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ASSURING THE NATIONAL GUARD IS AS READY AT HOME AS IT IS ABROAD

(110–45)

HEARING

BEFORE THE

SUBCOMMITTEE ON
ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS AND
EMERGENCY MANAGEMENT

OF THE

COMMITTEE ON
TRANSPORTATION AND
INFRASTRUCTURE
HOUSE OF REPRESENTATIVES

ONE HUNDRED TENTH CONGRESS

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May 17, 2007

SUMMARY OF SUBJECT MATTER

TO: Members of the Subcommittee on Economic Development, Public Buildings, and Emergency Management

FROM: Subcommittee on Economic Development, Public Buildings, and Emergency Management Staff

SUBJECT: Hearing on "Assuring the National Guard is as Ready at Home as It is Abroad"

PURPOSE OF THE HEARING

The Subcommittee on Economic Development, Public Buildings, and Emergency Management will meet on Friday, May 18, 2007, at 10 a.m., in room 2167 Rayburn House Office Building, for a hearing on "Assuring the National Guard is as Ready at Home as It is Abroad". At this hearing, the Subcommittee will hear testimony from the Federal Emergency Management Agency ("FEMA"), the North Carolina Division of Emergency Management, and the Missouri National Guard.

BACKGROUND

Today's National Guard traces its roots to militias that pre-dated the American Revolution and has been assisting the citizens and communities in our country since before our country's founding.[1] On a day-to-day basis, the National Guard reports to the Governor of its State or Territory,[2] who is the Commander-in-Chief of the National Guard. When the National Guard is activated by a Governor, this action is often referred to as "State Active Duty". When the Guard responds to disasters and emergencies (including those declared by the President, as well as lesser events that do not receive a Federal Declaration), it is usually a state activation.

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[1] For a general discussion of the history of the National Guard and its legal status, *see generally* CRS Report "Hurricane Katrina: DOD Response" September 19, 2005, p. 7.
[2] The D.C. National Guard is under the exclusive control of the Federal Government at all times. *See Id.*

On a day-to-day basis, state emergency management agencies and the National Guard work closely together. Many state emergency management offices report to the adjutant general. When the President declares a major disaster or emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, National Guard activity is eligible for Federal reimbursement. In most instances, this activity (and the activities of other State agencies) will be reimbursed through FEMA's Public Assistance programs.

At this hearing the Subcommittee will receive testimony on whether the National Guard is fully ready for disaster in their home states in light of the deployments of National Guard troops abroad. In many cases, National Guard troops leave equipment overseas when they return home so other units deploying overseas can use that equipment.

According to recent news accounts, a number of Governors have expressed concerns as to whether the National Guard can be ready for disasters in their home states in light of the deployment of troops overseas and depletions of equipment. The National Governors Association has also gone on record expressing this concern.

PRIOR LEGISLATIVE AND OVERSIGHT ACTIVITY

The Subcommittee has not held legislative hearings specifically dedicated to the National Guard and readiness for disasters.

During the109th Congress, Congress enacted the Post-Katrina Emergency Management Reform Act of 2006 (P.L. 109-295) which contained a provision (sec 651) requiring FEMA to develop an inventory of Federal response capabilities, including a specific requirement for FEMA to work with the Department of Defense on military functions and organizations that can be used in support of Stafford Act activities.

WITNESS LIST

Panel I

The Honorable David R. Paulison
Administrator
Federal Emergency Management Agency

Panel II

Major General King Sidwell
Adjutant General
Missouri National Guard

Mr. Doug Hoell
Chairman, National Emergency Management Association EMAC Committee and
Director, North Carolina Division of Emergency Management

ASSURING THE NATIONAL GUARD IS AS READY AT HOME AS IT IS ABROAD

Friday, May 18, 2007

HOUSE OF REPRESENTATIVES,
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
SUBCOMMITTEE ON ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS AND EMERGENCY MANAGEMENT,
Washington, DC.

The Subcommittee met, pursuant to call, at 10:04 a.m., in Room 2167, Rayburn House Office Building, Hon. Eleanor Holmes Norton [Chairwoman of the Subcommittee] Presiding.

Ms. NORTON. Good morning, and welcome to today's hearing. This hearing responds to serious issues that have been raised by Governors of several States and by the Commission on the National Guard and Reserves and, increasingly, by others throughout the Nation about the Nation's ability to respond to disasters and emergencies at home as well as the ability of States to defend themselves in case of terrorist attacks or, for that matter, during civil disorders.

Today we will take testimony that asks directly whether the National Guard is as ready at home as it is abroad. There have been a number of reports that National Guard units and equipment that would normally be used to respond to disasters at home have been sent overseas, to the conflicts in Iraq and Afghanistan, creating hardship at home. Equally troubling are reports that some National Guard units are being told to leave their equipment overseas for other military units, depriving Guard units headed home of needed equipment that possibly—of equipment, excuse me—that possibly is needed stateside.

Today we will have witnesses elaborate on these issues and hopefully identify areas where all involved can take action to resolve these concerns. This hearing is timely and necessary as the hurricane season begins. The National Guard is a mainstay for more than 3,000 communities throughout the United States for disasters and emergencies, including those declared by the President as well as less serious events that do not receive a Federal declaration. Guard units play a lead role in home States and support neighboring States through various mechanisms, including the Emergency Management Assistance Compact.

For example, today we will hear from Doug Hoell, Director of the North Carolina Division of Emergency Management. Frequently over the years as hurricanes approached the Florida Keys, the North Carolina Air National Guard almost routinely sent a special plane to Florida to evacuate hospital patients in case of the threat-

ening storm. Federal, State and local emergency managers always work closely with the National Guard on a day-to-day basis; 18 State emergency management agencies, for example, are either in the State military department or report to the State adjutant general who is, of course, the commander of the State National Guard.

The indispensable role of the National Guard in hurricanes, floods, earthquakes, tornadoes, and other disasters that we see every year is as important at home as the role that the Guard is now performing in Iraq and Afghanistan.

After 4 years at war, in which the Guard has participated in unprecedented numbers, it is time to inquire whether the National Guard is available and prepared to do the necessary job at home as well.

I am going to put into the record a letter signed by all of the Governors of the States, a letter written to the President in February 2006.

In this letter, the Governors indicate that the National Guard members have provided nearly 50 percent of combat forces in Iraq, and, as well, the bulk of the U.S. personnel in the Balkans and the Sinai Peninsula.

I want to quote from the letter I am going to put in the record. ″fulfilling the mission of the National Guard at home and abroad requires both manpower and equipment. Unfortunately, when our National Guard men and women return from being deployed in foreign theaters, much of their equipment remains behind. Attention must be paid to reequipping National Guard units with the resources they need to carry out their homeland security and domestic disaster duties while also continuing to fine-tune their wartime mission competencies.″

I am going to put that letter in the record.

[The information follows:]

PRINT CLOSE

February 3, 2006

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

We are writing to express our opposition to force reductions in the Army and Air National Guard being considered by the Department of Defense. As you know, our National Guard members have provided nearly 50 percent of the combat forces in Iraq, and the bulk of the U.S. personnel in the Balkans and the Sinai Peninsula. In addition, they comprised about 90 percent of the troops on the ground in Louisiana and Mississippi after Hurricane Katrina. These men and women are demonstrating the value of the Total Force Policy that is a major part of our nation's defense strategy.

As Commanders-in-Chief, we appreciate the need to reorganize, restructure and modernize the military to meet new threats and emergencies. We also understand the need for cost-effective means to achieve these goals. We believe that the National Guard best meets these objectives by providing a well trained and ready force able to support both foreign and domestic missions on short notice and at reduced cost.

Fulfilling the mission of the National Guard at home and abroad requires both manpower and equipment. Unfortunately when our National Guard men and women return from being deployed in foreign theatres, much of their equipment remains behind. Attention must be paid to re-equipping National Guard units with the resources they need to carry out their homeland security and domestic disaster duties, while also continuing to fine-tune their wartime mission competencies.

Governors are extremely proud of the role the National Guard plays in protecting this nation and its citizens. The National Guard is a cost-effective, capable combat force in the war on terror and an essential state partner in responding to domestic disasters and emergencies. For these reasons, we respectfully request that the Department of Defense reconsider any proposed force reductions in the Guard and work with Governors to re-equip our returning units.

Sincerely,

Governor Mike Huckabee
Arkansas

Governor Janet Napolitano
Arizona

Governor Dirk Kempthorne
Idaho
Lead Governor on the National Guard

Governor Michael F. Easley
North Carolina
Lead Governor on the National Guard

Governor Bob Riley
Alabama

Governor Frank H. Murkowski
Alaska

Governor Arnold Schwarzenegger
California

Governor Bill Owens
Colorado

Governor M. Jodi Rell
Connecticut

Governor Ruth Ann Minner
Delaware

Governor Jeb Bush
Florida

Governor Sonny Perdue
Georgia

Governor Linda Lingle
Hawaii

Governor Rod Blagojevich
Illinois

Governor Mitch Daniels
Indiana

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Kansas

Governor Ernie Fletcher
Kentucky

Governor Kathleen Babineaux Blanco
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Governor Robert L. Ehrlich Jr.
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Governor Mitt Romney
Massachusetts

Governor Jennifer Granholm
Michigan

Governor Tim Pawlenty
Minnesota

Governor Haley Barbour
Mississippi

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Governor Brian Schweitzer
Montana

Governor Dave Heineman
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Governor George E. Pataki
New York

Governor Bob Taft
Ohio

Governor Theodore R. Kulongoski
Oregon

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Puerto Rico

Governor Mark Sanford
South Carolina

Governor Phil Bredesen
Tennessee

Governor Jon Huntsman Jr.
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Governor Timothy M. Kaine
Virginia

Governor Christine O. Gregoire
Washington

Governor Jim Doyle
Wisconsin

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New Hampshire

Governor Bill Richardson
New Mexico

Governor John Hoeven
North Dakota

Governor Brad Henry
Oklahoma

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Pennsylvania

Governor Donald L. Carcieri
Rhode Island

Governor M. Michael Rounds
South Dakota

Governor Rick Perry
Texas

Governor Jim Douglas
Vermont

Governor Charles W. Turnbull
Virgin Islands

Governor Joe Manchin III
West Virginia

Governor David Freudenthal
Wyoming

Ms. NORTON. And I want to indicate that Congress is considering moves to curtail the power of the President over the Guards and decry the Defense Department to analyze how prepared the country is for domestic emergencies.

Recently we have had a dispute between the administration and the Governor of Kansas, who—which you may recall was the most recent disaster in Greensburg, Kansas, where effectively an entire town was wiped out, and the Governor complained about the lack of National Guard that she regarded as understaffed and underequipped.

Governor Chris Gregoire of the State of Washington has said that when his State experienced wildfires, key segments of the Washington State National Guard was deployed in Iraq. He says that the equipment shortages have sometimes left the State struggling even to adequately train those who were left at home.

The letter came because when the Governors had their meetings, they found that many of them had the same complaints. The Congress has got to pay attention to these complaints. The Governors are now doing a great deal more of sharing among themselves than they have traditionally done. And the fact is that the administration has asked Congress for $22 billion more for the Army National Guard over the next 5 years. However, the GAO has said that it is concerned—and here I am quoting from the GAO—that this equipment may be deployed to meet overseas demands.

Those demands have to be met, but we have got to somehow make sure we replenish the supplies at home, considering that what we know will happen every year, what we are sure will happen every year, are a fair number of natural disasters because of the landmass and the climate of our country.

The GAO in 2005 found that almost every State's National Guard had a fraction—had only a fraction of the equipment it was supposed to have. The GAO said, and I am quoting here, ″The high use of the National Guard for Federal overseas missions has reduced equipment available for State-Led domestic needs.″

Recently there was testimony in the Senate by the top commander of the National Guard, Lieutenant General Steven Blum. He testified that the continuous use of National Guard forces overseas has—and here I am quoting him—″resulted in a decline of readiness for units here at home.″

A large part of the problem has to do with equipment, not only personnel that is shipped abroad. Among the States worst off are Arizona, which has just 34 percent of its allotted equipment; New Jersey and Idaho have just 42 percent of allotted equipment; and Louisiana, where you might expect more equipment now to be on hand, remains at less than 50 percent of its allotted equipment.

The problem stems also from the fact that the Pentagon does not, as a regular matter, measure the equipment readiness of nondeployed Guard forces for their domestic missions. There you can see a great big hole. What you don't know will certainly hurt you. So now there is increasingly a push for information, how to collect this information so that we at least have some record nationally of what is needed, the way we of course have of our Armed Forces that are used abroad.

The dependence of States, increasingly on neighboring States, also has been found to leave much to be desired. An example recently, again from the State of Washington, found that during that fire, many neighboring States have had severe equipment shortages as well, so much so that they were unable to borrow equipment from those neighboring States. This is an issue that deserves our most serious attention. And I am pleased to call upon our Ranking Member Mr. Graves for his remarks.

Mr. GRAVES. Thank you, Madam Chairman. I appreciate very much and I appreciate the witnesses all being here today. And thank you for jumbling around the order, Administrator Paulison, I appreciate that.

We are here today to talk about the National Guard's role in disasters, and in particular I want to thank Major General King Sidwell, the Adjutant General of Missouri's National Guard. Major General Sidwell began his military career more than 33 years ago and has served as Adjutant General of the Missouri National Guard since January 27, 2005. As the Adjutant General, he ensures the Missouri National Guard is trained, equipped and resourced to deal with its dual State and Federal mission.

He is also responsible to the Governor for the State Emergency Management Agency. The Missouri National Guard has done a great job in responding to disasters. And this has been the most active disaster year for Missouri in the last decade. The National Guard has responded six times in the last 13 months, and they are doing a tremendous job, in my opinion.

With the recent floods in my district, I have seen firsthand the important role of the National Guard during disasters. Just over a week ago, I was sandbagging on the Missouri River, along with National Guard troops, to keep floodwaters from coming into downtown St. Joseph. Just a decade ago in the big flood, I was sandbagging with National Guard troops up and down the river and some of the tributaries.

National Guard forces across the Nation have a dual mission, the warfighting mission and role as emergency State responders. When local resources are overwhelmed during a natural disaster, that is when the National Guard obviously is out there. The Federal Government needs to make sure that they have the resources for both of these missions. This needs to be a priority. If they don't have what they need, let's make sure they can get it.

I want you to know that I am here to help and we want to make sure that you do have everything you need. In most disasters, the resources of the State are adequate. However, in large disasters like Hurricane Katrina or a New Madrid earthquake, which is what we are always talking about in Missouri, the State resources will be overwhelmed. In these situations, the critical issue becomes, how does the Governor get the resources he or she needs at the right place at the right time in the State?

There are two ways to get the needed resources. First a Governor turns to other Governors to request resources like National Guard troops and equipment, due to the Emergency Management Assistance Compact or EMAC. Second, the Governor can request Federal resources, like the Department of Defense resources, through the Federal Emergency Management Agency.

During Hurricane Katrina, the first process worked incredibly well. The second didn't. Approximately 50,000 National Guard forces were put in the command of Governor Barbour and Governor Blanco through EMAC. Under the second process, significant Active Duty forces did not arrive until after the Superdome and the Convention Center were evacuated. It took too long and it was not clear who was exactly in charge.

Our Committee's reform legislation enacted last year improved both of these systems. First we authorized additional funding for EMAC to implement the lessons learned from Hurricane Katrina to make a good system even better. Additionally, we changed the Federal process in two ways. We required FEMA and DOD to work out, ahead of time, the jobs DOD would be requested to carry out during a disaster. We also required the DOD to assign permanent Defense coordinating officers to each FEMA region so that National Guard forces and FEMA personnel in each region would know who to request resources from during a disaster.

Again, I am here to help to make sure the National Guard forces have what they need, and, when forces are overwhelmed, they have a fast and effective way to get what they need when they need it, whether it is through other States or through the Federal Government.

Again, I thank the witnesses for being here. Thank you, Madam Chairman.

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

Ms. NORTON. Mr. Carney, do you have an opening statement, any remarks you would like to make?

Mr. CARNEY. Thank you, Madam Chair.

I want to thank you for holding this hearing today. The readiness level of the National Guard is an extremely important topic, obviously, with far-reaching implications. The National Guard plays a vital role on protection of property and lives right here at home. The brave and selfless men and women who make up the Guard units are ready at a moment's notice to help their fellow Americans in times of natural disaster and indeed man-made disaster. We should do more to commend them for their efforts, certainly.

It has been well documented that the National Guard is taking on a great responsibility in the fight against terrorism, whether in Afghanistan or Iraq, and there is cause to be concerned about this deployment, particularly with respect to Guard missions here at home. Frankly, I am concerned that the National Guard is being stretched too thin, and I am worried this is having a negative impact on the ability of the Guard to protect American lives here at home.

Madam Chairwoman, I look forward to hearing from the witnesses you have assembled here today about the Guard's readiness, particularly during times of natural disaster, and I am eager to learn about their views and suggestions about what we need to do to adequately address this problem. I yield back.

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

Ms. NORTON. Mr. Mica, the Ranking Member of the Full Committee, I am pleased to have him here this morning. Any remarks, sir?

Mr. MICA. Thank you and good morning. I am glad to see you are addressing a very important issue before our Subcommittee. And I am pleased to see that you have these witnesses before us that can help us as we look at some of the issues.

And I heard our Ranking Member's opening comments. I heard the Chairwoman's opening comments, and agree with some of the statements that have been made. And I think all of us also agree that the National Guard has done an incredible job, not only the men and women of the National Guard, but their families who have sacrificed to put up with the disruption in their lives and having their sons and daughters and wives and husbands serve us in a time of need.

I was in Congress during the 1990s when we started dismantling the military after the fall of the Soviet Union. And our numbers have dwindled and we have become more reliant on our National Guard as an important force in taking active military action wherever needed. And, unfortunately, it has been needed.

I would say, yes, that our National Guard is stretched both in manpower and also equipment. Yes, that we have had incredible demands put on the personnel and on our resources in the National Guard. I think that it is incumbent on Congress the and House of Representatives—our Founding Fathers have all appropriations measures start in the House—that we provide the resources.

You know, I have been home in the last few weeks and I heard—I met a lot of families, some that have National Guard members serving in Iraq and around the globe. And I heard from some of the Active military families too. And they said, we don't mind sending our folks over here, we don't mind these extended missions, but don't leave our men and women without the equipment to do the job. They will do the job but don't undermine their efforts.

And I think it is disgraceful that here we are, after the Senate voted 93-0 for General Petraeus to take on the mission—he came here down the hall just a few weeks ago, met with with us, said he didn't even have half the surge personnel that he needed to get a difficult situation under control—that we have not passed a supplemental. The supplemental was loaded down. There was a request for $90 billion, of which there is over $1 billion for the Guard that is still pending; still pending as we are sitting here this morning in this hearing.

So the Congress has the responsibility to give the resources. They will do the job, and their families are willing to make that commitment.

For the Guard, I am just checking, they need about $29 billion to do the war mission, and they need about $4 billion for domestic improvements. I checked with the National Guard in Florida, my home State. They need about $340 million in additional equipment to better meet the warfighting and training requirements, according to General Burnette who heads our Guard. However, he made it clear to me in checking on our readiness that the Florida National Guard is fully prepared to respond to domestic emergencies. Of course, Florida, my district, was hit with three hurricanes, and they were ready and they are ready, according to him.

And FEMA has also done a good job. They have had some problems, but I think with the FEMA Reform Act and the leadership

that we have, we can do a good job there. I do want to say, however, in closing here, that the utilization of the Emergency Management Assistance Contract—and that actually came out of my area, the southeast region evolved, I was told, out of Hurricane Andrew. We can't all have all the resources to deal with every huge disaster, but cooperatively between FEMA, the National Guard, State and others being ready and bringing those resources together, we can do a great job.

And then there are some States that are better prepared than others, as we saw in Katrina. Florida was ready. Florida ended up helping Mississippi. Louisiana was not ready. Louisiana still has problems getting its act together.

We had Governor Blanco contrast the leadership, contrast the States' readiness. Again I think we can do the job. I want to hear where we are with the resources and any recommendations to even better improve on the lessons we have learned. Because it is important that we be ready but also that we give the Guard the resources they need to do the job we have assigned to them.

Thank you. Yield back.

Ms. NORTON. Thank you very much.

Ms. NORTON. Mr. Kuhl, do you have any remarks?

Mr. KUHL. Thank you, Madam Chairman, for the opportunity to address this body and present some opening remarks. But I am one of those people who has heard it all before, and I am not about to continue this process. I am anxious to hear the major general's testimony so that we can help to accommodate the Guard in what they need. So I would yield back my time.

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

We are taking one witness out of order. So I am pleased to ask Major General King Sidwell, the Adjutant General of the Missouri National Guard— that means the head man in charge, everybody—if he would begin his remarks at this point.

TESTIMONY OF MAJOR GENERAL KING SIDWELL, ADJUTANT GENERAL, MISSOURI NATIONAL GUARD

General SIDWELL. Madam Chairwoman Norton, Ranking Member Graves, and distinguished Members of the Subcommittee, thank you for the opportunity to speak to you today about the Missouri National Guard's ability to provide military support to civil authorities during disasters.

Eight hundred forty-two members of the Missouri Air and Army National Guard are deployed in various theaters in support of combat and peace enforcement missions. More than 10,000 soldiers and airmen remain at home to assist and support civil authorities when called. In the previous 13 months, Missouri soldiers and airmen have been called upon six times for State emergency duty, to expand the capabilities of State, local, and Federal agencies to respond to damages or life-threatening events resulting from severe storms or heinous criminal activity. In each case, we have successfully managed our ability to match organized, disciplined, military manpower with available military equipment or leased equipment to provide essential support to our citizens.

Reflecting back to Hurricane Katrina and Rita, the disaster in the gulf coast in 2005, Missouri National Guard units quickly mobi-

lized and responded to the needs of the Governors of Louisiana and Mississippi, deploying more than 2,200 trained and equipped soldiers and airmen within 72 hours after receiving the call. When Missouri's Governor Matt Blunt declares an emergency, he brings the full resources and authority of all State resources to bear on a State emergency. The priority of effort of each agency is directed towards saving lives and protecting State and local governments' ability to deliver essential services. And then to mitigate property damages.

In the event that capability required does not reside within either State agencies or the Missouri National Guard, support—Guard or otherwise—can be requested through the Emergency Management Assistance Compact EMAC system, as recognized by House Joint Resolution 193 of the 104th Congress of the United States.

If the appropriate resources are not accessible through EMAC, the correct protocol is to request support through the Federal Emergency Management Agency, FEMA.

In my written statement I speak a little more to the processes of EMAC and coordinating use of Federal assets. I can speak to each later in this session, if you require. Through EMAC, I fully expect my fellow adjutants general, upon the authority of the Governors of the 54 States, territories, and District of Columbia, will support Missouri in times of need. Missouri, like other States, prepares and regularly reviews response plans to meet challenges presented by a potential spectrum of emergencies ranging from the most likely to less likely, but perhaps the most catastrophic.

Missouri's most catastrophic natural disaster scenario occurs with the event of a major earthquake along the New Madrid/Wabash fault zone which passes through southeast Missouri. We recognize projected devastation of a 6.5 magnitude or higher quake, as measured on the Richter scale, will immediately overwhelm our ability to effectively respond with State needs only to the citizens in the impacted area, which could include St. Louis City and St. Louis County.

The Missouri National Guard, in concert with State agencies, regularly assesses our resources resident within a State. Our planning process identifies the types and quantities of National Guard capabilities required to ensure an adequate response.

I have great confidence in the Chief of the National Guard Bureau's commitment to fairly allocate the requirements of current and future natural operations among the States so that each State will retain adequate capability to respond to disasters at home.

At the height of Missouri's involvement in deployments of supporting missions overseas, we retain more than 59 percent of our personnel. We currently have 53 percent of the total Army National Guard equipment authorized within the kinds of units assigned to our State.

In my written statement I speak to certain dual-use items that we intensively manage to be prepared for the warfight and to support needs at home. The National Guard Bureau has worked closely with Missouri to honor its commitment to manage overseas deployments in a way so as not to unfairly or critically degrade our ability to support the citizens in times of need.

In Missouri, the National Guard remains ready, reliable, and always there. I am grateful for the opportunity to appear before you today and to answer any questions you may have with respect to the interface of the National Guard and our civil authorities. Thank you.

Ms. NORTON. Our Ranking Member is from Missouri, so I am going to defer to him first to ask the first questions. And I thank you for that very important testimony, Major General Sidwell.

Mr. GRAVES. Thank you, Madam Chairman. I appreciate it very much. I know that the past year—and I am keenly familiar with how many disasters we have had and how many times you all have sent out the Missouri National Guard—but I am curious about your readiness and your current personnel—your current personnel levels and your readiness to respond to a disaster, how you feel about that. And basically, you know, what is happening in terms of—I know Missouri has got—just like every other State, we have got a lot of people deployed, we have got a lot of equipment deployed. But if you could talk about any disaster you have responded to, has there been a time when you feel that you weren't adequately ready for it? Are you concerned about that in the future?

General SIDWELL. Missouri is roughly 103 percent of its authorized strength by way of personnel. And although we talked to the percentage of equipment, which is 53 percent, you have to understand the metric from which that is derived. The 53 percent is from the table of organization and equipment for a warfight. So it doesn't necessarily directly correlate to the types of equipment you need for a State emergency duty.

As far as I know, there has not been a nationwide analysis, or at least I have not seen one, of those specific items of equipment that would be necessary for the national planning scenarios that are identified in the National Response Plan. For those emergencies that we have faced in Missouri, the requirements have been well within our equipment capabilities.

Another thing that you need to understand in the metric of measuring equipment is that prior to September 11 of 2001 the equipment readiness was reported in what they call equipment readiness code A and pacing items. And in any individual unit, there might be four pacing items. So if you reported 75 percent, you had three of those four.

Today the equipment readiness levels are calculated differently because it is all the equipment across the spectrum of equipment that you are authorized. So there are some of those line-items of equipment that are not necessary for State emergency duty but are necessary for training or for preparation for the wartime mission of the National Guard. An example of that for Missouri would be that our five readiness shortages in equipment, the SINCGARS radio is number one, and we are at 54 percent fill. I am advised that we are to receive the balance of fill in October of this year. The multirole bridge company equipment is 28 percent of fill which means we have only one bridge set because there are only four. And, quite honestly, those were left in theater, but it is not something that is going to significantly enhance my ability to respond on a stateside mission.

Humvees, the up-armored cargo Humvees were at 30 percent of fill. But that is not an item. You don't need up-armor in the State of Missouri for a disaster. That is something you need in theater and it is something you need for training readiness to deploy to theater.

With regard to the family of tactical vehicles, I have 24 percent, but that is 127 in number. The constraint may be the transportation infrastructure as opposed to the number of trucks when responding.

I am also short on my palletized load system trucks, I am at 38 percent, but that is 54, so I have almost 180 truck transportation for my Guard units to respond to a State emergency.

So there are two things to look at here. One is warfight and the other is the domestic mission. My concern with equipment more addresses the availability for training for the Army forces generation policy that predicts the use of National Guard forces in a warfight.

Mr. GRAVES. And I have one quick question, too. You know, given the relationship Missouri has with Kansas—and I know we work together on a lot of different things, but when the Kansas Governor was concerned about the shortness of their equipment over in Kansas, did they call you all to fill in that gap or to help them out over there?

General SIDWELL. We did not receive a call from Kansas. In response to some news media issues, I received calls from NORTHCOM, the Pentagon, the National Guard Bureau, some of which asked, can you help Kansas? We did initiate two telephone calls to their operations and training section to see if there was anything they required by way of equipment or personnel from Missouri. In response to those telephone, calls they indicated there was nothing at that time that they needed in response from Missouri.

We do maintain a close working relationship. In fact, Missouri and Kansas share the 35th Infantry Division, the division is located in Kansas. The commander actually happens to be a Missourian, the deputy commanders are Kansas and Illinois. So all of us work very closely together in training and response.

Mr. GRAVES. Thank you. Thank you, Madam Chairman. I didn't realize we shared a division with Kansas. But thank you very much.

Ms. NORTON. Thank you very much. But your answer, Major General Sidwell, may indicate that EMAC isn't working today, the emergency compact, the way we might have expected, if only because according to the 50 Governors, they all understand that they are in the same boat, that everybody is lacking equipment. And I wonder if you think there may be some reluctance to call upon neighboring States who are in the same boat as other States are?

General SIDWELL. My experience is to the contrary. What normally happens on—and in fact did happen during the last flood—is when we have some sort of natural disaster which makes the news media, I immediately get a call from some of my counterparts or adjutants generals in other States, particularly neighboring States, to ask if they can provide any assistance to Missouri.

The EMAC system I think worked well with the response to Louisiana. When I mentioned that Missouri Guard soldiers were down

there in 72 hours, that was—they were on station in 72 hours; 48 of that was transportation. We actually flew vaccinations so that we could vaccinate the soldiers en route and they were fully self-contained for 10 days. So all they had to do was receive assignments and nobody had to—all they had to do was task them.

In the EMAC system it involves not just the National Guard but other State services and nongovernmental services. An example of that would be during Louisiana, I received calls from acquaintances who were nongovernmental or governmental who said they wanted to help. And I would explain to them that—for example, a municipality might call and say, I want to send my SWAT team down there, or a trucking owner said, I want to provide trucks to Louisiana. And I explained to them that the way to do that is that we take their offer of assistance, we log it as available resources through our State Emergency Management agency, which then communicates to the State Emergency Management Agency of Louisiana or identified State, and they identify what resources they need and give it back to us so that we can send them down there.

It creates a good working relationship, and my experience with EMAC is that it has worked very well. But I have only donated by EMAC. I have not had to request out-of-State for EMAC. We have been able to handle the emergencies in Missouri within our own capabilities without looking outside.

Ms. NORTON. And we are very proud and pleased of the role you played in Louisiana, and apparently every Guard was willing to do all that was necessary in Louisiana. So it is clear that the Guards will do what soldiers always do: go where they are needed.

Your Governor, General Sidwell, signed this letter that I mentioned in my opening remarks, and the letter requests that the Department of Defense reconsider any proposed force reductions in the Guard and work with Governors to reequip our returning units. This was signed by all 50 Governors.

I am wondering how your level of personnel and—I am interested in two questions. One has to do with recruitment and retention of personnel, and the other has to do with the equipment of a kind we have been discussing here. How does your current level of personnel and equipment compare to levels, let us say, in 2003 or 2000?

General SIDWELL. We are about 1,000 more personnel than we were at the time I took over, a little over 2 years ago, as the Adjutant General.

Ms. NORTON. You have not had any problems with recruiting personnel?

General SIDWELL. We are number two in the Nation in recruiting, and I think number six in end strength against our authorized. And as far as equipment is concerned, as I indicated to you before, I do have concerns about the types of equipment that I have available for training for the warfight. It is more than an ARFORGEN issue, that is Army Forces Generation policy. And in that, the projection is that each State would retain 50 percent of its assigned personnel for State duty missions, 25 percent would be in the ready phase. That is the last stage of training before deployment. And 25 percent would be in the available stage, which is those who would be called upon for deployment. And that has some flex either way.

So the assurance from the Guard Bureau has been that we will retain in each State 50 percent of our authorized or, rather, are assigned to have available for State missions. And thus far our experience is that that has hovered around the 50 percent range. I think that there may have been a State or two that dipped into the 47 percent or 48 percent during times of deployment.

The question, I think probably, when you talk about an incident of national significance, such as Katrina was, you can't—and the National Guard put roughly 50,000 boots on the ground to assist in that response? You cannot equip each of the 54 States and territories with 50,000 people for the worst-case scenario. You have to have, in the parlance of the Army, agility to maneuver and the ability to mass at a critical point in time.

Some general once said that if you defend everywhere, you defend nowhere. So the ability to mass the response through a system like EMAC is very important.

One of the things that probably would be of great assistance to the National Guard, Federal Emergency Management, and State and local official is if we had more training exercises which integrated the planning and evaluation of our plans together. So probably if some funding could be allocated to that purpose such as the spills of national significance exercise or the ″Ardent Sentry″ Guard exercises, where you get together the principal players, State, local, Federal, to interact in their planning as to how to accomplish the task, that would be of assistance to us.

Ms. NORTON. That is funding that is not available to you now?

General SIDWELL. An example would be the spills of a national exercise which is scheduled for June in St. Louis, Missouri. The scale of the regional planning has—it has been scaled back considerably because of funding constraints. And oft times you had a little trouble marrying up the funds in one area and another on an exercise. And, quite honestly, one of the institutional problems that exists is people tend to stovepipe their planning, and FEMA tends to plan FEMA exercises, and NORTHCOM tends to plan NORTHCOM exercises and the Guard tends to plan Guard exercises. And there needs to be an effective integration of all of those.

Ms. NORTON. —needs money. That sounds to me as though it needs—the players to get together and do it.

General SIDWELL. There are money constraints on that, the availability of money for exercises.

Ms. NORTON. Well, we would be most interested in that, because particularly since with all of our needs abroad, we are not just talking about natural disasters at home. We are talking about preparing for terrorist disasters that could come anyplace in the United States. We need to make sure that the National Guard is prepared not only in the District of Columbia, for goodness sakes, but wherever such an attack could occur.

General SIDWELL. Currently the money that is available, as I understand it, tends to center around homeland defense as opposed to homeland security exercises. They tend not to be geared to the disaster response, but the weapons of mass destruction scenario, both of which are necessary to secure the citizens of the United States.

Another area that might be of assistance—one of the things that was identified in the post—the after-action reviews for Katrina-Rita was problems with communication. And when you look—on a local level you may have the police department and the sheriff's department who can't communicate with each other because they have bought equipment at different times, and there has not been a standard equipment protocol and cross-banding.

One of the items in the news I think you saw in Kansas' response is they had gotten a brand-new trailer with cross-banding equipment which turned out to be a very positive thing for Kansas. But there is a significant issue I think across all States and territories out there concerning the cross-banding capabilities so that the local sheriff or police or the fire can communicate with the military or FEMA, and that is—it is a focal issue right now in a planning group in Missouri, but money is always an issue.

Ms. NORTON. Well, and that—I am on the Homeland Security Committee as well, and the consistency of this problem and our inability to handle this are perhaps the most troubling post-9/11 issues that the States continue to raise. We have got to get control of that. And it has been very, very difficult. I am glad you raised it.

One more question on communications and other equipment. You talk about dual-use equipment in your testimony at page 6, and you mention among the dual-use equipment, of course, communications equipment, medium and light trucks that you say were in short supply before September 11. And you say that you are optimistic that the current emphasis on procurement—you use the word ″procurement″—will enhance our warfighting capabilities.

I mean, are you saying that you expect that we are now procuring medium and light trucks and communications equipment of the kind you need in Missouri?

General SIDWELL. Yes, ma'am, I am.

Ms. NORTON. Is that at the local level or are you saying that some money has been allocated nationally that you expect to be available at the local level?

General SIDWELL. For example, a minute ago I mentioned the SINCGARS multichannel radio that is being funded. We expect to have that fielded to us, the balance to fill us up in approximately an October time frame. And that was an issue in the Katrina-Rita disaster because the Active component had Sync guards. The National Guard did not. And it created a communication gap between the two.

So those things are being addressed at the G-8 level of the Army, and I think are being addressed through congressional funding items. We just received $6 million for 915 tractors this last year, which is a congressionally funded item, and there was a report given by the Office of Legislative Liaison on 26 February of 2007 which identified in that $4 billion needed for the essential TO&E items, and those would be a subset of the $23 billion which is being proposed for the National Guard over 5 years. And, again, I remind you that some of our shortages may be wartime shortages as opposed to peacetime response shortages. Those dual-use items of equipment are the ones that have been identified by the National

Guard Bureau to the Army for funding for the National Guard to meet State response.

Ms. NORTON. I am going to move to the Ranking Member of the Full Committee. I do want to say I indicated in my opening response that—in my opening remarks—that the administration had indeed asked for, I think it is $22 billion more, for the National Guard. I believe that the appropriators are going to have to make sure that a fair balance of that equipment is retained at home. And they know how to do that on the appropriation itself because the GAO said that it is concerned that that, or most of that equipment, would go abroad.

General SIDWELL. I believe they have actually instituted some new accounting protocols in the G-8 at the Army for tracking those items that are funded for the National Guard.

Ms. NORTON. Well, you can track them all you want to after it is done. But if Congress allocates money and does not say up front that at least a certain amount of money should go to help reequip the National Guard at home, the GAO tells us that that might not happen. Mr. Mica?

Mr. MICA. Well, thank you. General Sidwell, you probably don't know me very well, but I like to cut right to the chase. Probably one of the primary reasons you are here is there is an accusation that because of the conflict in Iraq and Afghanistan, the war on terrorism that we are engaged in, that the Guard is not prepared to address domestic incidents. And, quite frankly, you know, we had the Greensburg tornado, and there were some questions as to whether you had the resources to respond. Did you have adequate resources to respond?

General SIDWELL. That was actually a Kansas issue as opposed to a Missouri issue.

Mr. MICA. Yes.

General SIDWELL. From the standpoint of Missouri in our State emergencies, we have had more than adequate resources to respond to those which have confronted us.

Mr. MICA. Okay. And right now you have enough—if you had a Greensburg-type incident, you would have had enough resources to respond?

General SIDWELL. That is a correct statement.

Mr. MICA. And then you described the 50 percent 25, 25; 50 percent domestic sort of reserve, 25 percent readiness, 25 percent in deployment. And that is adequate? Is that what—and what do you have? What are your percentages? Are they similar to that?

General SIDWELL. I am sorry, percentages of what?

Mr. MICA. You said that your force—you divided it up and I thought you said that you had 50, 25, 25.

General SIDWELL. That is a promise or a representation. ″insurance″ would be a better characterization of how forces would be—the States would be called upon to provide forces.

Mr. MICA. Forces, what do you have?

General SIDWELL. Missouri is roughly 11,000 end strength when I have Army and Air. And I have right at 8,500 Army. And you mentioned Greensburg before, that is Kansas. And Kansas has about 5,500. They are a little smaller State.

Mr. MICA. But you are within the range of the 50, 25, 25; or are you short?

General SIDWELL. Oh, I am well within—I only have got 142 deployed.

[Subsequent to Hearing, General Sidwell corrected the following: I only have got 842 deployed].

Mr. MICA. You said in a couple instances we were below the 50. I thought you said some 47 or 48, 52 or 53 percent where some have fallen below other States. Is that correct?

General SIDWELL. During the high watermark, there was a time when the Guard provided 50 percent of the combat forces and 40 percent of the total force in theater. And at that time from the Adjutant Generals Association—I think you have got a letter from General Roger Lempke from Nebraska as part of—you were saying as part of the record.

General SIDWELL. Those figures usually—the Guard Bureau will come in and review with us to show how each is deployed. And, say, a State like Pennsylvania, if they deploy a brigade combat team, or an Arkansas with a brigade combat team, that gets up close to that 50 percent category because it is a sizable unit.

Mr. MICA. Let me ask you a question. I don't know the answer. What percentage of your equipment is paid for by the Federal Government?

General SIDWELL. Paid for by the Federal Government? All of it. The act of 1903, the Federal Government pays for——

Mr. MICA. If you aren't getting the equipment, whose fault is it? I mean, who is responsible?

General SIDWELL. Well, the funding of the equipment comes from the Federal Government.

Mr. MICA. The Federal Government. And again, we are behind—the Congress is behind in funding some of the requests that the Guard has made. And I think you have cited figures a little bit different than I did. About in the $20 billion over a 5-year range and about $4 billion domestically. Is that accurate?

General SIDWELL. That is correct. There is a funding request, and certainly the representation has been made that we wish to have the National Guard fully funded, fully manned, fully equipped, fully trained. Now, when that request—and my guess is, is that you get other Federal agencies coming to you asking you for money. And Congress controls the purse strings and determines the priorities. And if you give money for equipment for the National Guard, then who doesn't get the money that is available? And those tough decisions are the tough decisions that have to be made by Congress, and I guess that is why you have this hearing today to help you make that deliberation.

Mr. MICA. Thank you. Two final things. One, we heard the leave-equipment-behind accusation. What about Missouri? Is there a lot of equipment left behind in Iraq, Afghanistan, wherever? And if it is brought back, and I know it is a great cost to bring it back, is it useable? Tell me your experience.

General SIDWELL. When a unit deploys, oft times the equipment which they take, other than small items, will be left in theater for the follow-on unit to utilize. And then you may either get a backfill for your individual State from the State that provided forces for

theater, or there may be new equipment bought to replace, or, at some point in time, that equipment may be returned——

Mr. MICA. Again, in your situation, are you short equipment because equipment was left behind?

General SIDWELL. There is equipment in theater that I would have if it had not been deployed to theater.

Mr. MICA. But you don't have the replacement for that because Congress hasn't appropriated the money for it?

General SIDWELL. That is correct. An example would be my bridge unit. Their assets were left in theater. And the 28 percent I had, we went out to get a bridge set to train on.

Mr. MICA. Okay. Again, just wanted to get the specifics of relating to you our operation. Thank you so much.

I will give you one quick last one, since they are not paying attention right now. We have got this little issue of who controls the Guard, and we put, actually, ultimate control in the President's hands. There is legislation before us now to take that out. And I heard the Guard was opposed to having the President make the ultimate decision on Guard activation, utilization, and wanted it left with the Governors. What is your position?

General SIDWELL. That is one of the reasons I wore a civilian coat and tie today instead of a uniform, so it wouldn't appear as if I represent the interests or the decision process of the Department of Defense, because there is a difference in views between the National Guard—the Adjutant Generals Association and the Department of Defense on that issue. We would prefer that it be left with the Governors.

An example of mobilization that is practical to Missouri is when we mobilized for Katrina. I established a State policy that I was not going to take my college students out of school to miss another semester after they had just come back from Iraq. So there was a degree of volunteerism in mobilizing the unit. That flexibility would not have been available to me if the call-up were on a Federal basis. And I think it is very important from a State perspective that we realize that the State and local governments are being supported by the National Guard and the military, and that the Governor and local officials are in charge of the emergency response, because ultimately that is who has to answer to the electorate as to whether or not the response was appropriate.

Mr. MICA. Thank you.

Ms. NORTON. Thank you. I think that is a very important question, Mr. Mica. We are still trying to sort through that. Mr. Carney?

Mr. CARNEY. Thank you, Madam Chairman. Just a couple quick ones right now. I grew up just north of you, in Iowa, and I recall the floods of 1993. Does Missouri have the capacity now to respond to a 1993 flood-type situation?RPTS CALHOUNDCMN SECKMAN[11:00 a.m.]

General SIDWELL. Yes, we do.

Mr. CARNEY. With the bridging equipment shortage and such.

General SIDWELL. The bridging equipment really doesn't provide us an asset that is needed or utilized, or we haven't in the past. We didn't use bridging in 1993. It is a more labor-intensive operation. We provide security, we provide sandbagging, we provide

shelter, and those are more labor-intensive issues. So it is my belief that we—we are actually better off today than we were in 1993, equipment wise. The metric in 1993 just measured equipment readiness, code A and pacing items, so our percentages of equipment are about the same, we just happen to be a little bigger.

Mr. CARNEY. Did I understand correctly that your manning is up from roughly the 1993 time frame?

General SIDWELL. That is correct. Well, the 1993 time frame, we are probably about similar in end strength. We had a period from 1993 until 2005 where end strength went down and nonvalidated pay went up, and we cured that. We also happen to be number one in the Nation on people who attend real nonvalidated pay.

Mr. CARNEY. What do you guys do in Missouri that makes everybody want to show up?

General SIDWELL. I think they are proud of their organization. I am proud of them.

Mr. CARNEY. They should be. I want to come back to the interoperability issue for a moment. How severe is it in Missouri or if you want to comment from what you have heard from your counterparts in other midwestern States? For, example, radios, the ability to talk to other responders in cases of disaster?

General SIDWELL. I may be a little more robust in cross-banding equipment than my other counterparts. And we have provided some cross-banding equipment to the hurricane region and States in anticipation of hurricanes. The interpersonal relationships and working together, for example, the State emergency management director and I are in the same building. We eat lunch together. So the ability to work together is good.

Our practice has been, during a State emergency, we immediately push out liaison officers to the local emergency operations centers. And the SEMA liaisons have told me and the locals have told me that they find that a very helpful practice on behalf of the National Guard. So that works well. But from a State perspective, on communications, we have a homeland security committee of all the directorates in the State which meets regularly and a Subcommittee which is on communications. There is a lot that needs to be done in Missouri for local officials' equipment to get everybody on the same protocol for communications.

From the standpoint of FEMA, region 7 has been very helpful. I go visit with them in Kansas City, they come to my headquarters and visit with me. The FEMA representative happens to be a former Missouri National Guardsman, so he understands. And the Corps of Engineers, Colonel Rossi has been very good about communicating their plans for emergency. So I feel good about the intercommunication operability that we have. I am pleased. I told you that I got calls when we saw the floods. I got a call from the Pentagon asking to help. I got a call from NORTHCOM asking to help. I got a call from the Defense Coordinating Officer asking if they could help. And I thanked them and told them, right now, we were well within capabilities, but I certainly would go through FEMA through the DCO if I needed additional assistance.

I think Katrina served as a wakeup call to the entire Nation, and the degree and synergy of cooperation is much greater today than it was 5 years ago.

Mr. CARNEY. I am very happy to hear that the upper-level decision makers are talking to each other. That is great. My concern is, can police and fire and rescue talk to each other?

General SIDWELL. I think there are problems in that arena. From a national perspective, we really need to look at the protocols that assure that one community can communicate adequately with the next community and that firemen and police can talk together. I know some local jurisdictions in some of the emergencies we have already had, had some difficulties in their communication. It is a funding issue. The local municipality can't afford to upgrade their equipment, but on the other hand, they can't afford not to. So where are you.

Mr. CARNEY. I agree.

Thank you, Madam Chairman.

Ms. NORTON. Thank you very much.

Mr. Kuhl has assumed the Ranking Member's chair, so Ranking Member Kuhl.

Mr. KUHL. Moving up the ladder fast here.

Thank you, General Sidwell, for coming here to testify. I wish the entire Nation could hear the optimism that you bring, I think, to this hearing, and certainly I think they would be pleased to know what you are doing and feel satisfied about your current situation in Missouri and the ability to carry out the tasks that are your responsibility.

I just want to explore a couple of questions with you and be brief about that because I am concerned that when you say in your statement we currently have 53 percent of the total National Guard equipment authorized within the kinds of units assigned to our State, that if you take that statement out of context, it would appear as though you are only half prepared to do the job that is your responsibility.

So I am not so sure, and I just want to reassure myself that the statements that you made, that you feel confident that you can accomplish the task which you are required to accomplish, given the fact that you have 53 percent of the equipment necessary or assigned that's authorized, I should say.

I guess my question to you would be, as another way of putting it, have you ever in the history of the Missouri National Guard and particularly during your assignment had 100 percent of the equipment that was authorized?

General SIDWELL. No. We were, pre-9/11, about 58 percent. That included a lot of authorized substitutes which are not authorized substitutes today. For example, back then, a CUCV, which is essentially a pickup truck with a radio mount in it, was an authorized substitute for what we now call a Humvee, and now we require an up-armored Humvee in order to meet that percentage of requirement.

So it is really comparing apples to oranges to look at what percentages were. They use a different metric. The metric, even at both of them, is a wartime metric, not a peacetime metric. And things that previously were concluded in that 58 percent would not be included today.

Mr. KUHL. So would you be in agreement with me that that number of 53 percent is really kind of misleading as to a designation of your capability to do your job?

General SIDWELL. It is misleading with respect to response to a State emergency issue. It would be accurate with respect to a wartime measure of capability for deployment to theater to engaged in combat. My 53 percent is above the national average. National is 40 percent.

Mr. KUHL. Would you recommend that there be two types of classifications to better reflect to the general public your capability in both of those scenarios of carrying out your responsibility?

General SIDWELL. Probably it would be more informative to the public for local response if they understood that the equipment necessary for a local response is different than the equipment measure for deployment to a combat theater.

Mr. KUHL. Okay. Good. Thank you. I yield back.

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

Mr. Walz.

Mr. WALZ. Thank you, General Sidwell, for taking time to come here today. I appreciate your insight. I share a unique insight maybe with you on this. I have the unique privilege of being the highest-ranking enlisted soldier ever to serve in Congress as a command sergeant major. So I wish you would have brought one along with you.

General SIDWELL. In a reversal of roles, I salute you for that.

Mr. WALZ. So having been someone called up for fire, tornados, floods and in support of Operation Enduring Freedom, that is something that I look at very closely, how we are going to deal with the guard as it assumes a new role and as it changes in the new environment we are finding ourselves in.

Just a couple of things I would note, and in speaking of the lack of equipment, it has always been an issue. I am an artillery guy who taped Howitzers on the floor and used toilet paper roles on the floor to simulate draining. You have seen it. So that did happen.

We have always been in a make-do type of situation, and I applaud the Guard because they have already found a way to do that, and you epitomize that attitude. We were just discussing also that it might also be of note that, Ike Skelton is from Missouri, so we don't know because our States are somewhat different in that because we are not hearing this across the Nation.

My concern now is for the Nation as a whole but your unique perspective, as I would agree with the current Ranking Member, there is reason for optimism because, when it is the Guard, they will get the job done. I have the utmost confidence in them. Our job is to find out how to best maximize the use of our resources to make you as effective as possible.

Your last couple of statements are where I get a little concerned, too. I think probably we will make do the best we could on statewide emergencies. My concern is, and just a couple of questions to you, General, and I know this is somewhat subjective, this level of deployment that we are seeing, did we ever prepare for that? Did we ever foresee this level of continuous deployment and the wear and tear on the soldiers, the families and the equipment in general? I am just asking you. I know we prepare for all things, but

I left in the spring of 2005 after having done—seeing this. I never anticipated it to this level. So I am just getting your comment as we look to the future.

General SIDWELL. The character of the use of the National Guard has dramatically changed and in fact the terminology used in describing that has changed. Instead of being a strategic reserve, where you presume that you would have a long dwell time in postmobilization training before deployment to a theater, we now have become an operational reserve, and as of January 17 of this year, with the changes that the Secretary of Defense has made in the regimen of training, much of the training that we previously looked to postmobilization is now trained and evaluated premobilization in order to shorten the postmobilization dwell time at a training station and to shorten the overall deployment time for individual soldiers and units, and we deploy as units.

Certainly the Guard of today is vastly different than you and I knew when we enlisted.

Mr. WALZ. And I would also say this, I really applaud your answer when the Ranking Member of the Full Committee was here, on your flexibility, when asked about who should make those decisions, your ability to depend on volunteerism or try and make the impact spread out a little bit, not felt so heavily on those that had maybe 6 or 7 children at home or were in school or whatever in trying to do that. I know that has been happening across the Nation from the Guard.

Is the National Guard Empowerment Act in your opinion—and I know it is in your opinion, you have got the civilian suit on, but you have got a lot of experience—is that going to be helpful in some of these issues?

General SIDWELL. It will be helpful. For example, the 4 Star position should be helpful in making decisions concerning priorities for purchase of equipment and allocation of resources. Because there is increased responsibility, the end strength is about 358,000 in the Army National Guard; 102,000 in the Air National Guard.

The joint credit for adjutant general to then go on to be able to serve in a joint billet to help integrate the National Guard into the total defense force would be of assistance. So certainly the impact of the Empowerment Act on behalf of the Adjutant Generals Association uniformly support those changes.

Again, that is not something that is embraced across the Department of Defense. I don't want that to be confused as an official position of the Department of Defense, and as a matter of fact, I think Secretary Gates endorsed a number of the CNGR recommendations but not all of the CNGR recommendations, and I certainly respect differences of opinion, and we end up with a good result when we can accommodate all of the opinions into a final decision process.

Mr. WALZ. Well, I would just say, from my perspective, I simulated too darn many of those toilet paper charges to not think this is important. Just to let you know. I yield back my time.

Ms. NORTON. Thank you very much, Mr. Walz. I have only two more questions for you, and then I will ask if any other Members have questions. We want to make sure we maintain a balance here. The letter from General Lempke who of course is the major general

of Kansas and head of your own association of adjutant generals says, and I am quoting him: The Army National Guard was never fully equipped. Pre-9/11 States generally hovered around the 60 percent range.

So, in a real sense, when there is a war, then, as you said, the General said, well, there is a tendency to look at the equipment then and perhaps bring in new equipment. The problems we are dealing with here of course is this war is going on longer than some have anticipated so the equipment is left in the field, perhaps some you would prefer to have at home. At the same time, Major General Lempke said unanimously, we believe the National Guard's ability to support disaster response and recovery is as important as its Federal mission to provide trained forces to support national defense.

I assume you agree with that statement as well. You will recall that I think I said the Pentagon has had to help us sort this out. We have to get some kind of data base. We have to know what we don't know now, which is, how much is equipment is out there, so that we can measure how much equipment there should be out there?

We know that equipment may grow old and equipment may seem as much not needed when there hasn't been a disaster for some time. When there is a disaster, we are all Americans; Americans operate on an emergency basis for everything. When something happens is when things begin to happen; otherwise we assume things will always go well for us.

He says, however, Major General Lempke says that Lieutenant General Steve Blum, who is the chief of the National Guard Bureau has devised a list of 10 critical capabilities needed or that should be quickly available to each State, he says this is perhaps the best measure, at least available now, to assess individual State capability from a national perspective.

Would you agree to that? Are you familiar with this list of 10 critical capabilities?

General SIDWELL. Yes, ma'am. Those are the items which are listed in the essential 10 equipment requirements for the global war on terror, which is the Office of Legislation Liaison Report of 26 February 2007. Specifically, it is page 5 of that report. It includes joint force headquarters, command and control, civil support teams and force protection, maintenance, aviation, engineer, medical, communications, transportation, security and logistics.

General Blum has assured that he will place some, to the maximum extent possible, make those capabilities resident in each of the 54 States and territories, and it is part of the backdrop which provided decision makers with input as to where to place units when we went through the restationing and rebalance. An example of that would be that, prior to the rebalance, I had four engineer battalions in the State of Missouri. There were other States who had no engineers. After rebalance, I have two engineer battalions, but other States that didn't have any now have some engineering effort. So it is an attempt to spread that availability to a regional and State basis for more rapid response in the State to emergency response.

Ms. NORTON. This becomes critically necessary when you see the imbalance among the States. You feel you are ready, but as I indicated in my opening remarks, if you live in Arizona or you were adjutant general there, you had just 34 percent of the allotted equipment. You might have a different answer. Or in New Jersey where you had just 42 percent.

What General Lempke does is simply to use his own State as a case in point, Nebraska. He said Nebraska is dominated by transportation units, but he says I have half of the 5-ton trucks authorized. Quote: This certainly limits my authority to train and mobilize units. However, even down by 50 percent leaves me with nearly 150 trucks to deal with disasters in State, a quantity I believe to be more than sufficient.

So he says that: While his reported readiness level is down, my assessment of the National Guard's ability to support disasters in State is positive.

Again, this brings home the importance of some kind of measure so that these numbers mean anything to us because some layman or some Member of Congress looking at these figures by percentage sees the kind of interpretation I am giving to Arizona and New Jersey because I don't have any way to evaluate what 34 percent and 42 percent means.

General SIDWELL. Yes, ma'am. What further exacerbates that problem is, for example, in Missouri my Army strength is roughly 8,500. In Nebraska, their Army strength is 3,500. They are not terribly different in geographic land mass than I am. I am different in population and recruiting and the size that may be allocated to, in the end structure, allocated to any individual State impacts how they may respond to a local emergency. For example, your district of D.C. is roughly 1,146 on Army. So, certainly, I have got greater ability with 8,500 than you do with 1,146.

Ms. NORTON. But you are a State; we are a city. But can people out of State belong to your National Guard across State lines.

General SIDWELL. That is actually a common practice. We find that a number of Missourians will be in units in an adjoining State. For example, for me, I don't have infantry in the State of Missouri. I am a combat service, combat support State. A lot of individuals who wish to enlist as an infantryman within 11B may go across to Arkansas or Illinois or Kentucky, and by the same token, I have soldiers who have come across the State line to belong to the Missouri National Guard. The National Guard is more tightly geographically contained than the United States Army Reserve, which will typically have a unit that will cross several States and you may have people traveling 500 miles in a Reserve unit for a drill. Theoretically, a Guard unit should be roughly in a 75-mile circumference for manning. As a practical matter, I may have people who travel 150 miles.

Ms. NORTON. But it is their choice; isn't it?

General SIDWELL. Yes, ma'am, it is.

Ms. NORTON. We are proud to have members, citizens from Virginia and Maryland in the D.C. National Guard, and of course, they would tend to be from less than the 75-mile radius. But that suggests that some of them of course may do so because of the kind of specialty that is available, but it suggests that members of the

Guard understand the regional basis makes sense and makes me wonder whether or not the Guard itself, particularly after Katrina, ought to be organized on a more regional basis. Some of those ideas come from your own testimony.

General SIDWELL. I probably would take issue with the regional basis organization.

Ms. NORTON. I am not saying break down the State unit, sir. I am not trying to reorganization what the country began with, which was every State had a militia and from there grew the National Guard. But one wonders about whether or not, assuming these are discrete units that ought to be having a discrete amount of equipment. I mean, does it really make sense for Uncle Sam to say that every State ought to have a certain amount of equipment even though we know different things about how the States operate and what kind of disasters come as opposed to assuming certain kinds of sharing where we might be able to replenish more easily.

General SIDWELL. That is the function of the National Guard Bureau. They, in fact, allocate structure among the States and take into account that regional response, ten essential capabilities so that you have those essential ten items regionally available and accessible. They may need to access those through an EMAC, but they are geographically dispersed throughout the country to try to level the ability to respond among the States and territories as opposed to solely being resident in one State.

Ms. NORTON. Very good. The final question, for me at least, has to do with the National Guard Reaction Force. Would you tell us about this? It sounds like a more supple kind of force that is more generally and quickly available. Would you tell us whether you have such a force, what the difference between that force and how it is composed and the guard itself?

General SIDWELL. There is what is referred to as a CERF, which is to be a rapidly accessible force to do essentially a search and rescue type of mission, which I believe is—I have one in Missouri, and I believe it is residents in each of the 54 States and territories. There are some funds that are allocated separate from our normal funding to train that force. It tends to be, or at least in my State, the people who make up that CERF mission come from different units. I think it is still a process in maturation as far as its development and how rapidly it deploys.

For example, General Blum and some of my counterparts, I was not able to go, visited Israel not long ago to see how they do their rapid reaction, and they in fact put pagers on individuals so that they get paged and report to the scene of the incident, whereas our construct is we bring people into the armory and then send them from the armory to the incident.

Those are things that we continue to explore as ideas of ways to improve the process, but we have identified individuals who are on that CERF for rapid reaction and can be called to respond to a localized event.

Ms. NORTON. For lack of a better analogy, kind of like Special Forces that go—that the Army uses when they have critical missions, that they pull people out and send them in with the Special Force Operations?

General SIDWELL. Certainly they have special training to address those issues, but I would remind you. And I think it is a wise construct in the national response plan that the first response to a local emergency is the local civilian responders and then the National Guard when it exceeds that capability or the State's capability can be called to assist.

An example of planning would be, in my earthquake, cracked-earth scenario, I do not place a great deal of weight on my soldiers who happen to be near the epicenter of the event because I think they have got to take care of their own families so I look to those more heavily to those outside the epicenter as the responding force to provide assistance.

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

Mr. Kuhl, any further questions?

Mr. KUHL. Nothing further.

Ms. NORTON. Any further questions?

Mr. CARNEY. Yes, Madam Chair. One more. General Sidwell, I really do appreciate your candor and your comments this morning. I feel very good about the Missouri case. It is great. I read this morning with concern an article in the Harrisburg paper, and I want to get your impression on this, if you have noticed this in terms of what has gone on in the Missouri Guard or if you have heard other anecdotal information on this, that you are losing soldiers because of employment issues.

I want to read this little passage from the paper this morning. It says, about 54 percent of employers surveyed said that they would not knowingly hire members of Guard or Reserve, though they know that would amount to discrimination, because of disruption and cost to the employer.

Have you noticed that having an impact on certainly the Missouri Guard?

General SIDWELL. I think that an impact has existed for a long time. I have been in for about 34 years, and that impact has been there for 34 years, where an employer, especially the small employers, not as much the large employer as the small employer, when I take a third of somebody's workforce for a mobilization, it is catastrophic to that employer, and certainly, they are not supposed to, but they do take that I think into consideration when looking at employing somebody who is in the National Guard.

I believe there are things that can be done to help address that on a national level. Sometimes an employer may be motivated by patriotism, and I am certainly grateful to a lot that the employers have done out there, but the Congress may wish to consider some type of tax credit or incentive with respect to a guardsman who is deployed. It may be that in the health care, since there is TRICARE available to guardsmen, if it is not, if TRICARE is the primary carrier instead of a secondary carrier, then an employer may look more favorably on a guardsman because it could reduce his costs. An employer has got about a third of his costs tied up in employee benefits when he has got an employee out there.

So it may be when some of those benefits are available to the prospective employer through their National Guard service, that employee becomes a more attractive employee to the employer in the hiring process.

Mr. CARNEY. I certainly understand that, but have you noticed, because of employment issues, in the Missouri Guard a loss of personnel?

General SIDWELL. It is hard to identify one-for-one. Nobody is going to raise their hand and say, it is employment issues, because they are going to have a USERA problem. So you have losses which may be employer issues that may be identified as a different issue when you do an exit interview with that employee. And certainly no employer is going to raise their hand and say, I am not going to employ a guardsman.

Mr. CARNEY. Right. No further questions.

Ms. NORTON. They better not. Mr. Walz, do you have any questions?

Mr. Sidwell, this has been invaluable testimony. We so appreciate you traveling all the way from Missouri to offer this testimony to us today. Thank you very much.

General SIDWELL. On behalf of Missourians and the Missouri National Guard, I certainly appreciate the interest this Committee gives toward the health of not only our Nation but the National Guard. Thank you.

Ms. NORTON. We thank you for your service and the service of the Missouri National Guard.

Could I call the next witnesses? And we have inquired and appreciate they are willing to serve on the next panel together. The next witnesses of course are the administrator of FEMA, the Honorable David R. Paulison, and David Hoell, who is the chair of the National Emergency Management Association, EMAC and who also serves as director of the North Carolina Division of Emergency Management. Thank you both for being here.

TESTIMONY OF R. DAVID PAULISON, ADMINISTRATOR, FEDERAL EMERGENCY MANAGEMENT AGENCY, DEPARTMENT OF HOMELAND SECURITY; AND DOUG HOELL, CHAIRMAN OF THE NATIONAL EMERGENCY MANAGEMENT ASSOCIATION, EMERGENCY MANAGEMENT ASSISTANCE COMPACT COMMITTEE, AND MANAGEMENT DIRECTOR OF NORTH CAROLINA DIVISION OF EMERGENCY MANAGEMENT

Ms. NORTON. Mr. Paulison, we will begin with you.

Mr. PAULISON. Thank you, Madam Chair, and Ranking Member, now, Kuhl, and the rest of the Committee. I appreciate you inviting me here. As the administrator of FEMA, I am proud of the many reforms we have implemented in the past year. Today FEMA is stronger and more nimble than it was in the past. The proof is visible in our response to tornados earlier this year, our multi-State efforts across the northeast in April storms, and most recently our actions in Greensburg, Kansas. At each instance, American people saw a FEMA that is leaning further forward, moving quickly to respond and working closely with our Federal, tribal, State and local partners to ensure a response of which we can all be proud. This did not happen overnight. It is the result of close review of our past practices and hard work of the men and women at FEMA and across all levels of government.

Following Katrina, the White House issued a report calling the Federal response to Hurricane Katrina lessons learned which rec-

ommended integrating the use of military capabilities into catastrophic disaster response. The report specifically stated that the Department of Defense and the Department of Homeland Security should jointly plan for the support of Federal response activities and that DOD should be included in all Federal emergency plans.

DOD has a key role supporting FEMA in many of these areas and overall planning, coordinating and integrating defense support civil authorities with local, State, tribal and Federal agencies. The DOD focus in domestic response is on providing homeland defense, supporting civil operations and cooperating in theater security activity designed to protect the American public.

FEMA's partnership with DOD continues to evolve and the disaster response support DOD and its multiple components bring to FEMA is critical in enhancing our comprehensive preparedness, protection, response, recovery and mitigating capabilities in dealing with all types of natural and manmade disasters.

Specifically FEMA has taken direct action to improve our coordination with the Department of Defense, the National Guard, the Coast Guard and other Federal tribal, State and local government partners across the board. Joint participation in training and exercises is a vital element in this improved coordination.

FEMA and DOD have implemented numerous improvements based on the lessons learned in Katrina as a result of changes required by the post-Katrina Emergency Reform Act. Among those changes, the DOD assigned liaison offices at FEMA headquarters to promote effective coordination of activities and FEMA reciprocated by providing permanent staff to serve at NORTHCOM. We also have defense coordinating officers in every region in this country.

FEMA is coordinated closely with DOD and many elements of an improvement in the national logistics system. A key partner in this relationship is the defense logistic agency, or DLA. In the past year, the relationship has evolved from support to disaster response, to proactive logistical and planning support both before an event occurs and during the response efforts.

Similarly, FEMA has an agreement in place with the Marine Corps systems command to support FEMA with emergency response equipment that can be deployed to respond to a major chemical, biological, radiological, nuclear, explosive or natural hazard event. With the Natural Guard FEMA coordinates both the Federal level with the National Guard Bureau as well as the State level with individual adjunct generals.

FEMA continues to coordinate and cooperate with Federal and State leaders of the Guard in a number of disaster response-related areas to include improving situational awareness, communications planning, force package planning, and overall mission and disaster response planning.

The creation of the Department of Homeland Security brought the Coast Guard and FEMA into the same department. This has led to a steadily increasing cooperation between the two across the spectrum of preparedness planning, exercise and training, response issues and identifying lessons learned and in tracking and implementing remedial actions at the national level.

Today two Coast Guard liaisons are permanently assigned to FEMA. In this cross-pollenization, both agencies have been able to make a number of improvements to their respective contingency plans. These new relationships are reflected in our revisions of the National Response Plan or the NRP. The NRP provide the structures and mechanism for national level policy and operational direction for domestic incident management.

The Department of Homeland Security and FEMA value the support of the Secretary of Defense and DOD components to facilitate and support Federal, State and local disaster response activities. In addition to direct support for disaster response, DOD possesses the specialized testing and evaluation and education facilities, training and exercise expertise, medical capabilities, and technology programs that provide important support to all levels of government in enhancing the Nation's disaster prepared response capabilities.

Madam Chair, in conclusion, I would like to thank our partners at the Department of Defense and across all levels of government for their effort to make the system work better for all Americans. FEMA has learned a great deal from our are friends in the Armed Forces. The open lines of communication and improved coordination will assure a stronger response and recovery effort when our Nation calls in times of need. We have taken the first important steps both inside FEMA and throughout the Federal Government to improve our readiness posture. Thank you. I would be happy to answer any questions.

Ms. NORTON. Thank you very much, Mr. Paulison. I thank you for your graciousness in allowing General Sidwell to go first. That was in deference to the Ranking Member, who had a plane to catch. We appreciate you being back here in time for this hearing. We know it took some doing.

We want to now go to Mr. Hoell. We appreciate your coming from North Carolina.

I am the only one that everyone can hear because I have learned from experience, at least since becoming Chair, that if you do not talk directly into this, we do not hear you up here even. So try to be as close and directly to this microphone. I think it has to do with the high walls here, not so much with the sound system.

Mr. HOELL. Thank you, Chairwoman Norton and Ranking Member Kuhl, Members of the Committee, for allowing me the opportunity to provide a statement for the record. In my statement, I am representing both North Carolina Governor Michael F. Easley and the National Emergency Management Association, NEMA, whose members are the State directors of emergency management in the States, territories and District of Columbia.

There are three key areas that I wish to discuss with you today that need to be resolved in order to secure our preparedness in partnership with the National Guard to address disasters. First, authority to maintain and control the National Guard should be restored to the Governors for their use during disasters and other civil emergencies.

Second, the National Guard's utilization of the emergency management assistance compact, EMAC during Hurricane Katrina worked well and should continue to be a strong component of the Nation's mutual aid system. Third, National Guard equipment

should be maintained updated to ensure that the Guard can fulfill domestic missions.

Recent changes to the Insurrection Act may change the chain of command for the National Guard in times of emergency. Section 1076 of the act allows for the President to take control of the National Guard during a natural disaster or emergency without the consent of a Governor. Previously the Insurrection Act provided for the Governor to maintain the control over the National Guard and to allow the President to take control in rare and exceptional circumstances.

The 2006 Defense Authorization language could confuse the issue of who is in charge of commanding the Guard during a domestic emergency. The bill as signed into law by the President does not require the President to contact, confer or collaborate with the Governor before taking control of a State's Guard forces.

This language was included by Congress and signed into law by the President despite the opposition of Governors, NEMA and others. The current law could negatively impact the decision-making process and speed with which the National Guard currently acts in consultation with Governors to respond to an emergency. The change exacerbates the current manpower and equipment shortages in all States because of demands in Iraq and Afghanistan.

Governor Easley was in Washington, DC last week to discuss this very issue and his concerns that the language currently weakens North Carolina's ability to respond to disasters in our State while expanding the President's authority over the National Guard. These concerns arehighlighted in the recent release of the Department of Defense implementation plan for pandemic influenza. Under law as written now the President would have the power to take control of the National Guard at such a critical time, and the U.S. Secretary of Health and Human Services and other federal officials have told each Governor that in the event of a pandemic flu, Washington, D.C., would not be able to help every community affected. Therefore, we will be responding with our own State's resources.

The result is that any Governor could be left without National Guard resources that might be taken by the President. These facts make it even more urgent that section 1076 be repealed.

Last week, the U.S. House of Representatives Armed Services Committee took an important step by including language repealing section 1076 in the markup of fiscal year 2008 Department of Defense authorization bill H.R. 1585. We hope this provision will be maintained in the final conference report.

Mutual aid assistance provided during 2005 vividly exposes the interdependencies of the Nation's emergency management systems. For hurricanes Katrina and Rita, the emergency management assistance compact, EMAC, fulfilled over 2,174 missions with 49 States, the District of Columbia, the U.S. Virgin Islands and Puerto Rico, providing assistance in the form of 65,919 civilian and military personnel and equipment assets to support the impacted States. The estimated cost of this assistance may exceed $829 million.

The National Guard sit in support of the response mission under Title 32 status and remained under the Governors control at all

times. EMAC allowed for reimbursement, liability protection, workers compensation protections, and allowed the home State Governor to call back the units for other domestic emergencies.

FEMA funded EMAC in 2003 with $2.1 million because of the national interest in mutual aid. The EMAC grant will end on May 31st 2007. The post-Katrina FEMA authorizes $4 million annually for the program. However, no funds have been appropriated for fiscal year 2007. We hope we can count on this Committee to support funding in the next budget cycle.

Our citizen soldiers can only be effective with training and adequate equipment to do their jobs in both the domestic and international theater. The North Carolina National Guard has almost 12,000 members, approximately 750 are currently mobilized in theater overseas and about 95 are in Arizona working the southwest border mission. The North Carolina Army National Guard has about 55 percent of authorized equipment on hand. We are currently short about 50 vehicles, such as Humvees, tractors, trailers and loading equipment. As we go into hurricane season, our governor is concerned that our troops and resources may not be enough if we have a catastrophic event.

We appreciate Congress's increased attention and focus on disaster preparedness, response, recovery and mitigation efforts. We must ensure that Federal, State, and local governments have adequate funding for baseline emergency preparedness so exercises and training can ensure plans and assistance are effective before a disaster. Preparedness includes ensuring appropriate authority and funding for the National Guard.

I thank you on behalf of the National Emergency Management Association and Governor Easley for the opportunity to address your Committee.

Ms. NORTON. Thank you very much. One moment, please. I am going to ask Mr. Kuhl, since I have got to do something for 2 minutes here, to save everybody's time, if he would proceed first.

Mr. KUHL. Thank you, gentlemen, for being so patient with our questions and the testimony of the prior witness. Pressure indulgence here. Obviously, Administrator Paulison, many much us are very concerned with the transformation of FEMA obviously because of the failures that we saw during the Katrina catastrophe. I am certainly pleased to see in your testimony today, and I apologize that you didn't have enough time to go through all the written testimony, but I appreciate, given the hour and the time here, limited time we have, your keeping your testimony within the 5 minutes prescribed. But I am curious about the ten Defense Coordinating Officers that were placed in FEMA regions last June, and obviously, we look at those as solving some of the major coordination problems that we saw between the States and FEMA and DOD. I am just curious as to what realistic and practical benefits you are seeing from that, if you have had the time to have that experience.

Mr. PAULISON. The benefits are very significant. The fact that now we have a liaison not only at our regional offices but also in our headquarters and we have people in NORTHCOM that we can talk to on a daily basis, sharing information back and forth, setting up exercises.

This last week we had a major exercise with the Department of Defense that involved FEMA, Department of Homeland Security, including the White House, involving a major hurricane up in the northeast and also a nuclear explosion in a major city in this country.

So having those Defense Coordinating Officers in the regions, having the people in our headquarters, having our people at that NORTHCOM is really making a major difference. Along with that is the prescripted mission assignments that we now have with the Department of Defense we did not have before Katrina. So now the Department of Defense exactly knows what our requirements are going to be; we know exactly what they can give. It has been tremendous cooperation back and forth. Every video conference that we have had, the National Guard has been involved in, the Department of Defense, through NORTHCOM, with the real-time disasters we have been having, they participate fully with us and at a level of cooperation we have not seen, in the history of FEMA anyway.

Mr. KUHL. So those prescripted mission assignments, which were I guess one of the requirements, are now in place?

Mr. PAULISON. That is correct. We have quite a few in place, not only with the military but across the Federal agency. I think that, prior to a Katrina, if we are talking across the entire Federal family, there were only 14. Last year, there were 44; this year, over 180 prescripted mission assignments. That goes along with all the contracts we put in place, too. So we don't have to start doing these things after a storm hits, they are going to be in place ahead of time. They are in place ahead of time.

Mr. KUHL. 144 in place now?

Mr. PAULISON. 180.

Mr. KUHL. I was going to ask you to tell me what they all were, but I couldn't remember 5, much less 180.

Mr. PAULISON. They range the gamut of getting heavy lift helicopters from the Department of Defense, the National Disaster Medical Team from HHS, housing from HUD. Right across the Federal Government, almost for 21 different agencies we have now prescripted mission assignments and are working very hard and have been over the last 2 years to put those in place. Just trying to put things in place I saw did not work in Katrina and what stopped some of the ability to respond quickly and nimbly; having those in place allowed us to do that. If you want to give me a couple of minutes, let me just quickly tell you what we did in Kansas during—we, within 72 hours, we had the Army Corps of Engineers, National Guard Bureau, Small Business Association, HUD, U.S. force service, Social Security Administration, Veterans' Administration, EPA, postal service and the Economic Development Agency on the ground within 72 hours in Greensburg, Kansas. That is the kind of partnership we have been putting together and that is the type of response we had. That is what these prescripted mission assignments do. I know it is not just DOD, it is across the whole Federal family. We are one government, we have to start acting like it.

Mr. KUHL. Just to follow up on that, you had them on the ground and I assume that the feedback from that is positive as it relates

back to contrasting feedback that you got on Katrina. Of course you weren't there during Katrina. Just kind of tell me what kind of feedback you are getting out of having that prescriptive mission assignment in place.

Mr. PAULISON. I should send you the news reports that we got back the next couple of days from that whole area from all the news media that were on the ground and saw what we were doing. We put communication vehicles on the ground. The city is actually operating out of one of our command posts. That is their city hall, big sign on it that says city hall.

We were right there with them from day one. They got their local urban search and rescue teams to respond but when they asked from help from us, we had a team on the ground within several hours. We were there helping them set up cell phone communications, land mobile radios for their first responders. They didn't need food at the time. They had plenty of food, but we did move food and ice and water. Just to give them the tools they needed to do the job. Everybody lost their homes there, including the mayor, including the city manager, including all the first responders, but they kept working so we were there to back them up, and the response was what I want FEMA to be, there early, leaning forward, not waiting for the declaration before we start moving equipment. We started moving equipment right away. But within 24 hours of the tornado hitting, the President had signed a declaration. So we moved very quickly, and that is what we are going to be doing.

Mr. KUHL. Thank you. Just to follow up on that, out of curiosity, obviously, compared to the disaster in New Orleans and in the Gulf Coast that was a small catastrophe size wise, certainly as tragic as the issue was in the gulf States. From what you have seen and what you have put in place, can those same kinds of activities occur in a larger geographical disaster arena?

Mr. PAULISON. You are absolutely right, it was not a Katrina. It was a smaller event but it did take out the whole town. And the answer is yes, it is a different philosophy, a different culture that we are building inside the organization. We have prepositioned supplies around the country but we are also going to be predeploying them to move in things quickly, setting up a communication system. I think everyone here today understands the biggest failure we had was communications and not having the right type of people on the ground who knew how to manage disasters. Eight of my 10 regional directors offices were empty when I took over at FEMA. They are now filled with people with 25, 30 years of experience in dealing with disasters. So we are going to put the right people on the ground, move much more quickly. We have worked very hard to instill a unified command system where we are sharing information, so if you have a need for something like buses, you know who is responsible, who is going to get them there, when they will show up. You are not going to see the same failures you saw in Katrina.

Mr. KUHL. Thank you. I do have one more question if you don't mind. Thank you, Madam Chairman. I.

Am very curious, because I think all of the finger pointing that went on during Katrina, as to what the actual process is for requesting military support, and I wonder if you can walk me

through the process as it starts from say the request coming from the Governor's mansion as to who then makes the decisions and who actually makes the calls as to how you get involved, how any National Guard gets involved or anybody else. Just so that you can, I think, kind of lessen my anxieties in fact by your explanation and your answer as to my belief and feeling that we have made significant strides ahead, or you have in the department.

Mr. PAULISON. The declaration process, really the process has not changed. The Governor declares a State of emergency for their State. They will either do preliminary damage assessments with us if it is not a significant event where we can take a couple days to do that. If it is an overwhelming event like, the Greensburg, Kansas, our people will tell us on the ground immediately to say it is going to be a declaration. The State sends a request to the regional office through the President to the regional office. They do a quick evaluation, send it to me, and I send it over to the White House for the President to sign with my recommendation. The President makes the final decision obviously but I send it over with my recommendations.

Mr. KUHL. So it comes directly through you, now to the President. We don't have to worry about Homeland Security approval or authorization.

Mr. PAULISON. We copy Homeland Security on it. In the case of Greensburg, we told them what was happening, they, said don't even bother sending it here right away, send it right to the White House. There is a communication going on constantly between us, Homeland Security and the White House on the phone before it even comes in. So everybody is ready. In the case of Greensburg, I kept my staff literally overnight to work on it, so did the White House staff, to process that, and we turned it around within 24 hours of the time the storm hitting—actually from the time we got it—the President had signed it within just a matter of hours.

Mr. KUHL. What about the actual request for military assets, which is one of the concerns we have here obviously.

Mr. PAULISON. There are two types of military assets that we would use, one is the National Guard, as controlled by the Governor. We do not prescript assign them; that is a State asset at that particular time. But from the Department of Defense we have these prescripted mission assignments that just take a phone call or a memo over to the Secretary of Defense that we are asking for this particular asset to be mobilized, and they will start mobilizing it.

Mr. KUHL. Thank you.

Thank you, Madam Chairman. I appreciate the extended time.

Ms. NORTON. Certainly so, Mr. Kuhl. So you are the Ranking Member now and therefore you can get all the time you like. We don't have many Members. This is important to bring some of this out. Mr. Hoell, I do want you to know that in the defense authorization passed just yesterday, there was the repeal of the Insurrection Act, which you strongly advocate on page 2 of your testimony, the need to restore to the Governor's full authority to maintain the National Guard. What was the difference? What difference did it make, or did you see that difference over the time? Actually, it was just done, I suppose. It was just done in the last appropriation. So

I am not sure if you had time to see what difference it made to have that control shifted, but if you saw any difference, it would be good to lay it on the record at this time. RPTS BINGHAMDCMN NORMAN[12:05 p.m.]

Mr. HOELL. I think that our concern was that you know the Governor relies very heavily on the National Guard as a support force. And, quite frankly, our National Guard in North Carolina has built the same kind of mission packages that Director Paulison is talking about. So our forces are organized into response packages that can come in and do immediate response work for State and local government and the Governor needs to have control of those resources to be able to bring them on immediately, you know, when a disaster occurs and be able to control those forces.

Ms. NORTON. Well, General Sidwell spoke about, for example, the discretion to say to students who just come from Iraq, you are not going to be pulled out of school again, and apparently that wasn't possible under this short-lived bill.

I think we ought to say, well, particularly when both of you hear about EMAC, I am always impressed with what I—you will have to forgive me, for lack of a better analogy, used in another context in Major General Sidwell's response to his testimony; for lack of a better word, I think it was Special Forces people, people who can get there even quicker or who can go across State lines.

I must say Mr. Hoell, when you indicated that you—the amount that was available, $4 million annually for this program, apparently it is authorized, but that the grant will end on May 30th and you are not sure it was—it would be appropriated again. I have instructed staff to make immediate contact with the appropriators in the hope that we can make sure that that appropriation is, in fact, there.

And the reason I do so, I think you could—both of you—could help elucidate. The EMAC system that we funded allows, as I understand it, units to cross State lines, emergency management units. I take it that they could have some Guard in it, some FEMA in it. They are designed to be nimble.

Could each of you give us some sense how the EMAC system works, whether it works, or how it works—it must have worked during Hurricanes Katrina and Rita—why you consider EMAC, what it is, why you consider it an important part of your work?

Mr. HOELL. The EMAC system, Emergency Management Systems is a compact, it is a State-to-State mutual aid agreement basically made between Governors that we can share resources from State to State.

It has a well-defined operational system so that a State that is in need of help can broadcast to all the other member States what need they have. Other States then can look at that, say we have got a response resource that we can deliver to you. We write a formal contract between States such that when the resource is delivered to the requesting State, it goes—it goes under, you know, coverage for liability; you know, the people are brought right into that requesting State's operational capability. They carry out their mission. When they return home to their responding State, we then turn around and send a bill back for the service that was rendered to the requesting State.

So it is a well-defined system. It worked extremely well in Hurricanes Katrina and Rita. We delivered over 65,000 personnel. Of that, it was said today, roughly 50,000, over 46,500 National Guard personnel that were delivered to those events in the gulf region.

And, again, I think it was an efficient and effective response, and details are proving themselves to be a very responsible way to do business.

Ms. NORTON. Mr. Paulison, what is a unit? How does FEMA relate to what you put into such a unit?

Mr. PAULISON. The thing Mr. Hall said, the EMAC system is really a State-to-State mutual aid agreement to move resources from one State to another in the event of a disaster that overwhelms the State's capabilities.

During Katrina, particularly National Guards—and I think the gentleman behind me will correct me—all 50 National Guards contributed to responding to Katrina. And like Mr. Hoell said, the system worked very well. It allows a lot of resources——

Ms. NORTON. Does it have units, civilian and National Guard units in the same unit responding across State lines?

Mr. PAULISON. Whatever the receiving State requests. It may be National Guard units. It may be bulldozers. It may be firefighters. It may be police officers. It could be heavy equipment. Whatever the State happens to need——

Ms. NORTON. Who coordinates that? Once you know that is going to happen, who is in charge of those people?

Mr. HOELL. It is coordinated by the States. The State is asking for the resource. You know, the responding State then delivers the resource to the asking State, and it is under the control and direction of the asking State once it gets there. And, again, we do move both National Guard assets, State assets, and quite frankly we can also move local assets, you know, through mutual aid, where we have a written agreement so that that local resource can come on as an agent of the State and be delivered to the other States.

Ms. NORTON. So agreements exist easily among all States in the same region, for example? Do written agreements exist today among all the States in the same region so that Maryland, Virginia, and D.C. Will have, for example, automatically almost such an agreement?

Mr. HOELL. And 50 States and three territories are signed-on members, plus Washington, D.C., with the exception of California. They had a sunset law on their signatory to EMAC and it ran out. So they are currently trying to get their legislation reenacted.

Mr. PAULISON. To answer your question directly, the National Emergency Management Association is the one that controls the EMAC system. It goes through their organization. And we support them with that. As part of our whole ESF system that we have, we can assign those resources. But this really does go from State to State and it works very well, and we are glad now we have all 50 States on board, and hopefully California will sign back up shortly.

Ms. NORTON. Mr. Paulison, I do not understand the relationship of FEMA to the National Guard. I know you have National Guard units and you talked about National Guard units that are on site, the National Guard Bureau on site, now. And in your head-

quarters, when the President declares a National emergency and the National Guard is called out, has FEMA any sense of the capacity of the National Guard to handle the emergency? Or is that still a whole separate matter for the National Guard?

Mr. PAULISON. We do have the capacity to—we have the ability to understand what the capacity is, because we are working with them side by side.

Ms. NORTON. Were you doing that before Katrina?

Mr. PAULISON. We do it in exercises. We have been exercising together. We need to do more of that. And now that I have the exercise program back under FEMA, because of the Post-Katrina Reform Act, that is going to allow me to have a better hands-on in setting those exercises up. But we work with them right at the State level. We move people right in the State Emergency Management Center right away, so we know what the States' needs are, including the capacity of the Guard and all the other capacities of the State, so we can start assisting them in backing it up in what the gaps are.

Ms. NORTON. Mr. Paulison, could I ask you a question that may seem parochial, except the entire Federal presence is located here. Half of it is in D.C., the rest in the immediate region. Have there been any of these exercises involving the National Guard and FEMA in this region?

Mr. PAULISON. That, I am not sure. I need to find out on that. I don't want to give you a bad answer and say ″yes″ or ″no.″

Ms. NORTON. I would like to know. I would think that such real-time exercises are imperative in this region; 200,000 Federal workers come into this City alone, every day, using public transportation. Many of them are coming underground by subway. We have crowded highways. Are you aware of the real-time exercise that the District of Columbia did on July 4th? I think it was done two July 4ths. I don't know if the National Guard was involved. But it is, as far as I know, it is the only real-time exercise ever done by a major city.

And what it said was since you have what can only—what I am sure are hundreds of thousands of people that are here not only for the sights, but because of a major concert that is held that evening, we will use this as an exercise to see if people can—will follow instructions about getting out of town. And all they did was to put the red lights, held the red lights longer than they otherwise would have, just to see what people would do.

It was announced ahead of time that this would be an exercise. But, for example, if you are used to waiting, I don't know, 2 minutes for a red light, and for some reason in order to—I don't know exactly what they were doing to get emergency vehicles through. Everybody had to stand still for 10 minutes.

The point was to see if it worked. And each time it worked just a little better than the next time. With all of those folks it didn't work very well. I would like you to come see me about doing such an exercise here and encouraging exercises of this kind to be done all over the country.

I just don't believe that instructions much matter. This is what you should do, XYZ. We believe, for example, in this region most people would just flee, giving the National Guard much more of a

huge debacle than it would otherwise have, since there is nowhere to flee to. You get on the roads trying to get out of this city at rush hour, you are in bad luck. Imagine if everybody who lives here is also trying to do the same thing, particularly since the word is not altogether clear to people that the first thing you ought to do is just stay where you are; probably they are not blowing up the whole city, probably it is compacted in a certain part of the city, so everybody is probably better off just not moving.

I don't even think that is thought out, because they saw Katrina, whoops, we are certainly not going to be caught if there is some kind of disaster, and we are going to get out of town.

Mr. Hoell, have you ever done any real-time exercises with or without the National Guard in North Carolina, and has any national official indicated that that would be a good thing for you to do?

Mr. HOELL. We have done exercises with our National Guard. In fact, we include them them in all of our planning efforts in North Carolina. They are a vital——

Ms. NORTON. I am talking about where you wouldn't involve the civilian population. I am speaking about the kind of real-time exercises of the kind I just described here on July 4th, where, in addition to people who are trained, you are implicating the civilian population who would be affected almost surely if there were a natural or other kind disaster.

Mr. HOELL. We just recently did a major exercise in Charlotte, our largest metropolitan area, where we did a significant building collapse, and then that followed on with an additional search-and-rescue exercise in a city outside of Charlotte. And the National Guard was actively involved in that mission, in that exercise.

Ms. NORTON. Thank you. I have some more questions but I am going to defer now to my colleague, Mr. Carney.

Mr. CARNEY. Thank you, Madam Chair.

Mr. Paulison, good to see you again. It has been a few days. As you know, of course, one of FEMA's primary responsibilities is emergency preparedness planning. How has FEMA adapted to emergency planning to account for a reduction in National Guard personnel and equipment?

Mr. PAULISON. We haven't, quite frankly, seen an impact on our emergency response because of the deployment of National Guard's assets overseas. Even in Greensburg, Kansas, when I sat down with the adjutant general, I said okay, what do you need that you don't have? And the answer was, we have everything we need. And I think you heard General Sidwell just say the same thing. I asked him the same thing. There was plenty of resources on the ground to do that.

However, he did say that if there was another disaster that size in his State, back to back, he would not have the resources. And so we talked about the EMAC system and how we can draw resources from other States, how we could mission-assign the Corps of Engineers to come in with heavy equipment if you needed that. We have contractors, contracts in place to bring in the same type of equipment.

So we have a backup system in place that, should something happen catastrophic enough to overwhelm local resources—like we

saw in Katrina—that we can move things in from other States and other areas to back that up. And that is how our system works. That is how it has been working.

Now, what we have done now is just making it much more robust, better communications, better systems in place where missions assignments are already—where everybody knows what they are going to do. There are contracts in place. Instead of writing those after a disaster, where you don't get a good contract, we have them in place ahead of time.

Mr. CARNEY. That is great. The EMAC response takes how long? I know you respond, but there is timely response and then there is simply response. What are we looking at if Greensburg happened twice on the same day? How long would it take, just a wag, from your point of view?

Mr. PAULISON. Well, with Missouri right next door, I think they could move equipment very quickly and the surrounding States would move very quickly so, yes, there is going to be a delay because it is not right there. But at the same time, a lot of equipment that you would use in a disaster like that, you don't necessarily want right there immediately. You know you want to do basic search and rescue and those types of things, system after system, to be able to set up a staging point to be able to bring those resources in.

So, you know, any catastrophic event is going to have a delay in it if it is a huge event. It is going to slow everything down.

Mr. CARNEY. If you are not fortunate enough to have Missouri as a neighbor—tip of the hat, General—but has FEMA considered something that the military does, and that is prepositioning of equipment in various regions?

Mr. PAULISON. And we do a lot of that already. We have a lot of prepositioned equipment around the country, and then in a notice event like a hurricane or something like that, we are actually predeploying equipment. We do have pre-stages, much more than we did during Katrina, scattered across the country to be make sure we can move things fairly quickly.

And, again, the contracts in place—like contracts with with buses, contracts with ambulances, working with Defense Logistics Agency—that we did not have before, is really more of a partner to help us move supplies; is going to make a significant difference in now how we respond.

Mr. CARNEY. So basically it is your testimony that you have noticed no reduction in FEMA's ability to respond or with drawdowns and National Guard personnel and equipment?

Mr. PAULISON. I have not seen that. Again, the disasters have been smaller in scale than a Katrina, but every time we responded—Florida, there were tornadoes there; we had the tornadoes in Georgia and Alabama; the ones in Greensburg; the floods we had up in the Northeast. Every Governor I talked to—and I talked to all of them—we have the right amount of equipment. We need you here to help us on the public assistance and individual assistance and communications equipment. And we did that. But as far as National Guard's assets, none of them have said to me that we don't have the right equipment.

Mr. CARNEY. Mr. Paul Hoell, can you echo that?

Mr. HOELL. I would say in Florida in particular in 2004, and in Hurricane Katrina in 2005, those States were drawing on National Guard assets of other States. And that is how adequate numbers are delivered. So that is what we are going to do. If we don't have adequate numbers in our State, we are going to ask other States to deliver through the Emergency Management Assistance Compact.

I think our biggest concern is, should we be faced with another Katrina, you know, are there adequate numbers of personnel and equipment that are readily available nationwide to come to our aid. But, again, it will be done through the Emergency Management Assistance Compact.

Mr. CARNEY. Thank you, gentlemen, that is all then. Nothing further.

Ms. NORTON. Thank you very much.

Mr. Kuhl, do you have anymore questions.

Mr. KUHL. Thank you Madam Chairwoman. I just have one. What happens if EMAC—if States ask EMAC to come forth with resources that they don't have individually. And EMAC can't respond? What is the next step?

Mr. HOELL. I think most States, certainly in North Carolina, we have contracts for resources, just like FEMA does. We would borrow from other States where those resources are available. We are partnering, or at least attempting to partner with the private sector, quite frankly. The private sector—I met with them yesterday with the business executives for national security, because they are very much used to engage with the public sector on how we would respond to significant disasters.

And the other option is for us to turn to the Federal Government and say, we need help we can't find; are there in the public sector, at the State and local government level or in the private sector, that is readily available to us, do you have something you can support us with?

And so I think, partnered with the Federal Government, partnered with the private sector, and partnered with our local counterparts and other States across the Nation, we are fairly well positioned to respond to significant events.

Mr. KUHL. So you don't envision any shortage of resources ever, then?

Mr. HOELL. In a major catastrophic event, who knows? It could happen. Pandemic flu, I think we are going to have shortages. And I don't know where all the resources will come from, because States will probably be reluctant to give up their resources through EMAC if they feel like they are going to be affected as well.

Mr. KUHL. Okay. Thank you, Madam Chairman.

Ms. NORTON. Thank you, Mr. Kuhl.

I note on page 7 of your testimony, you indicate that you have members mobilized overseas, in Arizona working the Southwest border mission. Do you know if North Carolina has had the full complement of its National Guard or it has had any difficulty in recruiting National Guard?

Mr. HOELL. I am not aware that they have had any problems, no.

Ms. NORTON. That is good to hear. You say on that same page that the North Carolina Army National Guard has about 55 percent of authorized equipment on hand, that you are currently short about 50 vehicles. And you name Humvees, tractors, trailers and loading equipment.

Does that mean that even with those deficits, you feel that you could respond at least to the kinds of emergencies that most typically occur in North Carolina? You have large hurricanes, we know, because they go from North Carolina right up here.

Does it mean that you could continue through your—to respond through EMAC to Florida, which apparently you have done on a frequent basis? I mention in my opening testimony that you are typically available to help evacuate people from Florida hospitals. Could you comment on whether or not this report of your equipment is enough to handle emergencies in North Carolina today?

Mr. HOELL. When we activate for an event, we will have Guard representation in our emergency operations center. And we basically will, you know, call up certain numbers of resources to start with, which wouldn't deplete all that we have. We would start with the packages we feel like we need.

As we enter into the event and there is increased need for resources, we would use the North Carolina resources first. If we see that we are going to run out of North Carolina resources, we may turn to our FEMA counterpart and the Defense coordinating officer to ask for military support. We may turn to EMAC to ask for other States to deliver resources. We may even turn to our own contracts to bring in transportation resources. We do have a contract for transportation resources.

And not necessarily in that order. It depends upon, you know, how the events unfold and what resources we would want to bring up to support those resources that we had in the State of North Carolina.

Ms. NORTON. I don't know how civilian and National Guard forces can adequately prepare without some kind of baseline indicating what people ought to have. This is where this Committee and the Homeland Security Committee are going to have to work together. Again, I am using these statistics. That is all you have are these statistics about 55 percent of authorized equipment. And all you can say is if you don't know what is going to occur, is, well, we would reach out for more equipment. And that, of course, is fine and it ought to be done, as we have learned from Mr. Sidwell, that it is done on a regional basis. Again, that kind of knowledge and information would just help everybody to feel better about coming disasters.

Mr. Paulison, I must ask you about recent reports, press reports about formaldehyde in Federal Emergency Management Agency trailers, I know that you yourself requested a report from the Agency for toxic substances and that that report cautioned about generalizing to a larger population of trailers.

But your statement of May 15th in response to formaldehyde found in trailers was—in a Homeland Security hearing—seemed to indicate that everything was normal, although you apparently had sampled air in only 96 trailers.

There was some concern that you indicated people should open their windows. I am sure they did that if they smelled formaldehyde. But then experts say that that can have the effect of—certainly if you put on air conditioning—of increasing the amount of formaldehyde.

I wish you would elaborate on the safety of trailers which are now being used. Many of them are, of course, old trailers that you put out, or trailers on hand that you put out, I should say, as the need arises. And how you can assure those who use the trailers that formaldehyde levels for those trailers in particular are safe, whether they are running their air conditioners or not, and particularly considering what the heat is likely to be, the temperature is likely to be in the southern States where many of these trailers are in use.

Mr. PAULISON. Thank you, Madam Chair.

We have been concerned about this for a long time. We have been on top of this for a long time. This is not something new. We have been dealing with the formaldehyde issue with the travel trailers for 6 or 7 months, maybe even longer. We have brought in the EPA and CDC to give us some very clear advice on what to do.

Ms. NORTON. Was that after the report of formaldehyde in the trailers, I guess, in Louisiana?

Mr. PAULISON. No, this was months and months ago that we did this. We have been working on this for a long time and the advice they gave us—and I can give you copies of the report if you don't already have it—is that if they air the trailer out, the formaldehyde dissipates over time. They said formaldehyde is in everything we produce. It is in travel trailers. It is in wood.

Ms. NORTON. That is like saying arsenic is a natural substance.

Mr. PAULISON. So we have done a couple of things. One, we have—first of all, out of the 115- or 20,000 travel trailers we put down on the ground, we have only had around 100 complaints.

Ms. NORTON. Of how many you put on the ground? I am sorry?

Mr. PAULISON. 115,000 or so. Is that the right number? Yes, give or take a few, over 100,000.

Ms. NORTON. Does that mean you have tested before you put them on ground and found they are free—or at least have levels below the dangerous level of formaldehyde?

Mr. PAULISON. No. What I am saying is we have installed over 100,000 travel trailers and we received around 100 complaints.

Ms. NORTON. I am asking, therefore, since you have not received complaints, does that mean you have tested them before they were, in fact, leased out to people to use?

Mr. PAULISON. No, we did not. When we installed them, the formaldehyde was not an issue. We were not aware of the issue. Put it that way.

Ms. NORTON. How do these emerge just this month with formaldehyde?

Mr. PAULISON. I think it is an old issue——

Ms. NORTON. I think it is that it is hot in Louisiana, is what I think. I think that it emerged because the heat may have—here I am doing what scientists do. Of course then they do a test to see if it is true or not. You put any trailer that has some formaldehyde in it, it might be a new trailer but it is in storage for some time,

you expose it to the kind of deathly heat that you have in Louisiana, then the formaldehyde may come out.

So my question is, how can we assure people in those areas—and those are the areas where we have most of the trailers—that you have looked at such trailers for formaldehyde before they are leased out, and that any formaldehyde at that time in those trailers is below the dangerous level?

Mr. PAULISON. We have had a couple—first of all, we are bringing in our Department of Homeland Security's medical officer based on the report that we saw the other day, Dr. Jeff Runge, to work with us and get with that doctor and look at those case studies that he said he has, and see exactly what the issues are.

Secondly, we have——

Ms. NORTON. You bring him in to look at the trailers where the reports have been made?

Mr. PAULISON. He is going to talk to the doctor that reported on CBS. Talk to him, find out what his findings are, look at those. The trailers that people continue—we have had several that we have replaced that people are sensitive to formaldehyde, and if they continue to complain even after we have aired the trailer out and air conditioning, like the CDC told us to do, we will change those trailers out. We will continue to do that. Also——

Ms. NORTON. You change those trailers, meaning you put those out of use, you no longer use them?

Mr. PAULISON. Took it out of use and gave them a new trailer.

Ms. NORTON. Does that mean the trailers are then put back into your stockpile of trailers?

Mr. PAULISON. No, we won't do that. We have also changed the specification——

Ms. NORTON. I don't mean to say—I just want to say for the record, taxpayers have paid for those trailers. I don't mean to say those trailers are useless. I would rather see those trailers—I think they should be taken out of service, just as you are doing. But I would much rather see somebody look at those trailers and deal with formaldehyde than to have those trailers just carted off as no use to anybody, and we write it out.

Mr. PAULISON. In most cases, airing the trailer out reduces the amount of formaldehyde very quickly and then, over time, the formaldehyde does dissipate——

Ms. NORTON. Or you might in fact find—and here is where we need scientific study. We might find that if there is a need for a trailer in Maine or in New York, that this is simply not a problem; that subjecting a trailer to intense heat of the kind we have in some States makes this an issue.

And I would just—and here I am doing the kind of hypothesizing that scientists do, they just hypothesize various scenarios and then they test them out. I would ask that that there be some kind of testing by scientists so that this disappears, particularly since you say this is an old complaint. If it keeps coming back, we have got to find a way to deal with it.

Mr. PAULISON. That is what we are trying to do. Also, the mobile homes has a—HUD has a specification for the amount of formaldehyde they can have there. Was no specification for travel trailers.

Our new contracts for travel trailers have to meet the same specification that HUD sets down for mobile homes——

Ms. NORTON. And does that include—does that say something about formaldehyde?

Mr. PAULISON. That is what I am talking about, the formaldehyde issue. I am sorry, I should have said that up front—that deals particularly with formaldehyde. There are specifications for mobile homes. There were none for travel trailers. So our——

Ms. NORTON. And these were travel trailers?

Mr. PAULISON. That is correct. The new travel trailers that we are going to be purchasing, if we buy new ones, will have the same specification as a mobile home does. So we won't have the issue in the future.

In the meantime, we are telling people how to mitigate the formaldehyde in their trailer, if they have a complaint—it is usually just people who are sensitive to that—air them out, turn the air conditioner on. I know it sounds simple, but according to CDC that works very well.

If it doesn't work for them, we will change their trailer out and give them a new trailer and test it before we give it to them. We are on top of it. We do understand this issue and we are taking it very seriously. We are not making light of this at all.

Ms. NORTON. Mr. Paulison, one more question. You are going to get this question—first of all, I will not ask you a question on the disposition of trailers here. I will ask you—I asked for a report within 30 days. I need to know the disposition of trailers, about which we had a hearing earlier, about whether we are disposing of them, how we are treating—how we are retaining them, how taxpayers are being relieved of what may be excess trailers.

But I will ask that report to come to—and I will ask staff to give me what the status of that is.

But this is a question you are going to get. You got it from Homeland Security just last week, and here it comes from us. And that is the status of the National Response Plan. This is a plan where essentially all of the assets on the ground, public and private, be a plan, not a tailored plan but an overall plan of how we will deal with disasters of every kind. What is the status of the plan and when will it be ready for public comment?

Mr. PAULISON. Okay, we have—the National Response Plan is in place, and it has worked. It is a good solid plan and we are using it. Everyone knows who is going to report to whom and how we are going to manage this.

What we are doing is rewriting that plan. We are going to make it more user friendly. We want to make it bottom up, so it is much more easy for people to understand, and how they are going to use that. We are currently working on that. It will not be done by June 1st, but it will be done in the June time frame.

We are moving very quickly on it. We are going to put it up for review as soon as we can get the draft done. So we have staff working literally almost around the clock to get the thing. We have a lot of input from our users out there, and NEMA is helping us with this. Other agencies are making sure that we get this plan out and get it done right.

Ms. NORTON. A final question for Mr. Hoell. You praised the EMAC system. You indicate it is not a perfect system, since we are trying to find ways and recommendations to offer for the EMAC system which we, too, are very impressed with. I would like to ask you what recommendations would you make to make it a more perfect system?

Mr. HOELL. Well, I think what we truly need is some funding support through FEMA to the EMAC system, so that we can do better planning and better education across the board of all our component parts, you know, so that everybody understands how EMAC works, and it can be appropriately activated and utilized in disaster time.

We believe strongly that, as the Nation's mutual aid system, it is a very valid program. And that is what EMAC is; it is a Nation's mutual aid system. But it does need some funding support and that is something we would ask for.

Ms. NORTON. Well, we strongly support it. This Committee has always supported those grants and we will support the appropriation based on your testimony that said that the appropriation was running out at the end of 2007. I will ask Mr. Kuhl if he has any further questions.

Mr. KUHL. Actually, I have just two.

And I am not sure, Mr. Hoell—or Mr. Paulison can answer the first one. And it comes back, it is a continuation of the EMAC system. Your percentage of equipment authorized and every other State's doesn't appear to be 100 percent. And the question would be from your perspective, I guess in your National Association role, would be: Do you have a dollar figure, if every State was to have 100 percent of its authorized equipment, what that dollar number would be? In all 50 States?

Mr. HOELL. I don't have an answer to that. No, sir, I don't. Can we get that, Kristen?

Through the National Guard Association we can probably get that information, but we do not have it.

General SIDWELL. Actually, I think the National Guard Bureau could provide that number. I can get together with them and get back with you.

Mr. KUHL. That would be great if you had that.

[Subsequent to Hearing, General Sidwell added the following: We would need $50B worth of equipment to bring all 50 states to 100 percent of its authorized nationwide fill]

Mr. KUHL. And then relative to the National Response Plan, Mr. Paulison, can you tell me who actually is involved in the development of that? Is that something you personally are doing, or is there somebody within your agency or Homeland Security?

Mr. PAULISON. A combination of several things. One, input from the user groups out there, having input into what they seem to need to be in the plan. The information from the post-Katrina format. FEMA has the overall responsibility for putting that plan together and getting it out, working with Homeland Security, working with people out of the White House. It is a combination of Federal agencies that have them put into the plan, including the Department of Defense. But FEMA is the one that is coordinating the actual writing of the plan and making sure we get all the things

in there the other agencies see we need to tweak and change for the plan.

Mr. KUHL. Is there one person who has, really, the overall oversight?

Mr. PAULISON. Right now, I have—Bob Shea has the oversight for FEMA, and also I just assigned my deputy, Harvey Johnson, Vice Admiral Harvey Johnson, to also assist with that plan to make sure we get it in a timely manner.

Mr. KUHL. Okay. Thank you both for your testimony. I really appreciate your being here.

Ms. NORTON. I thank you, Mr. Kuhl, and I want to thank you as well, both Mr. Paulison who had to fly back in order to testify today—we very much appreciate that sir—and Mr. Hoell who had to come all the way from North Carolina for testimony that proved very valuable to us. We appreciate that both witnesses have testified. And we apologize that when you are on the second panel you have to wait.

But as you can see, Mr. Hoell—with Mr. Paulison, who is the agency head on the second panel with you—that certainly did not say anything about the importance or the priority of importance to this Committee. I thank you both for coming.

We will hold the record open for 30 days, especially considering the material that General Sidwell promised to get in response to Mr. Kuhl's questions, and any of the materials that we have requested.

The hearing is adjourned and I thank all the witnesses once again.

[Whereupon, at 12:35 p.m., the Subcommittee was adjourned.]

Subcommittee on Economic Development, Public Buildings and Emergency Management

Hearing on "Assuring the National Guard is as Ready at Home as it is Abroad"
Friday, May 18, 2007

Statement – Congressman Jason Altmire (PA-04)

Thank you, Chairwoman Norton, for holding this hearing today to assess the National Guard's state of readiness and its ability to respond to disasters and emergencies. Numerous Governors, including Governor Edward G. Rendell of Pennsylvania, have expressed concerns as to whether the National Guard can be ready for disasters in their home states in light of the deployment of National Guard troops abroad. I, too, am concerned and appreciate your attention to this issue and for allowing us the opportunity to examine it in more detail.

I look forward to hearing from today's witnesses: FEMA Administrator David Paulison, Major General King Sidwell of the Missouri National Guard, and Doug Hoell, Chairman of the National Emergency Management Association and Director of the North Carolina Division of Emergency Management. Thank you for taking the time to be here today.

The 110th Congress has already taken an important step in addressing the preparedness of our National Guard. As part of the Defense Department Authorization Act passed by the House yesterday, $1 billion was included for National Guard and Reserve Equipment. In addition, the bill will require evaluation and reporting on the preparedness of the National Guard for homeland missions, such as disaster response, and to help ensure that states are able to protect local communities. These are positive steps and I hope that under the Chairwoman's leadership we will be able to do more to ensure our readiness here at home and abroad.

Thank you again, Chairwoman Norton. I yield back the balance of my time.

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The Honorable John L. Mica, Ranking Member

Subcommittee on Economic Development, Public Buildings and Emergency Management
Hearing on "Assuring the National Guard is as Ready at Home as It is Abroad"

May 18, 2007

Thank you, Madam Chair.

I would like to reemphasize some of the points Ranking Member Graves made about the need for Congress to fully support the National Guard's war fighting and domestic missions. The National Guard provides their governors with tremendous capabilities to respond to all types of disasters and emergencies.

The National Guard certainly needs replacement equipment and I fully support those requests. In my home state of Florida, the National Guard needs about $340 million in additional equipment to better meet their war fighting and training requirements.

However, the head of Florida's National Guard, General Burnett, has made it very clear that he is fully prepared to respond to domestic emergencies. In fact, he has more equipment on hand today than he did during the unprecedented 2004 and 2005 hurricane seasons when they successfully responded to over half a dozen major hurricanes. He also said that if for some reason he doesn't own the right type of equipment, he can get it from a neighboring state, lease it, or request it from FEMA.

That's why the Emergency Management Assistance Compact that Mr. Graves mentioned is so important. It allows a governor to command the resources and capabilities of several states when he needs to respond to a massive disaster.

For example, during Hurricane Katrina, Governor Barbour used EMAC to have Florida emergency managers, Fish & Wildlife personnel, and the Florida National Guard arrive in coastal Mississippi even before the Mississippi National Guard could get there.

Because Katrina blocked almost all of the north south roads in Mississippi, the Mississippi National Guard was unable to move south into the most heavily damaged coastal areas for several days. Florida's resources were able to move into coastal Mississippi quickly on Interstate 10, which was relatively clear and undamaged.

In this case, Governor Barbour was able to supplement the resources under his command with Florida assets quickly and effectively.

We also need to streamline the process for deploying active duty military in response to a catastrophic disaster. During Katrina it simply took too long for DOD to respond.

Mr. Graves mentioned a couple of provisions we included in the FEMA reform bill last year to help expedite DOD assistance, and I hope our witnesses can address them in their testimony.

Thank you again Madame Chair for holding this important hearing.

May 17, 2007

Eleanor Holmes Norton
Chairperson, House Transportation Committee
585 Ford House Office Bldg.
Washington, DC 20515

Dear Chairman Norton:

Thank you for the opportunity to submit this letter to your subcommittee hearing on "Assuring the National Guard is as Ready at Home as It s Abroad." I am the Adjutant General for the state of Nebraska and President of the Adjutants General Association of the United States (AGAUS). I represent my colleagues from the 50 states, three territories, and District Columbia on matters they deem important. Unanimously, we believe the National Guard's ability to support disaster response and recovery is as important as its federal mission to provide trained forces to support national defense.

Assessing readiness at home is difficult because each state, territory, and district has differing needs and is providing units to support the Global War on Terrorism at different times. Only each individual Adjutant General can speak to the readiness of their area of responsibility and each state's readiness level varies as units mobilize and return home. My comments in this letter are not intended to portray any individual state except Nebraska, which I know well. However, I hope to convey some general points and concerns that apply the entire National Guard. In some cases legislation has been introduced to address National Guard homeland security readiness issues.

Some key facts shape any discussion about National Guard readiness to support homeland security missions.

a. The Army National Guard has never been fully equipped. Pre-9/11 states generally hovered above the sixty percent range. Those states with combat units would receive additional equipment when preparing for major combat training exercises at the National Training Centers. Because of the war in Iraq equipment levels have dipped to the fifty to sixty percent range. More detailed information can be obtained from the National Guard Bureau which has reported equipment status to the defense committees of the House and Senate. Equipment shortages impact speed and intensity of response.

b. Readiness reports on the National Guard's federal mission do not directly translate to the readiness in each state to support homeland security requirements. Certain equipment and units are more applicable to state missions than others. An engineering or aviation unit deployed from a state may be more critical than say an ordinance battalion headquarters. LTG Steve Blum, Chief, National Guard Bureau, devised a list of ten critical capabilities needed or quickly available to each state. This is perhaps the best measure available to assess individual state capability from a national perspective. Nebraska is dominated by transportation units. I have about half of the five-ton trucks authorized. This certainly limits my ability to train and mobilize units. However, even down by fifty percent leaves me with nearly 150 trucks to deal with disasters in state—a quantity I believe to be more than sufficient. So while my reported readiness level is down, my assessment of the National Guard's ability to support disasters in the state is positive.

c. When equipment and capabilities are depleted in the National Guard for whatever the reason, state officials generally have fewer options available to deal with the myriad of potential disasters that unexpectedly occur and sometimes simultaneously. Stated another way, equipment and other deficiencies in the National Guard must be fixed across the board to raise readiness state to state to support disaster response and recovery. As you no doubt are aware, the Congress continues to appropriate significant funding to deal with equipment shortfalls. Obviously, it will take time to re-build the National Guard's stock of equipment.

d. The National Guard must compete for resources controlled by the Army and Air Force whose focus is on national security rather than homeland security. The Chief, NGB, a three-star general, is the primary advocate for these resources. Clearly, greater attention is needed. H.R. 718 was introduced this session to improve how homeland security needs are assessed and addressed by the Department of Defense.

With regard to manpower, the Army National Guard recently exceeded its end strength ceiling of 350,000. Because of this and the fact that the National Guard manpower deployed is at a low point I believe few states are reporting that manpower is a problem for responding to disasters. Later this year, however, four National Guard brigade combat teams will be called back to duty. The situation may change for some states because of that.

Some areas of concern affect us collectively. The loss of tactical airlift from the Air National Guard due to BRAC legislation leaves the nation with around thirty percent less capability I'm told. The Joint Cargo Aircraft (JCA) currently approaching a procurement decision will help alleviate this shortfall. Therefore, it is critical for the JCA program to move ahead on schedule. Another area is Army aviation where helicopter losses are causing National Guard assets to be spread ever more thinly across the nation. Finally, the key to rapid response is the National

Guard's community presence. Readiness centers located strategically throughout states help assure that National Guard resources can be brought quickly to a disaster. However, recent efforts by the Army to shift MILCON funds from National Guard accounts to fund BRAC projects and modularity plans will hinder the ability of each Adjutant General to build facilities for new missions in critical locations.

Finally, I would ask the committee to endorse the National Guard Empowerment Act (H.R. 718) introduced by Representatives Tom Davis and Gene Taylor. To summarize, this Act directs changes within DoD that ensure the homeland security mission assigned to the National Guard receives due attention and consideration when planning and allocating resources.

I appreciated the opportunity to present information to committee on this important topic.

Sincerely,

ROGER P. LEMPKE
Major General
President, AGAUS

OPENING STATEMENT
May 18, 2007

To: Congressman Walz
From: Kathleen Adam
Re: T & I Subcommittee on Economic Development, Public Buildings, and Emergency Management Staff: "Assuring the National Guard Is As Ready at Home As It Is Abroad"

I want to thank Chairwoman Norton for calling today's hearing on "Assuring the National Guard Is As Ready at Home As It Is Abroad".

I was proud of my 24 years of service in the National Guard, which is the oldest component of our country's Armed Forces. In fact, the Guard celebrated its 370th birthday last year.

Today's National Guard remains a dual state-Federal force, but much has changed since the Guard got its start as a colonial militia, charged with the responsibility of protecting Americans from Indian attacks, foreign invaders, and helping win the Revolutionary War.

Today, the Guard has been called up in response to crises in Haiti, Bosnia, Kosovo, Afghanistan and Iraq. Following the attacks of September 11, 2001, more than 50,000 Guardmembers were called up by the States and the Federal government to provide security at home and combat terrorism abroad. I know this first hand, because I served overseas in support of our operations in Afghanistan.

And the Guard has a proud role to play in domestic disaster response. In the largest and swiftest response to a domestic disaster in U.S. history, the National Guard deployed more than 50,000 troops in support of the Gulf States following Hurricane Katrina in 2005.
So it is very important that we hold this hearing today to look into the question of whether the Guard is ready to respond to disasters in their home states, in light of the strain that has been put on it through repeated deployments overseas and depletions of equipment.

Thank you again, Ms. Chairwoman, for holding this hearing and I look forward to hearing from our witnesses.

DOUG HOELL
CHAIRMAN OF THE NATIONAL EMERGENCY MANAGEMENT ASSOCIATION EMERGENCY MANAGEMENT ASSISTANCE COMPACT COMMITTEE
AND NORTH CAROLINA DIVISION OF EMERGENCY MANAGEMENT DIRECTOR

TESTIMONY
BEFORE THE

HOUSE TRANSPORTATION AND INFRASTRUCTURE SUBCOMMITTEE ON ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS, AND EMERGENCY MANAGEMENT

ON

ASSURING THE NATIONAL GUARD IS AS READY AT HOME AS IT IS ABROAD

THE UNITED STATES HOUSE OF REPRESENTATIVES

MAY 18, 2007

Introduction

Thank you Chairwoman Norton, Ranking Member Graves, and distinguished members of the Committee for allowing me the opportunity to provide you with a statement for the record on our nation's preparedness. I am Doug Hoell, the Director of the North Carolina Division of Emergency Management. In my statement, I am representing both North Carolina Governor Mike Easley and the National Emergency Management Association (NEMA), whose members are the state directors of emergency management in the states, territories, and the District of Columbia. I bring more than 30 years of experience in emergency management, both in positions with North Carolina Emergency Management and with the Federal Emergency Management Agency. I was named to my current position in 2005, after serving as Assistant Director for seven years.

I very much appreciate the opportunity to testify before your Committee today. The role of the military in disasters is a critical component of emergency operations planning and execution. Strong relationships and authorities are key ingredients to the success of any disaster. In North Carolina, the key to our ability to respond to disasters is the support role of the National Guard to assist in the immediate aftermath of the storm. The Guard brings self-sustaining and trained

units with communications equipment, tools for response, and expertise that helps states respond faster.

There are several key areas that I wish to discuss with you today that need to be resolved in order to secure our preparedness in partnership with the National Guard to address disasters:

1. Authority to maintain and control the National Guard should be restored to the Governors for their use during disasters and other civil emergencies;
2. The National Guard's utilization of the Emergency Management Assistance Compact (EMAC) during Hurricane Katrina worked well and should continue to be a strong component of the nation's mutual aid system; and
3. National Guard equipment should be maintained and updated to ensure that the Guard can fulfill domestic missions.

Before I begin discussing those subjects, I want to highlight the dual mission of the National Guard and the importance of their support during emergencies and disasters to states. The National Guard are citizen soldiers who are often first responders in their daily jobs and know their states and towns. They know what needs to be done in times of disasters and train and prepare alongside their emergency management agencies. These soldiers are also the ones who are called to duty when Governors need assistance with disasters, emergencies, supplemental law enforcement or military support for airports and borders in homeland security missions, and counter drug activities. These citizen soldiers are also called to duty in Iraq and in other international hot spots to assist with the defense mission of our country. The emergency management community appreciates their partnership and strongly supports efforts to restore appropriate authority and assistance to the National Guard to support all of their important missions.

Restoring Governors' Control of the National Guard During Times of Disaster

The value of the National Guard during emergencies has never proved itself more than during the response phase of Hurricane Katrina. When emergency services could not respond because of destroyed equipment and severed communications systems, the National Guard eagerly stepped in to maintain control and assist victims with immediate response assistance. These missions were always under control of the Governor, as the Constitution provides. However, recent changes to the Insurrection Act may change the chain of command for the National Guard in times of emergency.

Last year, the final conference report for the John Warner National Defense Authorization Act (Public Law 109-364) made changes to limit the Governor's authority over the National Guard during times of domestic emergencies or disasters. Section 1076 of the Act allows for the President to take control of the National Guard during a natural disaster or emergency without the consent of a Governor. This change could cause confusion and complicate the chain of command for the National Guard in response to emergency situations. Previously, the "Insurrection Act" provided for the Governor to maintain the control over the National Guard and to allow the President to take control in rare and exceptional circumstances. At the same time, the Robert T. Stafford Disaster Recovery and Relief Act places special authority with each Governor for responding to and preparing for disasters and accounts for utilization of the National Guard as a key asset to fulfilling the mission. These new changes may place the safety and welfare of citizens in jeopardy because of national missions, versus state missions. Additionally, the change could confuse the Guard's mission in a Title 32 status versus a Title 10 status. *Posse commitatus* issues could be an issue as well if the President called the Guard up to fulfill a domestic mission.

The current Defense Authorization language could confuse the issue of who is in charge of commanding the Guard during a domestic emergency. The bill, as signed into law by the President, does not require the President to contact, confer or collaborate with a Governor

before taking control of a state's Guard forces. This language was included by Congress and signed into law by the President despite the opposition of Governors, NEMA, and others. The current law could negatively impact the decision-making process and speed with which the National Guard currently acts in consultation with Governors to respond to an emergency either within or outside of the states through mutual aid. Further, the amendment exacerbates the current manpower and equipment shortages in all states because of demands in Iraq and Afghanistan.

Changes to restore the Governor's authority over the National Guard are supported by NEMA and the National Governors' Association. The Governors are unanimous in support to seek repeal of Section 1076 of the 2007 National Defense Authorization Act. Other supporters include, the Adjutants General Association of the United States, the International Association of Emergency Managers, the National Association of Counties, and the National Conference of State Legislatures. H.R. 869 and S. 513 have been introduced by Congress to repeal Section 1076 of the 2006 National Defense Authorization. NEMA supports these bills and a vehicle to open up a dialogue between Congress and the nation's Governors to best address how to enhance the use of the National Guard in responding to domestic disasters and emergencies.

Governor Easley was in Washington, D.C. last week to discuss this very issue and his concerns that the language currently weakens North Carolina's ability to respond to disasters in our state while expanding the President's authority over the National Guard. The change throws into question the Governor's power to command the National Guard in his own state. These concerns are highlighted in the recent release of the Department of Defense Implementation Plan for Pandemic Influenza. First, in the event of a pandemic flu, state and local jurisdictions will be overwhelmed and National Guard forces would be needed. Under law as written now, the President would have the power to take control of the National Guard at such a critical time. Second, the U.S. Secretary of Health and Human Services and other federal officials have told each Governor that in the event of a pandemic flu, that Washington, D.C. will not be

able to help every community affected. Therefore, we will be responding with our own state's resources and plans on our own. The result is that any Governor could be left without National Guard resources that might have been taken by the President. These facts make it even more urgent that Section 1076 is repealed.

Last week, the U.S. House of Representatives Armed Services Committee took an important step last week by including language repealing Section 1076 in the mark-up of the FY 2008 Department of Defense Authorization Bill (H.R. 1585). This bill is scheduled for consideration on the floor of the House of Representatives this week. Last Friday, Governor Easley wrote to every Governor to urge them to educate their Congressional delegations on the importance of including the repeal language in the final bill. Each Governor's ability to respond to disaster and safeguard our citizens must be protected.

Strengthening Mutual Aid Through EMAC

The mutual aid assistance provided during 2005 vividly exposes the interdependencies of the nation's emergency management system. For Hurricanes Katrina and Rita, the Emergency Management Assistance Compact (EMAC) fulfilled over 2,174 missions with 49 states, the District of Columbia, the U.S. Virgin Islands and Puerto Rico providing assistance in the form of 65,919 civilian and military personnel and equipment assets to support the impacted states. The estimated costs of this assistance may exceed $829 million. The National Guard sent in support of the response mission were sent under Title 32 status, and remained under the Governor's control at all times. EMAC allowed for reimbursement, liability protection, worker's compensation protections, and allowed the home state Governor to call back the units if needed in their home state for another domestic emergency. All of the key Post-Katrina After Action reports cited the nimble ability of EMAC to respond based on the impacted states' requests. The nature of the nation's mutual aid system demonstrates the need for all states to have appropriate capabilities to respond to disasters of all types and sizes. Every state needs to have strong National Guard and emergency management cooperation. The increased

reliance on mutual aid due to catastrophic disasters means additional resources are needed to continue to build and enhance the nation's mutual aid system through EMAC.

NEMA is the administrator of the Emergency Management Assistance Compact (EMAC), the state-to-state mutual aid system was referenced as a key achievement and best practice to be built upon in many of the reports on Hurricane Katrina. EMAC is not a perfect system and strives to achieve continuous improvement. NEMA's members are proud of the success of the system and support initiatives to bolster operational response and elevate awareness of how EMAC works. NEMA is working to enhance its online broadcast notification, information, and resource management system, conducting outreach programs to share information on EMAC with state and local government agencies and national organizations representing various emergency response disciplines. NEMA is also working on integrating EMAC into state training exercises; enhancing EMAC's resource tracking system; updating the EMAC protocols and guidelines to implement lessons learned; and developing additional training materials and development of a cadre of trained EMAC personnel to deliver the EMAC field courses aimed at educating both state and local level emergency responders on the EMAC system. In North Carolina, we are better prepared to address disasters through exercises and coordination with surrounding states and interagency partners to exercise the existing EMAC agreement.

While EMAC is a state-to-state compact, FEMA funded the program in 2003 with $2.1 million because of the national interests in mutual aid. The EMAC grant will end on May 30, 2007. The Post-Katrina FEMA Reform Act authorizes $4 million annually for the program; however, no funds have yet been appropriated for FY 2007. We hope we can count on this Committee, that included the initial language authorizing EMAC, to support funding in the next budget cycle.

Adequate Funding for Maintaining and Restoring Equipment for the National Guard

As previously mentioned, our citizen soldiers can only be effective with training and adequate equipment to do their jobs in both the domestic and in the international theatre. The North Carolina National Guard has almost 12,000 members, over 10,000 in the Army National Guard and over 1,600 in the Air National Guard. Approximately 750 are currently mobilized in theatre overseas and about 95 are in Arizona working the Southwest border mission. Every unit in the North Carolina National Guard, except the 440th Army Band has been mobilized for the Global War on terror at least once and some in multiple missions. Currently, the North Carolina Army National Guard has about 55 percent of authorized equipment on hand. We are currently short about 50 vehicles such as humvees, tractors, trailers, and loading equipment.

As we go into hurricane season, our Governor is concerned that our troops and resources may not be enough if we have a catastrophic event. The most significant threat to North Carolina is hurricanes and we are the second most hurricane prone state in the nation next to Florida. Last week, we had the first named storm for 2007 - a full three weeks ahead of the normal start of hurricane season. In our estimation, we have adequate equipment to handle an event comparable to Hurricane Floyd in 1999. However, last year North Carolina borrowed over 250 pieces of equipment including trucks and engineering vehicles from the active Army. After 9/11, our Governor worked to ensure we had a strategic and operational reserve and labored to get North Carolina National Guard units equipment for the war. We now have better equipment that is newer and more capable, but we have significantly fewer pieces. All of this equipment is being used at a life cycle much longer than planned.

Currently, National Guard divisions around the country are returning from Iraq or other deployed missions and are required to leave behind key equipment that has dual use functions for domestic emergencies such as personal protective equipment, fire suppression equipment, and communications equipment. These are left behind to continue the missions by other units, however National Guard units must be reequipped in order to be ready and prepared to respond

to domestic missions when they return home. Equipment shortfalls must be identified and necessary budget authority must be made available to ensure that our National Guard forces are prepared for all disasters and emergencies.

The National Guard is a force multiplier on the international scene and at home for domestic emergencies. The dual-hatted missions must be supported and adequately resourced. National security and homeland security have changed over the last six years, as has the National Guard's mission. Resources must meet the needs of the mission changes. Governors need the National Guard to provide immediate response to protect the lives and property of their citizens. Although progress is being made, Congress should act decisively to quicken the pace of procurement to ensure the National Guard is appropriately equipped for future state and federal missions.

CONCLUSION

We appreciate Congress' increased attention and focus on disaster preparedness, response, recovery, and mitigation efforts. We must ensure that Federal, State and local governments have adequate funding for baseline emergency preparedness so exercises and training can ensure that plans and systems are effective before a disaster. Preparedness includes ensuring appropriate authority and funding for the National Guard. I thank you for the opportunity to testify on behalf of Governor Easley and NEMA.

Statement for the Record

R. David Paulison
Administrator
Federal Emergency Management Agency
Department of Homeland Security

Before the

United States House of Representatives

Transportation and Infrastructure Committee

Subcommittee on Economic Development,
Public Buildings and Emergency Management

"Assuring the National Guard is as Ready at Home as It is Abroad"

May 18, 2007

Introduction

Chairwoman Norton, Ranking Member Graves, and Members of the Subcommittee thank you for inviting me to appear before you today.

I am David Paulison, Administrator of the Federal Emergency Management Agency (FEMA). I look forward to working with Congress to continue the improvements we are implementing to enhance the capabilities of the Department of Homeland Security (DHS) and the Federal Emergency Management Agency (FEMA) to ensure that our Nation is prepared for all hazards, especially those that are catastrophic in nature. We are working to reorganize and build a new FEMA with greater capabilities. Our commitment is to improve our Nation's all hazards preparedness, response, recovery, and mitigation capabilities. We are taking the first steps in what will be a multi-year effort to significantly increase FEMA's core capabilities and capacity to better serve and protect our Nation and its citizens.

The 2005 Hurricane Season brought many lessons to FEMA and emergency management communities across the country. As President Bush said that September, "This government will learn the lessons of Katrina. We are going to review every action and make necessary changes so that we are better prepared for any challenge of nature, or act of evil men, that could threaten our people." Following Hurricane Katrina, the White House issued a report entitled, "The Federal Response to Hurricane Katrina Lessons Learned" in which several recommendations were included related to integrating the use of military capabilities in catastrophic disaster response. The report specifically stated that the Department of Defense (DOD) and DHS should jointly plan for the DOD's support of Federal response activities. The report also recommended that DOD and DHS plan and prepare for a significant DOD supporting role during a catastrophic event. It further stated that DOD's joint operational response doctrine is an integral part of the national effort and must be fully integrated into the national response at all levels of government and that DOD should have a contingency role and a requirement to assist DHS with expertise in logistics, planning, and total asset visibility. The White House Report stated that the National Response Plan (NRP) and its Catastrophic Incident Supplement (CIS) should specify the specific requirements for DOD resources based on the magnitude and type of catastrophic incident. Many of those changes are in the "DHS Appropriations Act of 2007, Title VI, Post-Katrina Emergency Management Reform Act of 2006," (Post-Katrina Act), which articulates new expectations for FEMA, establishes new leadership responsibilities, brings an expanded scope of missions, and calls for FEMA to undertake a broad range of activities involving preparedness, protection, response, recovery and mitigation -- both before and after terrorist events, natural and manmade disasters. The Post-Katrina Act contains provisions that set out new law, amend the Homeland Security Act (HSA), and amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act).

Among the specific responsibilities assigned to FEMA in the Post-Katrina Act are:

- leading the nation's comprehensive emergency management efforts (including protection) for all hazards, including catastrophic incidents;

- partnering with non-Federal entities to build a national emergency management system;
- developing Federal response capabilities;
- integrating FEMA's comprehensive emergency management responsibilities;
- building robust regional offices to address regional priorities;
- using DHS resources under the Secretary's leadership;
- building non-Federal emergency management capabilities, including those involving communications; and
- developing and coordinating the implementation of a risk-based all hazards preparedness strategy that addresses the unique needs of certain incidents.

DOD has a key role supporting FEMA in many of these areas and in overall planning, coordinating, and integrating Defense Support to Civil Authorities (DSCA) with local, State, and Federal agencies. DSCA is DOD's support, provided by its Federal military forces, DOD civilians, contract personnel, and DOD components, in response to requests for assistance. The DOD focus in domestic disaster response is on providing homeland defense, supporting civil operations, and cooperating in theater security activities designed to protect the American people and their way of life. FEMA's partnership with DOD continues to evolve and the disaster response support DOD and its multiple components bring to FEMA is critical to enhancing our comprehensive preparedness, protection, response, recovery, and mitigation capabilities for dealing with all types of natural and man-made hazards.

It is my pleasure to highlight the multiple aspects of coordination and cooperation between FEMA and its partners in DOD.

FEMA and DOD Coordination

DHS/FEMA coordinates with DOD through the Assistant Secretary of Defense for Homeland Defense (ASD/HD), and specifically coordinates with the Joint Staff through the Joint Director of Military Support (JDOMS). The support from the Secretary of Defense and the DOD in preparing for all types of disasters is critical. Beneficial support is provided by different DOD components including:

- US Northern Command (USNORTHCOM)
- Defense Logistics Agency (DLA)
- U S Army Corps of Engineers (USACE)
- National Guard Bureau (NGB)
- National Geospatial-Intelligence Agency (NGA)
- US Transportation Command (USTRANSCOM)
- US Pacific Command (USPACOM)
- US Southern Command (SOUTHCOM)
- Marine Corps Systems Command

Collectively with DOD and the State National Guards, FEMA and its partners have learned many lessons from the response to Hurricane Katrina and many other disasters and are using these lessons to enhance overall coordination and cooperation to improve

future disaster responses. Coordination has and continues to take place among all of these organizations in many different forms and forums such as the following:

- DOD assignment of liaison officers to FEMA Headquarters to represent JDOMS, USNORTHCOM, and the NGB. The liaisons help ensure effective coordination of activities, provide advice, prepare reports, and facilitate relationship building for more effective and timely DSCA;

- Two FEMA representatives are assigned permanently at USNORTHCOM to facilitate exchange of information and provide advice on FEMA programs and disaster response issues. FEMA and USNORTHCOM have been closely coordinating and cooperating in a number of areas including:
  - Routine video-teleconferences to facilitate development of pre-scripted mission assignments and exchange information;
  - Direct exchange of operational information and reports between USNORTHCOM's Command Center and FEMA's National Response Coordination Center (NRCC);
  - Detail of USNORTHCOM and USTRANSCOM planning personnel to augment FEMA's planning staff and capabilities;
  - Coordination of activities of USNORTHCOM, FEMA's Operation Planning Unit, and the DHS Incident Management Planning Team (IMPT) to more fully synchronize and integrate DOD and DHS/FEMA planning and response activities. A DOD staff member is assigned to the DHS IMPT;
  - FEMA and USNORTHCOM collaboration, with ASD/HD and JDOMS, to develop Pre-Scripted Mission Assignments (PSMAs) to facilitate DSCA for hurricanes and other disaster response. Thus far, 16 PSMAs have been pre-approved and coordinated between DOD and FEMA with an additional 28 between FEMA and USACE. The PSMAs, also to be incorporated into the 15 National Planning Scenarios, include the following general support:
    - Rotary Wing Lift Support (Heavy and Medium support)
    - Tactical and Strategic Transportation Support
    - Communications Support
    - First Responder Support
    - Emergency Route Clearance Support
    - Aerial Damage Assessment Support
    - Support in preparation of Temporary Housing Sites
    - Mobilization Center Support
    - Operational Staging Area Support
    - Fuel Distribution Support
    - Rotary Wing Medical Evacuation Support
    - Temporary Medical Facilities Support
  - Support from USNORTHCOM in posting interagency data elements by Emergency Support Functions on the DHS Homeland Security Information Network (HSIN) to enhance the interagency common operating picture. This

facilitates preparation of timely and authoritative information for the President and senior officials;

- FEMA and USNORTHCOM co-sponsorship of the annual Federal Coordinating Officer (FCO) – Defense Coordinating Officer (DCO) Conference designed to maintain and enhance civilian-military interaction and support of planning and disaster response activities within each FEMA Regional Office;

- Planning support from the Joint Interagency Coordination Group (JIACG), USNORTHCOM's primary interagency forum. The JIACG consists of approximately 60 interagency Combatant Command, service component, and staff representatives that support planning efforts at all levels related to such key issues as the Emergency Management Assistance Compact (EMAC), private sector engagement, critical infrastructure protection, pandemic influenza planning, and engagement on interagency coordination of cross border major disaster events response activities. The JIACG interagency representatives also provide "reach-back" capability to provide and receive information from interagency partner organizations;

- Participation by USNORTHCOM and its components in the FEMA led New Madrid Seismic Zone Catastrophic Planning Initiative and other catastrophic planning initiatives to examine preparedness, response, and recovery measures at the local, State and Federal levels;

- Participation by USNORTHCOM in the Department of State and FEMA-led interagency effort to develop an International Assistance System Concept of Operations. This will establish, within the National Response Plan framework, policies and procedures to enhance management of international resources provided to the US by concerned nations during disaster response operations;

- USNORTHCOM coordination with the National Emergency Management Association (NEMA) and the EMAC representatives to share information and gain a better understanding of planning and operational response needs;

- FEMA, EPA and USNORTHCOM coordination to implement an interagency approach to Building Partnership Capacity in emergency preparedness and response between the four US Border States and six Mexican Border States and the Canadian border provinces. These cross border preparedness efforts will strengthen understanding and coordination of border municipal, county and State response capabilities for hazardous materials, natural disasters and potential man made events to protect our citizens and support the trilateral Presidential Security and Prosperity Partnership; and

- Leadership visits, exercise cooperation, and exchange of Operation Officers.

- Close coordination between FEMA and USACE to facilitate USACE support in conducting pre-and post-incident assessments of public works and infrastructure; providing engineering expertise; managing construction; and providing certain response commodities;

- DOD component participation in FEMA's Senior Emergency Support Function Leaders Group (ESFLG) Meetings, in which lead Emergency Support Function (ESF) managers (and other organizations with equities) convene to discuss roles and responsibilities, update the National Response Plan, and discuss disaster preparedness and response issues;

- Maintenance of a list of DOD organizations that can support FEMA in disaster response activities;

- DOD assignment of Regional Defense Coordinating Officers (DCOs) supported by Defense Coordinating Elements (DCE) in FEMA's Regions to ensure military coordination at the Regional level. All 10 FEMA Regions were staffed by Permanent or Acting DCOs and support DCEs by June 1, 2006; and

- DOD assignment of planners to support the FEMA Headquarters in the areas of logistics, transportation, medical, and communications and support the Gulf Coast Recovery Office in the areas of logistics, transportation, medical, communications, operations, and aviation during the 2006 Hurricane Season.

- As the 2007 Hurricane Season approaches, FEMA's close coordination of activities with DOD continues. Processes and procedures continue to be reviewed and refined and there is ongoing coordination of training, disaster response planning, and exercise activities as well as ongoing joint coordination with the States and staff exchanges.

National Guard and National Guard Bureau: Federal and State Military Integration

The National Guard is the organized militia reserved to the States by the Constitution. In peacetime, the National Guard is commanded by the governor of each respective State or territory. When ordered to Federal active duty for mobilization or for emergencies, units of the National Guard are under the control of the appropriate service secretary. The FY04 National Defense Authorization Act amended Title 32 to make it possible for a National Guard officer to be in command of Federal (Active Duty) and State (National Guard Title 32 and State Active Duty) forces simultaneously.

Generally, there are two levels of coordination between FEMA and the National Guard. FEMA coordination with the National Guard at the State level routinely takes place between FEMA Regional staff and State officials. In fact, 14 of The Adjutant Generals (TAG), the leadership of the National Guard are also State Emergency Management Officials (SEMOs). At the national level, FEMA coordinates with the National Guard Bureau (NGB) which routinely interacts with all States and Territories on DSCA and Homeland Security matters to coordinate providing national level support. FEMA can

request the NGB to assess National Guard capabilities but does not generally use the Mission Assignment (MA) process to directly leverage National Guard capabilities. To do so would require that DOD place the National Guard under Title 10 status. State requirements for National Guard support are normally filled under NEMA EMAC processes. Also, the NGB can assist States in identifying National Guard capabilities available to meet EMAC requirements. During Hurricane Katrina, EMAC requests for assistance were executed using National Guardsmen.

FEMA continues to coordinate and cooperate with the various States' TAGs, as well as with the NGB, in a number of disaster response-related areas to include improving situational awareness, communications planning, force package planning, and overall mission and disaster response planning. In addition to a full-time JDOMS Liaison Officer with a National Guard background, being assigned to FEMA's Disaster Operations Directorate for day-to-day operations, during actual disaster response operations response operations, FEMA engages closely with both the State NGs and the NGB to ensure close coordination and synchronization of disaster response activities.

At the State level, there are approximately 14 TAGs who serve as SEMOs or act as the Director of Homeland Security within a given State. Even if the TAGS are not SEMOs, FEMA coordinates routinely at the regional level with the National Guard, under State control, to ensure disaster response efforts are coordinated.

We have taken several actions to improve daily coordination between FEMA and the NGB, including:

- Convening daily conference calls to review current operational activities between NRCC/Watch, NGB/Joint Operations Center (JOC), and USNORTHCOM's Command Center;
- Sharing daily informational reports between the NGB JOC and FEMA's 24/7 Watch Team;
- Routinely sharing Incident Reports and Executive Summaries with the NGB;
- Sharing special event planning information and situational awareness for National Special Security Events (NSSE) and other special events;
- Sharing information on special capabilities like special National Guard WMD capabilities, e.g., Weapons of Mass Destruction Civil Support Teams and Chemical, Biological, Radiological, Nuclear and Explosives (CBRNE) Emergency Response Force Packages;
- Participating with the NGB and TAGs in Hurricane Planning Conferences, exercises, meetings, and other coordination activities;

More specifically, the NG can support homeland defense and disaster response in several different ways:

- **National Guard Reaction Force (NGRF)**

NGRFs are traditional units that are pre-designated for quick response on a rotating basis. The goal is a trained and ready NG force available to each State's governor on short notice, capable of responding in support of local and State governments and, when required, DOD.

- **Critical Infrastructure Program – Mission Assurance Assessment**

Program designed to educate civilian agencies in basic force protection and emergency response; develop relationships between first responders, owners of critical infrastructure, and NG planners in the States.

- **WMD Civil Support Teams (CST)**

Highly skilled, full-time teams, established to provide specialized expertise and technical assistance to an incident commander to assess, assist, advise, and facilitate follow-on forces. State Governors, through their respective TAGs, have operational command and control of the teams. NGB provides logistical support, standardized operational procedures, and operational coordination to facilitate the employment of the teams.

- **CBRNE Enhanced Response Force Package (CERFP)**

Designed to provide a regional capability to locate and extract victims from a contaminated environment, perform medical triage and treatment, and conduct personnel decontamination in response to a WMD event. Each task force works in coordination with USNORTHCOM, USPACOM and other military forces and commands as part of the overall national response of local, State and Federal assets. Each CERFP has a regional responsibility as well as the capability to respond to major CBRNE incidents anywhere within the US or worldwide. This capability augments the CST and provides a task force-oriented structure that will respond to an incident on short notice.

- **NSSE**

The NGB Joint Intelligence Division, in coordination with the Joint Force Headquarters-State intelligence offices, provides support to each NSSE. Support missions included traffic control-point operations, a civil disturbance reaction force, aviation and medical evacuation, chemical detection and crowd screening.

- **NG Joint Force Headquarters-State (JFHQ-State)**

A JFHQ-State has been established in 54 States and territories to provide command and control links for all NG forces. The JFHQ-State is responsible for fielding one or more Joint Task Forces (JTF) command elements that can assume tactical control of military units that are ordered to respond to a contingency operation within a State and would provide joint reception, staging, onward movement and integration of inbound forces. If ordered to active duty, the JFHQ-State can act as a subordinate command and control headquarters for USNORTHCOM or, in the case of Hawaii or Guam, USPACOM.

- **JTF-State**

A JTF-State may be formed under the JFHQ-State to maintain command and control of NG forces. A JTF-State includes a JTF command element that will work closely with the incident commander to determine if additional NG or active duty DOD resources are

required and assists in their safe and effective employment. JTF-State Commanders receive formal training which includes NIMS and Incident Command System concepts.

The NGB is represented on USNORTHCOM's JIACG along with representatives from other DOD components and non-DOD organizations to help coordinate and refine disaster response roles and capabilities. NGB works closely with USNORTHCOM to plan for, exercise, develop, and refine capabilities to respond to a domestic incident. Both organizations, as needed by the affected State, will work closely together to integrate resources. Through mutual aid agreements, National Guard forces can provide critical security work, support civilian law enforcement, food, water, medicine, shelter, transportation, vital communications, and all of the other emergency support functions in support of FEMA.

Another example of the strong working relationship between FEMA and NGB is the Memorandum of Understanding between the two organizations that was signed October 1, 2006. This agreement allows FEMA to leverage NGB capabilities to assist in Continuity of Operations Planning site vulnerability assessments for emergency preparedness, contingency operations planning, and situational awareness.

Training and Exercises:

FEMA and DOD jointly participate in a variety of training and exercise activities with varying scenarios designed to improve disaster response capabilities. Many of these take place at the State, local, and regional levels. USNORTHCOM's Table Top Exercise Program hosts Table Top Exercises (TTX) that FEMA participates in that specifically relate to integration of USNORTHCOM and the NGB with the NRP/Interagency efforts to facilitate domestic disaster response. A recent TTX objective was to examine and lay the foundation for potential deployment and employment of DOD Unmanned Aerial Systems in a DSCA role.

In another example of joint exercise activity, FEMA and USNORTHCOM exercised catastrophic disaster response during Vigilant Shield 07, an exercise focusing on a nuclear weapons accident and a terrorist event. FEMA is participating in DOD's upcoming Ardent Sentry-Northern Edge 07 Exercise featuring a hurricane and terrorism response scenario. FEMA will also participate in DOD's Vigilant Shield 08 exercise. US Army North (US ARNORTH) will participate in Exercise Ardent Sentry 2007 by deploying their entire Operational Command Post in a hurricane response exercise. The exercises are normally synchronized with local and State responses, involve the interagency community and NG participation, and demonstrate USNORTHCOM's participation and capabilities in overall Federal disaster response. FEMA routinely coordinates with DOD in the Top Officials Exercise series and in communications exercises such as the Defense Interoperability Communications Exercise and Joint User Interoperability Communications Exercises to test and validate communications capabilities and interoperability between the different levels of government and the emergency management community, including DOD.

In the area of training, DOD trains Emergency Preparedness Liaisons Officers (EPLO) in all of the DOD components in the NIMS/Incident Command System. Also, FEMA and the US ARNORTH have refocused the DSCA course to now include FCOs and DCOs to further strengthen the military and civilian understanding of the important disaster response roles and responsibilities. USNORTHCOM is continuing training to respond to requests for assistance from the NRP Primary Agencies in preparation for the 2007 Hurricane Season.

Another example of DOD education and training related to disaster preparedness and response can be found at The Industrial College of the Armed Forces (ICAF) at the National Defense University (NDU). ICAF provides elective courses in emergency management response operations and managing complex disaster response operations for future DOD leaders.

In addition, the NDU Interagency Transformation, Education and Analysis Program and the School for National Security Senior Executives faculty members are developing domestic disaster management course modules as part of the national security professional development program. FEMA enrolls students in these classes and is often requested to provide briefings and updates. FEMA also participates in disaster response-related activities at the Army and Navy War Colleges.

Logistics Coordination and Support:

FEMA is working hard to develop a more highly disciplined, agile, and sophisticated logistics organization and system to better support disaster response operations. The new logistics organization will be one that is more proactive and couples 21st century technology and a professional workforce with strategic public and private partnerships. Achieving total system integrity, visibility, and accountability over select disaster resources will be emphasized. FEMA is coordinating closely with DOD in many aspects of the development of an improved national logistics system.

A key partner in this relationship is the DLA. The relationship between DLA and FEMA is a strong one, founded on close collaboration and a regular dialogue. The mechanisms that DLA has implemented to support FEMA, including the ability to closely track materiel in-transit to a disaster site, have been developed because of that close collaboration and dialogue.

FEMA and DLA signed an Interagency Agreement (IAA) in March 2006. This agreement helped streamline DLA support and increase DLA's close supportive relationship to FEMA's logistics efforts. In the past year, the relationship has evolved from support to disaster response, to proactive logistical and planning support, both before an event occurs and during the response efforts. DLA's efforts are focused primarily on supporting food and bulk fuel requirements. FEMA is using the FEMA-DLA IAA for vendor management/stockage of meals ready to eat (MRE) through the Defense Supply Center in Philadelphia. DLA has also established alternative commercial feeding options that FEMA can utilize in lieu of MREs. Fuel support is being provided

through the Defense Energy Support Center (DESC). The DLA IAA can also be used for other DLA-managed commodities if required.

Similarly, FEMA signed an IAA in July 2006 with the Marine Corps Systems Command to support the Pre-positioned Equipment Program (PEP). PEP consists of standardized equipment pods with equipment such as personal protective, decontamination, detection, technical search and rescue, law enforcement, medical, interoperable communications and other emergency response equipment that can be deployed to support State and local governments in responding to a major chemical, biological, radiological, nuclear, explosives or natural hazard event. Logistical support in the IAA includes operational management of PEP, including locations, equipment sets, and personnel.

DHS/US Coast Guard Role

The U.S. Coast Guard is one of the five armed services as outlined in 14 U.S.C. § 1 which states: "The Coast Guard as established January 28, 1915, shall be a military service and a branch of the armed forces of the United States at all times." The Coast Guard was placed under the Department of Homeland Security DHSon February 25, 2003 where it executes a variety of missions including search and rescue, maritime law enforcement, and defense readiness. However, the Coast Guard also shoulders substantial disaster response capabilities and an expanded role in the NRP. Coast Guard support is provided directly to DHS and FEMA during an emergency, with Coast Guard response and incident management personnel integrating directly into the DHS/FEMA incident management organization established for a specific incident. Under the old Federal Response Plan, the Coast Guard generally played a role in only two support functions; Emergency Support Function (ESF) 1 and ESF 10. However, with the broader approach under the NRP, and the implementation of Pre-scripted Mission Assignments, the Coast Guard can be called upon to provide support in 9 separate ESFs across 20 possible Mission Assignments areas. To ensure close coordination of Coast Guard and FEMA planning and disaster response operations, two Coast Guard liaisons are assigned to FEMA Headquarters. In addition, the Coast Guard has trained a number of Joint Field Office (JFO) Support Teams to assist FEMA during an incident. These Coast Guard JFO teams perform the dual responsibilities of representing Coast Guard interests during an incident while providing support to the overall Federal response.

The creation of DHS brought Coast Guard and FEMA together for the first time into the same department. This has led to steadily increasing cooperation between the two agencies across a spectrum of preparedness planning, exercise and training, response issues, in identifying lessons learned, and in tracking and implementing remedial actions at the national level. In this cross-pollination, both agencies have been able to make a number of improvements to their respective contingency plans.

For Hurricanes Katrina and Rita the Coast Guard performed work for FEMA under the authority of the Stafford Act. The Coast Guard conducted operations within the parameters established by FEMA's issued Mission Assignments and Task Orders. In addition, both agencies partnered extensively as key members of DHS's NIMS and NRP

writing teams. The combined efforts helped to guide the creation of a consistent nationwide approach for all Federal, State, local and Tribal governments to work effectively and efficiently together to prepare for, prevent, respond to, and recover from domestic incidents, regardless of cause, size or complexity.

The most significant adjustment in the Coast Guard role under the NRP relates to one of their cornerstone traditional missions. Working jointly, the US Coast Guard, NGB, and USNORTHCOM have helped coordinate development of larger scale search and rescue operations and a Joint Search and Rescue Center. ESF 9 is being revised to expand the participation of other Federal entities including DOD and the US Coast Guard.

NRP and Disaster Response

The NRP provides the structures and mechanism for national-level policy and operational direction for domestic incident management. The NRP is always in effect; however, the implementation of NRP coordination mechanisms is flexible and scalable. The role of DOD in disaster response is similarly flexible and scalable. FEMA routinely coordinates with military components; however, many of DOD's resources may be needed only in the most severe or catastrophic disasters.

The DOD has significant resources that may be made available to support the Federal response to terrorist attacks, major disasters or other emergencies. DOD is a supporting Agency for all 15 of the NRP's ESFs. DOD's USACE is the coordinating/primary agency for ESF # 3, Public Works and Engineering.

The Secretary of Defense authorizes DSCA for domestic incidents as directed by the President or when consistent with military readiness operations, appropriate under the circumstances and the law. DOD resources are committed upon approval by the Secretary of Defense or upon order of the President. In a major disaster or catastrophic emergency, the coordination can grow to include the authorities of the Defense Production Act. The Secretary of Defense retains command of military forces providing civil support at all times.

Within DOD, USNORTHCOM has responsibility for military operations within the continental United States in the event of a domestic incident. For such a response, DOD is set up to be largely independent in its operations; however, DOD resources still need to be coordinated within the overall Federal response under the NRP. Disaster response support required from DOD could range from commodity distribution to assisting with:

- search and rescue,
- communications,
- evacuation,
- security,
- housing operations,
- fuel distribution,
- debris clearance,
- medical care and medical evacuation,

- power generation,
- air support can be provided for movement of FEMA teams

In most instances, DOD provides DSCA in response to "Requests For Assistance" from a lead or primary NRP Department or Agency. DSCA is typically provided on a reimbursable basis through MAs or PSMAs and is normally provided when local, State, and Federal resources are overwhelmed or need to be augmented and the requested support does not interfere with the Department's military readiness or operations. The supporting DOD combatant commander may deploy a JTF to command Federal (Title 10) military activities in support of the incident. When a JTF is established, consistent with operational requirements, its command and control element will be co-located with the Principal Federal Official (PFO) and FCO at a JFO. The collocation of the JTF command and control element does not replace the requirement for a Defense Coordination Officer and Defense Coordination Element (DCO/DCE) as part of the JFO Coordination staff. Each FEMA Region now has a DCO/DCE assigned to serve as the primary representative for FEMA to coordinate with DOD at the crisis scene.

DHS and FEMA value the support of the Secretary of Defense and DOD components to facilitate and support Federal, State and local disaster response activities. In addition to direct support for disaster response, DOD possesses specialized testing, evaluation, and education facilities; training and exercise expertise; medical capabilities; and technology programs that provide important support to all levels of government in enhancing the Nation's disaster preparedness and response capabilities.

Conclusion

Thank you for your time today, and I look forward to answering your questions.

UNCLASSIFIED
FOR THE RECORD
STATEMENT BY

MAJOR GENERAL (MO) KING E. SIDWELL
ADJUTANT GENERAL, MISSOURI NATIONAL GUARD

BEFORE THE

ECONOMIC DEVELOPMENT,
PUBLIC BUILDINGS AND EMERGENCY MANAGEMENT
SUBCOMMITTEE OF THE TRANSPORTATION AND
INFRASTRUCTURE COMMITTEE

FIRST SESSION, 110TH CONGRESS

ON

"ASSURING THE NATIONAL GUARD IS AS READY
AT HOME AS IT IS ABROAD"

MAY 18, 2007

NOT FOR PUBLIC DISSEMINATION
UNTIL RELEASED BY
THE COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

UNCLASSIFIED

Madam Chairwoman Norton, ranking member Graves and distinguished members of the subcommittee, thank you for the opportunity to speak to you today about the Missouri National Guard's ability to provide military support to civil authorities during disasters.

While 842 members of the Missouri Air and Army National Guard are deployed in various theaters in support of combat or peace enforcement missions, more than 10,000 Soldiers and Airmen remain at home to assist and support civil authorities when called.

In the previous 13 months, Missouri Soldiers and Airmen have been called upon six times for State Emergency Duty to expand the capabilities of state, local and federal agencies to respond to damages or life-threatening events resulting from severe storms or heinous criminal activity In each case, we have successfully managed our ability to match organized, disciplined, military manpower with available military equipment or leased equipment, to provide essential support to our citizens.

Reflecting back to the Hurricane Katrina/Rita disaster along the Gulf Coast in 2005, Missouri National Guard units quickly mobilized and responded to the needs of the Governors of Louisiana and Mississippi, deploying more than 2,200 trained and equipped Soldiers and Airmen within 72 hours after receiving the call.

When Governor Matt Blunt, upon the advice of the State Emergency Management Agency, declares an emergency, he brings the full authority and resources of all state agencies to bear on the state emergency.

The priority of effort for each agency is directed towards saving lives and protecting the state and local government's ability to deliver essential services, and then to mitigating property damages. Requests by state agencies or local and county government for National Guard capabilities are transmitted to the State Emergency Management Agency (SEMA) for validation. Once SEMA assesses the request and determines the capability cannot be supported within the resources of state civilian agencies, but that it does indeed reside within the capabilities of the National Guard, Missouri National Guard personnel and equipment are called to duty to support the request.

In the event the capability required does not reside within either state agencies or the National Guard, support – Guard or otherwise – can be requested through the Emergency Management Assistance Compact (EMAC) system as recognized by House Joint Resolution 193 of the 104th Congress of the United States. In the event the appropriate resources are not accessible through EMAC, the correct protocol is to request support through the Federal Emergency Management Agency (FEMA). There is a

Defense Coordinating Officer co-located at FEMA to identify and coordinate the support of the Department of Defense assets through US Northern Command. NORTHCOM in coordination with National Guard Bureau conducts regular training exercises for Joint Task Force Commanders. In addition, regular exercises such as Vigilant Guard and Ardent Century are conducted to train and assess interoperability of federal assets in support of state emergencies. To date, Missouri has not requested military capability from other states under EMAC, nor have we requested capabilities through FEMA; however we have contributed selected military capability to other states through EMAC as we did in September and October of 2005 for Katrina/Rita. We have also provided long-range communications support to Gulf Coast States in anticipation of hurricanes in previous years.

I fully expect my fellow Adjutants General, upon the authority of the Governors of the 54 states, territories, and District of Columbia will support Missouri in times of need. The EMAC system is a proven, reliable and relatively simple process between states making available the capabilities of the National Guard and other state governmental and civilian assets such as aviation, law enforcement, urban search and rescue, and other capabilities identified in the 16 Emergency Support Functions delineated by

the National Response Plan.

Missouri, like other states, prepares and regularly reviews response plans to meet challenges presented by a potential spectrum of emergencies ranging from the most likely to the less likely, but perhaps most catastrophic.

Missouri's most catastrophic natural disaster scenario occurs with the event of a major earthquake along the New Madrid/Wabash Fault Zone which passes through Southeast Missouri. We recognize the projected devastation of a 6.5 magnitude or higher quake as measured on the Richter Scale will immediately overwhelm our ability to effectively respond to all the needs of the citizens in the impacted area, which can include St. Louis and St. Louis County. Missouri, along with seven other member states in the Central United States Earthquake Consortium (CUSEC), prepare to respond with state-wide assets available outside the most damaged areas. The CUSEC member and associate member states meet regularly to plan and coordinate a regional response. Upon regular assessment of resources resident within the state, our planning process identifies the types and quantities of National Guard capabilities required to ensure an adequate response. In 2005, we completed a plan to immediately submit requests for additional capability into the EMAC

process. This year, we are exercising our plans at the state level through table top and staff training exercises and will begin a new planning process to assess current capabilities and develop a refreshed list of capabilities we believe would require from other states.

I have great confidence in the Chief of the National Guard Bureau's commitment to fairly allocate the requirements of current and future national operations among the states so that each state will retain adequate capability to respond to disasters at home. At the height of Missouri's involvement in deployments supporting the missions overseas, we retained more than 59% of our personnel. We currently have 53% of the total Army National Guard equipment authorized within the kinds of units assigned to our state. In terms of equipment essential to both warfighting and disaster response, we currently have 56% of authorized items on hand. This critical, dual-use equipment includes medium and light trucks, individual weapons, communications equipment, aviation and medium-to-heavy engineer equipment. Some of these dual-use equipment items, such as communications equipment and medium and light trucks were in short supply before September 11, 2001. We are optimistic the current emphasis on procurement will enhance our war-fighting capabilities and, thus, our flexibility to respond to disasters at home. The National

Guard Bureau has worked closely with Missouri to honor its commitment to manage overseas deployments in a way so as not to unfairly or critically degrade our ability to support the citizens of the state in times of need.

In Missouri, the Guard remains ready, reliable, and always there. I am grateful for the opportunity to appear before the committee today and welcome your questions.

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