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RESPONDING TO CATASTROPHIC EVENTS: THE ROLE OF THE MILITARY AND NATIONAL GUARD IN DISASTER RESPONSE

JOINT HEARING

THE

SUBCOMMITTEE ON EMERGENCY PREPAREDNESS, SCIENCE, AND TECHNOLOGY

OF THE

COMMITTEE ON HOMELAND SECURITY

[Serial No. 109–56]

WITH THE

SUBCOMMITTEE ON TERRORISM, UNCONVENTIONAL THREATS AND CAPABILITIES

OF THE

COMMITTEE ON ARMED SERVICES

[Serial No. 109–83]

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RESPONDING TO CATASTROPHIC EVENTS: THE ROLE OF THE MILITARY AND NATIONAL GUARD IN DISASTER RESPONSE

Wednesday, November 9, 2005

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
SUBCOMMITTEE ON EMERGENCY PREPAREDNESS,
SCIENCE AND TECHNOLOGY,
WITH THE
COMMITTEE ON ARMED SERVICES,
SUBCOMMITTEE ON TERRORISM, UNCONVENTIONAL
THREATS AND CAPABILITIES,
Washington, DC.

The subcommittee met, pursuant to call, at 10:04 a.m., in Room 311, Cannon House Office Building, Hon. Dave Reichert [chairman of the subcommittee] presiding.

Present: Representatives Reichert, Saxton, Simmons, Rogers, Kline, Davis of Kentucky, Dent, LoBiondo, Pascrell, Thompson, Davis of California, Tauscher, Lowey, Langevin, Christensen, Etheridge, Marshall, McKinney, and Larsen.

Mr. REICHERT. [Presiding.] Good morning. The joint hearing of the Committee on Homeland Security, Subcommittee on Emergency Preparedness, Science and Technology, and the Committee on Armed Services, Subcommittee on Terrorism, Unconventional Threats and Capabilities, will come to order.

The subcommittees are meeting today in joint session to hear testimony on the role of the military and the National Guard in responding to catastrophic events.

Let me first welcome our distinguished witnesses from the Departments of Homeland Security and Defense. We greatly appreciate your appearance before us today for this important joint hearing.

Before we start, I would like to commend Chairman Jim Saxton and Ranking Member Marty Meehan of the Subcommittee on Terrorism, Unconventional Threats and Capabilities for their leadership on homeland defense issues.

And I especially appreciate their willingness to hold this joint hearing with the House Committee on Homeland Security, Subcommittee on Emergency Preparedness, Science and Technology, which I chair with the able assistance of Ranking Member Bill Pascrell.

This joint hearing is a timely one. The deployment of thousands of federal troops to New Orleans in response to Hurricane Katrina

has spurred fresh debate about whether the Department of Defense and not the Department of Homeland Security should be the lead federal agency in responding to disasters of great magnitude.

In a nationally televised address from New Orleans on September 15, 2005, President Bush contended, "It is now clear that a challenge on this scale requires greater federal authority and a broader role for the Armed Forces, the institution of our government most capable of massive logistical operations on a moment's notice."

To an American public understandably upset by the slow response to Hurricane Katrina and frightened by possible avian flu outbreak, the president's suggestion merits serious discussion. There are, however, constitutional, legal and practical constraints on the military's ability to assume the primary role in responding to catastrophic emergencies.

First, under our nation's constitutional framework, state and local governments take the lead role in responding to disasters and emergencies while the federal government and the military take a supporting role.

As the former sheriff of King County in Washington state, I fear than an enhanced role for the military in responding to disasters and emergencies may undermine federalism and may even encourage some already financially strapped state and local governments from using their own scarce resources for something that they might expect the federal government and the military to handle.

Second, as the lead agency for responding to catastrophic events, the Pentagon may be required to perform certain law enforcement functions. Such a result may upset the delicate balance of civilian-military relations that is well-established principle of our democratic form of government that the Pentagon should not conduct domestic law enforcement activities, such as investigating, arresting and incarcerating individuals.

Nevertheless, when local and state governments are completely overwhelmed, federal troops may be needed to maintain law and order. Such situations may test the limits of Posse Comitatus Act.

Finally, as a practical matter, an enhanced role for the military and the National Guard in responding to domestic catastrophes could undermine our nation's defense capabilities. The military's principal responsibility is to protect the United States from direct attack, not to respond to disasters and emergencies.

If the military assumes primary responsibility for both national defense and emergency response, then its dual missions may drain valuable resources and personnel. This result may inadvertently harm military readiness to defend the United States.

I want to again thank the witnesses for their testimonies today and our colleagues in the Armed Services for holding this joint hearing with us. And I look forward to discussing these and other issues with all of you this morning.

Again, thank you all for being here.

The chair now recognizes the ranking minority member of the Subcommittee on Emergency Preparedness, Science and Technology, the gentleman from New Jersey, Mr. Pascrell, for any statement that he may have.

PREPARED OPENING STATEMENT OF HON. DAVE G. REICHERT

Good morning. Let me first welcome our distinguished witnesses from the Departments of Homeland Security and Defense. We greatly appreciate your appearance before us today for this important joint hearing.

Before we start, I'd like to commend Chairman Jim Saxton and Ranking Member Marty Meehan of HASC's Subcommittee on Terrorism, Unconventional Threats and Capabilities for their leadership on homeland defense issues.

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To an American public understandably upset by the slow response to Hurricane Katrina and frightened by a possible avian-flu outbreak, the President's suggestion sounds sensible. There are, however, constitutional, legal, and practical constraints on the military's ability to assume the primary role in responding to catastrophic emergencies.

First, under our Nation's constitutional framework, State and local governments take the lead role in responding to disasters and emergencies, while the Federal government and the military take a supporting role. As the former Sheriff of King County, Washington, I fear that an enhanced role for the military in responding to disasters and emergencies may undermine Federalism and deter already financially strapped State and local governments from using their scare resources for something that the Federal government and the military will handle.

Second, as the lead agency for responding to catastrophic events, the Pentagon may be required to perform certain law enforcement functions. Such a result may upset the delicate balance of civilian-military relations. It is a well-established principle of our democratic form of government that the Pentagon should not conduct domestic law enforcement activities, such as investigating, arresting, and incarcerating individuals. Nevertheless, when local and State governments are completely overwhelmed, Federal troops may be needed to maintain law and order. Such situations may test the limits of the Posse Comitatus Act.

Finally, as a practical matter, an enhanced role for the military and the National Guard in responding to domestic catastrophes could undermine our Nation's defense capabilities. The military's principal responsibility is to protect the United States from direct attack, not to respond to disasters and emergencies. If the military assumes primary responsibility for both national defense and emergency response, then its dual missions may drain valuable resources and personnel. This result may inadvertently harm military readiness to defend the United States.

I want to again thank the witnesses for their testimony today, and our colleagues on Armed Services for holding this joint hearing with us. I look forward to discussing these and other issues with all of you this morning.

Mr. PASCRELL. Thank you, Mr. Chairman and Chairman Saxton, Chairman King, Chairman Thomas. I am pleased to be here today with my colleagues from both the Committees on Homeland Security and Armed Forces to explore and examine the role of the military and the National Guard in disaster response.

Clearly, the recent bombardment of hurricanes throughout the Gulf Coast has focused the nation's attention on the use of the military in domestic emergencies, and rightfully so. We are all thankful for our men and women in the military, where in active-duty, Reserves, the National Guard, who responded boldly and honorably to the catastrophes that nature wrought on our citizens.

The ability of people who comprise our Armed Forces is never in question. The response to these events should be commended and are being commended.

I believe that recent calls to require a broader role and greater authority for the Armed Forces during such challenges are misplaced and ill-advised. The worst lesson we could take away from the hurricanes would be to irrevocably alter our emergency management system in a way that would take all control out of the hands of local and state first responders who have a deep familiarity with their communities.

Placing the military in control would obviously create conflict in long-existing statutes and conventions that prevent the military from becoming inappropriately involved in civilian affairs. The military can and, at times, must supplement the relief efforts the locals undertake.

But, in general, having the officers of our Armed Forces go into unfamiliar communities and explicitly control the decision-making process by which state and local officials and first responders must adhere is not an appropriate solution.

The fact is that these hurricanes, and Hurricane Katrina in particular, showed America that there is a massive failure in the very basic coordination of efforts among federal, state and local agencies. This is what must be remedied.

For example, the Department of Homeland Security must start doing its job and coordinate the Federal Government's response efforts. Hurricane Katrina demonstrated that, while plans exist, there is a need for a much greater understanding on the parts of federal, state and local governments about their respective roles in regards to disaster response.

The National Response Plan is only valuable if these officials use it and use it correctly. To that end, Department of Homeland Security (DHS) and Department of Defense (DOD) need to clarify their respective roles and missions during a natural disaster and how they operate and coordinate within the National Response Plan.

And when doing this, we need to be flexible enough to accommodate the possibility that certain DOD and National Guard assets may not be available if the United States is in a conflict when a disaster occurs.

In addition, many National Guard troops are also members of the local law enforcement community. Any federal plans must consider the impact on the local law enforcement community if these individuals are called up to perform National Guard duties.

That being said, I am interested in learning what the Department of Homeland Security is doing to improve state and local governments' ability to respond quickly, thus minimizing the need for any supplemental military response in the first place.

As we move forward, we must proceed deliberately and with great care. I look forward to engaging our witnesses today about how best to coordinate the capabilities of DHS and DOD and to help ensure that another disastrous response to a national catastrophe does not happen again.

And I thank our distinguished witnesses for being here today and salute your service to this country.

I yield back.

Mr. REICHERT. Thank you, Mr. Pascrell.

The chair now recognizes the chairman of the Subcommittee on Terrorism, Unconventional Threats and Capabilities, the gentleman from New York, Mr. Saxton, for any statement he may have.

Mr. SAXTON. Mr. Chairman, thank you very much.

In the interest of time, let me ask unanimous consent that my statement be included in the record.

And let me just say this. First, I want to thank the dedicated gentlemen who are here today to serve as our witnesses to discuss what I think is the most important subject, perhaps in a long time, perhaps in decades, maybe in the history of our country.

Today we face a threat from overseas, which is unlike any threat that we have ever faced before. It is a threat that is misunderstood by many people around the world, in particular in this country.

And it is through the efforts of the people that our witnesses, who are here today, lead, that we have been able to work to prevent additional attacks, like the attack on 9/11 and other attacks that we see perpetrated in other parts of the world.

And let me just finally say this. When I was a freshman in Congress in 1994, Ronald Reagan said something to me that I will always remember. He said, "Of all the subjects you deal with in the Congress of the United States, all of which are important, none of them are as important as providing national security for our country."

I have always remembered that statement and have tried to remember it each day when I come to work here to represent the people of the third district of New Jersey and the other people from around the country.

So, Mr. Chairman, thank you for hosting this meeting today. I appreciate it very much. And I look forward to hearing from our witnesses.

PREPARED STATEMENT OF THE HONORABLE JIM SAXTON

The Subcommittee on Terrorism, Unconventional Threats and Capabilities meets this morning in join session with our colleagues from the Committee on Homeland Security's Subcommittee on Emergency Preparedness, Science and Technology to discuss and understand the role of the Military and National Guard in responding to catastrophic events. It is no surprise that the Department of Defense and Homeland Security share similar joint interests across a range of areas, and we hope to foster and encourage greater cooperation than already exists between these two vitally imporant executive branch departments.

Nothing we do in Congress is more important than national security. DOD and DHS are the lead federal agencies in assuring the safety and security of the American public and must work together in a seamless fashion as they work to deter and defeat terrorism.

The importance of military preparedness to deal with a catastrophic event cannot be overstated. While Hurricane Katrina demonstrated the great challenges our leaders face when implementing an emergency response plan, we have to remember that in the case of Katrina we had *three days warning.* In the case of a terrorist attack we will not have the luxury of a warning.

As Chairman of the House Armed Services Subcommittee on Terrorism and Unconventional Threats, I am constantly reminded that Global Jihadists actively seek to carry out a catastrophic event on our soil. This threat, therefore, makes the military's response capability a matter of great importance.

It is precisely because of the threat posed by the nexus of terrorism and weapons of mass destruction that the Terrorism Subcommittee began working on this hearing with the Homeland Security Committee *prior* to Hurricane Katrina striking the Gulf States.

While it is not within the purview of this hearing to address the Federal response to hurrican Katrina, today's hearing will focus on some of the issues raised subsequent to Katrina. Much of this interest surrounds statements made by the President on September 15 in Louisiana where he called for an increased role for the military in responding to catastrophic events. I am curious to hear if our witnesses have anything more to say on this proposal.

Fortunately, since September 11 our country have worked to prevent al-Qa'ida, and similar Jihadist groups, from perpetrating another attacvkon U.S. soil. Our success in prevention, however, should not make us lax in our preparedness to deal with an attack in the event it occurs. We must be ready.

With that I'd like to thank Chairman Reichert for hosting today's joint session, and thank our witnesses for joining us today.

Mr. REICHERT. Thank you, Mr. Saxton.

The chair now recognizes the ranking minority member of the Subcommittee on Terrorism, Unconventional Threats and Capabilities, the gentlelady from California, Ms. Tauscher.

Mrs. TAUSCHER. Thank you, Mr. Chairman. And thank you for the opportunity to meet this morning in joint session with our two subcommittees.

The security of our nation is the top priority for both of our committees. And while I know we each spend a great deal of time exploring these issues, I am glad to see part of that effort will occur today in a collaborative setting.

Mr. Chairman, the chain of events that has occurred over the past couple of months has shown that our military possesses an extraordinary capability to respond to natural disasters. While the overall response to Hurricanes Katrina, Rita and Wilma may not have always been seamless, the active-duty and National Guard forces have proven time and again that they have the ability to handle events of such magnitude and significance.

Today's hearing is not intended to examine the specific response efforts in these instances but rather to explore the overall efforts to respond to either natural or manmade disasters, as they are coordinated between the Department of Homeland Security, Department of Defense, and the National Guard.

It is my hope that we might delve a bit deeper into the issue of interagency coordination and the possibility for increased use of military in responding to catastrophic events.

I look forward to hearing from our witnesses, their thoughts on the unity of effort in these situations, and pre-event planning that occurs between various agencies.

I thank you for your service to your country and to this committee.

And, Mr. Chairman, I yield back.

Mr. REICHERT. Thank you.

It is also our pleasure to have with us this morning on our panel the chairman of the full Committee on Homeland Security and also the ranking member of the full committee.

And, first, the chair will now recognize the chairman of the Homeland Security Committee, the gentleman from New York, Mr. King.

Mr. KING. Thank you, Chairman Reichert and Chairman Saxton, Ranking Member Tauscher, Bill Pascrell, Bennie Thompson.

I will keep my remarks very brief. But as the previous speakers have all said, if there was one shining light from the Katrina crisis, it was the outstanding performance of our military.

And I want to thank all of you at the table here today, all the witnesses, for the job that you have done and the job you continue to do for our country.

Today's hearing, obviously, raises questions about the usurping of the traditional power of local and state governments, whether or not regular use of the military would stretch you too thin at this time in our nation's history, whether or not Posse Comitatus or the Insurrection Act would have to be amended or adjusted.

But I think it is important we have this hearing, to see if there are any key places where the military can be used more than it has been used in the past, if they should be pre-positioned more than they have been used in the past, whether or not there can be greater coordination between the Department of Homeland Security—I know Secretary Jackson is here—between Homeland Security and with the Pentagon, whether or not Federal Emergency Management Agency (FEMA) should coordinate itself better with the military.

All of these issues, I think, are important to be discussed. I have no preconceptions of what the answers should be. I know they are serious questions. I know there could be doubts raised.

But at the same time, since we do face, as Chairman Saxton said, these are very turbulent, uncertain times. We are going places we have never gone before. And I do not think we should preclude or rule anything out and we should see exactly how we could maximize to the greatest use all of our resources.

And certainly, there is no resource greater than the military. And I know the Homeland Security wants to work as closely with you as possible, if we decide to go that route.

So with that, regrettably, I will not be able to stay for much of the hearing. And I have two other meetings I have to go to, but I commend Chairman Reichert and Chairman Saxton for having this joint hearing.

I think it also shows the awareness we have is that terrorism does not stop at the nation's borders. This is both an overseas and a domestic issue. I think it is very important that our two committees do work together in such a collaborative fashion, as Congresswoman Tauscher indicated.

So thank you for your testimony today.

And I thank the two chairmen and the two subcommittees for bringing together this hearing.

I yield back.

PREPARED STATEMENT OF HON. PETER KING

Thank you, Chairman Saxton and Chairman King for holding this important hearing. I also would like to welcome and thank our witnesses for appearing before us this morning. I look forward to hearing each of your unique perspectives on the proper role of the military and the National Guard in responding to catastrophic disasters.

The recent, dramatic deployment of thousands of Federal troops to New Orleans in response to Hurricane Katrina has spurred fresh debate about whether the Administration should designate the Department of Defense as the lead Federal agency in responding to disasters of extraordinary magnitude, whether natural or manmade.

Although the military's response to Hurricane Katrina has not been without its problems, it is widely agreed that active duty forces and the National Guard performed admirably. The call to "give the military the disaster response function" sounds sensible to many Americans. But doing so is not so simple.

Before taking such a drastic step, however, there are many questions that need to be addressed:

- Would an enlarged role for the military and the National Guard undermine Federalism and usurp the responsibility of State and local authorities?
- Is an enlarged role for the military even necessary? Isn?t the National Response Plan sufficient to facilitate military support to civilian authorities? If not, what changes need to be made to it?
- Would a greater role for military and the National Guard undermine its traditional war fighting role?
- Would a greater response role for the military and the National Guard require Congress to amend the Posse Comitatus Act?

I look forward to your answers to these and other questions. Again, I want to thank the witnesses for testifying today and our colleagues on Armed Services for holding this joint hearing with us. I yield back the balance of my time.

Mr. REICHERT. Thank you, Chairman King.

The chair now recognizes the ranking minority member of the Homeland Security Committee, the gentleman from Mississippi, Mr. Thompson, for any statement he may have.

Mr. THOMPSON. Thank you very much, Mr. Chairman and ranking members. I, too, have looked forward to the opportunity to hear the testimony of our witnesses.

Admiral Collins, Assistant Secretary McHale, Major General Rowe, General Blum, I must commend all of you for your efforts with the response to Hurricane Katrina. My district was one of those districts that was also impacted. We still suffer.

The military's role was absolutely invaluable in that process. And for that, I thank you.

But we are here today to examine the role of the military and the National Guard in disaster response. President Bush has suggested the Congress re-examine the role of the military and the National Guard in responding to catastrophic events.

Some people have even recommended that the military should have control over federal, state and local authorities during disasters. I disagree. The Department of Homeland Security should remain in charge of this mission; the real issue is whether or not the Department of Homeland Security is doing its job.

It is time for the department to demonstrate leadership and properly coordinate the Federal Government's response efforts.

Deputy Secretary Jackson, you told the Homeland Security Appropriations Subcommittee last month that Hurricane Katrina was a once-in-a-century event. I disagree with that.

September 11th happened 4 years ago. Experts agree that it is not a matter of when but if the next event occurs.

I recommend that the Department of Homeland Security and Defense more clearly define their respective roles and responsibilities in this. The department should review the military's role within the National Response Plan.

It is also time for the department to release the supplement to the Catastrophic Incident Annex.

In addition, I am interested and learning more about the department, of the two departments within local and state officials, your relationship.

To what degree are state and local officials participating in joint exercises within the military and the Department of Homeland Security? In my state, during Hurricane Katrina, many officials in-

volved in a response, this was their first time ever meeting each other.

And you should not meet each other at the hurricane. You should have some plans put together.

The other thing is, I would like to recognize the efforts of a Sergeant Russell, an Air Force reservist who died while on duty during Hurricane Katrina. Sergeant Russell was a former Marine who had recently returned from Iraq. He died while trying to assist others.

General Blum and Admiral Collins, Representative Taylor recently contacted both of you to seek your assistance in formally recognizing Sergeant Russell. I implore both of you to act quickly and expeditiously in recognizing Sergeant Russell and his contribution during Hurricane Katrina.

I yield back.

Mr. REICHERT. Thank you, Mr. Thompson.

Other members of the committee are reminded that opening statements may be submitted for the record.

We are pleased to have a distinguished panel of witnesses with us today. And they are: first, the honorable Michael P. Jackson, Deputy Secretary, U.S. Department of Homeland Security; the Honorable Paul McHale, Assistant Secretary of Defense for Homeland Defense in U.S. Department of Defense; Admiral Thomas H. Collins, Commandant, U.S. Coast Guard, U.S. Department of Homeland Security; Major General Richard Rowe, Jr., Director of Operations, U.S. Northern Command, U.S. Department of Defense; and Lieutenant General Steven Blum, Chief, National Guard Bureau, U.S. Department of Defense.

Let me gently remind the witnesses that their entire written statement will appear in the record. And we ask that, due to the number of witnesses on our panel today, that you strive to limit your testimony to no more than 5 minutes.

The chair recognizes the Honorable Michael P. Jackson, Deputy Secretary of the U.S. Department of Homeland Security, to testify.

STATEMENT OF HON. MICHAEL P. JACKSON

Mr. JACKSON. Thank you, Mr. Chairman, ranking members, members of the committee.

I appreciate very much this opportunity to visit with you today and to discuss the role of the Department of Homeland Security, the Department of Defense, our active-duty military forces and National Guard on these vital issues. So thank you for convening this important hearing today. And thank you for having us.

I am convinced that the scope and the devastation of Hurricane Katrina is understood, but I am constantly focused and reminded that this misery that was visited upon our friends, our neighbors in these states, is an opportunity for us to do better.

And as our recovery continues, we have continued to focus on these victims and the lessons that we have learned here.

But first, I want to do, as you have done, and salute the members of the military and the other first responders who leapt into this incident with such effectiveness. There are many, many good stories here, in my own department, at FEMA, in the Coast Guard, Air Marshals, Transportation Security Administration (TSA), Im-

migration and Customs Enforcement (ICE), and Customs and Border Protection (CBP).

The full range, really, of our department threw assets into this battle. My colleagues, who representing here today, the military and the National Guard assets that were thrown into this fray did superb work and tremendous work for which we are deeply grateful and proud. And, really, all across the Federal Government, others just picked up their kit and went into action.

Without question, however, Hurricane Katrina posed an extraordinary challenge for our collective response capabilities, at all levels of government, across all levels of government, nongovernmental organizations and the private sector, as well.

It stressed some systems and it broke others. As President Bush said, the overall results are not acceptable. He also said that it was important that both the Administration and Congress work together, take a good look at what went on, and to make sure that our country is knitted up well as it can be in order to deal with significant problems and disasters.

"I am interested," the president further said, "in solving problems." The president is exactly right. There are obviously processes that need fixing. There are tools, managerial and otherwise, that are missing. We continue to identify lessons learned that will provide a foundation for improvement.

And in all of this, we have to ask a simple question: What works? What works? And we focus on that.

Regarding military operations, we had close cooperation and many success in Katrina. I think that we learned very quickly. And, by the time we got to Hurricane Rita, we had already implemented some very meaningful lessons learned.

Let me just say an introductory word about how DHS works with the Defense Department. And I will not try to cover the details of this, which are in not only my prepared remarks, but in Secretary McHale's remarks, as well as others.

But we obviously work with DOD through the mechanism of the National Response Plan, published in December 2004. It provides the framework in the overall federal incident management structure for these efforts.

DOD is a signatory to the NRP. And until Title 10 authority, it plays an absolutely vital role in providing federal emergency management assets, closely coordinated with state and local authorities.

The Department of Defense's assets are tapped through its civil support functions and support roles. We mission assign them. We give them requests for assistance, which they fulfill. It is not our job to ask for this helicopter, or this ship, or this unit. We give them taskings, and orders, and requirements. And they, in turn, assess their capabilities for doing this.

We ask them for over 90 specific request for assistance (RFAs) to do work for us. They took up the assignment with every single one. And we have relied on them very significantly.

FEMA's role is not to request, then, these assets, but to work closely together. The National Guard plays a tremendously important role and has, unless the secretary calls them into serve—the

President calls them into service, it operates under the command of their respective state commanders.

And, of course, in Hurricane Katrina, the National Guard did operate under the command of the states.

Mr. Chairman, I share your deference to local authorities, and that which was stated by many members of the committee already here today.

As this hearing begins to explore the roles of active-duty military, Reserves and National Guard, we should use as our guide history and our constitutional relationships with the states. The first lesson of history is that all disasters are local and that it is the first responders on scene locally and at the state that we are there to support and to assist.

In the weeks ahead, the administration will continue systematically to collect lessons learned. There are many lessons learned. With DOD, we have our own team working. And DOD has a team working. We are sharing those messages together closely.

We have learned many things with the experience of our Principle Federal Officer (PFO), Thad Allen, who has served ably. And I am sure that we can unpack some more of the details of that here today.

We were, as I said, able after Katrina to prepackage, pre-position, and deploy certain asset clusters in a more rapid fashion. And we will also have a chance to discuss those lessons learned and exactly how we have surged, in both Katrina and in subsequent incidents, Rita, and in Florida.

So, in summary, I would like to thank the members of this committee. This is a terribly important topic. We are eager to talk with you. We are eager to learn with you. We are eager to support this inquiry.

[The statement of Mr. Jackson follows:]

PREPARED STATEMENT OF MICHAEL P. JACKSON

Introduction. Chairmen Saxton and Reichert, Ranking Members Meehan and Pascrell, and members of the Committees: I appreciate the opportunity to discuss with your committees important components of the nation's overall preparedness. In particular, I will talk about the roles of Homeland Security, the military and the National Guard in responding to disasters, especially catastrophic incidents.

The scope of the devastation from Hurricane Katrina—and the misery inflicted—was cruel and unprecedented. As our recovery efforts continue, DHS's commitment remains focused on Katrina's victims.

First, I want to salute the literally tens of thousands of men and women who surged around this catastrophic disaster, working tirelessly and compassionately. At DHS, our FEMA professionals, Coast Guard search-and-rescue teams, Air Marshals, TSA screeners and management, ICE, Secret Service and CBP agents, headquarters staff and others from virtually every part of the Department—all went to help. And help they did, tremendously. The same is true for virtually every other federal agency.

Today I am joined by colleagues who will detail in particular the extraordinary work of our military forces. We at DHS are grateful for the leadership of Lieutenant General Russell Honore and his troops, U.S. Northern Command (NORTHCOM) under the leadership of Admiral Tim Keating, and Lieutenant General H. Steven Blum, Commander of the National Guard.

The broader federal team has also been in the Gulf states in support of our state and local colleagues following Katrina and Rita. We were joined by emergency management colleagues who came to help from every corner of the Union. Relief and shelter workers, those who opened arms to evacuees across the nation and so many more provided so much for which we can be proud.

Without question, however, Hurricane Katrina posed an extraordinary challenge to our collective response capabilities across all levels of government, non-governmental organizations and the private sector. It stressed some systems and broke others.

As President Bush said, overall "the results are not acceptable." He also said that it was important that both the Administration and Congress take a good look at what went on to "make sure that this country is knitted up as well as it can be, in order to deal with significant problems and disasters. . . . I am interested," the President further said, "in solving problems."

The President is absolutely right, and the scrutiny of DHS's efforts is healthy. There are obviously processes that need fixing. There are tools—managerial and otherwise—that are missing. We are continuing to identify lessons-learned that will provide a foundation for improvement. In all of this, we must ask a simple question: what works? Nothing else matters. There is, moreover, no time to delay. DHS is an all-hazards agency, and we must be more nimble. A sense of urgency and innovation must pervade our work.

The sheer scope of this incident means we are facing policy and operational issues not before confronted. We will continue to work many issues for the path forward with Congress in the weeks and months ahead. Regarding military operations, I can say that we had successes in Katrina. By the time Rita made landfall, we had already absorbed and implemented numerous valuable lessons learned from Katrina.

Department of Defense Responsibilities Under the National Response Plan. The National Response Plan (NRP), published in December 2004, provides the framework for the overall federal incident management and response efforts. The Defense Department, as a signatory to the NRP and under Title 10 authorities, plays an important part in providing federal emergency management assets, closely coordinated with state and local authorities.

The Department of Defense's main contribution to the NRP is through "civil support" for civilian agencies. The NRP states that when requested, support for civil authorities during domestic incidents is provided by Defense Department forces upon approval of the Secretary of Defense. The Defense Department's role is triggered through Requests for Assistance (RFAs)—formal requests from another federal agency requesting specific capabilities in support of the federal response mission. FEMA initiated those requests for the Hurricane Katrina effort and the Defense Department responded to more than 90 RFAs.

FEMA's role is not to request particular assets, rather to identify core needs or performance requirements, which Defense then meets with assets it judges most effective. We greatly appreciate all Defense did in responding to the FEMA RFAs in support of the Katrina response.

The National Guard also has an important role to play in disaster response. Unless called into federal service by the President, the National Guard operates under the command of its respective state commanders. In Hurricane Katrina, the National Guard operated under the command of the States.

The President has the authority to call the National Guard into federal service when he concludes that he cannot with the regular armed forces execute the laws of the United States. In the event that the President federalizes the National Guard, it operates under the command of the President as part of the regular forces.

Deference to State and Local Authority. As this hearing begins to explore the role of active duty military, Reserves and the National Guard in disasters, we should use as a guide our history and our constitutional relationships with the states. The first lesson of history is that all disasters are local in nature and must be handled to the extent possible by local and state actors, with support from the federal government as needed.

As Publius wrote in *Federalist* No. 45: "the powers reserved to the several States will extend to all the objects which, in the ordinary course of affairs, concern the lives, liberties, and properties of the people, and the internal order, improvement, and prosperity of the State." This foundational principal—that state and local actors possess the powers within their jurisdictions—guides our emergency response planning and work.

Over the course of the last thirteen years, America has experienced numerous significant natural disasters, including Hurricane Andrew in 1992 and the 1994 Northridge earthquake. In such cases, the federal government provided crisis response assets to state and local authorities, often including Department of Defense assets.

Catastrophic Events. While America has met the challenges posed by natural disasters, it is important that we think deeply and plan rigorously for the full range of catastrophic events before they occur. It is important that we have detailed plans for deploying military assets, and that these plans respect the chain of command

of the Secretary of Defense. It is reasonable to examine fully how and when we use active duty military and federalize the National Guard—and all other federal, state and local assets—in catastrophic incidents.

Presidents have historically exercised caution when deciding whether to use the military domestically, and have given great deference to state constitutional authorities in weighing such decisions. This deference is especially important when management of a disaster moves from a response phase to a recovery phase.

Without much difficulty, one can certainly imagine a terrorist attack or series of coordinated attacks that could have such a catastrophic and ongoing effect that Title 10 action would be necessary. In cases that might involve extensive damage to state and federal institutions and leadership, the case for such action is stronger. In most cases of natural catastrophe, deployment of the National Guard under the control of the Governor would be the first and strongly preferred option.

Enhancing Homeland Security and Defense Exercise Activity. In the years following the September 11th attacks and the creation of Homeland Security, we have constituted a National Exercise Program lead by Homeland Security that involves widespread federal, state, local, tribal and international participation, certainly including Homeland Security and the Department of Defense acting in close coordination.

Most recently, in TOPOFF 3—in the course of a scenario involving a biological attack, a chemical attack and a vehicle-borne improvised explosive device—Defense activated its Quick Reaction Force. We have worked closely with the Joint Chiefs of Staff, and with U.S. Northern Command in planning past such exercises and will continue to work closely with them in planning future exercises.

The potential arrival of the H5N1 influenza strain has placed additional requirements on our exercise capabilities.

We will do more to explore ways in which Homeland Security can exercise its capabilities and the capabilities of other federal departments and agencies using the realistic scenarios portrayed in the National Planning Scenarios, while also adding elements involving domestic events that warrant activating more extensive Defense Department capabilities. The key is to enhance our joint exercises so that we learn more about how our collective capabilities can support our state, local and tribal partners as well as private sector operators of critical infrastructure.

The Lessons of Hurricane Katrina. In the weeks ahead, the Administration will continue systematically to collect and process lessons learned from Katrina. From DHS's perspective, a key lesson learned is that a robust Principal Federal Official (PFO) command and control structure provided under the NRP permits a more disciplined engagement with the National Guard and NORTHCOM, especially in truly catastrophic events. Homeland Security has pre-designated and trained a stable of high-level leaders as PFOs that can be rapidly deployed in a matter of hours, if an Incident of National Significance is declared or when a PFO is required.

Another lesson learned is the importance of re-tooling FEMA with modern-day logistics, customer service and financial management operations. We have much to borrow from the private sector and from Defense's Transportation Command on how to manage better the supply chain of emergency relief material. Some of the early points of focus are in-transit visibility tools, automated inventory replenishment systems, fast pull-down capabilities for emergency supplies that are managed as close as possible to the delivery point, and pre-negotiated contracts for supply chain surge capacity. We need to deploy new technology for data management to allow our responders—whether they are FEMA employees, military or National Guard members—to have the information they need to serve the people who need help.

Both Defense and DHS have teams looking at interagency coordination issues. Prior to the landfall of Hurricane Rita, we had already applied valuable Katrina lessons about how to structure, aggregate and manage the RFAs presented to Defense. We were able to pre-package, pre-position, and deploy certain asset clusters more rapidly in advance of the second hurricane based on our experience in Katrina. We will continue collecting and analyzing the lessons of this hurricane. As evaluations are completed and decisions made, we will engage in the remedial action necessary to fix what is broken and shore-up what is sagging. In all of that, we will focus on how to work better, faster, and more effectively with our Defense and National Guard colleagues.

Conclusion. I want to thank the Chairmen and the members of these Committees for exploring this critical issue. Given our country's deep history of civilian control at the state and local level for disasters, we must proceed carefully and deliberately in determining how best to synchronize DHS and Defense capabilities. But as the President said, Hurricane Katrina compels us to explore these issues with serious, sustained focus and a mind open to change. I look forward to beginning that dialogue with you today. Thank you.

Mr. REICHERT. Thank you, Mr. Jackson.

The chair now recognizes the honorable Paul McHale, Assistant Secretary of Defense for Homeland Defense, U.S. Department of Defense.

STATEMENT OF THE HONORABLE PAUL McHALE

Mr. MCHALE. Mr. Chairman, members of the committee, in order to maximize time for questions, my opening remarks will be brief and to the point.

As we examine the military role in disaster response, it is appropriate, even essential, that we review the military missions executed most recently in response to Hurricane Katrina.

In that context, it must be noted that the Department of Defense response to Hurricane Katrina was the largest, fastest deployment of military forces for a civil support mission in our nation's history.

Hurricane Katrina made landfall along the Gulf Coast of the United States during the early morning hours of August 29th. By landfall plus five, more than 34,000 military forces had been deployed into the affected area, more than five times the number of military personnel deployed within the same time frame in response to 1992's Hurricane Andrew.

By landfall plus seven, more than 53,000 military personnel had been deployed in response to Katrina. That is three times the comparable number for Hurricane Andrew.

And by September the 10th, military forces reached their peak at 72,000, 50,000 National Guardsmen, 22,000 active-duty personnel, a total deployment for Katrina that was more than twice the size of the military response to Hurricane Andrew.

In scope and speed, no civil support mission in the history of the United States remotely approaches the DOD response to Hurricane Katrina.

In addition to 72,000 men and women in uniform, the Department of Defense coordinated the deployment of 293 medium-and heavy-lift helicopters, 68 airplanes, 23 U.S. Navy ships, two standing joint headquarters to support FEMA's planning efforts.

The overall impact of the department's efforts was significant. DOD military personnel evacuated more than 80,000 Gulf Coast residents and rescued another 15,000. Two thousand military health care professionals provided significant medical assistance, including 10,000 medical evacuations by ground and air, delivery of medical treatment to more than 5,000 sick and injured persons, as well as support for disease prevention and control.

DOD approved the use of nine bases as FEMA logistics staging areas for collection and distribution of ice, food, water, temporary roofing materials, and medical supplies. DOD also delivered critical emergency supplies, more than 30 million meals, including 24.5 million MREs and some 10,000 truckloads of ice and water.

In short, DOD acted with a sense of urgency and met its civil support mission requirements. We did so because our men and women in uniform acted to minimize paperwork, cut through bureaucracy, and provide life-saving assistance.

That is not to say that our performance cannot be improved. DOD communication with first responders was not interoperable. Early situational awareness was poor, a problem that should have

been corrected following identical damage assessment challenges during Hurricane Andrew.

Military command and control was workable but not unified. National Guard planning, though superbly executed—I have said to my good friend, General Blum, that this may have been the finest hour in the history of the National Guard, in terms of a domestic civil support mission. The National Guard's performance was just superb.

However, the planning conducted by the National Guard, though superbly executed, was not well-integrated with the Joint Staff and Northcom. In other words, our task-organized deployment reflected DOD's total force, but our operational planning did not.

As President Bush noted on September 25th, it is now clear that a challenge on this scale requires greater federal authority and a broader role for the Armed Forces, the institution of our government most capable of massive logistical operations on a moment's notice.

Clearly, the president has challenged us to examine anew the roles, missions and authorities of the Department of Defense in responding to catastrophic events.

In its devastating impact, Hurricane Katrina resembled in many ways the foreseeable effects of a terrorist attack involving a weapon of mass destruction. Traditional disaster response models simply did not apply, in that essential first responders had evacuated or lacked equipment, supplies and situational awareness.

Communication channels were non-existent or significantly degraded. Thousands of citizens required medical care and basic logistical support. The comparison with potential effects from a catastrophic terrorist event, nuclear or otherwise, is readily apparent. The lessons learned from Katrina go far beyond the consequences of a natural disaster.

Mr. Chairman, the issues that we will examine today are fundamental, in terms of federalism, in terms of a prompt response, not merely to a major disaster, but to a catastrophic event.

These are issues that are deserving of careful and balanced consideration so that we preserve the historic federal relationship between the various levels of government, while at the same time recognizing the unique capabilities of the Department of Defense to deploy organic logistical support in an immediate response to American citizens who are desperately in need.

I would welcome your questions.

[The statement of Mr. McHale follows:]

PREPARED STATEMENT OF HON. PAUL MCHALE

Introduction

Chairman Saxton, Chairman Reichert, Ranking Member Meehan, Ranking Member Pascrell, distinguished members of the Committees: thank you for the opportunity to address you today to discuss responding to catastrophic events—the role of the military and National Guard in disaster response.

The Department of Defense is one element of the overall response effort to a complete spectrum of incident management activities, including the prevention of, preparedness for, response to, and recovery from threats or acts of terrorism, major disasters, and other emergencies. DoD's response is part of a coordinated effort among Federal, State, local, and tribal governments, as well as non-governmental organizations.

Where applicable, I will use examples of our recent response to Hurricanes Katrina and Rita to illustrate DoD's role in responding to catastrophic incidents. In

terms of persons displaced, businesses disrupted, commerce affected, and projected aggregate economic losses, Hurricane Katrina was one of the most catastrophic hurricanes in U.S. history. Appropriately, the Department's deployment of military resources in support of civil authorities exceeded, in speed and size, any other domestic disaster relief mission in the history of the United States. The ability of military forces—active duty, Reserves, and the National Guard—to respond quickly and effectively to an event of this magnitude is a testament to their readiness, agility, and professionalism. It is also a reflection of the resources that enable them to organize, train, and equip to meet the full range of DoD's missions. I commend the members of your committees for your continuing support of the Department. Without your support, U.S. military forces would not have been poised to respond as effectively to the devastating effects of Hurricanes Katrina and Rita.

As President Bush described in his September 15 address to the nation:

> *The [Katrina] storm involved a massive flood, a major supply and security operation, and an evacuation order affecting more than a million people. It was not a normal hurricane—and the normal disaster relief system was not equal to it. Many of the men and women of the Coast Guard, the Federal Emergency Management Agency (FEMA), the United States military, the National Guard, and state and local governments performed skillfully under the worst conditions. Yet the system, at every level of government, was not well-coordinated, and was overwhelmed in the first few days.*

There is no doubt that improvements can and should be made at all levels of government. As a Department, we continue to capture observations from our response to Hurricane Katrina in order to develop lessons learned and improve our response the next time we are called, whether for a natural disaster of like magnitude or catastrophic terrorist attack.

DoD Responsibilities under the National Response Plan

DoD is an important partner in the overall national effort for incident management and response activities. DoD resources are employed as part of a coordinated incident management approach among Federal, State, and local governments, as well as non-governmental organizations. Title 10, United States Code, and the National Response Plan (NRP), published in December 2004, define the authorities and responsibilities of the Department. Homeland Security Presidential Directive-5 (February 2003) directed the development of an NRP to replace the Federal Response Plan. The NRP aligned Federal coordination structures, capabilities, and resources into a unified, all-discipline and all-hazards approach to domestic incident management. The NRP incorporates best practices from a wide variety of incident management sources and disciplines, including fire, rescue, emergency management, law enforcement, public works, and emergency medical services.

The Department's main contribution to the NRP is through Defense Support of Civil Authorities—also known as "civil support." The NRP provides, "When requested, and upon approval of the Secretary of Defense, the Department of Defense (DOD) provides Defense Support of Civil Authorities (DSCA) during domestic incidents." DoD's role in the NRP is contingent upon a request for assistance (RFA) from another Federal agency, and upon approval by the Secretary of Defense. In responding to requests from FEMA for Hurricane Katrina operations, for example, DoD acted quickly within the NRP framework. FEMA and the Department of Defense worked closely together to identify and refine requirements, allowing DoD to provide needed capabilities. In all, the Department acted on more than 90 Hurricane Katrina-related RFAs from civil authorities requiring a broad range of military capabilities. Some of these requests were approved verbally by Secretary Rumsfeld or Acting Deputy Secretary England, and were in execution when the approval paperwork caught up days later. The Department felt a sense of urgency and acted upon it, as provided for within the NRP.

DoD is the only Federal department with supporting responsibilities for each of the NRP's fifteen Emergency Support Functions (ESFs). Additionally, DoD's U.S. Army Corps of Engineers is designated as the primary agency for Emergency Support Function #3, Public Works and Engineering, operating under separate statutory and funding authority. While the considerable resources of the Department make it feasible that DoD might be asked to contribute resources, personnel, equipment, or expertise in a variety of circumstances, such support is directly contingent on Secretary of Defense approval with the following exceptions:

- As the primary agency for ESF #3, the U.S. Army Corps of Engineers performs emergency support activities under separate statutory and funding authority, including Public Law 84-99.
- Military forces responding to an incident under a commander's Immediate Response Authority as outlined in DoD Directives.

- National Guard forces in State Activity Duty or Title 32 status commanded by the Governor of a State or territory.

When Federal military forces are employed in support of domestic civil authorities, they are under the command and control of Commander, U.S. Northern Command, for responses in the Continental United States, Alaska, the Commonwealth of Puerto Rico, U.S. Virgin Islands, and the District of Columbia; or Commander, U.S. Pacific Command, for Hawaii and U.S. territories, possessions, and protectorates in the Pacific region. It is important to note that the military chain of command always runs from the President to the Secretary of Defense to the relevant Combatant Commander. The Department fully supports the Incident Command System of the NRP's National Incident Management System; however, at no time does a supported Federal agency exercise any command and control over DoD forces.

DoD Responsibilities Under the National Response Plan's Catastrophic Incident Annex

The Catastrophic Incident Annex (CIA) of the NRP provides for a *proactive* Federal response in anticipation of, or following, a catastrophic incident to provide critical resources on an expedited basis to assist State and local response efforts. The NRP defines a catastrophic incident as one "that results in extraordinary levels of mass casualties, damage, or disruption severely affecting the population, infrastructure, environment, economy, national morale, and/or government functions." A catastrophic incident would almost immediately overwhelm local or State response capacity and could potentially threaten national security through interruption in governmental operations or emergency services.

Implementation of the NRP's CIA is the responsibility of the Secretary of the Department of Homeland Security. When notified by the Homeland Security Operations Center of such an implementation, Federal departments and agencies activate and deploy capabilities in accordance with the Catastrophic Incident Annex and commence relevant Emergency Support Function responsibilities. In response to a catastrophic event, DoD shares primary responsibility, along with the Department of Health and Human Services, for the patient movement functional response area.

The National Guard's Role in Catastrophic Events

DoD uses the Total Force concept—the right forces for the right jobs—to execute its missions. The National Guard provides unique capabilities in every U.S. State, territory, and the District of Columbia. The National Guard is a critical component of the military's role in responding to catastrophic events. Today's National Guard serves effectively in two distinct roles. First, it is an operational force for military missions; and second, it stands ready to answer no-notice calls by the President, the Secretary of Defense, or the Governors to respond to natural or man-made catastrophic incidents. The National Guard provides significant capabilities to U.S. Northern Command and U.S. Pacific Command, including situational awareness capabilities, intelligence and information feeds, chemical-biological weapons of mass destruction response force packages, and forward-deployed command and control apparatuses and joint logistics bases, as needed.

National Guard forces provide combatant commanders flexibility to tailor their response based on specific scenarios encountered in managing a contingency.

- **Title 10 (United States Code) Status.** When National Guard forces are ordered or called to active duty in a Federal or Title 10 status (Federal control, Federal funding), the President or the Secretary of Defense may authorize employment of activated National Guard forces along with other active duty forces. In this instance, the Commanders of U.S. Northern Command or U.S. Pacific Command would have direct command and control authority over those forces assigned for employment in the Commander's area of responsibility.
- **State Active Duty Status and Title 32 (United States Code) Status.** National Guard forces can serve in State Active Duty (State control, State funding) or in Title 32 status (State control, Federal funding) under the command of a State Governor. In either status, National Guard members are not subject to the provisions of the Posse Comitatus Act and may engage in activities related to law enforcement if authorized to do so under applicable State law.

In the event of a catastrophic incident, forces under State command and control, and Federal forces under U.S. Northern Command or U.S. Pacific Command's command and control could find themselves operating within a common operating area. Although they are not part of the same command structure, unity of effort requires coordination and cooperation among all of these forces toward a commonly recognized objective. Unity of effort is critical to a successful response to catastrophic events.

DoD Coordination with Interagency Partners

The Department of Defense and the Department of Homeland Security (DHS) work in close coordination to ensure the safety and security of the U.S. homeland. Coordination and cooperation take place continuously at all levels of both organizations. As the Secretary of Defense's principal liaison with DHS, my office has worked diligently to foster excellent working relationships and provide relevant expertise. In that regard, the two Departments signed a memorandum of agreement in 2003 that authorized the assignment of 64 DoD personnel to DHS on a detail basis to fill critical specialties, principally in the areas of communications and intelligence. Further, we established a Homeland Defense Coordination Office at DHS headquarters to provide for continuous liaison and advisory support, and we maintain a 24 hours-a-day/7 days-a-week presence in the DHS Homeland Security Operations Center. As needed, DoD also provides senior military and civilian personnel for the DHS-led Interagency Incident Management Group—a group of senior Federal department and agency officials focused on incident response. Beyond these formalized arrangements, daily contacts between DoD and DHS are the norm in the course of interagency working group meetings and our collaboration on a range of projects and initiatives.

Role of DoD and Other Agency Exercises

DoD is committed to maintaining the readiness of military forces to execute the full spectrum of homeland defense and civil support operations, including catastrophic incident response. To this end, DoD has hosted or participated in exercises sponsored by other government entities as well as our own. Homeland security and homeland defense exercises are important in ensuring readiness and identifying gaps and potential weaknesses within each agency, and across agencies, in responding to terrorist attacks, including potentially catastrophic multiple, simultaneous challenges. These exercises support the DHS National Homeland Security Exercise Program established by Homeland Security Presidential Directive-8 (HSPD–8), ("National Preparedness," December 17, 2003).

DoD either sponsors or is a participant in no less than two major interagency field exercises per year, involving deployment of command elements as well as response units. In addition, DoD participates in several command and control exercises, ranging from the combatant command level to the national level. In the past, these have included U.S. Northern Command exercises UNIFIED DEFENSE (2003, 2004), ARDENT SENTRY (2005), DETERMINED PROMISE (2003, 2004), and VIGILANT SHIELD (2005). Additional exercises have included DILIGENT ENDEAVOR (2003), DILIGENT WARRIOR (2004), NORTHERN EDGE (2003), Scarlet Shield (2004), Dark Portal (2004), and the National Top Officials (TOPOFF) exercises (2003, 2005). Many of these exercise scenarios are designed to overwhelm local and State assets to the extent required to evoke a response under the National Response Plan, including the employment of DoD and other Federal assets.

DoD Contribution to Hurricane Katrina Relief Efforts

The Department of Defense's response to the catastrophic effects of Hurricane Katrina was the largest military deployment within the United States since the Civil War. Federal military and National Guard forces have been employed directly in saving lives through extensive search and rescue, evacuation, and medical assistance.

By any measure, the flow of military forces and relief supplies into the Katrina-affected areas was a massive operation. At the height of the DoD response, some 72,000 men and women in uniform assisted Federal, State, and local authorities in recovery efforts. Other military capabilities employed during the response included 23 ships, 68 fixed-wing aircraft, 293 helicopters, amphibious landing craft, space-based imagery, night vision capabilities, port and waterway surveillance, mortuary teams, and large-scale construction support provided through the U.S. Army Corps of Engineers and U.S. Navy Seabees. Additionally, nine DoD installations served as logistical staging areas for the delivery of supplies and as sites for Federal Medical Shelters. Little Rock Air Force Base, Arkansas, was designated as the central collection point for foreign relief donations.

Federal military and National Guard forces have been instrumental in saving lives, restoring order, and beginning the long, challenging process of recovery. Approximately 15,000 residents of the Gulf coast were rescued and 80,000 others evacuated. DoD delivered critical emergency supplies—more than 30 million meals and some 10,000 truckloads of ice and water. Military forces also provided significant medical assistance, including 10,000 medical evacuations by ground and air, medical treatment of more than 5,000 patients, as well as support for disease prevention and control. Further, DoD made available more than 3,000 beds in field hospitals, installations, and aboard U.S. Navy ships. At the request of FEMA, DoD also supplied

13 mortuary teams to support local authorities in the systematic search, recovery, and disposition of the deceased. Additionally, to assist in disease prevention, DoD aircraft have flown mosquito abatement aerial spraying missions covering more than two million acres.

The Department of Defense planned for and employed a balance of Active, Reserve, and National Guard capabilities in responding to Hurricane Katrina. In contrast to Hurricane Andrew (1992), in which National Guard forces constituted 24% of the military response, National Guard forces represented more than 70% of the military force for Hurricane Katrina. Even while 75,000 National Guard members are deployed overseas, under the leadership of Lieutenant General Blum, the National Guard amassed over 30,000 troops in 96 hours in response to Hurricane Katrina. At the height of Katrina relief efforts, the National Guard deployed a total of 50,000 military personnel. National Guardsmen from every State, territory, and the District of Columbia have been involved in Hurricane Katrina response operations. Further, National Guard Weapons of Mass Destruction—Civil Support Teams (WMD–CSTs) from 14 states deployed to provide state-of-the-art communications capabilities to local authorities and assistance and advice on identifying and handling hazardous materials from damaged infrastructure.

Participating National Guardsmen served and continue to serve in Title 32 status. As described earlier, while in Title 32 status, their respective Governors maintain command and control of their forces and the Department of Defense provides funding. National Guardsmen in Title 32 status are also able to undertake law enforcement activities in accordance with State laws as directed by their Governor. One such example is the deployment of National Guard military police into New Orleans. When it became clear that civil order was breaking down, the National Guard deployed 1,400 National Guard military police into New Orleans each day, every day, for three days in a row, dramatically increasing the security presence on the streets of New Orleans. Many of these trained military police officers also serve as professional law enforcement officers in civilian life. These National Guard forces were able to not only backfill, but substantially expand, the total number of law enforcement personnel available in New Orleans and the surrounding parishes.

Observations on the Federal Response to Hurricane Katrina

Typically, in responding to a major disaster, local first responders are the first on the scene. Immediately following local first responders, State emergency management officials, at the direction of the Governor, would normally be available to provide prompt augmentation capability. Disaster planning has traditionally assumed that the majority of personnel immediately responding to the scene are likely to be drawn from local and State communities, with the bulk of Federal follow-on capabilities arriving in force a few days later.

In the case of Hurricane Katrina, this model of response simply did not apply. In fact, the combination of the initial hurricane strike and several levee breaches in New Orleans transformed local first responders and their families into some of the first victims. In many cases, police, firefighters, emergency medical service providers, and other essential responders were no longer mission capable.

As with all Department of Defense operations, we have made it a priority to capture lessons learned from our response to Hurricane Katrina. We have been doing so ever since the hurricane made landfall. The Department has organized a comprehensive review group to support the White House Hurricane Katrina Task Force and to oversee implementation of lessons learned within DoD. Although review and analysis are still ongoing, let me highlight some preliminary areas, already identified, to improve both the overall Federal government and specific DoD response:

- improving our ability to obtain timely and accurate assessments of damaged areas immediately after an event;
- examining the best way to achieve effective coordination and unity of effort when multiple Federal agencies converge on an affected area;
- enhancing our ability to communicate with first responders on the ground, focusing specifically on voice communications;
- integrating fully both Active Duty and Reserve Components into pre-event and on-scene operational planning for catastrophic events; and
- re-examining the role of DoD in responding to a catastrophic event.

These preliminary observations, and others under review, form the framework for an in-depth analysis of our response to Hurricane Katrina and will enable DoD to better plan for the next catastrophic event.

Conclusion

In terms of its magnitude, Hurricane Katrina constituted one of the most destructive natural disasters in the history of the United States. Accordingly, U.S. military forces executed the largest, most comprehensive, and most responsive civil support

mission in our nation's history. During a domestic disaster relief operation unprecedented in scale, over 72,000 Federal military and National Guard forces flowed into the Gulf Coast region over a twelve-day period to assist fellow Americans in distress. The military response to Hurricane Katrina validated DoD's Total Force concept, which effectively integrates Active Duty, Reserve, and National Guard forces to meet the full range of military missions, including homeland defense and support to domestic civil authorities. Hurricane Katrina also provided a real-world opportunity to refine further the approaches outlined in the National Response Plan and its Catastrophic Incident Annex—a task that DoD and all NRP signatories are undertaking on a priority basis.

Mr. Chairman, I commend you and the members of these Committees for your leadership, interest in, and support of, the Department's homeland defense and civil support missions, with a particular focus today on the role of Federal military forces and the National Guard in disaster response. I look forward to any questions you may have.

Mr. REICHERT. Thank you, Mr. McHale.

The chair now recognizes Admiral Thomas H. Collins, Commandant of the U.S. Coast Guard, U.S. Department of Homeland Security.

STATEMENT OF ADMIRAL THOMAS COLLINS

Admiral COLLINS. Good morning, Mr. Chairman, members. It is a pleasure to be with you to, again, as what my other colleagues have mentioned, focus on an incredibly important topic.

As the Federal Government's maritime first responder, the Coast Guard's primary disaster response missions are saving lives in distress, ensuring survivability of our own forces for post-disaster response, providing security of and reconstituting the affected areas, ports, waterways, and infrastructure, responding to oil, chemical, and hazardous material spills, and, finally, providing support to other agencies.

Coast Guard efforts before, during and after Hurricane Katrina were sharply focused on each one of these missions. Our operational results speak for themselves.

Coast Guard men and women saved or evacuated over 32,500 lives. We restored and maintained the safety and security of the maritime transportation system by addressing more than 1,300 discrepancies to Aids to Navigation, and coordinated the salvage of over 3,000 damaged or sunken vessels.

Within one week, we restored 50 percent of the affected Aids to Navigation and temporarily established vessel traffic services to affected ports and waterways.

Most waterways critical to our nation's commerce were reopened in a matter of days. And with partnering agencies, we responded to over 1,100 releases of oil, six of those categorized as major spills, over 8 million gallons of crude oil spills.

Importantly, even as we rush to respond to Katrina, we maintained the security watch around our nation's maritime borders.

Notwithstanding our many significant contributions to our nation's hurricane emergencies, we recognize that the Coast Guard is just one of many agencies needed to respond in a coordinated way to wide-ranging and catastrophic effects of a large-scale natural disaster.

As noted, the events here with Katrina give us all in the emergency response business, at every level of government, an opportunity to build on what went right and correct that which went wrong.

In the spirit of moving ahead sharply on these issues, Secretary Chertoff, from our perspective, is right on target with his priorities to enhance the Department of Homeland Security's role as the nation's all-hazardous response agency, including organizational restructuring to integrate and improve the department's preparedness efforts, emphasis on improved emergency response logistics and business processes, and, three, enhancements to communication, information sharing, between first and second responders.

From the Coast Guard's view, improved communication and information sharing to support the coordinated operation must be at the top of our collective lists.

There are great opportunities in this areas and others for the Department of Homeland Security and the Department of Defense to work together to enhance our national capabilities.

As a first responder, the Coast Guard is incredibly eager to partner, to ensure the right capabilities, competencies and capabilities, are brought to bear in times of crisis.

We in the Coast Guard look forward to working with our colleagues within the Department of Homeland Security and the Department of Defense to enhance our collective preparedness for these incidents of national significance. America's citizens expect us to do this, and American citizens deserve nothing less.

Thank you very much, Mr. Chairman. And I would be happy to take questions, if you have them.

[The statement of Admiral Collins follows:]

PREPARED STATEMENT OF ADMIRAL THOMAS COLLINS

Introduction

Mr. Chairman and Members of the Committee: Thank you for the opportunity to address you today as we discuss the role of the military and National Guard in disaster response.

As one of the nation's five military services, the Coast Guard has the unique capability, capacity and authority that allows it to play a critical role in disaster response. The Coast Guard is a first responder, one of very few federal first responders and the only national maritime first responder. Today I would like to discuss the Coast Guard's primary missions in disaster response, our strengths, limitations, and some issues that we must focus on as the nation moves forward in this area.

PRIMARY MISSIONS IN DISASTER RESPONSE

The Coast Guard's primary missions in disaster response are:

1) Saving lives in distress and survivability of our own forces for post-disaster response;

2) Security and reconstitution of ports, waterways and infrastructure;

3) Oil, chemical and hazardous material response, and

4) Support to other agencies.

As always, saving lives in distress remains our first priority. During Hurricane KATRINA, the first rescues were made at Port Sulphur, Louisiana when a HH–65 Dolphin helicopter rescued two adults and an infant from a roof top at 2:51 p.m. on August 29 as winds still howled at 60 knots. The first Coast Guard cutter was on scene early that same afternoon. This is noteworthy since KATRINA made landfall shortly after 9:00 a.m. that morning.

I should also note that in an average year, the Coast Guard saves 5,500 lives. Within 48 hours the Coast Guard achieved half of that total in Louisiana and Mississippi alone. By September 14, Coast Guard forces had rescued 24,135 people by boat and helicopter and evacuated 9,409 more from 11 hospitals for a total of 33,544 rescues. . .statistically, seven years worth of search and rescue compressed into a two-week period.

In addition to search and rescue operations, the Coast Guard continued to flow forces into the impacted regions to restore ports and waterways, respond to pollution, and provide security and additional law enforcement throughout the region, including protection of offshore petrochemical platforms. KATRINA impacted 6,400

miles of shoreline. The Coast Guard responded to 1,380 Aids to Navigation discrepancies, handled 1,129 pollution cases, including seven major pollution incidents, and catalogued 1,000 salvage cases with more than 200 grounded vessels and numerous offshore structures that were adrift, damaged, or sunk.

Those of you who have had the opportunity to walk the ground in coastal Mississippi, or literally navigate the streets of New Orleans, know the magnitude of the challenge our men and women have faced and the reconstruction issues our nation will be dealing with for quite a while.

OUR STRENGTHS

Coast Guard forces have several key strengths that allow a quick and effective response to natural disasters. That strength begins with our people whose dedication to response and adaptability to changing circumstances never ceases to fill me with pride and admiration.

Coast Guard ships and aircraft are built to respond to a variety of missions without the need for extensive reconfiguration or the addition of special equipment. A Coast Guard cutter that was conducting fisheries enforcement operations in the Gulf of Mexico could quickly be diverted to the New Orleans area to provide aircraft command and control, refueling, and forward staging facilities within only a few hours. Coast Guard aircraft that normally perform law enforcement surveillance in the Pacific Ocean were immediately available to fly disaster relief supplies to the Gulf Coast.

Additionally, Coast Guard forces are on station at key locations around the nation, many of them on short-notice recall, so they can respond quickly to emergent events. When a major catastrophe occurs, or is anticipated, we can reposition forces quickly to that area to optimize the response.

It is also important to note that the Coast Guard enjoys an agile command and control structure, which provides operational commanders the authority to move forces quickly to respond to emergencies. The Area and District Commanders can shift and reallocate forces from one region to another based on levels of risk and anticipated demand. The Coast Guard has also developed and regularly exercises continuity of operations plans for relocating command and control functions out of harms way.

In addition to fielding flexible, multi-mission forces and command and control systems, the Coast Guard also benefits from its unique mix of authorities, as well as extensive experience in both military and other interagency response organizations.

As a military service, the Coast Guard can be a supported or supporting commander and our forces are frequently integrated with Department of Defense (DoD) services in Joint Task Force organizations. We regularly provide forces in support of DoD exercises, Combatant Commanders contingency plans, and theater security cooperation activities. This close cooperation at the service level allows the Coast Guard to integrate seamlessly with DoD forces during disaster response operations.

In addition to its military role, the Coast Guard also works every day with other federal agencies, state and local governments, non-governmental agencies and international organizations under its U. S. Code, Title 14 law enforcement and regulatory responsibilities.

The Coast Guard is the nation' "maritime first responder" and has a leading role in executing the National Response Plan (NRP) for disaster situations. Our personnel are well trained and experienced in response operations, which makes them a sound choice to be designated as the Principal Federal Official and other key leadership positions in the NRP structure. This ability to operate concurrently in both military Joint Task Force and civilian NRP structures enhances unity of effort across response organizations and dramatically improves the effectiveness of disaster response and makes the Coast Guard a truly unique Federal agency.

OUR LIMITATIONS

Despite the many strengths the Coast Guard brings to disaster response, the Service also has some limitations that must be considered.

The Coast Guard is a small service. With only 39,000 personnel on active duty, a major natural disaster severely strains our capabilities and requires a delicate balancing of risk in other geographic and mission areas. At the peak of KATRINA operations, over 1/3 of all Coast Guard aviation assets were deployed to the Gulf Coast. We managed the impact on our nation-wide readiness posture by incurring additional risk throughout all 50 states. Canadian forces covered the Northwest Atlantic search and rescue mission in order to divert forces to the Gulf Coast. All aviation training was deferred until after the KATRINA response, and we decreased forces normally performing counter-drug, fisheries enforcement, and migrant interdiction operations in the Caribbean and Florida Straits.

Closely related to the overall size of the Service, we have a limited capacity to respond to long duration events. While the Coast Guard is well positioned for immediate and effective first response, our limited "bench strength" makes it impossible to sustain these operations for an extended period of time. Plans to sustain operations and hand off responsibilities once a crisis has been stabilized are a primary consideration for Coast Guard commanders responding to natural disasters.

The age and condition of the Coast Guard's assets is another concern, and is one that the Administration, with the support of Congress, is working hard to improve. Started in 2002, the Deepwater Acquisition program is delivering new assets that offer increased multi-mission capability and capacity to the Coast Guard. The government has also invested extensively in new forces for the Coast Guard since 2001, such as 13 new Maritime Safety and Security Teams, 170 new small boats, 15 87-foor Coastal Patrol Boats, and four 179-foot coastal patrol craft to increase operational presence in the Nation's Ports.

ISSUES TO FOCUS ON GOING FORWARD

Lastly, I would like to echo many of the recommendations Secretary Chertoff has highlighted in recent weeks. There are several areas that will require continued energy and focus in the months and years ahead in order to enhance our national disaster response capacity and capability. Katrina was certainly not our last national challenge, but it is incumbent on leaders throughout every level of government to build on what went right and correct that which went wrong.

First, the Secretary outlined a significant re-organization within DHS earlier this summer, called the Second Stage Review 2SR). Even before Katrina. I strongly believed that 2SR moved the Department in a very positive direction; I believe such a reorganization is made even more compelling in the shadow of Katrina. The Coast Guard will be an active contributor to the new Preparedness Directorate that the Secretary has recommended, as well as the new Policy and Planning development entities. The Department of Homeland Security does have significant operational capacity at its disposal, and we must collectively continue to improve our arrangement and management of that capacity to ensure it can respond to the full spectrum of homeland security mission requirements. At the same time, we will do everything possible to continue supporting FEMA in its critical coordination and response role. By virtue of our mission requirements, the Coast Guard necessarily has extensive experience and expertise in logistics and communications, as well as supporting business processes.

Second, I couldn't agree more with the Secretary that we must continue to focus on improving communications between first and second level responders in the disaster area and ensuring adequate situational awareness. Federal, state and local first responders could benefit from a common framework designed to establish minimum requirements for communications interoperability. Concurrently, one of the most visible outputs of effective communications is a common operating picture. There is opportunity for DHS and DoD to work together to enhance our national capabilities in this area. For example, the Coast Guard has been working hard with DHS and DoD partners to enhance maritime domain awareness by the development and deployment of a maritime common operating picture. We must continue our deliberate work to break down barriers and develop improved information sharing arrangements and hence improved situational awareness to support timely operational decisions.

Third, preparedness is essential. No amount of response capacity and capability will be effective without a foundation of preparedness. Relationships between all levels of government disaster responders must be created and maintained before an actual event. It is too late to start building key relationships when a hurricane is on your doorstep. Advance planning and exercises, involving all potential responders, are a must for effective disaster response. Command and control arrangements must be clarified, both in theory and in practice. Interoperability between the Principal Federal Official (PFO) and DoD Joint Task Force (JTF) commanders is critical. We must keep working to find the appropriate mechanisms that will guarantee unity of effort. Some cases may require unified commands, but in all cases it will require a common framework among Federal, state and local partners. The National Incident Management System (NIMS) goes far to provide that framework and the additional preparedness efforts set forth by the President and Secretary will help us test this framework against on-the-ground realities.

CONCLUSION

The Coast Guard is well-positioned to respond to natural disasters due to its unique blend of authorities, capabilities and capacity. Flexible, multi-mission forces and agile command and control systems provide the solid foundation from which we can respond to major catastrophes. When combined with broad authorities and expe-

rience operating with diverse partners, particularly the DoD, the Coast Guard provides a vital service to the nation. We in the Coast Guard look forward to working with our colleagues in DHS and DoD to enhance our preparedness for incidents of national significance.

Thank you for your consideration.

Mr. REICHERT. Thank you, Admiral Collins.

The chair recognizes Lieutenant General Blum, chief of the National Guard Bureau, U.S. Department of Defense.

STATEMENT OF LIEUTENANT GENERAL STEVEN H. BLUM

Lieutenant General BLUM. Chairman Reichert, Chairman Saxton, and members of the committee, thanks for the opportunity to talk with you this morning about the National Guard's role in disaster response.

As you well know, your National Guard is no longer a strategic reserve. It is an operational force. We are, in fact, your 21st century minutemen and women, always ready, always there. We are the Department of Defense's first military responders for homeland defense and military support to homeland security operations in the United States of America.

The National Guard's soldiers and airmen continue to answer this nation's call to duty. There are 80,000 brave citizen soldiers and airmen deployed in 40 nations around the world this morning as I address you.

At the same time, in recent weeks, we deployed as many as 50,000 citizen soldiers from every state and every territory and the District of Columbia. When you called out the Guard for Katrina, you called out all of America in reality.

There is not a single National Guard entity that did not make a contribution of Air or Army National Guardsmen in the response to that disaster on the call.

As provided by the National Response Plan, the National Guard provided an immediate response, which is exactly what the response plan intended. And as Secretary McHale said, this response was unprecedented in the size, and scope, and swiftness in military history, not only of our nation, but of any nation in the world.

In resulted in over 15,000 U.S. citizens being saved by the National Guard response and over 78,000 U.S. citizens being moved from an area where they had no hope, no shelter, to an area where they could begin building their lives anew.

While we have been successful in meeting the needs of the nation, we all recognize there is significant room for improvement. Bottom line: The National Guard, as the Government Accounting Office has testified to this Congress, before September 11, 2001, the National Guard had 75 percent of its equipment necessary in the Continental United States (CONUS) to these homeland defense, support the homeland security mission.

Four years later, because of cross-leveling, which is correct and right, we put the best equipment in the hands of our soldiers that are overseas. As a result, in this unclassified setting, we are now below 34 percent of the equipment that I must have to be able to respond to future Katrinas, Wilmas, Ritas, or al-Qa'ida attacks on this nation.

The National Guard's equipment shortages fall for domestic requirements in the following areas: satellite communications, tac-

tical radios, medical equipment, military trucks, utility helicopters. Medical equipment and engineering equipment are absolutely essential needs.

To improve our ability to respond to homeland defense and ensure we are able to support civil authorities for homeland security operations, it will take an emergency $1.3 billion to immediately address our equipment shortages.

Interagency, intergovernmental relationships are absolutely fundamental and essential to the success of any response to a disaster. The National Guard, the Department of Defense, the Department of Homeland Security, and our partners in Northern Command, and our essential local, state and federal partners, with which we are there to support, must exercise and train together regularly and often, if we are going to do better in the future.

Thank you. I look forward to your questions.

[The statement of Lieutenant General Blum follows:]

PREPARED STATEMENT OF LIEUTENANT GENERAL H. STEVEN BLUM

Chairman Saxton and Chairman Reichert, members of the committee. Thank you for the opportunity to discuss the role of the National Guard in disaster response.

Today, the National Guard finds itself more than ever linked to the vital interests of our nation, both here at home and around the world. Over 80,000 National Guard soldiers are currently deployed in support of operations in Iraq, Afghanistan, and dozens of other nations. At the same time, the men and women of the National Guard have responded magnificently to the catastrophic events of Hurricanes Katrina, Rita and Wilma here at home. Over 50,000 National Guard personnel hailing from every state and territory—responded to calls for support during this difficult period. That is more than the United States employed during Grenada or Panama operations.

As the government begins the necessary process of assessing the effects of the hurricanes and the response to those events, the picture is one of laudable successes as well as areas requiring improvement.

I am particularly proud of the timeliness and magnitude of the National Guard's efforts in advance of Hurricane Katrina and our response in its immediate aftermath. National Guard forces were in the water and on the streets of New Orleans rescuing people within four hours of Katrina's passing. More than 9,700 National Guard Soldiers and Airmen were in New Orleans by the thirtieth of August. The National Guard deployed over 30,000 additional troops within 96 hours of the passing of the storm.

More than 11,000 National Guard personnel remain on active duty today in Louisiana alone, with over 12,500 total personnel in the five affected states. In short, the National Guard response to the catastrophic events of Hurricanes Katrina, Rita and Wilma has been and continues to be both timely and extensive.

While we have been successful in meeting the needs of the warfight overseas, there exists room for improvement in our capability to respond effectively to domestic mission requirements. Resourcing National Guard units deploying in support of Operation Iraqi Freedom and Operation Enduring Freedom has reduced the equipment inventory of the National Guard's non-deploying units. Every effort has been made to ensure that our deploying units are fully equipped and ready to support operations anywhere in the world. So far, we have transferred over 101,000 items of equipment in support of these missions. But these efforts have resulted in reduced inventories of many critical equipment items here at home, including trucks, radios and heavy engineering equipment.

Resources earmarked in current legislation will help the National Guard a great deal in addressing these challenges. By working with the Army, the Air Force and the Congress to continue to prioritize National Guard equipment needs, we will be well on the path to ensuring that the Guard is fully prepared to fulfill its missions both at home and abroad.Interagency relationships are fundamental to the success of the federal response to any disaster, and we must continue to foster strong relationships with the Department of Homeland Security and U.S. Northern Command. Indeed, coordination efforts to date point to the need for better planning, procurement of more equipment and interoperable communications, and joint training of the National Guard, active duty forces, and our federal partners.

As a full member of the national security team, the National Guard had met its mission requirements at home and abroad. But additional resourcing and better inter-governmental coordination is needed in order for the National Guard to be effectively postured to meet the needs of the future. By working closely with the Department of Defense, the Department of Homeland Security, and the Congress, the National Guard will continue to be Always Ready, Always There.

Thank you.

Mr. REICHERT. Thank you, Lieutenant General Blum.

And I now recognize Major General Richard Rowe.

STATEMENT OF RICHARD ROWE, JR., DIRECTOR OF OPERATIONS, U.S. NORTHERN COMMAND, U.S. DEPARTMENT OF DEFENSE

Major General ROWE. Good morning, sir. Good morning, Chairman and members.

On behalf of Admiral Keating, it is an honor to be here today to represent U.S. Northern Command.

The Department of Defense has a long history of defense support to civilian authorities. In this operation, extending from the end of August, still ongoing, we are proud of the performance of Naval, Army, Marine, and Air Force, members from the active force, that operated in concert with our serving National Guard members, the Air and the Army National Guard, and the Coast Guard teammates of the uniformed force, local and state authorities, civilian authorities, in accordance with the National Response Plan.

As a director of operations, I can tell you that our United States Transportation Command, Special Operations Command, Strategic Command, and Joint Forces Command all played valuable roles in supporting the active force effort.

Northcom was fully engaged to stabilize, to reduce suffering, in a system recovery. We were engaged early. We met the storm, as it was Tropical Depression 12, well before it struck Florida, on 23 August, and reporting situational awareness updates.

And teleconferences within the Department of Defense, with the National Guard, with state and local authorities, through the FEMA national teleconference, all started as early as the 24th and 25th of August.

We have been authorized by the secretary, and we were acted on it to deploy defense coordinating officers to each of the potentially impacted states ahead of storm strike.

Defense coordinating officers are serving brigade commanders, colonels with a staff, and they went to locate at the state coordinating emergency management facilities side by side with the designated federal coordinating officer of FEMA.

We were asked, and had authority very early on, to provide access to Department of Defense bases for operational staging areas. And we did so. And this provided an ability to surround the line of attack with logistics and supply.

And we had been authorized by the secretary to work with the services and the other joint command to identify potential required capabilities ahead of the storm. And we did that, with the message on 28 August, to the joint staff and to our fellow joint commands, that identified potential active capabilities that would be needed to fill the niches in support of a hurricane of this extent.

We anticipated requests at all levels, within our command. We co-located at the state, at the FEMA regional level, and at national FEMA level to support planning and thinking ahead of the future operations required.

We were challenged to see the disaster area, the ability to assess the strike zone through Mississippi, and later, when the levees broke, inside the city of New Orleans, to understand the extent of the damage effect and exactly where specific capabilities might be needed, that assist us in deploying and employing those capabilities.

During the period of the next 3 weeks after Katrina's strike, we also continued to engage with all the same players for anticipating Ophelia, which never did strike land on the East Coast, and Rita, which struck with devastating effect toward the end of September.

We saw some key lessons, which we will continue to work. Many of those have been cited by my fellow panel members in the areas of communications and collaboration. I would also highlight reconnaissance capabilities that can be specifically provided from mud to space, in order to help see the strike zone and communicate very quickly assessment materials and to assist.

We need to look at joint command and control enablers to be in place pre-strike. Post-strike, improve collaboration, in order to work in the focus efforts, and response capabilities.

We continue at Northcom to monitor the recovery very, very closely. This morning, 7,000 guardsmen remain on duty in Louisiana, several hundred in Mississippi, continuing to work the aftermath of this strike. Less than 250 active forces remain on active duty, most of them in a combat support hospital inside New Orleans.

The mission does continue, and it will continue until the last uniformed servicemember has done. We will continue to coordinate and work.

Throughout the entire operation, we kept our eye on the other part of our significant mission, which is homeland defense. And we kept a balanced approach to make sure we had a daily estimate for Admiral Keating of the posture of our active-duty forces that could be called upon for homeland defense. And we were ready to provide those capabilities rapidly.

Sir, I am prepared to take questions.

[The statement of Major General Rowe follows:]

PREPARED STATEMENT OF MAJOR GENERAL RICHARD J. ROWE, JR.

Chairmen Saxton and Reichert, Congressmen Meehan and Pascrell and Members of the Subcommittees:

On behalf of Admiral Timothy J. Keating, Commander of U.S. Northern Command, thank you for this opportunity to discuss the role of our active duty forces in disaster response. My comments today will first focus on the actions U.S. Northern Command took to prepare for and respond to Hurricane Katrina. I will also discuss proposals for improving the Command's disaster response capabilities.

USNORTHCOM Operations. The Department of Defense (DoD) has a long history of supporting civil authorities in the wake of catastrophic events with specialized skills and assets that can rapidly stabilize and improve the situation. All DoD support is provided at the direction of the President or Secretary of Defense and in accordance with the National Response Plan.

As directed by the Secretary of Defense, U.S. Northern Command supported the Department of Homeland Security/Federal Emergency Management Agency (FEMA) disaster relief efforts. Hurricane relief was conducted as a team effort among Fed-

eral, state and local governments, as well as non-governmental organizations. USNORTHCOM was fully engaged in supporting the massive operation to save lives, reduce suffering and protect the infrastructure of our homeland.

USNORTHCOM began tracking the tropical depression that became Hurricane Katrina on 23 August. Before Hurricane Katrina's landfall in Louisiana and Mississippi, USNORTHCOM established staging bases and deployed Defense Coordinating Officers and Defense Coordinating Element teams to Louisiana, Mississippi, Alabama, and Florida to manage DoD response efforts in coordination with State and Federal officials. These teams are normally not activated until a Presidential Disaster Declaration is made; however, as authorized by the Secretary of Defense, we deployed them early due to the magnitude of Katrina.

In addition, we alerted forces to be prepared to move as soon as the situation on the ground stabilized and the Department of Homeland Security, through FEMA, determined what assets were needed. We coordinated with U.S. Transportation Command (USTRANSCOM) to provide heavy lift aircraft. We also worked with Joint Forces Command to identify available Army, Navy, Marine Corps, and Air Force units to perform missions such as imagery support and damage assessment, inter-coastal waterway search and rescue, aviation medical evacuation, and construction/bridge/utility engineering to restore key infrastructure. This enabled us to identify appropriate units to perform requested assistance quickly and provide transportation to the scene as soon as possible.

Shortly after Hurricane Katrina made landfall, we were given authority by the Deputy Secretary of Defense to deploy the forces we deemed necessary to preserve life and reduce suffering. We had not yet been asked by Federal agencies for these capabilities, but we wanted to ensure we could respond when needed. As the levees in New Orleans gave way and the magnitude of the disaster grew, we continued to lean forward by preparing and moving additional capabilities, including emergency medical teams and communications experts.

In anticipation of the significant role the Department of Defense could play in the rescue and recovery efforts, USNORTHCOM established Joint Task Force Katrina (JTF-Katrina). Led by Lieutenant General Russ Honoré (Commander, First Army), JTF-Katrina provided command and control of Title 10 assets deployed to save lives, mitigate suffering, and restore critical services. JTF-Katrina grew to include 24,500 active duty forces, over 200 fixed and rotary wing aircraft, and 20 ships at its peak. General Honoré and his staff provided pivotal leadership on the ground and did a superb job providing Department of Defense assistance in coordination with state National Guard Forces and other Federal, State, local, and non-governmental partners.

USNORTHCOM met every request for support received from FEMA. In support of the relief effort, Department of Defense forces conducted search and rescue operations, assisted with evacuations, organized a complex logistical system to deliver food, water, and other essential supplies, provided medical care, provided imagery support, conducted fire fighting and mosquito abatement missions, cleared debris, safely managed crowded airspace and assisted with mortuary affairs.

Throughout the operation, we worked with our interagency partners through on-site liaison officers who provided a daily assessment of anticipated requests for military support. In addition, we shared information through teleconferences with Joint Task Forces Katrina, Defense Coordinating Officers, FEMA and other interagency organizations, and the Secretary of Defense.

Relationships and lessons learned from Hurricane Katrina relief operations were extremely valuable in facilitating our response to Hurricane Rita. USNORTHCOM worked with FEMA to define requirements early and responded by ensuring Title 10 forces, imagery support, and search and rescue assets were in place ahead of the storm, helping to mitigate additional suffering.

Lessons Learned. We are actively involved in efforts to compile lessons learned and incorporate them into future operations. One very important lesson we learned pertains to unity of effort.

We all witnessed the employment of 50,000 National Guardsmen in Title 32 status along with 22,500 active duty (Title 10) troops. But due to various factors, we enjoyed less than comprehensive command and control throughout disaster relief operations.

Commanding, directing and coordinating the efforts of over 70,000 troops present many challenges under any circumstances. While we embrace the fact that the National Guard will play a pivotal role in all disasters, the nation should have the capability to properly leverage [HSC] active duty forces that have the inherent structure and capacity to achieve unity of effort when assembling and directing a large-scale, multi-state response to a catastrophic event.

If a tragedy occurs on a local level, it makes sense that the local and/or state leadership retain command and control. They know the terrain, they have the personal relationships with responders, and they are familiar with the most likely challenges. However, DoD capabilities can prove extremely helpful in mitigating a disaster when local and state responders are overwhelmed, consequences are grave, and the scope of the suffering and the casualties is extensive. We are prepared to respond as directed by the President or Secretary of Defense.

[HSC] Another lesson learned from our response to Hurricane Katrina relates to communications. We need immediate, reliable communications that are survivable and flexible. These communications must be mobile, secure and both voice and data capable.

The National Response Plan remains a solid framework for responses to crises on a certain scale, but there is room for improvement. [HSC]

Conclusion. Our experience demonstrated we have adequate capability to meet emerging homeland defense and civil support crises. Even as we act to support civil authorities in responding to natural disasters, we never lose focus on our primary mission of homeland defense. One fact remains constant—our enemies should make no mistake about our resolve or our capabilities.

Mr. REICHERT. Thank you, Major General Rowe.

At this time, the chair will have the opportunity to ask a few questions. But first, I have a comment or two I would like to make.

I often have flashbacks, as the sheriff in Seattle, sitting in your chair, in front of a group called the King County Council. And shortly after, World Trade Organization (WTO), similar questions were asked of us. Where did you fail? And what lessons did you learn during that event?

So I think a lot of us understand your time and appreciate your presence here today, in making yourselves available to answer questions. Many of us on the committees represented today have had the opportunity to visit New Orleans, Biloxi, Waveland, Mississippi, about 12 miles inland, and have seen for ourselves the destruction that has taken place there as a result of Katrina.

We have also, some of us, have had the opportunity to visit Houston and visit with the leaders there, in Beaumont, Texas, and the surrounding areas. So we have seen first-hand the results of Katrina's effects and how the local government, I think, too, the federal agencies, learned from Katrina.

I am going to assume that, before Katrina, the Department of Defense has been involved in assisting in serious catastrophes that have arrived at our shores in the past.

And there has been efforts to integrate your resources and work together, so when Katrina hit this was not an unexpected partnership that needed to take place. So there were some things in place that you have already been used to using, and plans, and some training together.

One of the questions that weighs heavily on the minds of the people of America and on the people of this committee, I think, is why, then, if there were these previous opportunities to partnership, and these previous plans, and previous trainings that have occurred, why was our response so slow to Katrina?

Anyone on the panel wish to—

Mr. MCHALE. Mr. Chairman, I can only address the military portion of the response. And as I indicated in my opening statement, the military response was very fast.

It was unprecedented by comparison to any other remotely comparable event in American history. As a rough gauge, it was twice as fast and twice as large as our response to the 1992 Hurricane

Andrew. We delivered forces in greater number, with greater capabilities, beyond anything we had ever done before, and faster than we had ever done before.

And we did that because it was obvious that there was an urgent need to save lives and protect property, and that DOD would be expected to exceed any past level of performance.

And so, at least in terms of the military piece, I guess the summary I would give to you is we moved very quickly, and we now recognize the obligation in a future event to move even more quickly with even greater resources.

Mr. REICHERT. I think there is at least a perception that there was a slow response. And was there communication that was occurring between the Department of Defense, National Guard, Coast Guard, FEMA, the Red Cross, and all those others?

We have heard testimony from all of those agencies in previous hearings. Were you in communication with FEMA before?

Mr. JACKSON. I will let DOD address this, as well. But we absolutely were, as General Rowe stated. From the very first days when this became a tropical depression and was on our radar screen, we began the coordination with the Defense Department.

They participated in the command center at FEMA and had a senior representative to manage liaison activities. And they participated in the secure videos and the other video conferences that we use to manage these events and to plan for these events.

So there was significant cooperation and sharing of plans on the types of assets that would be pre-staged into the area for use after landfall.

Mr. REICHERT. Just one more follow-up comment and question. Some of the testimony that I heard this morning, that we have heard this morning, were comments made about the response was not well-integrated, that there was not communication that was needed to really coordinate an integrated response.

So, if there was communication beforehand, as you just responded, what needs to be improved, then, to make the communication clearer, quicker, faster, so that there is an integrated response to an event like Katrina or Rita in the future?

Mr. MCHALE. Mr. Chairman, as Secretary Jackson indicated, there was close, continuous communication between the Department of Homeland Security and the Department of Defense well before Hurricane Katrina made landfall on August 29th.

Ten days earlier, on August the 19th, before anyone anticipated Hurricane Katrina, but at a time when we did anticipate the hurricane season, the Secretary of Defense signed a standing execute order for severe weather.

That execute order gave certain authorities to the combatant commander, Admiral Keating, to coordinate with FEMA, in order to identify DOD bases that might be used as staging areas for FEMA and other assistance that we might provide, including defense coordinating officers, to ensure that the Department of Defense and the Department of Homeland Security would be working collaboratively.

Now, we did not expect when the secretary signed that on August the 19th that, a little over a week later, that execute order

would be implemented as it was in advance of landfall of Hurricane Katrina.

On August 23rd, when Katrina was still a tropical depression, tropical storm off the coast of Florida, I directed members of my staff to do a complete inventory of the resources that we had within the Department of Defense that we could make available to FEMA, in the event that tropical storm became more severe, as it did.

We conducted that inventory. We reviewed the Meal, Ready to Eat (MREs) that we had available, the surge medical capability, other logistic support, the bases that we might provide.

We did all that within the template of the four hurricanes that we had supported within Florida last year during approximately a five-to six-week period of time. And then we passed all that information to the Department of Homeland Security.

The challenge in communication was not the staff communication of the type that I described. We were in close daily communication.

The communication challenge that I described, the lack of interoperability, has to do with the tactical communication on the ground between first responders, the National Guard, and active-duty military personnel, largely because we have very different equipment.

A police officer is likely to be carrying a handheld Motorola. An active-duty military officer is very likely to be communicating on a secure single channel ground and airborne radio system (SINCGARS) radio. Those two radios cannot easily talk to one another.

And so, when I described in my opening statement a change of interoperability, we need to develop the technology—and we do have it—and deploy the technology much more effectively, so that a police officer can talk to a National Guardsman, who, in turn, can speak to an active-duty military officer, with interoperability of communications at the tactical level. That is where the challenge was.

Mr. REICHERT. I thank you.

And, sir, did you have—

Lieutenant General BLUM. Yes, sir, Mr. Chairman. I would like to add some further clarification, if I might.

If I could direct everybody's attention to the chart to your right front. You can see a time line across the bottom. And then you can see a build-up of the forces.

And you can notice that the Governors of the states of Louisiana, Mississippi, Alabama and Florida already had 2,000 citizen soldiers harbored in place, getting ready to respond to the hurricane, 4 days before it made landfall in Louisiana.

And as the hurricane was building strength out over the Gulf, we were building strength of the forces and had 8,000 National Guardsmen in place, sheltered in place along the Mississippi, Alabama and Louisiana coast, because we were not exactly sure where it would hit, and you do not want to be exactly where it hits, either.

So you need to be close enough to respond, but not exactly on ground zero when it happens. And that model, with 8,000 soldiers, was built on Camille, 1969, the largest hurricane ever to hit the Gulf Coast. And our response then, at its peak, required 8,000.

So we felt that was a prudent preset. And certainly, they were not late, because they were there pre-event.

And then, as the event happened, and the situational awareness became clear, in other words, the devastation, that the amount—it is 80,000 square miles that we are talking about. We are talking about the size of the United Kingdom.

People lose sight of that, that having gone down there and seen how much devastation it really is.

And so when we looked at that, and the two Adjutants General of the most affected states, which was Louisiana and Mississippi, called me on the morning at 7:21 and said, "This is what we are facing; we need even more," we already had 10,000 more soldiers coming through a previously existing—you asked about previously existing agreements—this is a previously existing agreement at the state level.

Amongst the Governors of our great nation, since September 11, 2001, every Governor in this country, and even our states and territories, has signed an emergency management assistance compact that allows them to flow their National Guard forces from state to state, equipment from state to state, and to put those troops that have from the donor states to the receiving state, under the command and control of the Governor of the state that is affected.

And we moved in—as you can see, we have pressed it 11,000. And we grew to ultimately 50,000, in the period of 4 1/2 days. There is not a force on Earth that can move people any faster or more efficiently than that.

And you could not put more in there, or you could not have pushed them full the funnel of the restricted lines of communication. Bridges were out, roads were out, airfields were out. They had to be cleared. The bridges had to be cleared.

The highways had to be clear of debris, so you could even bring in—you had to literally fight your win to the recovery effort, for those that were not already there in place. And within 36 hours, you had 133 National Guard helicopters on site.

That is as fast as it can be done. Now, the Coast Guard was even faster, because they flew in conditions, frankly, that our helicopters are not authorized to fly safely in. It has to get less than 30 knots for us to load up 20, and 30, and often 40 people in an aircraft that is designed to hold 14 in an emergency condition.

That is what we did. We had one wheel on the top of a building, and took the seats out of the aircraft, and loaded 35 and 40 people in there. And we evacuated, we saved 15,000 people through that and, later, subsequently, moved 78,000 more.

So the issue is not really the National Guard response or the military response, because we are part of the military. We just happen to be part of the Department of Defense that responds first, because we are forward deployed all across the landscape of this nation.

We have situation awareness. We had the relationships that you talked about that have to be there. We know who the sheriff is, and we know what they have and what they do not have. And they know what we have and do not have; it is very useful.

And then, when the President came down there and surveyed the scene on the 2nd of September, he thought it would be useful to bring in additional ground forces, federal ground forces.

So there was not a problem there. It was a parallel effort; there was still unity of effort. And, frankly, we were good, but I cannot walk on water.

So we had to leverage the Coast Guard and the Navy. And we only can get through Northern Command. And Northern Command was in continuous communication with the National Guard Bureau.

They were not surprised by what we were doing. They had full disclosure on what we were doing. They would like to probably have had more disclosure and detail on what we were doing, but they were not surprised that we had 50,000 people responding to the area.

And they brought in ships. And they brought in amphibious vehicles that only the Marines had in the area. And, frankly, some of my soldiers were able to go around through Saint Bernard's Parish and do the good work that they did, through the good graces of the United States Marine Corps.

So it was a joint effort. It was a collaborative effort. It was a magnificent effort. And what we were there to do was support the civil authorities, the Governors of Louisiana, and the Governors of Mississippi, and all of the state, local and federal agencies that the President, the federal agencies, that the president sent in there to help their Governors.

So there was, in fact, unity of command. The commander was the Governor—

Mr. REICHERT. Thank you, General.

Lieutenant General BLUM. —in Louisiana and Mississippi.

Mr. REICHERT. I am trying to be as polite as I can, and I can feel my members in the committee getting a little bit anxious. I appreciate your energy, and your emotion, and your thorough answer.

But let's give the other members a chance to ask questions.

So I recognize Mr. Pascrell.

Mr. PASCRELL. Thank you, Mr. Chairman.

And, General Blum, it is really an honor to have you here, to cut through the red tape and get to what the answers are. And I do not expect anything less from the National Guard.

Mr. Chairman, with your permission, and with the permission of Chairman Saxton, I just want to yield very briefly, because of schedule problems, to Congressman Langevin in Rhode Island.

Thank you.

Mr. LANGEVIN. I thank my colleague for yielding. I have to leave for an 11 a.m. meeting. I hope to be back before the end of this hearing for additional questions.

But let me begin by asking this. First of all, I have the privilege on serving on both the House Armed Services Committee, as well as the Homeland Security Committee.

So much of the work that I deal with in the Capitol here deals with national security issues, and I have great respect for both our homeland security officials, whether it is state, or local, or federal officials, as well as the professionalism of our military.

And on both sides, they want to make sure that all have the resources to do their jobs in order to keep the American people safe.

I am concerned, though, when we are talking about mixing the two and expanding the role of the military, especially with respect to engaging in civil or law enforcement activities, on a routine basis. That concerns me.

And we have a Posse Comitatus statute, which clearly strikes a balance and is cautious about allowing expanded use of the military domestically.

I note that the Posse Comitatus statute does not apply when the President is using his inherent emergency powers, or when the Insurrection Act applies, or the use of the Coast Guard for enforcing federal maritime laws, or when it is the assertion of the immediate response authority by the President.

That being said, and in addition to talking about expanding the role of the military for catastrophic events—and this question I will pose to Secretary McHale—some are suggesting that, in addition to using the military to respond to catastrophic events, they should also be used to supplement law enforcement agents along the U.S. border, working in the rural areas to militarize the border.

And so, Secretary McHale, and I think also General Rowe, it would be perfect for you to comment. What is the military's position on this idea?

Mr. MCHALE. Congressman, if I can touch on a couple of the issues that you raised, as discrete parts of your question, there are more than 50 major disasters declared under the Stafford Act each year. Those are the kinds of recurring hurricanes and tornadoes that result in a presidential declaration that provides assistance, usually to a part of a state, several counties or multiple counties within a state.

The discussion that we are having today does not really focus upon DOD's role with regard to major disasters. That role is defined by the National Response Plan, and I think historically has worked pretty well.

The challenge is when you have got something bigger, when you have got a catastrophic event of the type that Hurricane Katrina was or, perhaps, an attack by terrorists, involving a weapon of mass destruction, where the local or even regional community is devastated, where the first responder community no longer exists as a functional entity.

Under that circumstance, where an entire region may have experienced a devastating event, what should be the role of the Department of Defense in providing the most effective relief that we can marshal as a nation?

And the issues then relate to logistics, leadership under the National Response Plan, and questions of Posse Comitatus, as noted by Congressman Langevin.

The Department of Defense has taken the position that we are not advocating changes in the Posse Comitatus statute, although Senator Warner and others have indicated an interest in reviewing that statue. And we have pledged our cooperation.

Perhaps the terminology of the statute needs to be updated. But most, if not all, DOD missions that we envision can be executed in

conformity with the existing language of the Posse Comitatus statute.

Lastly, with regard to border security, I was a member of the House Armed Services Committee back in the mid–1990s when we did militarize our border, specifically the border between Texas and Mexico. And we had active-duty United States Marines deployed along that border.

An incident occurred in which a young, armed Mexican man was shot and killed by active-duty United States Marines. And after that event, I think by consensus, or near consensus, a decision was made not to militarize the border, but to recognize instead that border security is primarily a civilian law enforcement mission.

Consistent with that, there are statutes, particularly in the area of counter-narcotics activity, and more recently in the area of counterterrorism activity, that authorize the Department of Defense to provide support to civilian law enforcement in securing our land borders.

We support those statutes. And, in fact, we routinely deploy forces, particularly along the southwest border, but last winter along the Canadian border, in order to ensure that we make available to civilian law enforcement, in their lead, the resources that are available from the Department of Defense.

Mr. LANGEVIN. So you are suggesting you are not in favor of turning the security of the borders over to the military, but the military would continue to play a supporting role to the civilian authority?

Mr. MCHALE. That is the role that we have played for 10 years, and I have heard no advocacy anywhere within the Department of Defense that would change that responsibility, other than the scope of support that we would provide to civilian law enforcement.

Congress passed a statute last year that recognized that Joint Task Force North, JTF-North, which used to be the old JTF–6, down in El Paso, Texas, would have a counterterrorism, as well as a counter-narcotics mission.

And that change in the law, which allows JTF–North to support civilian law enforcement, has resulted in substantial and unprecedented deployment of DOD forces for counterterrorism missions, in support of civilian law enforcement.

But other than that change, we have not advocated—nor did we even advocate that change—in terms of existing law. We are in a supporting role.

Mr. LANGEVIN. General Rowe, do you care to comment?

Major General ROWE. Sir, I merely indicate, we at Northcom, we do not have any difficulty with the Posse Comitatus rule set.

And for the deployment of our servicemembers, we are able to take appropriate force protection actions and provide them rules that allow them to be safe and effective.

I think it is significant when the concern becomes the deployment of an active-duty capability, such as the division-ready brigade of the 82nd Second Brigade, 1st Combat Avaition Brigade (CAB) division, and the Marines that deployed from both our east and west coast, at the President's request.

What did that mean? It is instrumental to realize that, when the first C–17s arrived at the New Orleans International Airport, the

sergeant major who had traveled with them had the airborne paratroopers get out their trash bags and walk among the people that were at the New Orleans International Airport, pick up trash, and, all of a sudden, it brought a great deal of order and discipline to that airport.

They then deployed in on the 4th of September, in increasing numbers, into the city of New Orleans, where they worked shoulder-to-shoulder with our National Guard.

Major General Bill Caldwell, who is the commander of the 82nd Airborne, he showed you his diagram of the outline of the city. You will see in that 45th Brigade of Oklahoma.

Mr. REICHERT. Thank you, Mr. Langevin.

Mr. LANGEVIN. I yield back to the gentleman.

I thank the gentlemen at the table for their comments.

And I thank the gentleman from New Jersey for yielding.

Mr. REICHERT. Mr. Pascrell?

Mr. PASCRELL. Thank you.

Major General Rowe, thank you for your service to your country. We are proud of you.

I have a few questions. You say on page two of your testimony that the U.S. Northcom began tracking the tropical depression that became Hurricane Katrina on August the 23rd.

Before the landfall in Louisiana and Mississippi, Northcom established staging bases and deployed defense coordinating officers and defense coordinating element, et cetera.

Then you said that these teams are normally not activated until a presidential disaster declaration is made. However, as authorized by the Secretary of Defense, we deployed them earlier due to the magnitude of Katrina.

Now, if that is the case, on page three of your testimony you say, "Shortly after Hurricane Katrina made landfall, we were given authority by the Deputy Secretary of Defense to deploy the forces we deemed necessary to preserve life and reduce suffering. We had not yet been asked by federal agencies for these capabilities, but we wanted to ensure we could respond when needed."

I am trying to understand this to the best of my ability, because I know that the services have been used as a political football. Not your fault. It is either our fault or folks down the street.

And I want you to explain what that means. Where does the authority rest? Because you said very specifically you acted without the authority. So clear up my confusion.

Major General ROWE. Sir, we had the ability to work within our existing authorities to bring forces to a readiness to deploy. So, for example, at Norfolk, an amphibious readiness group and a carrier prepared to get underway. In Baltimore, the T3United States Naval Ship Comfort T1 prepared to get underway.

We engaged with Transportation Command, Special Operations Command, and Strategic Command to get strategic lift capabilities, special operations, riverine capabilities, and appropriate space communications capabilities ready to go.

At the point each of those deployed, the Department of Defense and the joint staff had worked in the inner-agency to ensure that we had the appropriate authority to act.

Mr. PASCRELL. I mean, you do understand why we could be confused about looking, and reading, or listening to your testimony on this, and listening to the administration explain where the authority rests?

So, in other words, when we see an emergency, if we are able to prepare for an emergency, we realize that, if terrorists attack, we are not going to have any preparation, for the most part.

But if we are waiting for an emergency, and we had 7 or 8 days to prepare for this emergency, there is no necessary need for a declaration by the President for you to move, be mobilized, and be ready, correct?

Mr. REICHERT. General, before you answer, could you speak closer to the mike please? We are having trouble hearing. Thank you.

Major General ROWE. Sir, as I understand the question, I would have to take that for the record, to work the lines of exactly when we have what authority.

Mr. PASCRELL. Okay.

Major General ROWE. We leaned as far forward as we could.

Mr. MCHALE. Mr. Pascrell, I am prepared to address that, if you would like me to?

Mr. PASCRELL. Sure, Mr. Secretary.

Mr. MCHALE. The fundamental document that guides all of our federal agencies in responding to major disasters or catastrophic events is the National Response Plan.

The NRP was published last year. And it defines the roles for the Department of Defense in our relationship with all other federal agencies, but most especially the lead federal agency, the Department of Homeland Security.

And the way the National Response Plan is written, based upon the preexisting document, the Federal Response Plan, that goes back over many decades, the concept is that, when something really bad happens, if we have a major disaster, the president will make a declaration of a major disaster, upon request by the Governor, and then the system is designed to be based upon a poll of DOD resources, upon request by the lead federal agency, which is typically FEMA.

In this case, we knew that this was going to be a catastrophic event. And we leaned into the mission. We had a sense of urgency. We took risk.

We began deploying resources before anybody asked for those resources. The Deputy Secretary of Defense, Acting Deputy Secretary of Defense, who was also the Secretary of the Navy, for instance, began moving ships with their resources, to include medical and helicopter resources, before we received any request under the National Response Plan.

So what the General is saying is that the Department of Defense, with a sense of urgency, anticipated the request that would ultimately come from FEMA.

And in anticipation of those requests, in a manner, frankly, that I think this committee would have wanted us to do, we started pushing those resources forward. And then, when the request came in, those resources were already in place.

Mr. PASCRELL. Well, Mr. Secretary, thank you for your response.

Thank you, General, for your response.

But I must say this: Then there was no need for anyone in the administration to say, "We were waiting to be asked by the mayor or the Governor." This needs clarification.

This is not time for blame. I am not talking about blame. I am going to the very center of the issue.

Based upon what you have testified to, General Rowe testified to, there is absolutely nothing preventing the Federal Government and its forces to be on hand before and acting before, as you have just stated you were.

You were not asked by the Governor to do that. You were not asked by the mayor to do that. You were not asked by the chairman to do that. You did it because you are smart and you know how to deal with things beforehand.

This is the point of clarity. That is why I have asked those questions. I got many more questions to ask you, but we will move on.

Thank you very much for both of your answers.

Mr. REICHERT. Thank you, Mr. Pascrell.

The chairman will recognize other members for questions that they may wish to ask. So there is no confusion, I plan to recognize members who were present at the start of the hearing by seniority. Those coming in later will be recognized in the order of their arrival.

We are going to stick now strictly to the 5-minute rule, for those members that have not asked questions yet. I am told we have votes, possibly at noon, so I will now recognize Chairman Saxton.

Mr. SAXTON. Secretary McHale, I would just like to offer you the opportunity to elaborate on, perhaps, the subject that you had just begun to discuss.

We have heard the term catastrophic event. We have seen several catastrophic events in the last several years.

When a catastrophic event occurs, can you just elaborate for us on how the National Response Plan and the DOD joint strategy for homeland security treat a catastrophic event? And how does the local and federal response dovetail together?

Just talk us through this process, if you would.

Mr. MCHALE. As I indicated to Congressman Pascrell, the fundamental document that organizes and integrates the federal response is the National Response Plan.

Under the National Response Plan, new authority has been granted—and I would invite Secretary Jackson to comment upon this—new authority has been granted to the Secretary of the Department of Homeland Security to identify and declare an incident of national significance.

That category did not exist under the old federal response plan. And in my judgment, it provides an opportunity, and was intended to provide an opportunity, for an earlier engagement of DOD resources in support of the Department of Homeland Security.

We, frankly, anticipate that, when a catastrophic event is approaching, the secretary of the Department of Homeland Security will look at the facts and declare an incident of national significance.

And so, at an earlier point in time than historically has been the case, we would expect to begin receiving what the Department of

Homeland Security calls mission assignments. We call them requests for assistance.

They would start coming to us earlier on for assistance. And that support would begin to flow in advance of the event. We would not be delayed by the occurrence of the event or a subsequent presidential declaration.

When something bad does happen, we anticipate that the National Response Plan will cause the Governor to request a major disaster declaration from the president. And then, at that point, FEMA, almost assuredly, will begin sending to the Department of Defense request for assistance. That is the way it has worked historically.

And so the model is the National Response Plan. It is normally based on DHS request DOD assets. But in this case, to come back to Mr. Pascrell's question, we anticipated that a Category 5 hurricane, which came ashore as a Category 4 hurricane, was going to produce a devastating effect.

And so, in anticipation of the kinds of formal requests that would later come in under the National Response Plan, we began moving. No one waited in the Department of Defense.

The guidance given to me by my superiors, the guidance that was communicated by me to others was, "Let's get moving."

We faced an immediate challenge. We knew that DOD resources would have to be engaged. And wanted to move those resources forward with offensive urgency so that, when DHS came to us for assistance, we would be prepared to move.

And we believe that the statistics are undeniable that the forward movement of DOD resources was unprecedented in its speed and scope.

Mr. SAXTON. Secretary Jackson, Secretary McHale just indicated that his role, DOD's role, is to respond to your requests. Walk us through your process.

Mr. JACKSON. Yes, sir, happy to.

The weekend before this hurricane made landfall, the Governors requested the emergency declaration that Secretary McHale spoke of. And, in fact, the President did that weekend prior to landfall put in place those emergency declarations.

So they were on the table, providing the authority and creating an explicit recognition of national significance. So we were able, actually, to begin to make mission assignments prior to landfall in sync with what DOD had done to surge assets in preparedness for this event.

We take those mission requests from the state and local officials. We then assess who the right entity would be to implement those. And mission assignments went all across the federal government, and also into the private sector.

And, therefore, we pushed out to Defense Department those mission assignments. Requests for assistance is the formal legal mechanism that we use.

It is not very bureaucratic. It happens very quick. We have our teams co-located. And I will tell you that DOD has learned very well to help coach us to write together those mission assignments so that we can make sure that the assets are positioned as quickly as possible.

Mr. SAXTON. My time has expired. I hope that one of the questioners that follow me will get into what happens if you do not have the appropriate knowledge than an event is going to occur.

Mr. JACKSON. Yes, sir.

Mr. REICHERT. The chair now recognizes Mr. Simmons, who was next to arrive at the hearing.

Mr. SIMMONS. Thank you, Mr. Chairman.

And I thank all of our witnesses for their excellent testimony. I am particularly gratified that we have two fine Army officers at the table. And as a retired Army officer, it gives me great faith and comfort to hear their testimony.

Of course, the Commandant of the Coast Guard, Admiral Collins, the Coast Guard Academy is in my district. And they are always prepared, semper paratus.

They did a fabulous job. And if you look at the numbers, I mean, logistically, with my background and interest in military affairs, whether it is Roman legions or whatever, getting their firstest with the mostest is critically important. And the logistics of this operation is just extraordinary.

That being said, I am a believer in Posse Comitatus. I do not want the military doing domestically within the United States things that they are not supposed to be doing and that the civilian authority does not want them to do. So I think that it is a difficult but a fine line that we have to follow.

My interest is in the comments made about situational awareness. And I believe, General Rowe, you made reference to teleconferences. You made reference to reconnaissance, a satellite and other types of reconnaissance. And in your written testimony, you talked about imagery support.

My sense was that one of the biggest problems was information operations and sharing with the American people just what you were doing. That, in actual fact, the media was running around with a cameraman and a microphone talking to people, and some of what they were collecting and distributing was very distressing to me and to other Americans watching this.

But, except for General Honore, and except for a few other cases, we did not have a clear sense of the situation from your perspective. We were not controlling our information operations.

And let me bring up two images here that were not collected through national technical means, that were available within hours of the incident, that showed, in this particular instance, the Astrodome, I believe, before and after, the race track, before and after. The other one shows the levees that were broken.

All of this is from Digital Globe, which is an open-source of overhead imagery, which is virtually real-time, which could be shared with the American people to give them an hour-by-hour assessment of what the problem is, where the people are going, what the military is doing, what the Coast Guard is doing.

Certainly, your cameras on your helicopters were terrific. But, you know, this would provide you the opportunity to manage the information so that we were not dependent on some cases on erroneous information collected by the media, perhaps with good intent, but nonetheless distorting the overall picture.

And so my question goes to, how do we manage information operations, when it comes to these sorts of things? Even if you are working with classified information, you have access to open source of this nature and other types.

How can we better manage our presentation of what we are doing in a crisis like this?

Anybody who wants to answer, feel free.

Mr. MCHALE. Congressman, in 1992, after Hurricane Andrew, Government Accountability Office (GAO) did a pretty thorough report on the response to Hurricane Andrew. And in that report, it was noted that the initial damage assessment immediately following Hurricane Andrew were almost universally inaccurate.

In the first 24 to 48 hours after Hurricane Andrew, the full extent of the damage was not well-known. We did not learn from that experience. In Hurricane Katrina, a similar occurrence took place in the first 24 to 48 hours after Katrina made landfall.

You noted certain aerial images of the New Orleans area. In fact, imagery of that type would have been very helpful in order to more rapidly and accurately assess the devastation along the Mississippi Gulf Coast.

The media coverage early on tended to focus on New Orleans. Much less coverage was provided with regard to the Mississippi Gulf Coast, where utter devastation had taken place.

We learned from that experience. And so, about a month after Hurricane Katrina, when we were preparing for Hurricane Rita, a very detailed ISR plan, intelligence, surveillance, reconnaissance plan, was developed, so that, using DOD assets, we would be able to get imagery equal to or even better than the type you have just provided.

That plan—General Rowe may want to comment—included P–3s, C–130 aircraft, Predators, high-altitude and space-based imagery, so that, in preparation for Rita, we were not dependent upon open-source media.

We had our own collection capabilities for wide-area surveillance so that we would be able to more quickly and accurately assess the damage.

And, finally, when disasters occurred not long after that, in Pakistan and Guatemala, at the direction of the Secretary of Defense, we conveyed to Pakistan and Guatemala our lesson learned, indicated to them that an immediate ISR would be essential, and, in fact, consistent with operational security, provided images to those countries so that they would be able to conduct more rapid and accurate damage assessments.

We have learned that lesson.

Mr. REICHERT. Thank you. The gentleman's time has expired.

The chair recognizes the gentlelady from the Virgin Islands, Ms. Christensen.

Mrs. CHRISTENSEN. Thank you, Chairman.

And good morning and welcome to the joint committee hearing. And although the response was slow and heartbreaking, I think we are getting a better understanding this morning of why that happened. But we do applaud DOD and the Coast Guard for the work that they did when they were on the ground.

I am going to try to get through as many questions as possible. I will start with Assistant Secretary McHale.

In your response just a few moments ago, you said that you were able, based on your experience, to deploy the kinds of assets you thought were needed in advance, just based on your own assessment.

I am used to preparing for hurricanes with FEMA. And I am wondering, was there that coordination with Department of Homeland Security in assessing what assets you had to have in place in advance of the storm, or did you make those decisions on your own?

Mr. MCHALE. We coordinated closely and daily, almost continuously, with the Department of Homeland Security. On August 23rd, as I mentioned earlier, when Katrina was still a tropical storm, we had concerns that a tropical storm passing over Florida entering the Gulf would pick up speed and become a more severe event, as happened.

And so what we did was, we went back to the four hurricanes that we had addressed in about a six-week period of time last year in Florida. And we looked at all the capabilities that we had employed in response to those four hurricanes.

And, typically, that involves massive quantities of meals, MREs, surge medical capability, other logistical support, and the designation of DOD bases to assist FEMA. We conducted that inventory on August 23rd and subsequently shared that information with the Department of Homeland Security.

And finally, what I would point out is that, not only do we coordinate with DHS in a crisis environment, there are approximately 65 employees who work in my office who work full-time at DHS. If we were to leave this hearing room right now and go over to the Nebraska Avenue complex of DHS, you would find DOD employees from my shop co-located, working side-by-side with their DHS counterparts.

So the communication is robust and continuous at the staff level. The challenge is to make sure that we have the operational capabilities that are well-coordinated in a crisis.

Mrs. CHRISTENSEN. Major General Rowe, you, in your testimony, said that you had been—Northcom had been fully engaged in the preparation leading up to Hurricane Katrina. I think you said maybe from the 23rd or the 24th.

And I am glad to hear that, because one of our very first trips when this committee was formed was to go to Northcom. And it seems as though you have come a long way.

But my understanding is that there had recently been an exercise that included the topping or the breaching of the levees. And my question to you is, wasn't that possibility considered in your preparation? And, if so, what preparation was done to deal with that?

Major General ROWE. Ma'am, thank you for that question.

Your references to the exercise about a year ago, by the records we have at Northern Command, we did not participate.

I have some situational awareness personally of New Orleans, because my number two daughter is a graduate of Loyola of New

Orleans and a couple of visits there and aware of the situation and the potential.

We identified when the hurricane was a Category 5—it came on land as a 4. We were aware of the potential threat, in the past reports and situational awareness materials we have of the potential of devastation in New Orleans.

And we, with great relief, greeted the end of the day on the 29th, when the hurricane strike and went into that night, with we had dodged a direct hit on New Orleans, because, unfortunately, the main brunt of the storm was felt in Mississippi.

Mrs. CHRISTENSEN. Deputy Secretary Jackson, given all that we know now, and the slowness that a lot of us saw and were so upset about, there seemed to be difficulty getting to the sites of the disaster.

And we have been focusing on criticizing the slowness of the response. But knowing what we know, it sounds as though the appropriate response would have been to evacuate everyone.

So, given that there was an emergency declaration, and we knew that the possibility existed for the levees to be breached and flooding to occur, given the emergency declaration, wasn't it the responsibility—didn't the federal government have a greater responsibility to see that that evacuation took place?

Mr. JACKSON. The decision to execute an evacuation order is a state and local decision, not a federal decision. We are there to support that decision.

Mike Brown has testified that he strongly encouraged that decision. And, in fact, as you know, the local authorities in Louisiana did make that decision. And so we were very strongly in support of that decision.

Mrs. CHRISTENSEN. It just seems to me that, at the point at which you are coordinating, there is a point at which you realize that the capacity for the state and local to handle that has been exceeded, and the Federal Government should have automatically stepped in.

Mr. REICHERT. The gentlelady's time has expired.

The chair recognizes the gentleman from Minnesota, Mr. Kline.

Mr. KLINE. Thank you, Mr. Chairman.

Thank you, gentlemen, for being here and testifying.

It seems to me that what we are trying to get at is unraveling some confusion in deciding who should be in charge when. And, frankly, some of the confusion exists and is represented right here.

We have three men in uniform, the commandant of the Coast Guard, part of the Department of Homeland Security, and we have a General from Northcom, representing the active-duty Army, and then we have the head of the National Guard.

And General Blum said that the National Guard is DOD's first responders. But that is part of the question we are getting at, whether it is DOD's first responders or the Governor's first responders.

Is the Department of Homeland Security in charge, as represented by, in this case, Admiral Allen down in New Orleans? Or, if you are going to bring disparate representatives of men and women in uniform, should DOD be in charge? Should Northcom be in charge?

And I think it is the question that we are trying to get at. I share the concerns expressed by some of my colleagues here in using active-duty forces, not just in reference to Posse Comitatus and law enforcement, but do we want the active-duty military to step in and taking over the responsibilities of Governors?

These are important questions that we are trying to get at. And I think there is just confusion about who is who.

You have an admiral in uniform down in New Orleans, who, by the way, is doing a fabulous job. I was down there a week ago with a Congressional Delagation (CODEL) from the Armed Services Committee and looking at the devastation in New Orleans and going all the way up the coast to the Mississippi Gulf Coast is just—it is staggering.

Ms. Davis was with us. And I know that we were both stunned by the extent of the devastation, both in its totality and its—so we had a gigantic catastrophe here. And that is what we are grappling with.

Is the National Response Plan, is it adequate? Does it encompass this sort of catastrophe that crosses over state lines?

We have the question of when we use active-duty forces. Assistant Secretary McHale talked about leaning forward. And it seems to me that what DOD did, with its active forces, was start to deploy them, but I do not think they were employed, in the sense that we would think of in the military.

And so I am sure where I am going with this, because, again, it is part of the confusion. I am not sure who I should be turning to.

But let me just continue to pick on you, Assistant Secretary McHale, to talk about that issue of what the Department of Defense's position might be on, if and when Northcom, in this case, or DOD might be asked to take over.

What is the thinking that is going on now? And help us understand that, really a strange blend here, with the citizen soldiers that General Blum is talking about, the Coast Guard, and active forces, and how we pull that together.

Mr. MCHALE. Congressman, when there is a major disaster or, under current authorities, even a catastrophic event, the law is pretty clear the DHS has the lead.

The Homeland Security Act of 2002 and various presidential directives that have been published since that time make it clear that, under the National Response Plan, when a federal response is required to a major disaster or a catastrophic event, DHS moves into the lead, in terms of coordinating the entire federal response.

And the Department of Defense is in a supporting role. And the military chain of command, as you know, from your own experience, remains exclusively in military hands.

The actual command authority of the military forces is exercised by the secretary and subordinate officers. But those military forces are then used to assist FEMA and DHS.

Now, here is—

Mr. KLINE. Excuse me. Could I just interrupt for just a second?

Mr. MCHALE. Sure.

Mr. KLINE. Because, again, we are talking about military forces. But are we talking Title 10 or 32? Is the Coast Guard being in-

cluded in military forces? Or are you just talking about active-duty forces and who they work for?

I mean, I think that is part of our confusion here, is who is working for whom, even if you are in uniform.

I am sorry. I did not mean to interrupt.

Mr. MCHALE. We are talking about Title 10 forces. They may be active-duty forces or they may be Reserve component Title 10 forces, but we are talking about the military forces that are under the command and control of the President of the United States, pursuant to Article II of the Constitution.

That authority is delegated to the Secretary of Defense, who in turn delegates that responsibility to command down to Admiral Keating, who is the commandant commander at Northcom.

Initially, the responsibility of the National Guard is a state responsibility, a gubernatorial responsibility, where the National Guard is under the command and control of the Governor.

In this case, because of the magnitude of the event, and the fact that, through an Emergency Management Assistant Compact (EMAC) agreement, 50,000 National Guardsmen ultimately were moving into the Area of Responsibility (AOR), a decision was made to move those Guard forces from state status into Title 32 status.

In Title 32, those 50,000 National Guard remained under the command and control of the affected Governor, but they were paid for by the Department of Defense. So it is kind of a hybrid category.

The real challenge that we face is this: When a catastrophic event occurs that essentially decimates an entire region and degrades or destroys the first responder community within that region, what should the role of the Department of Defense be to, a, provide resources promptly to begin the response? And, b, what leadership role, if any, should be assigned to the Department of Defense?

Those are two related but separate questions. In this case, we moved very fast.

But the lesson learned is, in a catastrophic event that might be a terrorist attack involving a weapon of mass destruction, in the future, we will have to move even faster, with more people, more resources.

The follow-on question is, when we do that, should we be in support of FEMA or should we have an assigned leadership responsibility? Those questions are related, but they have to be answered separately.

Mr. REICHERT. The gentleman's time has expired.

The chair recognizes the gentleman from Washington, Mr. Larsen.

Mr. LARSEN. Thank you, Mr. Chairman.

Secretary McHale, you mentioned in your testimony—very effusive in your praise, essentially, about operations, about the ability to move things where they needed to get moved to, and so on.

But you did mention where, if there was a problem, it was in the planning. And you did not get into too many details in your testimony. So could you give us some details about that, what that means?

And in answering that question, could you talk about some of the concerns that we have heard about the—not in terms of the unity of effort issue, but the unity of command issue?

We have heard there was obvious confusion between, "Who do I report to? I am National Guard, I am active-duty, I am Reserve, who am I—I am out here on the ground. Who am I supposed to be reporting to?" And if that is what you mean a little bit by planning ahead for that.

And if you can answer those, and leave me some time to ask a few more questions, I would appreciate it. Go ahead.

[Laughter.]

Mr. MCHALE. I will see what I can do.

Mr. LARSEN. Yes.

Mr. MCHALE. These are tough questions.

As I indicated in my earlier testimony, by September 10th, there were 72,000 military forces that had been deployed into the area of responsibility, into the AOR.

Of the 72,000, 50,000 were National Guard under command and control of the affected Governor, 22,000 were active-duty military personnel under the command authority of the secretary of defense and, ultimately, the President of the United States. So you had 72,000 total, 50,000 in the Guard, 22,000 active duty.

General Honore commanded the 22,000 active-duty military forces. He coordinated primarily with Major General Landreneau, who was the Adjutant General of Louisiana, to ensure that, by agreement, by coordination, the activities of the 50,000 guardsmen would be compatible with the activities, the operational activities, of the 22,000 active-duty military personnel.

But technically, the Guard was under the command and control of the Governor. The active-duty military personnel were under the command of Admiral Keating, the Secretary of Defense and the President of the United States.

However, if that coordination had broken down at any point, the President of the United States had the ability to bring the Guard into federal service, at which point unity of command would have been established and all 72,000 of those forces would have been under the command and control of Admiral Keating.

But on a daily basis, General Honore felt confident that coordination with Major General Landreneau was working well and that it would not be necessary to bring the Guard into federal service, though that option always remained as a choice that could have been made under appropriate circumstances by the President. It proved to be unnecessary.

With regard to planning, the planning for the deployment and operational activities of those 50,000 guardsmen took place independently of the planning was conducted at Northcom.

But I want to emphasize Lieutenant General Blum was pushing forward that information so that Northcom would have full situational awareness of what the Guard was doing in their operational planning.

Despite the fact that General Blum was pushing that information forward, I am not confident that our deliberate staff planning and our crisis ever really got fully integrated, so that we would not, for instance, deploy multiple helicopters from the Guard, from

Northcom, maybe from the Coast Guard, to pick up the same family from the same roof in a flooded area of New Orleans.

So there was excellent crisis planning, but that planning needs to be better integrated in the future.

Mr. LARSEN. So does that need to be pre-event planning, or can you even plan for that? Does it have to take place during the crisis?

Mr. MCHALE. It is both. I think Secretary Jackson can better address the catastrophic scenarios that have been developed by DHS.

In my view, based on the scenarios that have been developed by DHS, we need better deliberate staff planning in advance of the event and then a better mechanism for crisis planning during an event to make sure that what the Guard is doing is fully known to and compatible with what the active-duty forces are doing in the same AOR.

Mr. LARSEN. I am running out of time, and hopefully Secretary Jackson can address that, but I have another question about, Secretary McHale, your comments.

You seem to say in your testimony that, as a major disaster or as a catastrophic event that was a hurricane, as opposed to some other catastrophic event, we learned a lot and we did okay, but we maybe are not as prepared as we should be after the last four years of trying to be prepared for another catastrophic event that could be a terrorist attack or something like that.

Is that what I gathered from your written testimony and your oral testimony?

Mr. MCHALE. Not quite.

Mr. LARSEN. That is why I wanted to give you that opportunity there.

Mr. MCHALE. The federal response plan, over many decades, and the National Response Plan, during the past year or so, have worked pretty well in dealing with recurring major disasters, the kinds of hurricanes that statistically occur with regularity each year, the kinds of tornadoes that sweep across the Midwest every year.

Those events are terribly tragic for the affected communities, but they tend to hit fairly localized areas. And the damage has been such that traditional mechanisms of response have worked reasonably well.

Katrina brought forcefully to our consciousness a higher level of event, a catastrophic event where an entire region is just devastated, where the first responder community is taken out by the magnitude of the event, where DOD forces, no matter how quickly they arrive, cannot, under the current construct, adequately backfill the loss or the near-complete loss of the first responder community.

What do you do in the first day or two after a terrorist attack involving a weapon of mass destruction where the damage is equal to or greater than that of Hurricane Katrina?

Hurricane Katrina has forced us, as it should, to look with an unflinching eye at what the requirements may be, not in response to a major disaster—we were pretty well-prepared in that case—but a catastrophic event where tens of thousands of Americans may lose their lives, where the first responder community is maybe

taken out by the event and where a prompt response requires something bigger and faster than anything we have done before.

Mr. REICHERT. The gentleman's time—

Mr. LARSEN. Just quickly, out of respect for other members, I will not push Secretary Jackson right now to respond, but out of respect for Secretary Jackson, if you wanted to respond in writing to the first question to Secretary McHale, for the record, I just wanted to give you that opportunity.

Mr. REICHERT. Thank you. The gentleman's time is expired.

The chair recognizes the gentleman from Kentucky, Mr. Davis.

Mr. DAVIS of Kentucky. Thank you, Mr. Chairman.

I appreciate you coming in to discuss this issue today. I have told many groups, and certainly my constituents, that I think the real silver lining from Katrina is going to be our response to a WMD type of threat, as opposed to looking simply at a natural disaster, because of the scope and scale. And in that case, we will not have 6 days of advance notice.

I also share, because of it being the largest disaster that hit, from a natural disaster standpoint, on American soil that the Constitution works. And I think it is very important that we understand that.

It is interesting, on this panel, that the former professional officers have very strong feelings about DOD not being in that response capability. That is not our job. I think it creates very ominous constitutional questions that later generations might inherit. And those of who have worn the uniform are sensitive to that fact.

Nonetheless, I have to say that, with some of these questions, the equivalent of the mobilization that began 5 days before was the equivalent of moving my home county, 72,000 people, across the country in the space of a week and being open for business. That was much more rapid than any wartime deployment we have ever had.

And I also think it is apparent that much of the alleged blame that is being pointed upward in this, and some of the implications—I am not speaking here in our discussion today, but certainly out in the media, I find it interesting, where—Robert E. Lee said it was unfortunate that the best generals in the Confederacy were all reporters.

But my point here is the one thing that has been remarkable, in the discussion that you all have faced, is that we are ignoring the gross and unacknowledged local leadership failure that took place in New Orleans, where as many other communities did not suffer the same, let's say, complete social dislocation.

I know that is a sensitive discussion. And, you know, we saw different responses in different areas. But I think it points, you know, as we look in hindsight, there were some things that we can do better.

You, as, let's says, response professionals, who are looking at the magnitude of the institution, wrestle with this on a daily basis. General Rowe made the comment about starting to pick the trash up and just bringing order and discipline.

And what I would like for you to comment on—I would like to address this to those wearing the uniforms today—first, as military professionals, would you comment on the impact of local leadership

in the imminent and the immediate time before and the immediate aftermath of an event similar to Katrina?

And then, second, you know, from an organizational, operational or leadership standpoint, would you comment on what you think that should be done differently or better, focusing on that aspect of leadership, which is the one we have not really talked about a lot.

Lieutenant General BLUM. Leadership in any event, whether it is the normal management of the course of events or in a crisis situation, is paramount. And the better leadership you have, usually the better response you have.

I mean, we have seen that time and time again in history. Leadership does make a difference. And leadership comes from many different places.

The question that has come up over and over this morning, and I feel compelled to address this, there is no confusion. You mentioned a document that trumps all of the plans, all of the proposals, and has endured since the initiation of our nation.

It is called the Constitution. It is what us in uniform have sworn to defend. And that Constitution was played out in the response to Katrina. It was a shared responsibility, which is exactly what our founding fathers had in mind.

The Governors are always in charge, always—underline always—in their state. They are in charge until they are no longer the Governor.

The President has a shared responsibility to assist the Governors when it becomes beyond their capability or their resources. Our President did exactly that.

There were five states involved in Katrina. They did not all need the same level of support and resources, because they were not all equally affected by the storm. That was measured out.

All of the response, whether it is coming from the Department of Homeland Security or the Department of Defense, federal assistance, monies, capabilities, people, equipment, is there to support the Governor.

There is always one person in charge in Louisiana. It is the elected Governor. The same goes for Texas, Mississippi, Alabama and Florida.

And the National Guard is a part of the Department of Defense. And the President and the Secretary of Defense have a clear decision, any time they want, to make sure that the National Guard is either responding as a federal force, in federal status, in Title 10, or to loan that force to be available to be under the command and control of the Governor, either in state active-duty, as a pure state militia, or to be in Title 32 status, where the check is written by the Federal Government, but the forces and direction are given by the Governor.

I do not understand why there is confusion in here. That is what our founding fathers intended. That is exactly the way we responded to Katrina. That is exactly the way this General, officer, and soldier, and citizen, and taxpayer thinks we should respond in the future.

Mr. REICHERT. General, thank you so much. It was awkward to interrupt the General the first time, but to interrupt the General a second time is even more awkward.

So I apologize, but we do have votes. And we have one more member who wants to ask a question.

And the chair would recognize the gentlelady from New York, Ms. Lowey.

Mrs. LOWEY. Thank you, Mr. Chairman. And I appreciate the expertise of the panel.

And after sitting here for a couple of hours, and hearing all of my colleagues pretty much ask the same question, who is in charge, I still want to pursue that.

And I particularly thank Secretary McHale, because you mentioned very clearly that we were very good at moving forces in, but the problem was the integration of them.

And I just hope, because we will not have time to really explore this in depth, Secretary Jackson, that a couple of months have passed, and I would hope this Administration will finally bring to closure who is in charge.

I would like to refresh many of my colleagues'—some comments that took place at a future hearing, when we had Admiral Stiroy and Admiral Gilmour report to us. And it was clear that they did yeoman work, rescuing thousands and thousands of people.

But when I asked, "What happened at the nursing home? What happened with those who were left behind and died?" We cannot bring those people back today. But the issue was, "Who did you report to? Who gave you direction? Did the helicopters just take off and make their own decisions as to who they would pick up?"

And I thought another particular comment—because this hearing is quickly coming to a close—was interesting.

A Maryland state police officer reported a story to NBC News about rescuing stranded residents following Hurricane Katrina. When a military helicopter swooped down over him, someone in the helicopter dropped a bottle to the ground that contained a note warning of a dangerous gas leak ahead.

Now, I am happy that the message was conveyed. It almost sounds like we are back in the Paul Revere era. And we should not be distributing messages by bottles coming out of helicopters.

So it was clear for me from that hearing and this hearing that it is still not clear as to whether the forces are all integrated and if, God forbid, we have a major WMD or any other kind of attack, who is in charge.

I would like to pursue in the couple of minutes I have left, or maybe 2 minutes, the issue of communications and interoperability.

General Blum, I believe you recently told the House Government Reform Committee that Guard units have on average only 34 percent of their authorized equipment, including radios and other communications equipment.

You told Congressman Murtha, who served in the Marine Corps in Korea and Vietnam, that he probably used the same radios that you are using today.

What are we going to do about this? I mean, again, we cannot bring those lives back, but in an emergency, if these agencies cannot communicate with each other, we are in trouble.

Is it possible? And it seems to me that the military has the most advanced, well-funded research and development in the country. Where are we going with this? Why can't we develop interoperability?

Is there anything that DOD can do to help solve the problems of communications interoperability for first responders? And what kind of technology is in the DOD pipeline?

So, in conclusion, I would hope—Secretary Jackson, you can get back to me in the committee—as to looking forward, if something happened now, are we better integrated, Secretary Jackson and Secretary McHale?

And in terms of interoperability, are we still in such desperate shape that people cannot talk to each other and they are going to have to throw bottles out of helicopters, so you can get those messages?

I still it—oh, it is still a green light. If someone could answer those questions.

Lieutenant General BLUM. I will start. The reason we had the throw the bottle out—

Mrs. LOWEY. Maybe you could give me a quick response, and then give us some details.

Lieutenant General BLUM. It will be quick. I need $1.3 billion to buy the radios I need so I do not have to throw bottles with notes. That is to begin with.

I back that comment up with a congressional audit that this body commissioned through the GAO to look at the equipment problems in the Guard. These are not my figures; this is the result of a year-long, in-depth look by them. You can see the results.

That line is going the wrong way, and we can no longer accept risk by under-equipping the National Guard, which is an operational force that will respond in moments.

And it cannot wait for the equipment. It has to have it in the hands of the aviators, the citizen soldiers and airmen now, before the event, so that we can be ready when we are called.

Mrs. LOWEY. I would address a follow-up to that to both Secretary McHale and Secretary Jackson. It is not just the National Guard. It is the police. It is the firefighters. It is the Emergency Mdeical Services (EMS) workers. The interoperability situation in this country is still a disaster.

Lieutenant General BLUM. The National Guard, because of the wisdom of the Congress, has civil support teams with a communications band that does exactly that, Congresswoman.

They can, if somebody is talking on an apple and General Rowe is talking on an orange, a different type of system altogether, it can net the two of them. I flew seven of those into the area to make that integration happen. We brought them in from West Virginia and neighboring states, as far away as West Virginia.

Mr. REICHERT. General—

Mrs. LOWEY. Well, we have to close—

Mr. REICHERT. The gentlelady's time has expired.

Mrs. LOWEY. —but I hope we can continue.

Mr. REICHERT. And, General, that is three times. So please forgive me one more time.

I would like to recognize—we have a visitor this morning who is not a member of either committee, but I would like to give her an opportunity to ask a question, if she chooses, the gentlelady from California, Ms. Davis.

Mrs. DAVIS of California. Thank you very much, Mr. Chairman. I appreciate that.

And I am here really as a member of one of the gap panels, and we have been looking at this issue in Homeland Security and also, certainly, the military response.

And I had an opportunity to travel, as Mr. Kline did, to the region recently. And, you know, to a great extent, I think you have really answered some of those questions. We met with General Blum yesterday.

But I wanted to focus quickly on that triggering event, at the time at which we know that local responses have been incapacitated. The Admiral spoke on the—when we were in New Orleans there about the fact that we were really dealing with a hybrid incident here.

It went from a disaster to a major national incident. And, in fact, you know, we understand that there could be more.

Are we in a position that we can gain that successfully so that local responders and communities can begin to think the process—

Mr. JACKSON. We really are—

Mrs. DAVIS of California. —about which point we know that we have this issue on our hands? How do we do that? Do you have the resource to do that? What can the Congress provide to you so that we do that better?

Mr. JACKSON. We really are focused on that.

And that is a question the President addressed when he asked the Department of Homeland Security to review with state and local officials the evacuation planning, the incident management plans of the major metropolitan areas in this country. So we have lost that, that enterprise, that investigation, that review, collectively.

And an important part of what we are all talking about here is a more vigorous exercise program, together with the federal family and our state and local partners. Without that, we will not have the preplanning and the knowledge in advance of these events to be able to manage them effectively.

So we need to put more focus there. We need to complete and then put a continuous focus on those evacuation plans, those emergency response management plans for the state and local colleagues.

Mr. REICHERT. And I do apologize to the gentlelady from California, but we are out of time.

Mrs. DAVIS OF CALIFORNIA. Thank you, Mr. Chairman.

Mr. REICHERT. We must run over and do our voting duties.

I thank the witnesses for their valuable testimony and the members for their questions. The members of the committee may have some additional questions for the witnesses. And we ask you to respond to these in writing.

The hearing record will be held open for 10 days.

Without objection, the committee stands adjourned.

[Whereupon, at 12:07 p.m., the subcommittee was adjourned.]

FOR THE RECORD

QUESTIONS FROM THE HON. MIKE ROGERS

AVIAN FLU

Mr. ROGERS: Avian flu, technically known as the H5N1 virus, is spreading overseas, with outbreaks in Asia, Russia, Eastern Europe and England. On November 1st, the Associated Press reported that over 30 wild ducks tested positive for the less serious H5 bird flu virus in Canada. If the virus mutates and begins to spread from person to person, a pandemic could occur.

According to the L.A. Times of October 13, 2005 (news clip attached) Assistant Secretary of Defense for Homeland Defense, Paul McHale, indicated that DoD was preparing plans to respond to an outbreak of avian flu. Assistant Secretary McHale reportedly stated that an outbreak of avian flu could be so serious that active duty forces may be required to support the National Guard in enforcing quarantines.

What is your view of the role of DoD in responding to an avian flu outbreak? Who will be in charge?

Major General ROWE: DoD will support the Primary and Coordinating Federal Agencies appointed by the President to lead the nation's response to a flu outbreak. This support can be requested by the Primary Federal Agency or through individual states. The President or the Secretary of Defense would direct DoD to provide this support. Commander, USNORTHCOM would be the supported Commander for the coordination of the DoD response within the continental United States.

For a widespread outbreak across the United States, Commander, USNORTHCOM may elect to designate a Joint Force Land Component Commander, who would orchestrate nation-wide efforts in support of the Primary Federal Agency. USNORTHCOM, in conjunction with the Services, would be responsible for ensuring Force Health Protection of DoD personnel within its area of responsibility.

Mr. ROGERS: **How will DoD coordinate with the Department of Homeland Security, CDC, and USDA in the event of an avian flu outbreak? With state and local governments?**

Major General ROWE: At the national level, the Office of the Secretary of Defense coordinates with other federal agencies through the Homeland Security Council Interagency Incident Management Group.

At the state and local level, as directed by the President or Secretary of Defense, the USNORTHCOM-appointed Defense Coordinating Officer(s) would coordinate with FEMA Region representatives, who work with state emergency management officials.

Mr. ROGERS: **Which agency will ultimately determine whether quarantines are necessary, and how will quarantines be enforced?**

Major General ROWE: The Department of Health and Human Services will determine the quarantine policy for the United States. As for quarantine enforcement, this issue is best addressed by the senior civilian leadership of the Department of Defense.

Mr. ROGERS: **If the military becomes involved, who will be the Federal Government's lead spokesman?**

Major General ROWE: The federal government's lead spokesperson would be appointed by the President.

Mr. ROGERS: **What types of medical supplies and other assets will DoD be able to provide to state and local public health providers to help respond to a national medical emergency, such as a pandemic flu?**

Major General ROWE: As directed by the President or the Secretary of Defense, DoD could assist local, state and federal agencies with a wide variety of assets and capabilities to respond to a national medical emergency. DoD could provide assistance with local and general planning prior to and during catastrophic events. At the local and regional level, this would be accomplished with DoD's Joint Regional Medical Planners and at the strategic level with other health services operations officers.

If directed, DoD could provide the following assistance:

- Logistics management to help move supplies in a timely and efficient manner utilizing the Single Item Medical Logistics Management capability
- Patient movement and evacuation
- Pharmaceutical distribution from the Strategic National Stockpile
- Expeditious field medical facilities and staffing

- Routine trauma and surgical supplies, ventilator support, and pharmaceuticals
- Preventive medicine support
- Mortuary affairs support
- Lab support

Mr. ROGERS: Alabama has one of the largest poultry operations in the country. There is growing concern in Alabama and elsewhere about news reports on the spread of avian flu overseas. **If a virus kills thousands of birds or animals, what role will the military play, if any, in destroying carcasses and monitoring medical hazards tied to the dead animals?**

Major General ROWE: As directed by the President or Secretary of Defense, DoD will provide assistance within its capabilities and consistent with applicable laws.

Mr. ROGERS: **If USDA does not have sufficient resources to deal with a widespread emergency, will DoD provide support to USDA? If so, what type and to what extent?**

Major General ROWE: The military has been identified as a supporting agency in the National Response Plan for all 15 Emergency Support Functions (ESF), including providing assistance to USDA in the execution of its firefighting (ESF#4) and agriculture and natural resources (ESF#11) missions. As directed by the President or Secretary of Defense, DoD would provide assistance within its capabilities and consistent with applicable laws in response to a request from the USDA.

Mr. ROGERS: On Oct 27, 2005, the Subcommittee on Management, Integration and Oversight held a hearing on the new role of the Chief Medical Officer in the Department of Homeland Security. At that hearing, we heard testimony that the Chief Medical Officer does not have sufficient authority to prepare for a coordinated Federal response to a national medical emergency.

In the event of a major medical emergency, how should the Homeland Security CMO work with the National Guard and the DoD in coordinating the government's response?

Major General ROWE: In the event of a major medical emergency, the Homeland Security Chief Medical Officer would work within the National Response Plan. Before any event, the Chief Medical Officer should work through the Homeland Security Council Interagency Incident Management Group to coordinate DoD and National Guard responses.

Mr. ROGERS: **Is there one point of contact in the military chain of command with whom the Homeland Security Chief Medical Officer should begin working now to coordinate a possible military response in a major medical emergency?**

Major General ROWE: The Chief Medical Officer should work through the Homeland Security Council Interagency Incident Management Group to coordinate DoD and National Guard responses.

QUESTIONS FROM HON. BENNIE G. THOMPSON

RELATIONSHIP BETWEEN THE NATIONAL MARITIME STRAGEGIES AND THE NATIONAL INFRASTRUCTURE PLAN

Mr. THOMPSON: **What is the relationship between the National Maritime Strategies and the National Infrastructure Protection Plan?**

Major General ROWE: As described below, the Interim National Infrastructure Protection Plan (NIPP) and National Strategy for Maritime Security (NSMS) (and its supporting plans) are complementary.

The NSMS, signed by the President in September 2005, established national policies for ensuring the safety and economic security of the United States and directed the development of eight supporting national plans to address different aspects of maritime security. One of the strategic objectives contained in the NSMS is the objective to "Protect Maritime-Related Population Centers and Critical Infrastructure." To fulfill this objective, the President directed several strategic actions to be addressed in the subordinate plans; protecting maritime infrastructure is addressed within the NSMS by:

(a) embedding security into commercial practices;
(b) deploying layered security; and
(c) assuring the continuity of the marine transportation system.

Four of the eight subordinate plans address aspects of maritime infrastructure protection. These plans are the Maritime Operational Threat Response Plan, the Maritime Infrastructure Recovery Plan, the Maritime Transportation Sys-

tem Security Recommendations and the Maritime Commerce Security Plan. The Maritime Operational Threat Response Plan was approved by the President in October 2005. The Maritime Commerce Security Plan was issued on 28 Jun 05. The remaining plans are in coordination within Departments at the federal level.

The NSMS and supporting plans specifically address the coordinated federal, state, local and tribal strategic priorities and actions for infrastructure protection in the maritime domain.

The Interim NIPP, dated February 2005, is a Department of Homeland Security document which broadly addresses infrastructure protection at the national level. From the USNORTHCOM perspective, this interim plan addresses infrastructure protection generally and, when finalized, will provide a means of broadly integrating critical infrastructure protection efforts at the national level.

INFLUENZA PANDEMIC

Mr. THOMPSON: Let's say, hypothetically that an Influenza Pandemic, which experts fear could develop from the highly contagious avian flu circulating in Asia, hits the United States. **Should Posse Comitatus be reconsidered?**

- **Should the military be in charge?**
- **Should DHS be in charge?**
- **Should DHHS be in charge?**
- **Do you believe that DoD or another department has current authority to quarantine the sick?**
- **What role does the state have in responding to the pandemic?**
- **What is the role of the National Guard?**

Major General ROWE: The Posse Comitatus Act does not restrict the military from rendering support to Primary Federal Agencies in the case of health emergencies that do not involve law enforcement tasks. In the case of widespread civil disorder, the President could potentially invoke the Insurrection Act (10 USC S331–335). Existing authorities are sufficient for the use of DoD assets in the roles envisioned.

The decision to place any single agency in charge is up to the President.

DoD's principal authorities for isolation/quarantine are focused on Federal Health Protection for DoD personnel. If authorized by the President, the Secretary of Defense may task DoD to aid in enforcement of isolation/quarantine under existing authorities and statutes.

All states have the responsibility to safeguard the health and welfare of their citizens and are responsible for intrastate isolation/quarantine. If quarantine volume extends beyond the capabilities of these officials, state Governors may direct the National Guard to aid state and local governments. Title 42 USC S264–272 currently provides the U.S. Surgeon General, and officials at ports of entry, the authorities necessary to impose quarantine.

Federal, state and local health authorities may have concurrent authority to impose quarantine in the case of a quarantine imposed on an arriving international flight.

POSSE COMITATUS ACT

Mr. THOMPSON: **In your opinion, do you think the Posse Comitatus Act must be amended in order for the military and the National Guard to provide support during a disaster?**

Major General ROWE: No, the Posse Comitatus Act has in no way hampered U.S. Northern Command's ability to accomplish its homeland defense and civil support missions.

THE STAFFORD ACT

Mr. THOMPSON: **Should the President have the ability to declare a disaster under the provisions of the Stafford Act and direct Federal aid without a State request? In what situations do you think this should be permissible?**

Major General ROWE: The Stafford Act currently allows the President to make a declaration of an emergency when the affected area is one in which ?the United States exercises exclusive or preeminent responsibility and authority? under the U.S. Constitution or laws of the United States. In this circumstance, the President may make this declaration on his own, without a request from the Governor. The President at his discretion will determine when such a declaration is necessary and in the interest of the United States.

PRESIDENTIAL AUTHORITY

Mr. THOMPSON: **Should the president have the ability to order Federal troops into a state when the state Governor has specifically stated that he/she does not want nor needs these troops?**

Major General ROWE: This is an issue that is best addressed by the DoD civilian leadership.

FEMA'S CAPABILITIES

Mr. THOMPSON: **Do you believe that FEMA under the new leadership is currently able to respond to a catastrophic event? If so, why?**

Major General ROWE: We believe it is inappropriate for DoD to comment on the capabilities of another federal agency.

FEMA'S CAPABILITIES

Mr. THOMPSON: **What should FEMA do to improve communications during a catastrophic event?**

Major General ROWE: The ability to communicate is vital in responding to a catastrophic event. Our nation's communications architecture has several areas in which we can make improvements. Some of the areas we are looking into with our interagency partners include:

- Creating a comprehensive national strategy to address interoperable emergency communications and the publication of an associated implementation plan.
- Standardizing and acquiring rapidly deployable redundant communications capabilities for major metropolitan areas. Emergency response planning must account for the probability that first responders and local governments will be forced to initially operate without the benefit of existing commercial and government communication systems and commercial power.
- Developing a mechanism similar to the Civil Reserve Air Fleet for the communications industry.
- Harmonizing existing spectrum allocations at the national level to allow DoD, federal, state and local responders to operate in the same bands allowing interoperability and complimentary system roll outs.

PLANS FOR ASSISTANCE

Mr. THOMPSON: Briefly discuss the plans you have in place currently to prepare for how you will interact with the local and state governments when they need assistance. **How often do you conduct drills on these plans?**

Major General ROWE: USNORTHCOM Functional Plan 2501, Defense Support of Civil Authorities, describes DoD support to civil authorities during natural disasters and civil emergencies.

USNORTHCOM Pandemic Influenza Concept Plan (DRAFT), synchronizes the DoD response in support of the Primary Federal Agency.

USNORTHCOM's primary interaction is at the federal level. We have limited participation in local and state planning exercises. When in attendance, we act as observers, not planners. We participate in several Regional Response Team tabletop exercises and planning efforts each year, which includes federal, state and local participants. In addition, USNORTHCOM maintains an electronic library of all available state pandemic influenza response plans.

NATIONAL RESPONSE PLAN

Mr. THOMPSON: The National Response Plan (NRP) lays out the Emergency Support Functions (ESF) assigned to Federal, state and local agencies. **What is your understanding of the state's role under this plan? Do you think it needs to be revised?**

Major General ROWE: In accordance with the NRP for catastrophic disasters, federal assistance will be requested by the states when their ability to respond is overwhelmed. Therefore, each State Office of Emergency Preparedness (or equivalent department) should stay fully engaged in federal planning efforts to increase visibility of their capabilities and interests.

The effectiveness of the National Response Plan is an issue that is best addressed by DoD's senior civilian leadership.

MILITARY RESOURCES

Mr. THOMPSON: **Does the military currently have the resources to take the lead in responding to catastrophic incidents? If not, what will you need to perform this mission?**

Major General ROWE: The Secretary of Defense is in the best position to address the DoD's capacity to assume a lead role in catastrophic incidents within the United States.

Mr. THOMPSON: **How will this new mission impact your warfighting capabilities?**

Major General ROWE: As stated above, the Secretary of Defense is in the best position to address the DoD's capacity to assume a lead role in catastrophic incidents within the United States.

COMMUNICATIONS PLANNING

Mr. THOMPSON: Assistant Secretary McHale told the Subcommittee that there was a disconnect in the communications and planning between USNORTHCOM and the National Guard. **Why was there a disconnect and what is USNORTHCOM doing to ensure that in the future, plans will be coordinated and there will be better communication?**

Major General ROWE: Assistant Secretary McHale stated that "the planning conducted by the National Guard, though superbly executed, was not well-integrated with the Joint Staff and NORTHCOM." The National Guard (when not federalized under Title 10) and USNORTHCOM provide support through two distinct chains of command. National Guard units in state status are under the command and control of the Governor. USNORTHCOM, as the designated Department of Defense supported commander for the response, provides command and control of force capabilities from the active component, as approved by the Secretary of Defense. In any circumstance when there are separate chains of command, it is difficult to achieve a 100% integrated effort.

USNORTHCOM and the National Guard work together to improve situational awareness and gain greater unity of effort. The key to achieving improved integration and making planning more effective is to conduct realistic exercises, allowing the opportunity to train and build staff relationships between the organizations. In an additional step to build staff relationships and mutual understanding, the National Guard has placed a full-time representative in the USNORTHCOM Joint Operations Center. USNORTHCOM is also working in cooperation with the National Guard Bureau on initiatives such as the Joint CONUS Communication Support Environment and the Joint Force Headquarters-State to improve future coordination, communications and collaboration, as well as a state engagement plan.

COMMAND AND CONTROL

Mr. THOMPSON: **What is the command and control relationship between NORTHCOM and the National Guard during a catastrophe?**

Major General ROWE: USNORTHCOM does not exercise command authority over the forces assigned to the National Guards of the States, Territories, or the District of Columbia, unless those forces are federalized under Title 10 and assigned to USNORTHCOM. In most cases, such as the response to Hurricane Katrina, National Guard troops operate under the control of the state Governor in a State Active Duty and/or Title 32 status. The relationship between USNORTHCOM and National Guard units is one of coordination only, unless the National Guard troops have been federalized.

CONTRACTOR SUPPORT

Mr. THOMPSON: **Please advise if any contractors assisted in the preparation of the answers to these Questions for the Record; the names of such contractors and the companies with which they are associated; the precise role of any such contractors in preparing the answers; the percentage of the work in preparing these answers the contractors performed; and how much the contractors were paid for their assistance in preparing the answers.**

Major General ROWE: Two contractors (Mr. Ronnie Graham and Mr. Jeff Hill) assisted in the preparation of three responses. Consistent with their contract, these individuals support USNORTHCOM under a services contract awarded to SY Coleman. They collected information and formulated response, which were provided to and accepted by the USNORTHCOM leadership. They contributed a total of four

hours to this task. Based upon the total cost of the service contract to the federal government, we estimate the cost of this work at $320.

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