future grant allocations will be based on the results of that but that was one thing I said, we put so much time and effort into it, didn't have any input when the tool was being designed or what were the things that should be looked at, so we are trying to make best with what we can right now based on the time and energy we have put into that.

Chairman TOM DAVIS. Chief Schwartz.

Mr. SCHWARTZ. Just a couple of things. As has been said, the instrument was rather poor. One of the poorest parts of it was the threat assessment component, how we developed information on the threats that were germane to our area was extremely difficult. The other thing I would add is that since we are supposed to be operating as a region, it would have been beneficial if we had completed the instrument together as a region. Instead, we were stovepiped by jurisdiction, so we couldn't even learn from each other how we were inputting the data, what kind of elements, so that we could sort of shortcut the whole process and get to a point that we could all agree on what was going into the instrument. Largely it was an inventory of our capabilities.

Ms. BROWN. Right now we are very personality dependent. We have a group of people regionally and locally who want to work together who are determined to move forward with this from a regional standpoint to do the things that Tony is saying in terms of working together with the Senior Policy Group and all of this. I am very nervous about the fact that if any of us leave and a different headset comes in, where are the standards that say I don't care who you are, what are the standards of baseline competency necessary, not only in terms of personnel, things like communications, things like intelligence methods, things like equipment that is needed regardless of who you are and who sits in these seats, whether you have goodwill or not, these are the rules of play as it relates to emergency preparedness in the National Capital Region. Again, I believe those standards should come from the National Capital Region. We don't even have a National Capital Region EOC.

Chairman TOM DAVIS. Thank you.

Mr. Moran.

Mr. MORAN OF VIRGINIA. Thank you, Mr. Chairman.

I am glad and appreciative that Mr. Lockwood stayed.

I was reading the legislation that the Congress passed describing the responsibilities of the Office of National Capital Regional Coordination that was in the Homeland Security Act. They are to assess and advocate for the resources needed by State, local and regional governments. It is to provide State, local and regional authorities in the National Capital Region with timely information and technical support. It is to develop a process for receiving meaningful input from State, local and regional authorities in the development of homeland security plans and activities. It is for coordinating Federal, State, local and regional agencies and to ensure adequate planning information, sharing, training and execution and to serve as a liaison between the Federal Government and State, local and regional authorities to facilitate access to Federal grants and other programs. That is the function. That is why it exists and yet I have talked to each of the jurisdictions in my congressional district, Arlington, Alexandria and Fairfax County and all of them say that the lack of planning, preparation, orderly expectations of resources and what the requirements of those resources are going to be, the lack of that at the Federal level is seriously hamstringing if not crippling the ability of local governments to do their own planning and resource allocation. In other words, you can't plan and allocate your resources unless you know what resources are coming into the locality so you can match them, so that you can pull the personnel, the equipment, the facilities together so that you can fulfill your responsibilities.

I suppose I should say when because that is what we are told by Secretary Ridge but I will say if we have a terrorist attack, we are going to turn to the local responders and look for what went wrong because nothing is going to go perfectly and the first thing we are going to be told is that even though Congress provided the resources, they weren't made available and we weren't even told when they were going to be made available for what purposes. So this is the problem. This is the reason for the hearing. This is the reason why Chairman Davis got on top of this, to say, look, I don't know what more we in the Congress can do but to provide the money and provide the legislative authority and the mandate but while the money is provided, the mandate is there, it is not being implemented.

My question is a pretty basic one that I am going to ask each of you who are responsible for your jurisdictions, how has this backlog in distributing resources that were made available in 2003 and 2004 by the Congress to the Department of Homeland Security, you haven't received them and you haven't been given a plan for when you are going to receive them and what you are supposed to do with them, so I think you need to put on the record what impact this has had, what you have not been able to do because that money has not gotten to where it was intended to go. Let me start with Jim Schwartz.

Mr. SCHWARTZ. Well, Congressman, as we said in the earlier testimony, there were a lot of difficulties in the front end of this because the locals were not as involved as they could have been, as they should have been with the process. It came from the top down.

The Senior Policy Group took information from our homeland security assessment and developed a strategy and then developed a funding scheme, carved up that original $60 million and it was only late in the process that I think we had enough representation come to the table to give the local perspective. I would defer to Mr. Griffin or Dr. Brown on this because they both operated as chief administrative officials.

The process has improved now, I believe, but I would say that I think we are asking an enormous amount of time for people at their level, of their stature to be in long meetings deciding how we are going to be spending some of this money. The structure, the foundation for this out of the National Capital Region Office to support the decisionmaking process doesn't seem to be there. Again, I think it is calling on the locals to commit an awful lot of senior time to make what seemed to me to be lower level decisions.

Mr. MORAN OF VIRGINIA. I want to turn to Tony next but what role has COG had because we do subsidize the Council of Governments and they do have a committee that pulls together police chiefs, the public safety people, fire and so on. Has COG been a part of this regional coordination effort?

Mr. GRIFFIN. Yes, if I may, Congressman. COG has played a significant role as convenor and as a support agency for the convening of the regional jurisdictions. It has been handled essentially on two levels. One, it has been handled at the level of the board of directors and their authorization of the original task force which created the regional template for emergency response and their subsequent creation of the Emergency Preparedness Council.

The other committee structure of COG has been doing the grunt work if you will in terms of regional preparedness under the direction of the Chief Administrative Officers. The Fire Chiefs Committee, the Police Chiefs Committee, the Health Directors Committee, the Emergency Managers Committee, we have even created a Public Information Officer Committee, recognizing that there are many players involved in this and they are all convening on a regular basis, at least monthly. In many instances the CAOs have either had all day meetings or have scheduled extra meetings where the subject matter has only been homeland security. In fact, to some extent, we have been setting aside other critical regional issues to address the homeland security.

One of the challenges for us and I think we are getting better at it but partly the friction that occurred between the levels of government and the locals feeling because we are first responders and because we have had some practical experience, that we ought to have more of a role, those roles have been substantially worked out and the Senior Policy Group which includes Mr. Lockwood and included Michael Byrne, his predecessor, and Ken Wahl, the interim as well as the State representatives have been meeting on a regular basis to get a handle on what our issues and our priorities are.

From a county perspective, I have to tell you the way I have approached it has not been one which is dependent on the Federal funding or to some extent, even, the State funding that comes because of the Federal funding. We have worked hard in the county to try to identify what we thought our priorities were and what the

gaps were in our capability to respond and then have identified how we are going to address that.

In my testimony I made reference to our emergency operations center. Our situation is similar to that of Prince George's in that our current emergency operations center is in a 50 year old elementary school with two elementary school classrooms designated for purposes of emergency management. That works fine when we were dealing with a hurricane once every 30 years. It does not work in this environment.

Likewise, our emergency communications center is in that same facility. We have outgrown it. The technology cannot be supported by the facility and therefore, we are building a new facility which we expect to open in the fall of 2007. The price tag for that facility is $98 million. It takes a lot of effort on our part to figure out how to do that. That is going to be county funded. We are looking to the Federal Government in the context that they can give us some assistance in terms of the equipment but we have made the decisions on the basis of our local capacity to fund these programs and we prioritize them on the basis of what is most critical and we will fund those whether we get any Federal money or not. If we get Federal money or if we get State money, then we start applying that to those other priorities that we consider critical but are less critical than what we can move ourselves through our own financial processes.

Mr. MORAN OF VIRGINIA. I guess that is about as good an answer as we could get but I think we have sent the message to Mr. Lockwood pretty loud and clear.

Chairman TOM DAVIS. I think he heard that.

Mr. MORAN OF VIRGINIA. The red light has been on for some time, so thanks for your indulgence, Mr. Chairman, and thanks for the hearing.

Chairman TOM DAVIS. Jim, thank you very much.

Mr. Schrock, you have a couple of followups?

Mr. SCHROCK. I do. Thank you, Mr. Chairman, and I share the exact same frustrations as Mr. Moran does and obviously you all do too.

It seems there are so many layers of communications in there. When the balloon goes up, who in God's name knows who to report to whom. It seems to me that the folks in Arlington County may not be using the same sort of symbology or equipment as the folks in Prince William County. In the military now, we are talking about interoperability where the Army can talk to the Air Force and Air Force can talk to the Marine Corps and the Marine Corps can talk to everybody. When one symbol pops up, they all know what it means. The same thing might work with you all if you have the same kind of equipment so everybody is talking off the same sheet of music should we have these problems again.

I agree with what I have heard that maybe the Federal Government needs a set of standards but whenever I hear the Federal Government getting involved in anything I just cringe because the localities know it is probably going to mean unfunded mandates for them. We might need to pass legislation to give a framework to the localities and let the localities build it based on their territory and the way they see things if something should happen and if we are

doing mandates, then we need to fund them. For you all to have to pay $98 million, obviously that is just for the building, not for the insides, not the equipment, there is something really wrong there.

Let me ask would it be possible for the Federal Government to consider assigning what we could call staff counterintelligence officers to prioritize States' own homeland security programs? They could act as a designated liaison between the State DHS and the intelligence community, in other words an NCIS agent could be assigned to Annapolis to work with Dennis Schrader, one could be assigned to Richmond to work with George Foresman on two or three rotational tours as an intelligence link between the Federal Government and the States? Is something like that possible or is that just adding another layer of bureaucracy that I can't stand, frankly, putting in another layer of bureaucracy that you don't need. Would that be something that would give you the link to the intelligence community here that you need or is that just overreaching, you want us to stay out of your hair?

Mr. SCHWARTZ. I would have to say I would rather see funding come to support our JTTF representation and if I could make the observation that in and of itself coming from a fire chief is a pretty good indication of the extent of our collaborative efforts here in the region.

I think if you funded the JTTF positions, we would get the same thing. The homeland security contacts in the State already get the intelligence information from the Federal Government through DHS, so I think they are pretty well satisfied. You will end up with a situation that Mr. Griffin described earlier in that his police chief has to be rather circumspect in giving him any information of value. I think we would have another layer that would be relatively useless.

Mr. SCHROCK. I was just thinking out loud. The last thing we need, the last thing people who sit on this level need to do is continue creating more layers of burden for you all. We need to make it as simple as possible and let you all work together to make sure you can talk from the same sheet of music. I share your frustration and I certainly share Mr. Moran's frustration as well.

Again, thank you all for what you do. It is not easy. It is tough.

Mr. GRIFFIN. If I could add a quick point on the intelligence part and that is just like being first responders in terms of intelligence, our people know our communities better than the Federal Government knows our communities. I think if they can give us additional assistance, I don't normally fund that sort of thing but I recognize the importance to the region and there is an obligation as the largest jurisdiction in the metropolitan area to take a lead on something like that, so we have done that. We have stepped up to the plate but I think as Chief Schwartz indicated, if we could get some assistance in that area, that would be very helpful.

Mr. SCHROCK. Thank you all very much.

Chairman TOM DAVIS. Thank you very, very much. It has been a very helpful hearing for us and the record.

The hearing is adjourned.

[Whereupon, at 1:15 p.m., the committee was adjourned, to reconvene at the call of the Chair.]

[The prepared statements of Hon. Wm. Lacy Clay and Hon. Danny K. Davis follow:]

Statement of the
Honorable William Lacy Clay
Before the
Government Reform Committee
Thursday, June 24, 2004

"Target Washington: Coordinating Federal Homeland Security Efforts with Local Jurisdictions in the National Capital Region"

Mr. Chairman, the men and women that staff the Department of Homeland Security - Office for National Capital Region Coordination have, since their inception, done an incredible job of preparing for future emergency challenges in the greater Washington, D.C. area. However, I am of the impression that their work is really just beginning. Many critical issues remain to be addressed such as:

- Providing a greater emphasis on the First Responder Preparedness and Prevention program to the public,
- Increasing radio and telephonic inter-operability capabilities between First Responders,
- And, the development of an established effective benchmark for objective and independent evaluations of existing programs.

Coordination exercises, new equipment, planning, and training, are all important components of an effective emergency program, but how effective will they be if they are not objectively evaluated and fully funded?

I am very interested in hearing about the findings of the new GAO report, and look forward to hearing from all of today's witnesses. Finally, Mr. Chairman I ask unanimous consent to submit my statement into the record.

OPENING STATEMENT OF THE HONORABLE DANNY K. DAVIS AT THE GOVERNMENT REFORM COMMITTEE MARKUP ON S. 129, THE "FEDERAL WORKFORCE FLEXIBILITY ACT OF 2004."

June 24, 2004

S. 129, the "Federal Workforce Flexibility Act of 2004," would provide a variety of personnel flexibilities to federal agencies. Among other things, these new governmentwide flexibilities would provide federal agencies with additional tools for recruiting employees for difficult-to-fill positions and for retaining employees with unusual qualifications; permit the White House Office of Administration to establish career positions in the Senior Executive Service; eliminate open seasons for the Thrift Savings Plan; and allow employees to earn

comp time for time spent on official travel. This last provision will certainly help federal employees who are asked to travel on personal time but for which they currently receive no compensation.

While I am pleased that S.129 is a governmentwide civil service reform bill and does not continue the piecemeal approach to reform that we have seen to-date, I am uncertain how some of these provisions will be implemented without additional agency education and funding. In the last few years, federal agencies have received a number of authorities and flexibilities that their managers are currently unaware of and that they do not have the money to implement. Perhaps we should address

the education and funding issues before any more human capital "tools" are thrown at agencies.

I am pleased that the comp time provisions that were in the Senate version of the bill remain in tact and I support Ranking Member Waxman's efforts to strengthen protections for whistleblowers by securing a commitment from the Chairman that whistleblower legislation will be markup by the Committee this session.

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