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THE MILITARY'S ROLE IN DISASTER RESPONSE: PROGRESS SINCE HURRICANE KATRINA

HEARING

BEFORE THE

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS UNITED STATES SENATE

ONE HUNDRED TENTH CONGRESS

FIRST SESSION

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THE MILITARY'S ROLE IN DISASTER RESPONSE: PROGRESS SINCE HURRICANE KATRINA

THURSDAY, JULY 19, 2007

U.S. SENATE,
COMMITTEE ON HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS,
Washington, DC.

The Committee met, pursuant to notice, at 10:50 a.m., in room SD–342, Dirksen Senate Office Building, Hon. Joseph I. Lieberman, Chairman of the Committee, presiding.

Present: Senators Lieberman, Collins, Stevens, and Warner.

OPENING STATEMENT OF CHAIRMAN LIEBERMAN

Chairman LIEBERMAN. Good morning. The hearing will come to order. Thanks to everyone, particularly our distinguished panel of witnesses, for being here. I am going to start. Senator Collins has been unavoidably delayed, but we work so well together. There is this kind of extrasensory—thanks. Welcome, Senator Collins.

Almost 2 years ago, Hurricane Katrina overwhelmed a governmental emergency response system that was shockingly underprepared. Most local, State, and Federal emergency agencies—with a few exceptions, like the Coast Guard and the Louisiana Fish and Wildlife Service—stumbled while the region drowned. And many lives were lost.

In the immediate aftermath of that disaster, we in the Federal Government, and the American people more generally, had to face a big, painful question: Why weren't we better prepared for a disaster that we knew one day was going to happen?

Today's hearing, which will focus specifically on the role of our Nation's military in responding to disasters, is an important part of this Committee's ongoing efforts to ensure that we won't ever have to ask that question that we asked after Hurricane Katrina again.

The response of our Nation's military—both active duty and National Guard—to Hurricane Katrina was ultimately unprecedented and very important. More than 70,000 military personnel deployed to the Gulf Coast from all across the country, bringing with them helicopters, ships, medical support, and logistical capabilities.

However, as this Committee's investigation into the aftermath of Hurricane Katrina revealed, there were very serious weaknesses in planning, preparedness, and coordination within the Department of

Defense and between the Department of Defense and the Department of Homeland Security.

In March of this year, the Commission on the National Guard and Reserves, tasked by Congress with assessing the role that the Department of Defense should play in homeland defense, reached this sobering conclusion:

"Although the current DOD Strategy for Homeland Defense and Civil Support states that securing the U.S. homeland is 'the first among many priorities,' DOD, in fact, has not accepted that this responsibility requires planning, programming, and budgeting for civil support missions."

The Commission made a number of thoughtful recommendations to ensure that the active and reserve components of the military, the Department of Homeland Security, and the States can respond more effectively and seamlessly to a disaster.

To his credit, Secretary of Defense Robert Gates has agreed with a majority of those recommendations and directed the Department to begin an aggressive implementation schedule to improve the military's ability to provide support after domestic disasters—both natural and terrorist.

We have a very impressive and important group of witnesses here today, and I hope that their testimony and answers can help us answer three questions.

First, exactly what should we expect from the military in providing and carrying out the homeland security mission?

Second, what is the Department of Defense doing to put in place the planning, programming, and budgeting necessary to carry out that mission?

And, third, are the Department of Defense and the Department of Homeland Security doing everything they can within the current structure to ensure an effective, coordinated response to a catastrophic disaster, not just a natural disaster but a catastrophic disaster such as Hurricane Katrina, including a catastrophic terrorist attack with weapons of mass destruction?

The National Intelligence Estimate (NIE) issued just 2 days ago found that al Qaeda remains intent on conducting and carrying out attacks on our homeland, and the NIE ominously warned, "We assess that al Qaeda will continue to try to acquire and employ chemical, biological, radiological, or nuclear material in attacks and would not hesitate to use them if it develops what it deems is sufficient capability."

Are we prepared to prevent and respond to such attacks?

Well, in April of this year, the Preventive Defense Project of Harvard and Stanford Universities, co-chaired by Ashton Carter and William Perry, provided an answer to that question that is not reassuring. The project brought together leading Federal, civilian, and military officials, and other experts from other levels of government and the private sector, and asked them a tough question: What would our Nation do in the 24 hours following a nuclear attack on a U.S. city?

The conclusion of Mr. Carter and Mr. Perry is jarring: Policymakers who they questioned in Washington, they found, continue to believe that State and local officials will be able to control the situation "the day after" a nuclear attack. Yet Mr. Carter and Mr.

Perry argue, "as the fiasco after Hurricane Katrina suggests, most cities and States will quickly be overwhelmed by the magnitude of the humanitarian, law and order, and logistical challenges of responding to a nuclear detonation." The result, they say, "is a failure to plan realistically."

Now, that sounds too much like the lack of preparedness that contributed so much to the failed response to Hurricane Katrina, and I know all of us know that we cannot allow that to happen again. That is one big reason why we are holding this hearing today with a sense of urgency, why I appreciate the presence of the witnesses here, and why I look forward to their responses, not just to the questions I pose but to the conclusion of the Carter-Perry study.

Senator Collins.

OPENING STATEMENT OF SENATOR COLLINS

Senator COLLINS. Thank you very much, Mr. Chairman.

Every American who witnessed Hurricane Katrina's assault on the Gulf Coast and its aftermath has reason to feel proud of the men and women of America's armed forces. Whether active duty or National Guard, our military worked heroically and humanely to help rescue victims, maintain order, and provide vital services.

As Assistant Secretary of Defense Paul McHale told the Committee during our investigation of the Hurricane Katrina disaster, the American military response—some 50,000 National Guard members and 22,000 active duty troops—was the largest domestic deployment since the Civil War. It was indeed a massive effort and a vital one for a devastated region and its suffering people.

As we also learned during our investigation, however, more help could have arrived sooner and been used more effectively with better planning, situational awareness, and coordination. Our Committee report on Hurricane Katrina spoke, in fact, of a "rapid but uncoordinated response."

Most disturbing was the lack of coordination among military headquarters in the early stages of the response. As Secretary McHale testified, "National Guard planning, though superbly executed, was not well integrated with the Joint Staff at NORTHCOM." The director of operations at Northern Command told us that lack of a central overview of the massive State responses to the disaster prevented proper integration of capabilities and tasking of units until they arrived in the devastated region, and I think the Chairman and I will never forget the testimony of Admiral Keating, saying that Northern Command was unaware of the breaching of the levees until they read the papers the next morning.

Our Hurricane Katrina investigation also produced seven specific recommendations for improving coordination between the Department of Defense and the Department of Homeland Security. The Post Katrina Emergency Management Reform Act which we authored implemented several of them.

I can attest that at least one of our codified recommendations has already borne fruit. Each of FEMA's 10 regional offices now has a Defense Coordinating Officer in that region, working directly with FEMA. I attended a FEMA exercise in New England this

spring, and I heard over and over again that this arrangement has greatly improved operating relationships and communication.

I am also pleased to hear that better coordination among planning staffs has been established and that the work advances on the 15 National Planning Scenarios. Fleshing out these plans, which include how we would respond to catastrophes such as earthquakes, pandemic flu, small-scale nuclear attacks, and a toxic industrial accident, is a vital part of preparing an effective response. Each of these scenarios could require a major response from DOD as well.

Work by FEMA and DOD to streamline and predefine the "mission assignment" process that caused so many delays during the response to Hurricane Katrina and was so bureaucratic is also another welcome sign of progress.

As the Committee's report on the Hurricane Katrina investigation demonstrated, the number and scale of natural and manmade threats to our country demanded progress on many fronts. We not only need better contingency planning, but a more aggressive, forward-leaning posture as identifiable threats emerge and requests for civil support can be anticipated. We need better training, exercising, and communication. And, again, I think there has been some real progress in those areas. And we need better protocols for handling Emergency Management Assistance Compact requests among States, better arrangements for Federal and State command and coordination of effort, and greater clarity on balancing a President's ability to call on National Guard troops to restore order while preserving the States' very important and lead role in responding to natural disasters.

Because the National Guard is such a vital part of our response capability, I am delighted that we have with us today the representative of the State Adjutant Generals to FEMA's National Advisory Council, and I am particularly proud and delighted that he comes from the great State of Maine. Our Adjutant General Bill Libby has deep experience in emergency management, and I am delighted to welcome all of our witnesses today, but particularly General Libby, with whom I have worked very closely.

The views and issues before us today are matters of considerable concern to this Committee because they are literally potentially matters of life and death for American citizens.

Again, I want to thank the Chairman for holding this hearing so that we can better assess the progress that has been made since Hurricane Katrina, and I am sure our witnesses will help us identify areas where work remains to be done.

Thank you.

Chairman LIEBERMAN. Thank you, Senator Collins, for that excellent statement. Thanks particularly, among other things, for pointing out the pleasure and pride that I share that the recommendations in the FEMA reform legislation that emerged after our investigation are now being implemented and that a representative of the Department of Defense is present in each of the 10 regional offices, which should give people around the country a greater sense of security.

Again, I thank all of you for being here. We have allotted up to 10 minutes to each of you for your opening statement, and we will

begin now with Peter Verga, who is the Acting Assistant Secretary of Defense for Homeland Defense and Americas' Security Affairs. Good morning.

TESTIMONY OF PETER F. VERGA,[1] ACTING ASSISTANT SECRETARY OF DEFENSE FOR HOMELAND DEFENSE AND AMERICAS' SECURITY AFFAIRS, U.S. DEPARTMENT OF DEFENSE

Mr. VERGA. Chairman Lieberman, Senator Collins, other Members of the Committee, thank you very much for the opportunity to appear today. In order to maximize the time we have for questions, I am going to keep my opening remarks very brief and to the point, but I would ask that a full statement be made part of the record.

Chairman LIEBERMAN. Without objection, so ordered.

Mr. VERGA. The greatest threat in today's security environment is the nexus between transnational terrorism and chemical, biological, radiological, and nuclear (CBRN) weapons, as we call it. It was highlighted in the National Intelligence Estimate (NIE). You mentioned in your opening remarks that weapons proliferation does pose the greatest threat we have today.

Unlike our adversaries during the Cold War, terrorist adversaries consider CBRN weapons "weapons of first resort," not last resort. And should they ever acquire such weapons, we can be certain that they will use them against the United States at their very first opportunity.

Our Nation, in cooperation with our international partners, has taken the fight to where the terrorists organize, plan, and train to keep them from striking Americans at home and abroad. But we must also think about and be prepared for that which we hope will never happen—that is, the use of such a weapon on American soil. And while we must be prepared for such a catastrophic event, at the same time we must think about and be prepared for those natural disasters and other emergencies which occur with regularity, albeit sometimes with unexpected intensity, as was demonstrated during Hurricane Katrina. As has been well documented, in terms of people displaced, businesses disrupted, economic effect, Hurricane Katrina was one of the most devastating hurricanes in U.S. history.

The Department of Homeland Security and the Federal Emergency Management Agency are, of course, those agencies responsible for the coordinated U.S. national effort to prepare for, respond to, and recover from natural disasters and other events, including terrorist CBRN attacks. DOD, at the direction of the President or the Secretary of Defense, as appropriate and consistent with the law and the imperative to maintain military readiness, provides critical consequence management support to civil authorities as part of a comprehensive national response.

With few exceptions, the capabilities and capacities that the Department of Defense can bring to bear in a natural or manmade disaster are designed for combat operations and the wartime protection of DOD's personnel and facilities. For the most part, DOD relies on general purpose military forces, dual capability units, or

[1] The prepared statement of Mr. Verga appears in the Appendix on page 31.

other existing DOD elements to support civil authorities in domestic consequence management.

In case of a CBRN incident, such dual capability forces including the National Guard Weapons of Mass Destruction-Civil Support Teams, National Guard CBRNE Enhanced Response Force Packages, our Joint Task Force Civil Support, the Marine Corps' Chemical-Biological Incident Response Force, the Army's Explosive Ordnance Disposal Teams and Technical Escort Units, and the CBRNE Consequence Management Response Forces.

In terms of preparation for natural disasters, the Department has acted upon the lessons identified in the White House, Senate, and House of Representatives examinations of the response to Hurricane Katrina. I have included in my formal statement for the record a copy of the report [1] which was required by the John Warner National Defense Authorization Act for Fiscal Year 2007 on the Department's implementation of the recommendations identified in the White House and House of Representatives reports. Examples of some of the implementations have already been cited by the Chairman and Senator Collins: Close collaboration with the Department of Homeland Security and the Federal Emergency Management Agency (FEMA) in planning and preparing for catastrophic incidents; assignment of a Defense Coordinating Officer and Defense Coordinating Element to each of the 10 FEMA regions.

The Secretary of Defense recently signed and we published an execution order providing the commander of U.S. Northern Command—my colleague, General Renuart—with specific forces and resources to employ in case of a hurricane: Installations to be used as FEMA mobilization centers, medium and heavy lift helicopters, search aircraft, and other capabilities.

And in coordination with our colleagues at the Federal Emergency Management Agency, we have drafted pre-scripted requests for assistance for transportation, communication, debris removal, and other types of support. And the Defense Logistics Agency and the Federal Emergency Management Agency have entered into a Memorandum of Agreement to procure, store, rotate, and provide supplies, including meals, health and comfort kits, generators, and other types of support. We have also had annual and biannual exercises to ensure readiness and identify potential gaps and weaknesses in our plans and readiness.

Mr. Chairman, I commend you and the Members of the Committee for your leadership in these important matters, your continued interest, efforts, and support for the Department of Defense in the defense of the United States and our ability to support civilian authorities here at home.

I look forward to the opportunity to answer your questions.

Chairman LIEBERMAN. Thanks, Secretary, for a good opening statement.

Am I correct that you are "Acting" because Secretary McHale is on military reserve duty in Afghanistan?

Mr. VERGA. He is, sir. Secretary McHale, who is also a member of the U.S. Marine Corps Reserve, went on active duty last Decem-

[1] The report submitted by Mr. Verga appears in the Appendix on page 80.

ber, deployed to Afghanistan. He has just returned back to the United States. He will be resuming his duties on August 1.

Chairman LIEBERMAN. Give him our thanks and our best regards.

Mr. VERGA. I will.

Chairman LIEBERMAN. And thank you for sitting in for him.

Next we have General Victor Renuart, Commander of the North American Aerospace Defense Command and U.S. Northern Command. General, glad you are here. I believe this is the first time you have testified before the Committee since you have taken over this command. I know you come to it with extraordinary experience, and we look forward to working with you and hearing you now.

TESTIMONY OF GENERAL VICTOR E. RENUART, JR.,[1] U.S. AIR FORCE, COMMANDER, NORTH AMERICAN AEROSPACE DEFENSE COMMAND AND U.S. NORTHERN COMMAND

General RENUART. Thank you, Mr. Chairman, Senator Collins, and Members of the Committee, I too am grateful for the opportunity as the new commander of both of those commands—North American Aerospace Defense Command (NORAD) and U.S. Northern Command (USNORTHCOM)—to have the opportunity to come and talk to you today and answer questions from the Committee on a variety of topics relating to our missions.

As you know, both NORAD and USNORTHCOM have the responsibility for homeland defense operations, conduct of both active and National Guard-supported missions to defend the homeland, as well as supporting civil authorities during some of the disasters we have talked about here.

In fact, if you look at the events that we have seen in London just a few days ago, it reminds us why homeland defense must be the highest priority that our Nation gives to its military, and we at NORAD and USNORTHCOM stand ready to conduct those missions.

In the area especially of support to civil authorities during disasters, we have worked very hard since Hurricane Katrina and in response to not only recommendations of the Committee but guidance from the Department of Defense to ensure that we are prepared and ready for each of the contingencies that are captured not just in a Chemical, Biological, Radiological, Nuclear, and High-Yield Explosive (CBRNE) event or a hurricane, but also in any one of the 15 National Planning Scenario events that have been highlighted by the government.

We plan for, train for, and integrate the military unique capabilities that Mr. Verga mentioned just a moment ago into the overall response provided by the Department of Homeland Security, by FEMA, and, equally importantly, by the States. Each governor, each adjutant general has particular roles. I am pleased to say I had a chance to visit Major General Libby and Governor Baldacci in Maine just a few weeks ago to talk about this particular element of integrating USNORTHCOM capabilities, integrating the National Guard into a force that allows the governor to respond with-

[1] The prepared statement of General Renuart appears in the Appendix on page 48.

in his State. And so we have worked very hard to ensure that our Federal partners, as well as our State partners, understand that our job is to help make them successful.

One of the most challenging disasters we prepare for is, as we have mentioned, the chemical, biological, radiological, nuclear, high-yield explosive event, again, called CBRNE. Just a few months ago in Exercise ARDENT SENTRY, we experienced one of those events in an exercise, a 10-kiloton improvised nuclear device exploded just outside of Indianapolis. The unified and integrated efforts of the Department of Homeland Security, the State of Indiana, the National Guards of not only Indiana but the surrounding States, and Title 10 forces from U.S. Northern Command not only was impressive to watch but allowed us to really understand and acknowledge some of the problems you mentioned, where it is very difficult for any one State or any one entity to deal with a disaster of that size. But from that we learned how we can become better integrated, how we can combine our forces in a way that truly takes advantage of the interdependent relationships of each of those agencies as we respond to something on that order of magnitude. And that can occur in an accident or intentionally, and so we have to be prepared for something similar to chemical explosions that we have had in plants on the East Coast in previous years. So whether it is manmade or natural, USNORTHCOM has to be prepared to support and respond.

We have developed specific plans for each of these disasters, and we have worked hard with the Federal agencies that we sit here with today to ensure that the response is seamless, that the capacity and capabilities flow in time to allow the responders to absorb, as well as the public to feel confident that they are getting the right support from their State and the Federal Government.

We have a specific Joint Task Force, our Joint Task Force Civil Support, which focuses on weapons of mass destruction response, and, in fact, I just installed their new commander yesterday down at Fort Monroe. A National Guard officer, Major General Long, is eager to help continue to improve and increase the capacity of that organization and stand ready to support any of the Federal and State agencies that may need it in an event of a disaster.

I have tried to highlight so far—and I will continue to foot-stomp on this as I go through my statement—our teamwork relationship with the National Guard, with the Reserves of the various components, and with our Federal agencies is critical to ensuring that the response is adequate to the event.

I would also like to say that we are working closely with international partners in the same regard. USNORTHCOM's Area of Responsibility includes both Canada and Mexico, and we have been in close contact with military and civilian agencies in both countries to ensure that a response to a CBRNE event in either country could be supported with forces available and unique capabilities available from both countries. But we need some assistance.

There is an act being considered now, the Building Global Partnership Act of 2007, that will allow us to improve the homeland defense and civil support efforts not only of the United States but of our neighbors. In fact, that will increase our capacity to respond in our border areas for events like the Vancouver 2010 Olympics up-

coming. We would ask, while not specifically under the purview of this Committee, but we would ask the support of the members as this is considered in upcoming discussions on the floor.

Recently, NORAD and USNORTHCOM completed Exercises ARDENT SENTRY and NORTHERN EDGE, as I mentioned. This was the largest and most comprehensive set of national-level exercises ever undertaken. Our objectives, outlined in my written statement, provide an excellent point of departure for our key exercise events. While we continue to finalize our lessons learned, it is clear that collaboration and communication are the key threads that support the important missions of homeland defense and support to civil authorities.

Hurricane preparedness, a focus of this Committee and certainly one of all of the agencies represented here, is an important area where collaboration, preparation, and communication are critical. U.S. Northern Command has made great strides in preparing for the 2007 hurricane season. Senator Collins, I appreciate your noting the presence of the Defense Coordinating Officers in each. These are post-brigade command Army officers in the grade of colonel with combat experience who understand not only the importance of planning for a difficult operation, but in executing it. I think they have all received rave reviews. Our role has been to increase the staff so that they have the muscle in the planning process to allow them to be successful, and we continue to look for ways to expand those relationships with the various regions of FEMA.

Working with the various States, the Department of Homeland Security, the National Guard, and our other partners, we have conducted conferences, tabletop exercises, and collaborated routinely to ensure we are ready to respond to these natural disasters. We recently exercised our hurricane preparation during Exercise ARDENT SENTRY with a simulated Category 3 hurricane striking the New England region, and, in fact, both of your States were represented in that exercise, and I had the opportunity to meet the adjutant generals of Connecticut, Massachusetts, and Rhode Island during this discussion. But importantly, we demonstrated the value of the Defense Coordinating Officer as well as the integration of State Emergency Operations Centers, the Joint Field Office with the regional director from FEMA, as well as our Joint Task Force Headquarters. What we found is that there are no gaps in command and control, in integration, and in intent. The ability to bring those together in a cohesive fashion really was a significant element of progress made since Hurricane Katrina.

USNORTHCOM continues to work closely with our National Guard and reserve components. I am pleased to have my National Guard advisor, Major General Rick Nash, here with me today. We believe these efforts and initiatives really help us to increase our communication, our collaboration, and our cooperation. And we have especially worked hard with both FEMA and the Department of Homeland Security to strengthen the unity of effort.

Mr. Chairman, Senator Collins, the men and women of USNORTHCOM remained focused on homeland defense, and we are prepared to support civil authorities in any activity. Additionally, we seek to be joint in all we do. We use interagency cooperation as much as possible, and we push that with each of our agency

partners. And we are not hampered by who is in charge or who gets credit. In fact, the guidance we have given to our staff is that our role is to make the Federal agencies, the governor of a State, and the adjutant general a hero, and they do not need to even know that USNORTHCOM is there. We just need to make it succeed.

Mr. Chairman, Senator Collins, thank you for your time, and I look forward to your questions.

Chairman LIEBERMAN. Thanks very much, General Renuart. Your testimony was encouraging, and I think we ought not to take for granted the transition that has occurred. The Command over the decades of the Cold War was really primarily responsible for defending the United States from attack from the air, including nuclear attack, from the Soviet Union. And after September 11, you took on this additional responsibility of homeland defense, which now in some sense is a central responsibility for you. So I appreciate it very much. I know we will have some questions for you.

Next is Vice Admiral Roger Rufe, retired from the U.S. Coast Guard, now coming before us as Director of the Office of Operations Coordination at the U.S. Department of Homeland Security. I cannot resist saying, if I may paraphrase MacArthur, that it is not that you are an old general, but retired admirals of the Coast Guard do not fade away. They, fortunately, hang in there and continue to work for us at the Department of Homeland Security, and I thank you for taking on this assignment. Admiral, we look forward to your testimony now.

TESTIMONY OF VICE ADMIRAL ROGER RUFE,[1] U.S. COAST GUARD (RET.), DIRECTOR, OFFICE OF OPERATIONS COORDINATION, U.S. DEPARTMENT OF HOMELAND SECURITY

Admiral RUFE. Mr. Chairman, Senator Collins, Members of the Committee, thank you very much for this opportunity to discuss with you the ongoing coordination between DHS and the Department of Defense for catastrophic events.

My colleagues in their prepared remarks today have, I think, laid out in a very complete form the very extensive military support to and coordination with the Department of Homeland Security, so I am not going to go over that ground with you. I instead would like to concentrate my few moments here on the planning aspect of what we do with our partners at DOD. Mr. Chairman, both you and Senator Collins mentioned that extensively in your opening remarks, and I know it is a particular interest of yours.

As you know, under the Homeland Security Presidential Directive-5 (HSPD-5), the Secretary is named as the "principal Federal official" for domestic incident management, and it also directs the Secretary to coordinate the Federal Government's resources used in the response to and recovery from terrorist acts, major disasters, or other emergencies.

The Secretary's unique interagency responsibilities accentuate the importance of interagency planning—the very difficult job, I must say, of interagency planning. One of my primary roles in my

[1] The prepared statement of Admiral Rufe appears in the Appendix on page 63.

job is to support the Secretary in coordinating our national-level strategic interagency planning effort.

Two of the critical recommendations related to planning from the Federal response report to Hurricane Katrina after action was to, first, create a permanent planning body within DHS; and, second, to develop for the first time a formal planning process that could be used to build interagency plans for the 15 national planning scenarios, and we have done both of those things.

In August of last year, less than a year ago, the Secretary directed the creation of the Interagency Incident Management Planning Team (IMPT), and directed me to oversee their actions in planning for the 15 planning scenarios. The mission of the IMPT is to provide national-level contingency planning and crisis action incident management planning through a collaborative, interagency process. The IMPT's planning process is designed to be at the strategic level, whereas FEMA's planning responsibility is at the operational level, as laid out in the Post Katrina Emergency Management Reform Act.

The IMPT's initial efforts have been to develop national strategic level interagency concept plans that address each of the 15 National Planning Scenarios. Each plan developed by the IMPT identifies the actions that individual departments and agencies, including DOD, will take in the event of a given scenario, and they identify the national level commitments in one complete comprehensive document. To date, the IMPT has developed draft plans—and I stress they are draft plans at this point—to address the 10-kiloton improvised nuclear device scenario, the pandemic influenza, radiological dispersal device, major hurricane, and improvised explosive device.

In the effort to put together a planning system that would allow us to develop these plans, DHS developed a National Planning and Execution System, which we developed with a great deal of support from DOD as they are really the only partner in the interagency that has a well-developed planning system. And because of that, we made sure that our efforts were quite well integrated with the planning system that DOD uses called the Joint Planning and Execution System (JOPES). We borrowed extensively—in fact, stole shamelessly—from some of the concepts therein and modified it to be more appropriate for the interagency and more civilian jargon. But it is now a very well accepted planning system. We have now trained over 500 members of the interagency in the planning system, so it is now being dispersed and disseminated to our partners in the interagency for their use in developing the plans that they need to prepare for.

Once we have these plans on the shelf, in order to improve them, modify them, and make them more effective over time, we need to validate them through the exercise planning system. General Renuart mentioned ARDENT SENTRY. We were very active participants in the ARDENT SENTRY exercise this year, both in the hurricane scenario in Rhode Island, as well as the 10-kiloton nuclear device, which gave us the opportunity for the first time to test in an exercise this draft plan that we had put together through the IMPT. We are now developing a radiological dispersal device (RDD) plan that we will have in draft form in time for the TOPOFF 4 ex-

ercise, which will occur in October. It will give us an opportunity at that time to test that plan against an RDD-type scenario.

We have worked very closely with DOD in all these planning efforts. They not only are active participants on the IMPT in terms of providing us support, but we also have been engaged with them ensuring that the planning they are doing, which, quite frankly, is in advance of our planning, is fully integrated for each of the 15 planning scenarios.

As you mentioned, I am an old admiral, Mr. Chairman. I retired from the Coast Guard in 1999, so I am kind of a Cold War guy, and so I relate to what you described as far as the transition in the Department of Defense. Since I returned to public service just a year ago, I, frankly, have been surprised and actually quite heartened by the deep and broad commitment that I have seen from all elements of the Department of Defense in protecting the homeland and working with the Department of Homeland Security and with the interagency. We could not ask for better partners in our efforts than our shipmates at DOD.

I thank you both, Mr. Chairman and Senator Collins, and I look forward to your questions.

Chairman LIEBERMAN. Thanks very much, Admiral, and we look forward to the question period, too.

Next we have Lieutenant General Steven Blum, Chief of the National Guard Bureau, who is a familiar face here, one we always enjoy having, and we always benefit from your testimony. Welcome.

TESTIMONY OF LIEUTENANT GENERAL H. STEVEN BLUM,[1] U.S. ARMY, CHIEF, NATIONAL GUARD BUREAU

General BLUM. Good morning, Chairman Lieberman, Senator Collins, and other Members of the Committee. Thanks for the opportunity to discuss the role of your military in disaster response here today.

Since September 11, 2001, we have all worked very hard to transform the National Guard to be better prepared to respond here at home in either a homeland defense or support the homeland security role. As you are well aware, on September 11, we had zero Joint Force Headquarters, only 10 civil support teams, no Chemical, Biological, Radiological, Nuclear Enhanced Response Force Packages, no critical infrastructure protection assessment teams, zero National Guard Reaction Forces that were trained, organized, and equipped to respond on short notice, and zero Computer Emergency Response Teams. Today I am pleased to tell you that we have 54 of each of those, 17 enhanced response force packages, and the old civil support teams that were established by Congress that were only 10 on September 11, now today we have 55, and hopefully that will grow in the future to 57.

In addition, we have rebalanced 80,000 jobs in the National Guard in the last 5 years to train them from Cold War specialties to what we need today in today's real-world requirements. While we have made huge strides in training and exercising with our DOD partners, we are still not funded to participate in joint De-

[1] The prepared statement of General Blum appears in the Appendix on page 67.

partment of Homeland Security exercises. The National Guard in the States are funded and trained to go to war, but they are not resourced to participate in large-scale homeland security preparation exercises.

I am honored to testify today with the gentlemen on this panel, all of them, from DOD, from NORTHCOM, from DHS, and from the States. The post-Katrina relationship between the States, the National Guard Bureau, the Department of Defense, the U.S. Northern Command, and the Department of Homeland Security grows stronger every day. This Committee needs to know that. We have worked very hard at it. Today, all of us sitting before you have a better understanding of the supported and supporting relationships that are necessary in times of crisis.

I was the first Chief of Staff at NORTHCOM when it was established, and we all knew then we did not get everything perfect on the first attempt. I am extremely encouraged by General Renuart's committed leadership to making the changes that are required as problems are identified. There will always be room for improvement. We will never get it perfect. Within the Federal Government, though, we need a Department of Homeland Security, a Department of Defense, and a State cooperative planning process. This country needs and deserves that.

We need, at the Federal level, specifically defined requirements and measuring metrics so that we can analyze the dual-use military equipment that we use in a homeland defense or homeland security response scenario. We need homeland security resource requests for military equipment to be submitted so that they get visibility here at the Congress.

We need to train together. We need better visibility on the capabilities of our interagency and intergovernmental partners. Together this group represents a football team that is getting ready for the ultimate Super Bowl, and we need to train, exercise, scrimmage, practice, and huddle on a regular basis together.

Our Nation's governors have stated their assessment is that their National Guard units in the States are underequipped for homeland security missions. As you know, the National Guard today has 53 percent of their required combat equipment, the dual-use equipment needed in an emergency, on hand here in the United States. The ability of each governor, as the commander-in-chief of his or her National Guard, to plan and execute for the first response to an emergency is absolutely critical and essential to them. Governors know their local emergency capabilities and they know their limitations. Capable local response saves time. Saving time results in saving lives.

There are operational models in place that the Federal Government might want to emulate, such as Israel's military/civil support system, the Joint Interagency Task Force South that is in existence, the Incident Command System that our emergency responders use all over our Nation. These are great models that the Federal Government may want to take a look at.

In Maine, and many States like it, people like Adjutant General Bill Libby have full visibility on both their civil and military disaster response capability. General Libby deploys resources in response to his known weak areas. His weak areas are well known

to him, but we cannot know those intuitively at the national level, so we have to rely on local knowledge.

In the National Guard, we have begun to build a joint capabilities database to fill this gap. National Guard units report their readiness to respond to various disaster scenarios, and they can include information on their civil first responder partners. We share this information with DOD and U.S. Northern Command and the Department of Homeland Security.

Thank you for your efforts to improve the ability of the Department of Defense, the Department of Homeland Security, the National Guard, and the States to work together, and I look forward to your questions, Mr. Chairman.

Chairman LIEBERMAN. Thanks, General. I will wait for the question period, but did you say that the National Guard at this point is not funded to participate in the large-scale homeland defense exercises?

General BLUM. That are conducted by the Department of Homeland Security, yes, sir. They are funded to do the ARDENT SENTRY——

Chairman LIEBERMAN. So you were involved in ARDENT SENTRY.

General BLUM. Very heavily involved. That was probably, in my judgment, the finest exercise conducted by DOD and the National Guard here domestically to date.

Chairman LIEBERMAN. That is great. OK, thanks.

Major General John W. Libby, U.S. Army, Adjutant General, Maine National Guard, with the very heavy responsibility of protecting Senator Collins in time of need. We thank you for that, and we look forward to your testimony now.

TESTIMONY OF MAJOR GENERAL JOHN W. LIBBY,[1] U.S. ARMY, ADJUTANT GENERAL MAINE NATIONAL GUARD, AND COMMISSIONER, MAINE DEPARTMENT OF DEFENSE, VETERANS, AND EMERGENCY MANAGEMENT

General LIBBY. Chairman Lieberman, Senator Collins, Members of the Committee, thank you for the opportunity to testify today. I want to emphasize at the beginning that I am here today representing the State of Maine and the Adjutants General Association of the United States (AGAUS), and my contemporaries throughout the country. Although I am a federally recognized and U.S. Senate-confirmed general officer, I am here today speaking as a State official in State status at State expense and expressing issues and interests that reflect the State's sovereign interests.

I wear multiple hats in the State of Maine. In addition to being a Cabinet-level commissioner on the governor's staff—my Cabinet, by the way, does include emergency management—I am also the adjutant general and the governor's homeland security adviser. Among my peers, this puts me in a rather unique situation wearing all of those hats.

In my judgment, the place in the United States where the emergency management process is best integrated between military, civilian, and business partners is at State level, and this is a model,

[1] The prepared statement of General Libby appears in the Appendix on page 75.

I think, that this Committee and the Federal Government needs to look at more closely.

There is an emergency management axiom that suggests that all disasters are local; therefore, all response is local. And the governors have a sovereign responsibility to carry out in their respective States emergency preparedness, response, and recovery activities in the name of the health and welfare of the citizens of their respective States.

When the resources to manage such events exceed the ability of the States, clearly we reach outside the States through mutual aid agreements, the Emergency Management Assistance Compact. In New England, the New England Governors and the eastern Canadian premiers have signed the International Emergency Management Assistance Compact similar to the Pacific Northwest Compact, which allows us to reach out to international partners. But I want to spend the bulk of my time this morning making some observations about the process.

I believe there is an emerging exchange of information, views, and identification of capabilities taking place between DOD, DHS, and the States. As has been stated already, Maine was one of several States that General Renuart visited recently. The governor and I were immediately impressed by his philosophy, his candor, and his understanding of the States' sovereign roles. He articulated clearly his understanding that Federal military resources brought to the State would be at the request of, and in support of, the governor.

We had a very interesting discussion about a term that we obsess about on both sides—"dual-hatted command"—and frankly concluded, the governor and I concluded, and I think the general agrees with us, that what we are looking for in Maine and in other States, although we can only speak for Maine, in the presence of Federal resources is support.

The governor and I have no issues with Federal troops remaining under the command and control of either their normal chain of command or a Title 10 cell in the State of Maine. What we are looking for is the opportunity to assign tasks, designate missions, and give authoritative directions necessary to complete those missions. What we do not want or need in the presence of Federal resources is to direct matters of administration, discipline, logistics, internal organization, or unit training. What I am describing is a term of art that we call "operational control," and we look forward to continuing that discussion with NORTHCOM.

General Renuart also articulated and distinguished between his understanding and we agree with the need to deploy Federal resources in advance and the need to employ Federal resources at the request of the governor. We talked at length on several occasions this morning about the valued presence of the Defense Coordinating Officer and the DCE elements at each of the FEMA region offices. They are critical.

We also talked about the fact that in developing a common operational picture, there is a problem right now in that 40-plus States are using WebEOC, and that is not a system that is employed universally throughout the emergency management system.

And, interestingly, from the governor and my standpoint, but encouragingly, the General supports the continued discussion about the role of reserve capability that resides in every State with regard to its availability to the governor in the event of a Federal declaration.

General Renuart is continuing the dialogue begun by Admiral Keating, and we look forward to the AGAUS Homeland Security Subcommittee and meeting with him and his staff at the end of this month to continue that discussion.

From our point of view, if there is a shortfall in the lack of dialogue, it occurs between the States and DHS. And it occurs principally because in many States the TAGs do not find themselves in my position where they wear the multiple hats that I wear. And I would point out to you a FEMA Region I initiative under the leadership of Art Cleaves which I think addresses this problem. Region I convenes quarterly homeland security forums for the regional States. Art includes in those forums the State's homeland security adviser, the State's adjutant general, and the State's EMA director. I may be the one guy from Maine representing all three of those positions, but from Massachusetts, by way of example, there are three different people in the room.

What that forum does in its inclusiveness is it ensures that none of those three principal partners at the State level are out of the information loop. I think it is a model worth adopting nationwide.

I would be remiss if I did not commend the Commission on the National Guard and Reserve for their recommendation on the establishment of a bipartisan Council of Governors. The issues surrounding a properly layered response to a major disaster are primarily, in my opinion, about communications and coordination, and this council will enhance both.

I would be so bold from the State perspective as to make some recommendations to you this morning.

One, preserve the ability of the State Governors to direct the emergency response in their respective States through the repeal of Section 1076 of the 2007 Defense Authorization Act.

Two, reinforce the intent of HSPD–5 which states that the Secretary of Homeland Security is responsible for coordinating the Federal resources to prepare for, respond to, and recover from a terrorist attack, a major event, or other emergencies. The understanding of that Homeland Security "Chain of Command" at the Federal level is critical to communications and coordination.

Three, accept the Commission on the National Guard and Reserve's recommendation that the commander or deputy commander of NORTHCOM be a National Guard officer, and note that I have not said National Guard or Reserve officer. It is our opinion that only a National Guard general officer who has risen through the ranks of the National Guard can fully understand the concept of the governor's roles and sovereign responsibilities. That is something that I would argue a U.S. Army Reserve officer cannot.

And, finally, institutionalize NIMS within the DOD educational system. It is the language with which we speak at State level in responding.

In conclusion, I would say within the Department of Homeland Security there is an organization, FEMA. It is the only organiza-

tion that speaks efficiently, effectively, and on a daily basis from Washington, Maine, to Washington, DC. And I think FEMA needs to play a critical, an increased role in interagency coordination. I would close by quoting Casey Stengel, and, Senator, I apologize for this. Casey said, "Getting good players is easy. Getting them to play together is the hard part." We have great players.

I thank you for the opportunity to testify, and I look forward to answering your questions.

Chairman LIEBERMAN. Thanks, General. That was excellent. Thanks for your suggestions. I presume your apology for quoting Casey Stengel, a great manager of the New York Yankees, was directed to Senator Collins, who is a Red Sox fan.

Senator COLLINS. It was.

General LIBBY. You are correct, sir. [Laughter.]

Chairman LIEBERMAN. Thanks very much for the excellent testimony.

We are going to have 8-minute rounds of questions for the Senators. Let me begin by asking you a question that I am going to ask you to give a one-word answer to, yes or no, and then I am going to come back with a second one to give you plenty of time to elaborate on it. But I want to go to the conclusion that I mentioned in my opening statement that Ashton Carter and Bill Perry drew from this Defense Project in which they interviewed a great number of Federal civilian, military, and other experts, and the conclusion, I will repeat—which they presented with regret—was that policymakers in Washington continue to believe that State and local officials will be able to control the situation the day after. And in this case, of course, they were looking at the day after the extreme catastrophic circumstance of a nuclear attack, but, unfortunately, that is the world in which we live.

Do each of you agree, from your own perspective, that policymakers in Washington continue to believe that State and local officials are going to be able to control the situation in a catastrophe the day after? Mr. Verga.

Mr. VERGA. No, sir, I do not believe so.

Chairman LIEBERMAN. General Renuart.

General RENUART. Mr. Chairman, no, I do not believe that.

Chairman LIEBERMAN. OK. I can feel your desire to add to that, so I will come back to it.

Admiral Rufe.

Admiral RUFE. Nor do I, sir, and I participated in that roundtable, so I would be happy to answer further.

Chairman LIEBERMAN. Good. General Blum.

General BLUM. No, sir, I do not think so, and I think the word "control" is the problem. I would like to address that.

Chairman LIEBERMAN. Good. General Libby.

General LIBBY. No, sir.

Chairman LIEBERMAN. OK. So let's come back and let me frame this question and give you a little more time. This is the quote that I had from the Commission on the National Guard and Reserves, in which they said, "Although the current DOD Strategy for Homeland Defense and Civil Support states that securing the U.S. homeland is 'the first among many priorities,' DOD, in fact," they con-

cluded, "has not accepted that this responsibility requires planning, programming, and budgeting for civil support missions."

So to turn it into the question that we have on our minds and that I can tell you our constituents have on their minds: If we accept the initial assumption, which is that State and locals in a catastrophe are going to be overwhelmed, as they were in Hurricane Katrina, are we prepared for a coordinated response from the getgo and specifically from the Department of Defense and Homeland Security? Mr. Verga.

Mr. VERGA. Sir, with regard to the specific recommendation, the Commission is correct in that we do not plan, program, and budget for support to civil authorities' missions per se, with a few exceptions, such as weapons of mass destruction civil support teams, things like that.

Chairman LIEBERMAN. That is important, though. That is relevant to the scenario that I was——

Mr. VERGA. Yes, sir. And I think that serves the Nation well because, quite candidly, to set up essentially a dual military structure that says you are going to have one set of capabilities that are designed, organized, trained, and equipped to operate with the civilian authorities alone and another set of capabilities that are designed for your overseas warfighting missions is sort of a false choice. And what we need to be able to do is employ those dual capability units and our general purpose military forces in that coordinated manner that General Renuart spoke about to meet those needs that the civilian communities do not have.

In addition, I would very much support efforts to enhance and increase the capabilities in the civilian communities. You have noted the Strategy for Homeland Defense and Civil Support. That actually has three tenets to it: A concept of lead, support, and enable—things in which the Department of Defense will clearly be in the lead, the air defense of the country against air attack, for example, the military defense of the country against military threats. Supporting civil authorities with capabilities that we have that they need that are not appropriate to be invested in the civilian community. There is no need for the civilian community to have extensive ability to do aerial reconnaissance, for example, or to do space-based things, communications, for example.

The other is that enable concept, and that is where we take capabilities the Department of Defense has or capacities, quite honestly, talents, plans, procedures, and then enable our civilian partners, such as helping Department of Homeland Security with their operational planning system, translating the Joint Operational Planning System into a civilian equivalent. And that is, I think, where we need to place our greatest emphasis.

Chairman LIEBERMAN. OK. General Renuart, Senator Collins made reference to something we found in our investigation of Hurricane Katrina, but Admiral Keating, your predecessor, was not directly involved initially in the response to Hurricane Katrina. As I recall, Deputy Secretary of Defense Gordon England watched what was happening on TV and acted just because of that kind of informal public notice in order to get Northern Command involved.

So are we better prepared now for a quick response by our military in the case of a local catastrophe in the United States?

General RENUART. Mr. Chairman, absolutely we are, and I say that without any doubt. We have spent a great deal of time working through our Defense Coordinating Officers but, more importantly, working directly with the States that, for example, in the case of the hurricanes are likely to be affected by these storms, working directly with their Adjutants General, with their State emergency management directors, and with the governors themselves, to ensure that we understand where they do have vulnerabilities and gaps.

The National Guard Bureau has a great stoplight chart that can show you by level of hurricane, as the hurricanes become more intense, where the States begin to have shortfalls. Our role is to plan for those shortfalls and to be prepared to fill in those gaps, not when they call for the response but to be prepared prior.

Mr. Verga mentioned the Secretary signed out an order in the last couple months that is giving me authority to mobilize and deploy a substantial force, not just necessarily of a standing brigade combat team but, rather, tailored kinds of capability—the ability to do reconnaissance of a damaged area, communications capability so that we do not have a repeat of the gaps in communication and the inability for first responders at the State level and military responders and assistants to communicate.

The ability during the exercises that I have mentioned for us to integrate command and control capabilities, it is not an issue of who is in command but, rather, how do we get all of those nodes to talk to each other.

Finally, as Mr. Verga mentioned, we really have spent a lot of money since Hurricane Katrina and really in recognition of the importance of these national planning scenarios to train, fund, and equip teams at the State, at the regional, and at the Federal level to respond to a CBRNE event. So I am much more comfortable, and I think if Admiral Tim Keating were sitting here today, he would give you the same answer.

Chairman LIEBERMAN. Good. Admiral, from the DHS perspective?

Admiral RUFE. Yes, sir. Just to go back a little bit to the Carter-Perry report, I participated in that roundtable, and I do not think that was the conclusion that I drew from it. It was the conclusion, I think, of the people around that table that clearly an event of that nature would overwhelm State and locals even in a city as well prepared as New York and that there needed to be a strong and immediate Federal response to that. But, more importantly, I think it recognized the fact that no matter how well prepared we are—and we still have much to do—an event that horrific in terms of the number of dead, the number of people irradiated, the extent of radiation contamination, which would leave a large area uninhabitable for an extended period of time, and on and on, that the emphasis ought to be placed certainly on preparing for such an event but, more importantly, on preventing such an event.

Chairman LIEBERMAN. Yes, absolutely. Obviously, we have spent a lot of time, including on this Committee—I appreciate your mentioning it—on both the work that your Department of Homeland Security does and the Director of National Intelligence does, along with other parts of our government, obviously DOD, to prevent

these attacks from occurring. So we are focused here—and it is important to point that out—on the response.

General Blum and General Libby, do you have a word or two from the perspective that you have, which is more uniquely a State perspective?

General BLUM. Yes, sir. Thank you, Mr. Chairman. The question that I wanted to respond to was the words "control the situation." There is no State or local government that is equipped and prepared to deal with the type of event that you describe. You are talking about a nuclear detonation in a large-population area. It will absolutely require all of the elements of this Nation's power to respond in a support role to the constitutionally established civilian governance that exists or survives that event.

Chairman LIEBERMAN. And, quickly, of course.

General BLUM. Absolutely. It has to be immediate, and that requires preplanning and pre-thinking. The type of exercises that we conducted in Indianapolis take us a far, far, giant step forward in being better prepared. We are not fully prepared, but I will tell you we are far better prepared today than we were just several months ago, and dramatically better prepared than we were 5 years ago.

Chairman LIEBERMAN. And, obviously, you are speaking from the perspective of the National Guard.

General BLUM. Yes, Mr. Chairman. I am speaking from the perspective of the National Guard, but the National Guard as a player on a team with the Department of Defense, the U.S. Northern Command, the Department of Homeland Security, and the States. From my position on the team, the team is far better prepared. Are we fully prepared? No.

Chairman LIEBERMAN. General Libby.

General LIBBY. Yes, sir, thank you. I do not disagree with anything I have heard, and I would simply say that I do not think any of us at State level anticipated, prior to Hurricane Katrina, that a State would be overwhelmed as quickly as Louisiana was.

Chairman LIEBERMAN. Right.

General LIBBY. And I would tell you that all of us now take seriously that one part of our responsibilities to our governors is to prepare them for the eventuality that a State may be overwhelmed. I think that is where we are focusing our attention right now. Clearly, the response to that and the protocols that will direct that response are being developed above us. But I think our obligation at the State level is to prepare each one of these politicians who are our governors for the reality that the State can be overwhelmed, and they need to be prepared to deal with that, and the protocols are in place.

Chairman LIEBERMAN. Very important. Thank you. That is the critical point that is hard for some people to understand. We are distinguishing here between a natural disaster, which can have significant adverse effect—a normal hurricane or a tornado—and, on the other hand, a catastrophic disaster, which was what Hurricane Katrina was. Again, we need to have these discussions about a WMD attack against the United States here in this kind of session in a rational way. We are in a very different place, of course, than we have been before, and it is not a place any of us want to be, but that is where we are, as the National Intelligence Estimate

said yesterday. So one can imagine even a WMD attack that would be controllable in a local area, but you can imagine others, such as a nuclear attack, that would be catastrophic and would totally overwhelm State and local and where all of you are going to be very important. Thank you very much for those answers.

Senator Collins.

Senator COLLINS. Thank you, Mr. Chairman.

General Blum, in January you testified before the Commission on the National Guard and Reserves, and you said, "Eighty-eight percent of the forces that are back here in the United States"—this is after having been deployed—"are very poorly equipped today in the Army National Guard."

A GAO report that was also released in January found that most State National Guard leaders had also expressed concerns about having sufficient equipment to respond effectively to a large-scale disaster, whether natural or manmade.

What is your assessment today of whether the National Guard has sufficient resources to provide adequate support to civil authorities in the event of another catastrophic event like Hurricane Katrina?

General BLUM. Senator, let me put it to you this way: If it is a predictable event, we have enough equipment in the United States to move it and preposition it with advance notice, both in the National Guard and then if I do not have it in the National Guard, I can get it from the other elements of DOD. In a predictable event, I can do that, as we have done in preparation for this hurricane season that we are in right now.

All the Coastal States from Maine to Texas have predetermined requirements of the equipment that they do not have. In Maine, for example, General Libby has requirements if a hurricane were to hit the coast of Maine. He knows what he has and he knows what he needs. We know where it is coming from, and that is the chart to which General Renuart alluded.

The fact that he knows about the chart and the Department of Defense knows about the chart and the Department of Homeland Security knows about the chart, and the States built the charts, is very important. That did not exist 4 years ago. In a predictable event, we can make do with not having enough equipment because we can move it around.

In a no-notice event, we are at risk, and we are at significant risk. In the kind of event that Chairman Lieberman is describing, we would be at great risk.

Senator COLLINS. I appreciate that assessment.

General Libby, General Blum mentioned a database that the National Guard Bureau has developed of 10 key areas of capabilities for missions that the National Guard would be called upon to perform in the event of a disaster, such as transportation, logistics, and security. And the intent, if I understand it correctly, of this database is to show which States are mission ready in each of the 10 areas. The database also requires each of the TAGs to report on mission readiness not only for the National Guard units but also for other State agencies, such as medical or HAZMAT capabilities.

Now, you are in a unique situation because you wear all those hats in Maine, but that is not the case in most States. Do you

think this database is a feasible, realistic, and accurate description of the capabilities for other States?

General LIBBY. Yes, I do, Senator, because, again, it is being developed at State level, and despite the fact we are organized uniquely from State to State, the development of that database, while it might be an action of the TAG because it involves looking at Department of Transportation, marine resources, inland fisheries and wildlife, and the like, takes place in what we call the emergency response team level at State level. So I am satisfied that occurs.

Again, I think where the disconnect in communication occurs is that database can be developed and shared upwardly, but in the communication that comes down the pipe from DHS in particular, if we do not provide a forum—and Art Cleaves is doing that at FEMA Region I—where we get those disparate hats into the room when one person does not wear them all in the State, that is where our communication gaps occur.

I also need to point out to you that as we have gone through transformation in the National Guard, there has been a recognition at the National Guard Bureau level that these 10 essential capabilities are, in fact, essential for each governor to carry out his or her responsibilities for their citizenry, and there has been a magnificent effort at the National Guard level, as we have gone through transformation, to ensure that we all have some piece of those essential elements.

So I am absolutely satisfied that the data that is reflected on those charts has been vetted properly at State level.

Senator COLLINS. Thank you.

General Libby, General Blum just told us that if there is a catastrophic event that is unpredictable—not a hurricane that you know is coming but, for example, a terrorist attack would be an unpredictable event—he believes that we are at significant risk because we have not sufficiently equipped the National Guard to help provide the adequate response to civil authorities.

Is that your assessment for the State of Maine as well?

General LIBBY. Yes, Senator it is. We spend the bulk of our time in Maine, as they do in all of the other 53 States and Territories, looking at the risks that we have assessed that the State faces and focusing our attention on those risks. They have not included until very recently the catastrophic type events that we are talking about here this morning, but I am absolutely satisfied that in Maine—and I think I can speak for virtually the other 53 States and Territories—and concurring entirely with the Chief's assessment, we are not prepared to deal with those type of catastrophic events.

Senator COLLINS. General Renuart, the Commission on National Guard and Reserves in its March report stated that the commander of U.S. Northern Command does not sufficiently advocate for the full range of civil support requirements affecting the National Guard, and the report goes on to say neither do the chiefs or the vice chiefs of the Army or the Air Force.

The Commission went on to say that it had raised this issue repeatedly with witnesses from both the Department of Defense and

DHS, but that no one person is a real advocate in this area. Could you comment on that?

General RENUART. Senator, I would be happy to, and I appreciate that question, and I think at the time of the Commission's report, the statement was accurate. I do not think it is accurate today.

First, given the additional authority from the Secretary of Defense, the Commander of USNORTHCOM is the advocate for the National Guard and the Reserve in the budgeting process within the Department of Defense. And as a result, I take the assessments that General Blum and the Adjutants General (TAGs) put together on the gaps that exist out there in terms of funding for their equipment. And in this budget cycle, I will be carrying them forward in my commander's Integrated Priority List, which is the way that we put requirements into the Joint Requirements Board process within the Department of Defense, and compete them for funding.

Now, the Committee I know is aware that through the work of the National Guard Bureau and the Secretary of the Army and the Chief of Staff of the Army, in the 2008 to 2013 budget cycle, there is a substantial infusion of money into equipping the National Guard, some $21 billion over that 5-year period. That will not solve all of the issues that we have worked. Our job at USNORTHCOM is to look at those unique gaps that exist between what I will call traditional warfighting missions and the missions that the governors would ask the National Guard to do to respond to a catastrophic or a natural disaster event in their State.

We then will take that through the funding process and advocate that, whether it is before the Committees or in our normal budgeting process.

So I think today we have a much clearer process whereby the Commander of U.S. Northern Command will be a principal advocate for the National Guard in this process.

Senator COLLINS. Secretary Verga.

Mr. VERGA. Thank you, ma'am. I would add to what General Renuart said that the U.S. Northern Command, in conjunction with our office, is, in fact, leading something we call a "capabilities-based assessment" of the homeland defense and civil support missions that the Department might have to undertake. That capabilities-based assessment will, in fact, result in our ability to work within the requirement-setting process so that we can, in fact, meet those needs that are identified there.

Senator COLLINS. Thank you.

Chairman LIEBERMAN. Thanks very much, Senator Collins.

Senator Stevens, glad to have you here this morning.

OPENING STATEMENT OF SENATOR STEVENS

Senator STEVENS. Thank you very much. I am sorry to be late.

I have come primarily because of a problem that I ran into in Alaska. I do not want to get too provincial about this, but our fire situation nationally is becoming one of the major natural disasters that we all face. I have found that the planes that have been used to scoop up water from our lakes and drop it on the fires are now non-existent, that they have all been taken out of our State, one-fifth the size of the United States. We have more than 60 percent

of all the timber of the United States in one State. The last two planes are in Arizona, I am told, that are available to the system.

Now, it is not a National Guard problem per se, but I think we need to look at developing new strategies to deal with some of these emergencies, such as fires. I had occasion to visit with our adjutant general, who is a great friend and a very competent man, and we talked about the use of helicopters that they have to lift the buckets of water. They are not as efficient as the planes used to be. Why we have passed up the concept of building a new generation of planes to fight fires I do not know, but we do not have any. I am told that these last two are under contract, as a matter of fact, not even owned by the Federal Government.

Admiral Rufe, you and General Renuart and General Blum, I have worked closely with all of you over the years on a lot of things. So I was surprised to find this problem, that it had not been addressed, so far as I can find out, and Arizona now has the planes. And it is logical because they are down close to the place where more development and more individuals might be affected by fires. If I were managing it, I probably would have made the same decision, send them where the fires will occur in later summer. Our fires, incidentally, occur primarily before the 4th of July. But that is because of the storms. They are primarily set off by lightning, although this last one was caused by a young man who was sharpening a shovel with a file. We will not go into that, but the difficulty I have is planning ahead. We now have beetle kill in the West that has killed so far about one-third of the trees in the national forests, and we expect that to continue to expand. The beetle kill is an enormous fuel for fires.

Is anyone addressing the question of equipment for the National Guard to meet emergencies? I do not know if you all have gone into that. This is just one instance of the type of equipment. We have the total force there equipped for war, but are they equipped for national emergencies of this type? Should we have someone make a study of the equipment that you all need to meet these new contingencies? I certainly think it is going to be a budget problem.

What do you think about this? How can we handle this equipment problem, particularly where we have a situation where the primary tool for fighting fires—and I am told that was the best tool we had, the aircraft—is gone.

General RENUART. Senator, if I might lead off, that is a great question. I appreciate that. I would tell you that you are correct, the contract process for that has a smaller footprint than it has ever in the past. Of course, that is run and coordinated by the National Interagency Fire Center that is out in the West in the United States today.

While we do not have in the Department of Defense specific airplanes designed for that process, I do have and the Secretary signed an execute order (EXORD) that will allow me authority to keep six C–130s—in fact, they are based at Peterson Air Force Base. I fly with that unit. They are configured with a modular airborne fire fighting system. They are available at the request of the National Interagency Fire Center, and they can be deployed anywhere in the country.

So we have chosen to retain that capability with this unit. That particular unit owns 12 airplanes. We have six of the airborne systems, and to this point, the fires have been such that the request has not been exercised. However, I have the authority to deploy them on a telephone call.

Senator STEVENS. Well, let me tell you, the fire that I went to see this last recess was one that was very interesting because the first 2 days, the cost of fighting that fire was very small. It was contained. The third day it got away, and the increased cost of that fire to the Federal Government and to the State government and some of the private owners was horrendous. It increased 40-fold.

The planes had left Alaska the day before that fire started, and where you have those planes, it is going to take at least a day or two to get up to where we are.

Why can't we work out some regimen with the National Guard for emergency use of some of these helicopters and these buckets? It will at least be of some use. But, also, why can't we get a study on getting them back into Federal ownership? Those are Canadian planes, as I understand it. We are chartering them from Canada after their fire season is over.

Mr. VERGA. Sir, if I may, of course, we work with the Department of Agriculture, the U.S. Forest Service, when we are talking about what we do in support of wildland firefighting. It is coordinated, as the General said, through the National Interagency Fire Center, which is out in——

Senator STEVENS. I understand that, Mr. Secretary, but you know how long that takes? That takes 3 days if you are dealing with Alaska. In that 3 days, the fire consumes another 80,000 acres of timber.

Mr. VERGA. Yes, sir. With regard to the availability of the National Guard aircraft—helicopters, for example, that would be up in Alaska—it is within the authority of all local commanders to include Title 10 forces, or anything, to use DOD resources in support of an emergency, to prevent great property damage, save lives, or mitigate suffering. We call it the emergency immediate response authority. So the local commander of a base, if he has a helicopter and it is equipped with—the term is "Bambi Bucket"—the buckets that scoop up and drop water, has the authority on his own to be able to respond.

Again, the modular airborne firefighting system that General Renuart talked about had been procured by the Forest Service and are flown on National Guard and Air Force Reserve aircraft, which are available for deployment at the direction of the center that is coordinating forest fire response throughout the country.

Senator STEVENS. Mr. Secretary, none of those carry water. You are talking about C–130s. They are not going to be capable of carrying water like the old planes we used to scoop up water with. And these people have not been trained to fly buckets and trained to coordinate with the ground crews to fight fires with those buckets.

Now, I am saying to you it is nice to say you have got that coordination on the books. I do not think there is a finer commander in the country than General Campbell, and he tried his best. The difficulty is to get this coordination going while the fire is going on.

To my best knowledge, there is no current arrangement for training of some of the local National Guard people to work with the firefighters to deal with these situations if they occur.

Second, why should we get down to the point that a Nation this size has two planes left that will scoop up the water and dump it on the fire, which is the best method of stopping a fire immediately.

Mr. VERGA. Yes, sir.

Senator STEVENS. I really cannot accept the fact that you have got a lot of things in agreements. If you had them in agreements, they did not work in this case. And I do not think they are working currently down in the South 48, either.

Mr. VERGA. I will commit to you, sir—we had a similar situation in California about 3 years ago when we ran into the problem with a lot of fires out there. I will commit to you to looking into the ability of the military units in Alaska to be coordinating with the ground firefighting elements and let's get that necessary training communications to be——

Senator STEVENS. Coordinating with what, Mr. Secretary? There are not the aircraft there. When are we going to wake up and start getting some plans to replace those aircraft?

Chairman LIEBERMAN. General Blum, do you want to get into this?

General BLUM. Mr. Chairman, not really, but I will do this——

Chairman LIEBERMAN. Do you want to come to the defense of Secretary Verga?

General BLUM. Well, I think I will just try to bring some perspective to the discussion. What Senator Sevens is saying is true. The capability to scoop water is not in the military air capability any longer. It is in the civilian contractor world. These are old airplanes. They are operated by civilian companies and under contract from various people for firefighting.

What General Renuart was describing and what we do have in the National Guard, and we do make available, Senator, is the kits—we have 16 kits that will slide up inside of a C–130. The crew must be trained how to operate the kit and maintain the aircraft because it is problematic. You have seen that red stuff——

Senator STEVENS. General, don't you have to go back somewhere and land to fill those——

General BLUM. Absolutely you do.

Senator STEVENS. With the other ones you just went back to the nearest——

General BLUM. You went to the lakes.

Senator STEVENS [continuing]. Water and fought it.

General BLUM. No question. But what I am trying to tell you, Senator, is they do not exist in the U.S. Air Force or the U.S. Army today. They are certainly not in the National Guard because we only have Army and Air Force equipment.

What exacerbates what you are describing is that at the time the Alaska fires were going on, there were wildfires in 17 other States that were competing for the scarce resources that we do have in Colorado, Wyoming, California, and North Carolina, and these buckets that Secretary Verga is talking about, they literally are buckets. They hang under the helicopter, and they are literally a

bucket on a rope in a more sophisticated manner, but you can drop them in a local water source, a lake nearby the fire, but you are throwing a bucket of water on an 80,000-acre fire from the helicopter, and it is less than optimal.

I will make a commitment to call General Campbell, and if there is anything not in the fight right now in the country, we will get it in the fight in Alaska.

Senator STEVENS. I am not being totally provincial. I am saying I think we should plan to find a way to build some new aircraft or at least adapt some aircraft to the old function. One helicopter dumping—I do not know how many gallons it can hold, but it really does not do the job that airplane used to do. I am told that if we had had those two aircraft, we could have put that fire out in 2 days.

General BLUM. And I tend to think you are correct.

Senator STEVENS. But there are no such airplanes now.

General BLUM. Well, sir, we are in violent agreement on that.

Senator STEVENS. Why doesn't someone come up with a plan and a request to build some airplanes or modify some old ones to turn them into the scooping type of aircraft?

General RENUART. Well, Senator, I think that goes back to my role advocating for just this kind of capability. I think we have committed that we will try to figure this out, and we will return back to you or to the Committee and try to give you a sense of how we could move forward on this.

Senator STEVENS. Thank you very much.

Chairman LIEBERMAN. Thank you, Senator Stevens.

I think Senator Stevens raises a question from a unique local perspective which obviously has very serious national implications, and in some ways on a slightly different disaster consequence, it is exactly what General Blum said earlier, which is that the National Guard is ready to respond to a predictable natural disaster, perhaps even one of a catastrophic nature—predictable, I presume you mean, General, in the sense that there is a weather forecast that is credible that says that a catastrophic hurricane is heading somewhere, to the Gulf Coast, let's say. And the reason that you are ready is that you can move resources and personnel—you have the time because it is predictable—to wherever the crisis is. But the problem is where the National Guard is not ready everywhere in the United States for a non-predictable event such as a terrorist attack.

General BLUM. Or even a tornado. A killer tornado going through three towns in Iowa, the Governor of Iowa and the adjutant general of Iowa are going to be looking for help from neighboring States and surrounding States, no question.

Chairman LIEBERMAN. Right. So I think there are two questions. One, can we create a system that is ready throughout the country for the non-predictable events? Or two, is there a way in which USNORTHCOM can be prepared to rapidly supplement local areas in the case of a non-predictable event, either natural or terrorist? General, do you have a quick answer.

General RENUART. Mr. Chairman, yes. I think we have through the lessons learned with Hurricane Katrina, through the lessons we saw in both Exercise ARDENT SENTRY in New England and

in Indianapolis, we have, if you will, created tiered sets of capability that allow a first responder to get on scene and begin to assess, but very rapidly brings additional State responders, whether it is civilian or the National Guard, the Emergency Management Assistance Compact that brings in surrounding States, and then at the same time, the Department of Homeland Security and FEMA are responding from the Federal level to bring the larger muscle movements to that.

Senator I think it would be unfair to characterize that in a nuclear detonation, for example, a terrorist detonation of a nuclear weapon, all of us would not be overwhelmed up front. So it is important to realize that you will have that period as you are building your response.

I think I am comfortable in saying that among all of the agencies here, we recognize the size of that problem, and we are in the process of building additional capacity that will allow us to shorten sort of the period of chaos——

Chairman LIEBERMAN. In other words, your goal is not to be overwhelmed for long?

General RENUART. Correct.

Chairman LIEBERMAN. I got you. Unfortunately, a vote has gone off. This is a very critical question, and it is one that I actually would like to see if we can organize some process—Senator Stevens said it about his particular question—to determine what we need to shorten that gap during which it is going to be hard not to be overwhelmed so that we can bring relief to the people as quickly as we can.

Senator Collins has one question, and then, unfortunately, we are going to have to adjourn.

Senator COLLINS. Thank you, Mr. Chairman.

General Libby, you, among this panel, are probably the only one who realizes that I have never missed a vote, so I am going to ask you to be very quick in your response to my question. You talked about the fact that there were included some changes in the Insurrection Act at the behest of Senator Warner in the DOD bill, and you suggested that be repealed. So let me ask you this question: Do you see any need to expand the situations in which the President can deploy Federal troops to a State during a disaster? Or do you think that the old law was adequate?

General LIBBY. I think the governors and the adjutants general spoke with one voice on that subject a year ago, and the answer, Senator, is the old law was adequate in our collective opinions.

Senator COLLINS. Thank you. And I want to thank all of our witnesses today for truly terrific testimony. Very helpful.

Chairman LIEBERMAN. I agree. I thank you. I thank you for what you do every day. I am just looking at the panel, and you are really the five people that the Commander-in-Chief is going to turn to on a day of a catastrophe in this country, which we hope and pray does not come but we know probably will. And the bottom line, my reaction to the testimony that you have given today is that we are significantly better prepared, certainly than we were on September 11, but definitely than we were in response to Hurricane Katrina. We are going to keep the record open of this hearing for 15 days. We have got more to do, and I invite you to be as specific as you

can in writing to the Committee about what you need from Congress to help you be as prepared as humanly possible.

INFORMATION SUBMITTED FOR THE RECORD FROM GENERAL RENUART

We would appreciate the Committee's support of our efforts to integrate most day-to-day operations into a single NORAD and USNORTHCOM Command Center on Peterson Air Force Base. Exercise ARDENT-SENTRY—NORTHERN EDGE 2007, which is the most complex exercise of this magnitude every undertaken by USNORTHCOM and the National Guard Bureau, reinforced that our integration of NORAD and USNORTHCOM missions into a single command center is an essential element for an effective response to the full spectrum of threats to the United States and Canada.

Senator LIEBERMAN. But in the meantime, I thank you very much for being on guard every day for us and for the people of this country. The hearing is adjourned.

[Whereupon, at 12:11 p.m., the Committee was adjourned.]

APPENDIX

FOR OFFICIAL USE ONLY
UNTIL RELEASED BY THE
SENATE COMMITTEE ON HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS

Statement by

Peter Verga,

Acting Assistant Secretary of Defense for Homeland Defense and Americas' Security Affairs

Before the 110th Congress

Committee on Homeland Security and Governmental Affairs

United States Senate

July 19, 2007

INTRODUCTION

Chairman Lieberman, Senator Collins, distinguished members of the Committee: thank you for the opportunity to address you today regarding the progress made in the Department of Defense's disaster response capabilities since Hurricane Katrina.

CBRNE CONSEQUENCE MANAGEMENT

The Threat

The greatest threat in today's security environment is the nexus between transnational terrorism and chemical, biological, radiological, and nuclear (CBRN) weapons proliferation. Successful operations in Iraq and Afghanistan have resulted in the death or capture of numerous senior al-Qa'ida leaders and many operatives, but al-Qa'ida has proven resilient. Despite being forced to decentralize its network, al-Qa'ida retains the ability to organize and inspire attacks. Al-Qa'ida continues to aspire to inflict mass casualties upon the people of the United States, whom they consider the center of gravity in a global conflict, as well as others.

The most likely al-Qa'ida attack method is the use of conventional explosives. The thwarted United Kingdom aviation plot of last summer and other major threat reports all involve conventional explosives. However, intelligence reports and public pronouncements continue to indicate that al-Qa'ida and other groups are attempting to acquire CBRN weapons or materials.

Unlike our adversaries during the Cold War, rational nation-states who considered CBRN weapons "weapons of last resort," our terrorist adversaries today consider CBRN weapons "weapons of first resort." Whether al-Qa'ida or other transnational terrorists develop CBRN weapons or acquire them from rogue nation-states, we can be certain that they will use such weapons against the United States at their first opportunity, especially, if they can, on American soil to kill our

citizens, destroy our property, disrupt our economy, and attempt to break our national will to resist their extremist objectives.

The Military Defense

The first line of defense against a CBRN weapon attack in the United States must remain in the front yard of our adversaries, not in Americans' front yards. As noted in the 2005 National Defense Strategy, DoD's first priority is to secure the United States from a direct attack. DoD gives top priority to dissuading, deterring, and, if necessary, defeating those who strive to harm our nation, with emphasis on adversaries potentially armed with CBRN weapons.

To our adversaries this conflict is a global one. Therefore, the defense of our nation, the prime target of our adversaries, must be part of a global, active, and layered defense-in-depth that seeks to halt attacks against our nation as far from our own shores as possible. Such an active defense is a powerful deterrent, dissuading adversaries and denying them the operational initiative.

We have, in conjunction with our international partners, taken the fight to the extremists, disrupting transnational terrorist planning and preparation before they can launch attacks. Here at home, DoD's first responsibility is to employ our nation's warfighting capabilities, subject to constitutional and statutory authority, in a military defense of American lives, property, and individual freedom.

The Military Response

DHS is responsible for the coordinated U.S. national effort to prepare for, prevent, protect against, respond to, and recover from terrorist chemical, biological, radiological, nuclear, and high-yield explosive (CBRNE) attacks. If a CBRNE incident should occur within the United States, DoD, at the direction of the President or the Secretary of Defense, as appropriate and consistent with the law and the imperative to maintain military readiness, will provide critical

CBRNE consequence management support to civil authorities as part of the comprehensive national response to a CBRNE incident.

Military Response Forces and Capabilities

With few exceptions, DoD's consequence management capabilities are designed for the wartime protection of DoD's personnel and facilities. With the exception of a dedicated command and control element (Joint Task Force Civil Support) and National Guard Weapons of Mass Destruction-Civil Support Teams, DoD relies on dual-capability forces to support civil authorities in domestic CBRNE consequence management. In accordance with the 2005 Strategy for Homeland Defense and Civil Support, DoD "will be prepared to provide forces and capabilities in support of domestic CBRNE consequence management, with an emphasis on preparing for multiple, simultaneous mass casualty incidents."

Military response forces include:

- National Guard Weapons of Mass Destruction - Civil Support Teams (WMD-CSTs). Consisting of 22 high-skilled, full-time members of the Army and Air National Guard who are federally resourced, trained, and certified, and operate under the command and control of a State governor (Title 32, U.S. Code), the WMD-CSTs support civil authorities at a CBRNE incident site by identifying CBRNE agents/substances, assessing current and projected consequences, advising on effective response measures, and assisting with appropriate requests for State and Federal support. Section 1403 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314) authorized 55 WMD-CSTs and required DoD to ensure that of these 55 teams there is at least one team established in each State and territory. Currently, 52 of the authorized 55 WMD-CSTs have been certified by the Secretary of

Defense. The remaining three teams, in Guam, Puerto Rico, and the Virgin Islands, are expected to be certified in Fiscal Year 2008.

- National Guard CBRNE Enhanced Response Force Packages (CERFPs). The CERFPs are task-organized units with combat support and service support mission essential tasks that, in conjunction with WMD-CSTs, assist local, State, and Federal authorities in CBRNE consequence management (e.g., casualty search and extraction, medical triage, casualty decontamination, and emergency medical treatment). CERFPs, which operate on State Active Duty, on duty under Title 32, U.S. Code, or, in extraordinary circumstances, on duty under Title 10, U.S. Code, are designed to fill the 6-72 hour gap in capabilities between the first response and the Federal response following a CBRNE incident. There are currently 17 CERFPs (California, Colorado, Florida, Georgia, Hawaii, Illinois, Massachusetts, Minnesota, Missouri, Nebraska, New York, Ohio, Pennsylvania, Texas, Washington, Virginia, and West Virginia), of which 12 are trained and ready to respond to CBRNE incidents in each of the 10 FEMA regions.

- Joint Task Force Civil Support (JTF-CS). JTF-CS, headquartered at Fort Monroe, Virginia, and its components, Joint Task Force Consequence Management East (headquartered at Fort Gillem, Georgia) and Joint Task Force Consequence Management West (headquartered at Fort Sam Houston, Texas), is a deployable, standing task force of 160 assigned military personnel led by a two-star Army National Guard general officer serving on active duty, who is under the command of the U.S. Northern Command (USNORTHCOM) commander. The mission of JTF-CS is to deploy, when directed, to a CBRNE incident site to exercise

command and control of assigned Federal military forces to support civil authorities.

- U.S. Marine Corps Chemical-Biological Incident Response Force (CBIRF). The CBIRF, which consists of 117 personnel, 21 vehicles and necessary equipment, and follow-on forces of 200 additional personnel and 22 additional vehicles and equipment, is a deployable force capable of responding to a CBRNE incident in support of local, State, or Federal authorities and designated combatant commanders' consequence management operations by providing capabilities for agent detection and identification; casualty search and rescue; personnel decontamination; emergency medical care; and stabilization of contaminated personnel.
- U.S. Army Explosive Ordnance Disposal Teams, which can provide assistance to detect, identify, render safe, and dispose of unexploded ordnance such as improvised explosive devices and CBRNE weapons.
- U.S. Army Technical Escort Units (TEUs). The TEUs' mission is to provide a worldwide response for escorting, rendering safe, disposing, sampling, verifying, mitigating, and identifying weaponized and non-weaponized chemical, biological, and other hazardous materials. One TEU company supports the National Capital Response Force.
- CBRNE Consequence Management Response Forces (CCMRF). The CCMRF includes elements of all of these capabilities and can be quickly tailored to provide a coordinated response to specific CBRNE incidents. The CCMRF are Title 10, U.S. Code, joint forces capable of responding to a wide range of CBRNE attacks

against the American people with a wide range of services, including decontamination and security of a contaminated site or area; medical triage, treatment, and care; and transportation and logistical support.

DoD's CBRNE consequence management capabilities include specialized agent detection, identification, and dispersion modeling systems as well as casualty extraction and mass decontamination abilities. DoD also can provide emergency medical support such as equipment, mobile hospitals, aeromedical evacuation, medical personnel, engineering support, and mortuary services.

Exercises

Homeland security and homeland defense exercises are critical to ensuring readiness and identifying gaps and potential weaknesses within each agency and across agencies in responding to terrorist attacks, including multiple, simultaneous challenges. These exercises support the DHS National Homeland Security Exercise Program established by Homeland Security Presidential Directive-8 (HSPD-8), "National Preparedness" (December 17, 2003). DoD either sponsors or is a major participant in no less than four major interagency exercises per year. In the past these have included UNIFIED DEFENSE (2003, 2004), DETERMINED PROMISE (2003, 2004), ARDENT SENTRY (2005, 2006, and 2007), DILIGENT ENDEAVOR (2003), DINGO KING (2005), DILIGENT WARRIOR (2004), NORTHERN EDGE (2003), SCARLET SHIELD (2004), DARK PORTAL (2004), CYBER STORM (2006), and TOP OFFICIALS (TOPOFF) II and III (2003, 2005). All recent scenarios for DoD and interagency exercises have included the challenge of countering and responding to CBRNE threats such as radiological dispersion devices in the northeast and western United States, improvised nuclear device attacks in the western US, nuclear weapon and recovery in the western and mid-western United States, chemical and improvised explosive device attacks on the East Coast, and biological attacks in the Northeast, Midwest, and Pacific Northwest.

HURRICANE PREPAREDNESS

Additionally, DoD is prepared to assist in responding to natural disasters such as 2005's Hurricane Katrina.

Hurricane Katrina Lessons Learned

In terms of people displaced, businesses disrupted, and economic effect, Hurricane Katrina was one of the most devastating hurricanes in U.S. history. Appropriately, the DoD and State response was the largest, fastest deployment of military forces and resources to support civil authorities in our nation's history:

- More than 70,000 military personnel -- 50,000 National Guard and 22,000 Active Duty personnel;
- More than 2,000 health care professionals;
- 293 medium and heavy lift helicopters;
- 68 aircraft;
- 21 U.S. Navy ships;
- 13 mortuary affairs teams;
- 2 joint task force headquarters to support FEMA planning;
- Space-based imagery support;
- More than 80,000 Gulf Coast residents evacuated;
- 15,000 residents rescued;
- 10,000 medical evacuations by land and air;
- More than 5,000 sick and injured persons treated; and
- 30,000,000 meals and 10,000 truckloads of ice and water delivered.

DoD performed well, but we can do better. Afterwards, DoD supported the White House, House of Representatives, and Senate examinations of the response to Hurricane Katrina. More importantly, DoD has heeded and acted upon the lessons learned identified in the reports produced by these reviews. If the Committee does not object, I would like to enter into the record a report (attached) provided by DoD to the Armed Services Committees of the House and Senate in April 2007 on DoD's implementation of the recommendations identified in the White House and the House of Representatives reports.

DoD actions to implement these recommendations include:

- Helped DHS/FEMA improve its ability to lead the Federal response to hurricanes and other catastrophic incidents;
- Collaborated with DHS in planning and preparing for catastrophic incidents in which DoD will play a significant supporting role;
- Published a standing Execute Order (EXORD) that provided the commanders of U.S. Northern Command (USNORTHCOM),U.S. Pacific Command (USPACOM), and U.S. Southern Command (USSOUTHCOM), as supported commanders, more responsive and flexible mechanisms for providing DoD support to civil authorities, including authorization to deploy a Defense Coordinating Officer and a Defense Coordinating Element to support the Principal Federal Official and/or Federal Coordinating Officer and coordinate DoD assistance. This EXORD also permitted these combatant commanders to place specified personnel and resources in a "Prepare-to-Deploy" status in anticipation of a large-scale incident that could have overwhelmed civil authorities. Personnel and resources specified included:

- Defense Coordinating Officers and Defense Coordinating Elements;
- DoD installations that could have been used for FEMA mobilization centers;
- Medium and heavy lift helicopters;
- Search aircraft for disaster area reconnaissance;
- Robust, deployable communications support packages;
- Joint task forces to command and control Federal military forces;
- Combatant Commander Assessment Elements;
- Patient movement evacuation/transportation;
- Forward Surgical Teams; and
- The Defense Logistic Agency's (DLA's) Deployment Distribution Center.

- Attached a Defense Coordinating Officer and Defense Coordinating Element to each of the 10 FEMA Regional Headquarters;
- Developed pre-scripted requests for assistance, essentially "fill-in-the-blank" request forms using FEMA's mission assignment template. Current DoD-FEMA pre-scripted requests for assistance include support in several critical resource areas, including transportation, communications, debris removal, incident management, mass care and shelter, resources support, and medical support;
- Developed a USNORTHCOM Reconnaissance Concept of Operations (CONOPS) to facilitate coordination of DoD wide-area

damage assessment support. This CONOPS was tested and validated during Exercise ARDENT SENTRY '06;

- Reengineered and improved the process for civil authorities to request imagery and analysis;
- Approved a Standing Proper Use Memorandum for national technical and commercial imagery support in January 2006. This memorandum was successfully used during Exercise ARDENT SENTRY '06;
- Validated the National Guard Joint Force Headquarters State (JFHQ-State) as a DoD Joint Capability when activated;
- Provided planners and liaison officers to DHS and FEMA to assist with planning for the 2006 hurricane season, particularly for the Gulf Coast region; and
- Established a memorandum of agreement (MOA) between DLA and FEMA. Under this MOA, FEMA has provided $70,000,000 to DLA to procure, store, rotate, and provide supplies, including Meals-Ready-to-Eat (MREs), commercial meal alternatives, health and comfort kits, tents, generators, fuel, medical supplies, construction items and other equipment, to be used in the event of a catastrophic incident.

DoD Preparedness for Hurricane Season 2007

In addition to actions taken last year to prepare for hurricane season, we have gone further. Specifically:

- FEMA has already provided DoD with a request for assistance for the 2007 severe weather season, including:

- Defense Coordinating Officers and Defense Coordinating Elements to coordinate and facilitate DoD assistance;
- DoD installations for use as Federal Mobilization Centers and Operations Staging Areas to support Federal disaster response operations;
- Aircraft for aerial reconnaissance, damage assessment, search and rescue with hoist rescue capability, and command and control;
- Heavy lift aircraft capable of moving critical supplies, equipment, and personnel;
- Search aircraft with crew capable of conducting aerial reconnaissance (visual observation, still photography, and video download);
- Communications capabilities, interoperable with the FEMA Mobile Emergency Response System (MERS), to support initial coordination, first responders, FEMA, State emergency operations centers (EOCs), and deployed DoD forces;
- Fixed wing medical evacuation and transport capability to support evacuation and/or transport of non-critical patients from the disaster area; and
- Forward Surgical Team to provide initial emergency medical treatment.

- USNORTHCOM is prepared to exercise the responsive authorities provided by the standing EXORD, including authorities to:
  - Deploy a Defense Coordinating Officer and a Defense Coordinating Element to support the Principal Federal

Official and/or Federal Coordinating Officer and coordinate DoD assistance;

- Place specified personnel and resources in a "Prepare-to-Deploy" status in anticipation of a large-scale incident that may overwhelm civil authorities. Personnel and resources specified include:
  - Defense Coordinating Officers and Defense Coordinating Elements for up to 60 days;
  - DoD installations that may be used for FEMA mobilization centers for up to 60 days;
  - 8 Modular Airborne Firefighting Systems (MAFFs);
  - Medium and heavy lift helicopters;
  - Search aircraft for disaster area reconnaissance;
  - A Joint Airborne Communications Center Command, Control, Communications, Computers, and Intelligence planning team;
  - A robust, deployable communications support package;
  - Joint task forces to command and control Federal military forces;
  - Combatant Commander Assessment Elements;
  - Patient movement evacuation/transportation;
  - Forward Surgical Teams; and
  - DLA's Deployment Distribution Center.

- USNORTHCOM is prepared to coordinate DoD reconnaissance of the disaster area;
- The National Geospatial Intelligence Agency is prepared to provide imagery and analysis support;
- DoD is prepared to order strategic life support for patient evacuation; and
- In accordance with the MOA, DLA is prepared to provide, via FEMA, MREs and commercial meal alternatives (approximately 58 million individual meals), health and comfort kits, tents, generators, fuel, medical supplies, construction items and other necessary equipment.

DoD has executed or participated in numerous exercises to prepare for this year's hurricane season. For instance:

- DoD has participated in several Cabinet-Level Exercises (CLE) (formerly known as Catastrophic Assessment Task Force exercises). The CLEs are Cabinet-level tabletop exercises focused on catastrophic events – events that challenge the Federal Government's ability to respond, including in 2006 and 2007 hurricanes in the southeastern United States;
- USNORTHCOM Exercises ARDENT SENTRY '06 and '07, were based on Category III hurricanes in the eastern United States;
- DoD participated in FEMA-led hurricane preparedness tabletop exercises, designed to validate improvements in hurricane response plans based on 2005 hurricane season after-action reports, and to identify immediate coordination and preparedness improvements that needed to be made prior to the 2006 hurricane season. The first tabletop exercise, which focused on FEMA Region III (Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia), was held in Philadelphia,

Pennsylvania, May 3-4, 2006. The second tabletop exercise, which focused on FEMA Region VI (Arkansas, Louisiana, New Mexico, Oklahoma, and Texas), was held in New Orleans, Louisiana, May 17-18, 2006;

- DoD also participated in three additional tabletop exercises in 2006 in Atlanta, Georgia, for FEMA Region IV (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee), New York City, New York, for FEMA Regions I (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont) and II (New Jersey, New York, Puerto Rico and the U.S. Virgin Islands);
- In April 2007, the U.S. Army held synchronization drills to assist in the development of a sourcing strategy for equipment for the hurricane season;
- DoD hosted a logistics exercise, May 23-24, 2006, at Peterson Air Force Base, Colorado, with FEMA, Department of Transportation, DLA, the Joint Staff, North American Aerospace Defense Command-USNORTHCOM, and U.S. Transportation Command to assist with hurricane disaster logistics planning; and
- DoD increased the fielding of non-lethal capabilities sets to the National Guard of the various States.

COMMISSION ON THE NATIONAL GUARD AND RESERVES SECOND REPORT TO CONGRESS

The Strategy for Homeland Defense and Civil Support reflects a Total Force approach to homeland defense and domestic support to civil authorities that uses the capabilities of trained and equipped Active Duty, National Guard, and Reserve forces. This approach preserves the historic relationships among the Federal, State, and local governments and recognizes the unique capabilities of each component of the Total Force to respond swiftly to aid American citizens

desperately in need. The National Guard of the States, in particular, provide unique capabilities from 3,200 communities throughout the nation.

The John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364) directed the Commission on the National Guard and Reserves to examine and report on proposed National Guard enhancements. On March 1, 2007, the Commission released its second report to Congress, providing 23 recommendations.

Upon release of this report, the Secretary of Defense established a DoD working group to provide an assessment and recommended implementation plan regarding the Commission's recommendations. Based on the assessment and recommendation of this working group, the Secretary of Defense concurred in whole or substantially with 20 of the Commission's recommendations and directed DoD to begin implementation of recommendations that could be accomplished through changes in policies and procedures and draft legislative proposals for those recommendations that require a change in law. On the three recommendations with which the Secretary disagreed, he directed an alternative approach to address the shortcomings identified by the Commission.

In addition to supporting other DoD leads in 8 of the Secretary's directed actions, my office was assigned the lead for 4 actions to be accomplished collaboratively with DHS:

- Provide recommendations to the Secretary regarding DoD's policy on programming and budgeting for civil support capabilities;
- Draft an executive order establishing a "Council of Governors" to advise the Secretary of Defense and the Secretary of Homeland Security on homeland security issues, matters involving the National Guard of the various states, and other matters of mutual interest;

- Submit an annual report to Congress describing those civil support requirements generated by DHS and those validated as well as those executed by the respective Secretaries of the Military Departments; and
- Revise the MOA with DHS on the exchange of personnel. The revised MOA will ensure that DoD personnel with significant knowledge and experience in National Guard and Reserve matters are detailed to DHS and that personnel detailed from DHS have the opportunity to enhance their knowledge of National Guard and Reserve capabilities. The exchange program also will include involvement in planning, training, and exercises that could assist in validating requirements for support to civil authorities.

As directed by the Secretary, we are pursuing these actions aggressively.

CONCLUSION

Throughout our history, U.S. military forces – Active Duty, Reserves, and National Guard -- have defended our nation against its enemies on land, at sea, and in the air, adapting continuously to engage threats to our nation, and assisted in domestic man-made and natural disasters.

Mr. Chairman, I commend you and the members of the Committee for your leadership, continued interest, efforts, and support in the Department's defense of the United States and support to civil authorities here at home. The citizens of this nation, especially our brave men and women in uniform, have repeatedly demonstrated the patriotism, toughness, innovation, determination, and resiliency to face threats whether posed by man or nature. There is no doubt in my mind that those capabilities will be called upon again -- nor is there any doubt that the armed forces of the United States will again answer that call.

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AND GOVERNMENTAL AFFAIRS

STATEMENT OF

GENERAL VICTOR E. RENUART, JR.,USAF

COMMANDER

NORTH AMERICAN AEROSPACE DEFENSE COMMAND

AND

UNITED STATES NORTHERN COMMAND

BEFORE THE

SENATE COMMITTEE ON HOMELAND SECURITY

AND GOVERNMENTAL AFFAIRS

19 July 2007

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AND GOVERNMENTAL AFFAIRS

Chairman Lieberman, Senator Collins and Members of the Committee:

Thank you for this opportunity to discuss the role of United States Northern Command (USNORTHCOM) and North American Aerospace Defense Command (NORAD) in homeland defense and civil support operations.

Homeland defense is the highest priority for USNORTHCOM and NORAD. We work closely with our interagency and international mission partners to sustain continuous situational awareness and readiness to anticipate, deter, prevent, and defeat a range of symmetric and asymmetric threats in all domains that are directed at our homeland. When directed by the President or the Secretary of Defense, USNORTHCOM stands ready to support primary agencies in responding quickly to natural disasters and the effects of terrorist attacks.

As part of an active, layered response, the Department of Defense (DOD) has a long history of supporting civil authorities with specialized skills and assets that can rapidly stabilize and improve the situation in the wake of catastrophic events. USNORTHCOM provides defense support of civil authorities, as directed by the President or Secretary of Defense, primarily through our subordinate and Service-specific component commands in accordance with the National Response Plan (NRP) and applicable laws, including the Stafford Act and the Economy Act. We are actively coordinating with other federal agencies and developing stronger working relationships with state and local partners, including the National Guard, whether acting in a state active duty, operational Title 32 or federal Title 10 status.

USNORTHCOM fully supports the DOD strategy for implementation of the recommendations generated by the Commission on the National Guard and Reserves. The DOD-recommended changes in the Department's policies, procedures, and, where required, federal law, will foster increased collaboration among federal, military and non-military agencies in meeting civil support requirements. USNORTHCOM is prepared to support and enact each

recommendation as detailed in the implementation plan approved by the Secretary of Defense.

Specifically, we welcome measures that will increase unity of effort through identification and advocacy of civil support requirements, while preserving established and effective command and control authorities. Expansion of joint education and operational experience in both our active and reserve components, without restriction in key leadership assignments, will ensure only the best and most qualified officers are assigned to the full spectrum of joint and Service senior leadership positions.

In addition to our steady-state exercise, intelligence, and operational mission support of interagency homeland defense and security efforts, we maintain a "family of plans." These plans present a flexible and scalable approach to support the national response to natural and man-made disasters of varying characteristics and severity.

USNORTHCOM maintains plans and capabilities to support and complement a civil response. In the event of a natural disaster, destructive weather, seismic or pandemic events, active duty military forces are part of a collaborative and sequentially-layered response. Normally, local first responders are augmented by state resources, either within their state or via an Emergency Management Assistance Compact (EMAC) with other states, to include the employment of National Guard forces operating under the authority of a governor. USNORTHCOM remains vigilant to augment response efforts as part of overall federal support, if resources at the state and local levels are overwhelmed and federal assistance has been requested by the appropriate state authorities.

Specifically, USNORTHCOM has taken steps to significantly improve our ability to respond to natural disasters based on real-world and exercise lessons learned. We have also addressed findings identified in the House Select Bipartisan Committee to Investigate the Preparation for and Response

to Hurricane Katrina Report entitled, "A Failure of Initiative," the White House report entitled, "The Federal Response to Hurricane Katrina Lessons Learned," and this Committee's report, "Hurricane Katrina: A Nation Still Unprepared." USNORTHCOM has incorporated the Joint Staff standing execute order (EXORD) for Defense Support of Civil Authorities (DSCA) into operational planning for the 2007 hurricane season. The 2007 DSCA EXORD complements our defense support of civil authorities plan and gives USNORTHCOM authority, in coordination with supporting commands and military departments, to rapidly respond to requests for assistance from a federal primary agency as soon as specific criteria are met. The EXORD grants the USNORTHCOM Commander the ability to establish operational staging areas, federal mobilization centers, and DOD base support installations in support of the Federal Emergency Management Agency (FEMA) as well as to deploy airborne fire fighting systems upon receipt of a request for assistance from a primary federal agency. The Commander of USNORTHCOM can also place the following assets on 24-hour prepare-to-deploy orders: medium and heavy lift support helicopters, fixed wing search aircraft, communications support packages, patient movement capability, a Joint Task Force Headquarters for command and control of federal military forces, a forward surgical team, and a Deployable Distribution Operations Center.

Through our Army Service component command, U.S. Army North, USNORTHCOM has full-time Defense Coordinating Officers (DCOs) and their staffs in each FEMA region. In addition to acting as the single point of contact for all federal agency requests for DOD assets during response operations, DCOs routinely coordinate with state adjutants general and other key stakeholders to fully understand state response plans, capabilities, and gaps to allow DOD assets to be assigned quickly and effectively, when requested in times of crises.

We have also developed 25 pre-scripted mission assignments (PSMAs) to respond to specific predetermined requests for assistance from designated lead agencies. The PSMAs, developed in collaboration with the Joint Director of Military Support, the Office of the Secretary of Defense for Homeland Defense and Americas' Security Affairs, and the Department of Homeland Security (DHS), are based on anticipated capability requirements and greatly streamline and shorten response timelines.

Improvements in coordination and information sharing with outside agencies include:

• Exchanging liaison officers with the DHS/National Communications System and FEMA/Joint Field Offices.

• Hosting or participating in conferences and tabletop exercises including the 2007 Emergency Preparedness Liaison Officer Conference, the National Guard Bureau 2007 Hurricane Season Conference and the USNORTHCOM Hurricane Conference with the adjutants general from key coastal states.

• Coordinating with the U.S. Coast Guard and National Guard Bureau (NGB) on a Joint Search and Rescue Center for large-scale operations to increase visibility and provide de-confliction of airborne rescue assets.

• Collaborating with DHS and the National Geospatial-Intelligence Agency on a damage assessment concept of operations to streamline pre- and post-hurricane imagery collection processes and dissemination of imagery products between DOD and interagency partners.

• Deploying information management mobile training teams to instruct NGB Joint Operations Center personnel and the staffs of 28 National Guard Joint Force Headquarters on the use of collaborative tools and information sharing processes with our DOD and interagency partners. USNORTHCOM is working in collaboration with the NGB to establish an unclassified web-based Common Operating Picture tool that can be shared with interagency and state partners.

• Providing a Joint Forces Orientation State Engagement Program educational endeavor in collaboration with the NGB and United States Joint Forces Command to facilitate a mutual understanding of joint operational and tactical concepts and information sharing between USNORTHCOM and the 54 states, territories and the District of Columbia. This educational program has established a framework of trust, cooperation, and capabilities between the various State National Guard organizations and USNORTHCOM. This endeavor will enhance USNORTHCOM's response and support should a crisis arise.

USNORTHCOM maintains visibility into FEMA's coordination for pre-positioning and delivery of Defense Logistics Agency (DLA)-sourced emergency meals, fuel, pharmaceutical, medical, and surgical supplies through monitoring the logistical preparations of FEMA and the DLA. This improved situational awareness helps reduce the need for short-notice airlifts and improves our ability to anticipate and rapidly respond to emerging requirements. Unfortunately, the lack of formalized reporting for EMAC requests and resourcing between states does not afford us the same situational awareness and ability to target response capabilities. USNORTHCOM supports formalized EMAC reporting, which would greatly assist all federal response entities in supporting state and local response efforts.

Military responders, regardless of component or reporting chain of command, possess unique and critical capabilities that include joint compatible and survivable communications equipment; mass movement of personnel and supplies; strategic and tactical sensors capable of performing accurate and timely damage assessment; and the ability to augment civil authorities in accordance with existing law.

While most incidents are usually resolved at the local or state level without federal involvement, a catastrophic event would likely exceed resources normally available to local, state, tribal, and private-sector authorities in the impacted area and result in sustained national impacts

over a prolonged period of time. Disasters of significant magnitude have the potential to considerably interrupt governmental operations and emergency services to such an extent that national security could be threatened. In addition, EMACs between states may not adequately function during natural events that span multiple states, such as a pandemic event or in the wake of sequential terrorist attacks. In these cases, a significant federal response, including active duty military forces organized under USNORTHCOM, may be requested by a governor and directed by the Secretary of Defense to support local and state response efforts to save lives and protect property and critical infrastructure.

However, federalization of National Guard forces should only occur under exceptional and extraordinary circumstances. As recommended by the Commission on the National Guard and Reserves, the establishment of a Council of Governors to advise the Secretary of Defense and the Secretary of Homeland Security on homeland security issues, matters involving the National Guard of the various states, and other matters of mutual interest will ensure that a state's interests are clearly understood and represented at the highest levels of the federal government.

The 9/11 Commission cited a "failure to imagine" as a causal factor leading to the attacks of 9/11. Terrorists are actively seeking to acquire or develop weapons of mass destruction. The employment of a large-scale Chemical, Biological, Radiological, Nuclear, or High-yield Explosives (CBRNE) device in the homeland has the potential to cause mass panic, inflict large-scale physical and economic damage, incur loss of life, and represent consequence management challenges potentially greater than those resulting from previous disasters.

Accordingly, USNORTHCOM must contemplate the full spectrum of CBRNE incidents that could occur domestically. This could include the unintentional release of Toxic Industrial Materials (TIMs) as a result of a

natural disaster, accident, or terrorist attack. The far edge of this spectrum deals with low-probability but catastrophic events that have the potential to temporarily incapacitate or eliminate designated civil response leadership. When directed, USNORTHCOM will execute DOD responsibilities outlined in the NRP Emergency Support Functions (ESFs), Incident Annexes, and Catastrophic Incident Supplement (CIS) to meet specified timelines. Critical to our response will be the completion of all Secretary of Defense-approved Requests for Assistance. USNORTHCOM, in conjunction with a Joint Task Force Headquarters and leaders within the Joint Field Office, will recommend additional missions that are required to save lives, mitigate human suffering, and facilitate recovery operations to robustly support civil authorities in the most catastrophic circumstances. USNORTHCOM consequence management operations conclude when the immediate effects of the disaster are contained and the conditions on the ground are set for DOD forces to redeploy.

To effectively provide consequence management for a CBRNE incident in accordance with the NRP incident annexes, the CIS, and the National Incident Management System, USNORTHCOM maintains specific plans for CBRNE Consequence Management that command and control Title 10 forces, and also account for the operation of the National Guard forces under the command and control of a governor.

A variety of specialized federal military forces and capabilities are available to assist and support the designated primary federal agency in all phases of incident assessment, operations coordination, logistics, health services support, containment and decontamination, and safety and risk assessment. These forces provide the requisite flexibility to appropriately respond to each disaster, emergency, incident, or event, and have a wide variety of potential response actions based upon the incident severity,

duration, and location and the capabilities or needs of local, state, or federal authorities.

Hurricane Katrina reminded us of the need to quickly supplement damaged local information dissemination infrastructure. We are prepared to immediately provide support to local commercial radio and television stations, and can both print and distribute the information local authorities need to get to our fellow citizens in a disaster area.

• Joint Task Force Civil Support (JTF-CS) is USNORTHCOM's subordinate component that plans and integrates DOD support to the designated primary federal agency for domestic CBRNE consequence management operations. When directed by the USNORTHCOM Commander, JTF-CS will deploy to the incident site, establish command and control of designated DOD forces and direct military consequence management operations in support of civil authorities.

• Weapon of Mass Destruction Civil Support Teams (WMD-CSTs) are National Guard forces that reside in each state and report to the governor. WMD-CSTs consist of approximately 22 personnel that support local and state authorities at domestic CBRNE incident sites by identifying agents and substances, assessing current and projected consequences, advising on response measures, and assisting with requests for additional military support.

• CBRNE Enhanced Response Force Packages (CERFPs) are currently established in 12 states, with five more recently authorized by Congress. They are made up of approximately 200 National Guard personnel who provide a regional CBRNE response capability that can be employed in either state active duty, Title 32, or Title 10 (federalized) status. CERFPs perform mass casualty decontamination, triage and emergency medical treatment, and location and extraction of victims from the affected area in support of civil first responders or military authorities.

• The Chemical Biological Incident Response Force (CBIRF) is a single U.S. Marine Corps Title 10 unit consisting of several hundred personnel that assists local, state, or federal agencies and designated combatant commanders in the conduct of consequence management operations. The CBIRF maintains capabilities for agent detection and identification; casualty search, rescue, and personnel decontamination; and emergency medical care and stabilization of contaminated personnel.

• The CBRNE Consequence Management Response Force (CCMRF) is a federally controlled capability consisting of several thousand joint personnel in force packages that are organized to perform missions across the CBRNE spectrum. CCMRF capabilities include medical, decontamination, command and control, communications, logistics, transportation and public affairs assets. Because a delay in response could magnify damage to property and loss of life, the Joint Chiefs of Staff CBRNE EXORD expedites the rapid response of consequence management forces in reaction to a CBRNE event.

The ability of our active and reserve component forces to surge to initiate and sustain CBRNE consequence management operations is affected by other concurrent, competing steady-state and surge operations. These operations include: large-scale irregular and conventional military campaigns, lesser contingency deployments, post-conflict operations, homeland defense missions, and other defense support of civil authority operations. In supporting CBRNE consequence management operations, our forces must be able to mitigate the impacts of CBRNE effects; maintain survivable critical infrastructure and continuity of government; and support integrated, cooperative interagency response efforts. To achieve these goals, tailored CBRNE response forces must be able to conduct missions day or night, in all weather conditions; on rural or urban terrain; and in a chemical, biological, and radiological-contaminated environment.

USNORTHCOM has made significant strides in preparing the CCMRF for success, to include developing Joint Mission Essential Tasks, which are integrated into the Defense Readiness Reporting System, as well as developing a CCMRF Phased Exercise Plan. Nonetheless, the current state of overall military CBRNE response force training and equipment resourcing is less than optimal, with both National Guard and active duty forces. As it stands now, additional identified, trained, and equipped forces from the active and/or reserve component are required to effectively respond to multiple, near-simultaneous domestic CBRNE events as directed in the Joint Chiefs of Staff CBRNE EXORD. Whether deliberate or inadvertent, CBRNE events are one of the greatest challenges facing our nation today and require appropriate resourcing. As the Commander of USNORTHCOM, I am committed to ensuring that CBRNE consequence management forces are trained, ready, and prepared to deploy into this challenging environment. I appear before you as a strong advocate for all DOD capabilities, to specifically include National Guard forces as an integral partner in CBRNE response.

Whether responding to a disaster of natural or man-made origins, collaboration among interagency partners at all levels of government is built upon the cornerstone of communication. More than five years after the attacks of 9/11, our nation continues to struggle with two distinct communications issues: interoperability and survivability. Interoperability issues stem from the lack of compatible equipment procurement, standard operating procedures, and planning. The lack of communications survivability will impede response and recovery operations, whether equipment is rendered inoperable by an electromagnetic pulse emanating from a nuclear detonation or by destruction of communications infrastructure, as was the case when Hurricane Katrina affected communications in the Gulf Coast Region. While USNORTHCOM is prepared to provide communications support to mitigate interoperability or survivability problems in the event of a disaster, it is

difficult to plan and resource in light of a fractured national communication system. We require immediate and reliable communications that are scalable, survivable, flexible, and interoperable with our civilian partners based on non-proprietary national standards. These communications must be mobile, secure and both voice and data capable.

While some local, state, and regional areas have achieved an acceptable level of communications compatibility, a multi-jurisdictional incident of significant magnitude will continue to expose communication deficiencies that lead to a breakdown in collaboration precisely when it is needed most. The absence of a standardized, federally-mandated national response communications network, governed by consistent equipment and operational standards, increases the likelihood and requirement for federal support. Providing federal communications grants without guidance or preemptive establishment of equipment and operating standards further exacerbates the existing situation. We support Congressional efforts that facilitate the success of ongoing DHS activities to develop a solution to the national response communications problem.

USNORTHCOM and NORAD conducted Exercise ARDENT SENTRY-NORTHERN EDGE 07 (AS-NE 07) from 30 April to 17 May 2007. This exercise provided local, state, federal, DOD, and non-governmental organizations and agencies involved in homeland security and emergency management the opportunity to participate in a full range of training scenarios to better prepare participants to respond to a series of national crises. Objectives of AS-NE 07 included:

• Demonstrate multi-agency, multi-jurisdictional unity of effort in support of a civilian-led response to a national crisis through collaboration between local, state, and federal responders.

• Provide state leaders an opportunity to orchestrate and lead response efforts within their state to include the use of organic assets, EMACs, and support from federal resources, including active duty military forces.

• Provide the National Guard with an opportunity to exercise with USNORTHCOM, other federal agencies, and representatives from local, state, and non-governmental organizations involved in homeland security.

• Provide USNORTHCOM an opportunity to exercise support of civil authorities in the execution of DOD CBRNE response plans and Joint Task Force operations.

• Provide NORAD the ability to exercise against a variety of non-traditional aerospace threats.

• Test airspace coordination measures and radar gap fill procedures.

• Improve coordination with Canadian partners in cross-border events.

• Explore seams in homeland defense and civil support processes with DOD, U.S. Pacific Command, U.S. Strategic Command, and non-DOD government agencies.

The primary exercise events occurred in Indiana and New England, as well as Alaska and its adjacent waters. The exercise included a Category III hurricane scenario—impacting the New England area, which was the capstone event in preparation for the 2007 hurricane season. Participants included the six New England states, New York, FEMA Regions I and II, and numerous federal agencies. The event was designed to test the full range of domestic emergency management procedures in response to a hurricane under the NRP and the 2007 Hurricane Concept of Operations Plan.

The state of Alaska, in coordination with Alaska NORAD Region and Joint Task Force Alaska, conducted multiple homeland defense, homeland security, and critical infrastructure protection events throughout the state. Major participants included DHS, the FBI, the National Guard and FEMA Region X along with state, local and private sector organizations. Maritime events occurred in the waters adjacent to Alaska and included U.S. Coast Guard, U.S. Navy, and Canadian Navy forces.

National Planning Scenario One (detonation of a 10-kiloton improvised nuclear device) was used as a basis for the scenario in Indiana where local, state, and federal responders had the opportunity to work together while responding to a national crisis. Several local and state organizations provided the initial response to the event. The National Guards of Indiana, Illinois and Ohio were part of a state response of 2,000 National Guardsmen. More than 1,200 active duty military personnel under USNORTHCOM assisted the federal response. Other participants in the federal support of local and state efforts included DHS and FEMA Region V.

Aerospace events occurred across all the exercise venues, testing the ability to mobilize resources for aerospace defense, aerospace control, maritime warning, drug interdiction, and coordination of air operations in a disaster area. This was the largest and most comprehensive series of coordinated national response exercises ever conducted.

Lessons learned from the exercise are being shared with all participants to collectively address areas that require improvement to strengthen our ability for responding to events of national significance through unity of effort and collaboration. Exercises such as AS-NE 07 provide an excellent venue to gauge the effectiveness of our collective plans, operations and command and control as we continually prepare and train for our mission.

Some of the lessons learned include:

• Improving access to and employment of Reserve Component forces to support significant events.

• Increasing the participation in national forums such as the Maritime Operational Threat Response and the Domestic Readiness Group.

• Enhancing our situational awareness to support DSCA incident awareness and assessment in the homeland.

• Strengthening our cooperation and communication among our interagency partners as well as improving coordination between USNORTHCOM and NORAD and outside agencies.

As we act to support civil authorities in responding to natural disasters or the effects of acts of terrorism, we never lose focus on our primary mission of homeland defense. We thank the Members of the Senate Committee on Homeland Security and Governmental Affairs for your unwavering support of USNORTHCOM and NORAD. We are grateful for all that you have done to ensure our men and women in uniform have the tools they need to keep our nation and the American people safe and free. Thank you for your time. I look forward to your questions.

STATEMENT OF
VADM ROGER RUFE, USCG (RET)
DIRECTOR
OFFICE OF OPERATIONS COORDINATION
BEFORE THE
SENATE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

JULY 19, 2007

Chairman Lieberman, Senator Collins and members of the Committee, I am VADM Roger Rufe, USCG (ret), Director of the Office of Operations Coordination (OPS) at the U.S. Department of Homeland Security (DHS). Thank you for this opportunity to discuss ongoing coordination between DHS and the Department of Defense (DoD) on the subject of all-hazards planning for catastrophic events.

Given the critical nature of coordination between DHS and DoD on the subject of catastrophic planning, it is important to begin my testimony by recognizing some of the key foundational authorities and directives that guide the interagency actions of DHS on this topic. As you are aware, the Homeland Security Act of 2002 ("HSA"), as amended, makes the Secretary of Homeland Security ("Secretary") responsible for coordinating Federal operations within the United States to prepare for, respond to, and recover from terrorist attacks, major disasters, and other emergencies.

This statutory authority is further defined by the Post Katrina Emergency Management Reform Act which tasks DHS with conducting strategic planning and operational planning, and Homeland Security Presidential Directive-5 ("HSPD-5"), titled "Management of Domestic Incidents," the latter of which names the Secretary as the "principal Federal official" for domestic incident management and directs the Secretary to coordinate the Federal Government's resources used in the response to and recovery from terrorist attacks, major disasters, or other emergencies.

The Secretary's unique interagency responsibilities magnify the importance of interagency planning. As the DHS Director of Operations Coordination, one of my primary roles is to coordinate national/strategic level interagency planning for the Secretary so that he can effectively and efficiently coordinate federal government operations when necessary. Within the last year, OPS initiated two specific programs intended to improve interagency planning and I look forward to discussing these programs with you today. Other components within DHS also support the Secretary's interagency planning responsibilities and I will highlight some of these efforts as well. In either instance, the DHS relationship with our partners in DoD is extensive and my goal today is to identify how DHS and DoD are coordinating their planning efforts for catastrophic events.

National Commitment to Planning
The catastrophic events of 9/11 and Hurricane Katrina resulted in a renewed national commitment to all-hazards incident management planning within Federal, State, and local governments, Non-Government Organizations, and private sector communities. Our ongoing challenge is to sustain this momentum and to achieve greater synchronization among and between planning efforts that have, historically, not been adequately coordinated. Many of the recommendations made by the White House, Congress, and the GAO following their close examinations of the events of 9/11 and Hurricane Katrina spoke directly to planning. In response, DHS has taken action to close the planning gaps identified. These actions have greatly enhanced the level of coordination between DHS and DoD.

In February 2006, the White House's report, *The Federal Response to Hurricane Katrina: Lessons Learned,* made two specific recommendations to address planning at the national level. The first called for the creation of a permanent planning body within DHS. The second recommendation called for the federal government to develop a formal planning process that could be used to build interagency plans. DHS has implemented both of these recommendations.

Incident Management Planning Team
In August of 2006, the Secretary directed the creation of the Interagency Incident Management Planning Team (IMPT) and directed me to oversee the actions of this planning body. The mission of the IMPT is to provide national-level contingency and crisis-action incident management planning through a collaborative, interagency process. The IMPT's planning focus is designed to be at the strategic level, whereas FEMA's planning focus is at the operational level, as laid out in the Post Katrina Emergency Management Reform Act. The IMPT comprises two components: (1) a core group of 15 full-time planning representatives from key DHS elements (e.g., FEMA, TSA, CBP, Coast Guard, I&A) as well as other key interagency members (e.g., DoD, DOJ/FBI, HHS, DOE, EPA, DOT, and the American Red Cross); and (2), an "on-call" staff of 38 planners that includes other members from both DHS and the interagency community. Each member assigned to the IMPT has undergone a robust training program to prepare each of them for their planning responsibilities.

The IMPT's initial actions have focused on the development of national, strategic interagency concept plans (CONPLANS) that address each of the 15 National Planning Scenarios. These all-threats and all-hazards scenarios include nuclear, chemical, biological, natural disaster, and cyber incidents. Given the purpose of this hearing, it is important to note that DoD has also focused its homeland security planning efforts on the National Planning Scenarios. Each plan developed by the IMPT identifies the actions that individual departments and agencies, including DoD, will take in the event a given scenario were to occur. A critical function of the IMPT is to identify the national level commitments of the

entire interagency in one comprehensive document. This effort serves two distinct purposes: First, it facilitates the ability of the Secretary to fulfill his coordination responsibilities under HSPD-5 by providing awareness of the individual capabilities that a specific agency plans to deliver; and (2), it identifies existing seams and gaps that exist within the interagency for a particular scenario. To date, DoD has been an active and engaged participant on the IMPT. DoD, largely through the actions of its full time IMPT representative, has made significant contributions to all of the IMPT CONPLANS, including the following: 1) 10 kiloton Improvised Nuclear Device (IND); 2) Pandemic Influenza; 3) Radiological Dispersal Device (RDD); 4) Major Hurricane; and 5) Improvised Explosive Device (IED).

National Planning and Execution System

DHS addressed the need for a federal planning process through its development of the National Planning and Execution System (NPES) - a formal curriculum-based process used by the IMPT to build its national level interagency contingency plans. DHS leadership recognized that the success or failure of the IMPT would hinge largely on its ability to develop a planning process that could coordinate the efforts of this interagency group and facilitate the development of a shared planning methodology across the federal government. In order to achieve this goal, the planning process development team within OPS sought to develop a process that was consistent with the core concepts and terminology established in the National Incident Management System (NIMS) and the National Response Plan (NRP). In addition, DHS OPS personnel recognized that the planning process they developed would be most effective if it integrated current and emerging planning "best practices." This effort required synchronization with our partners at DoD.

Prior to the development of NPES, few federal departments and agencies adhered to a formal planning process that organized the operational planning efforts within their respective departments. One significant exception was DoD, which had long used formal planning processes to conduct operations within the branches of the military. For that reason, NPES was designed to be specifically compatible with the Joint Planning and Execution System (JOPES) that DoD uses to create military plans for circumstances requiring different branches of the Armed Forces to conduct joint operations.

NPES was converted to a curriculum that was taught to each member of the IMPT. The feedback from this training has been overwhelmingly positive and has resulted in numerous requests by interagency members that OPS offer this training to others within their departments and agencies. In addition, many State and local governments have requested copies of the NPES and related training. As a result of this response, DHS has actively engaged in promoting and sharing NPES throughout the interagency. Over the past 10 months, the IMPT has trained over 500 interagency planners on the NPES process, to include, several DoD personnel, and more training sessions are scheduled.

The DHS Office of the Chief Learning Officer and the Center for Domestic Preparedness are currently working with the IMPT to develop an accredited NPES Program of Instruction. By formalizing the instruction and subsequently offering it at various accredited institutions, the NPES training will become available to a greater number of planners, thereby advancing its adoption throughout the interagency. DoD has been a particularly vocal supporter of DHS's effort to develop NPES as a means to advance a shared planning culture throughout the interagency. Indicative of this support are efforts by DHS's Chief Learning Officer and DoD's National Defense University to offer an NPES course to military personnel through DoD's vast university network.

DHS and DoD Exercise Coordination and Participation
DHS and DoD continue to validate their coordination efforts for all-hazards planning for catastrophic events through participation in various exercises. For example, this past May, DHS participated in DoD's Ardent Sentry exercise. Ardent Sentry involved multiple disaster scenarios, to include a Category III hurricane in Rhode Island and the detonation of an improvised nuclear device in Indianapolis. This exercise provided an excellent opportunity for DHS and DoD to work together on many fronts, to include all-hazards planning. In this instance, DHS was able to adapt the IMPT's existing 10 kiloton Improvised Nuclear Device plan to the exercise scenario and to validate the planning process the interagency uses at the national/strategic level during times of crisis. DHS and DoD, along with the rest of the interagency, will join forces again in October of this year during the TOPOFF 4 Exercise. This exercise involves an Radiological Dispersal Device scenario, and as such will provide an excellent opportunity to test and/or validate the IMPT's existing RDD plan.

Other DHS/DoD all-hazards planning efforts
The Department of Homeland Security, and more specifically FEMA, has worked closely with DoD, and others to develop a number of pre-scripted mission assignments (PSMA) that are put in place to respond to specific requests from agencies. We believe that this initiative will result in improvements in information sharing and in coordination. These improvements range from exchanging liaisons between agencies and directorates, to participating in exercises.

The collaboration involved in these joint efforts is yet another way that DHS is working closely with DoD and our interagency partners.

Conclusion
Planning for a Federal response to natural or man-made catastrophes is one of DHS's most important responsibilities. In collaboration with our interagency partners, including the Department of Defense, we have moved forward to aggressively lead development of coordinated interagency response plans for the 15 National Planning Scenarios. Moving forward, we will continue to work with our interagency partners to review, test, and update these plans.

I appreciate the opportunity to be here today, and I look forward to your questions.

STATEMENT BY
LIEUTENANT GENERAL H STEVEN BLUM
CHIEF, NATIONAL GUARD BUREAU

Chairman Lieberman, Senator Collins and distinguished members of the committee, thank you for the opportunity to discuss the role of the military in supporting interagency response to a domestic disaster, natural or man-made.

Last year, I appeared before this Committee and stated that the National Guard was more than ever linked to the vital interests of our Nation, both here at home and around the world. Today, I am honored to inform you that the National Guard continues to successfully support a wide range of domestic response operations; from floods in the State of Kansas, to securing the Southwest Border and supporting local agencies in response to wildfires. Over the past year, at one time or another, the States have had over 100,000 National Guard soldiers and airmen in either state active duty or Title 32 status supporting Homeland Security missions. These capabilities were provided to local governments while we continued to support ongoing war fighting efforts in Iraq and Afghanistan.

Interagency relationships are fundamental to an effective, comprehensive Federal response to a major disaster. Therefore, we must continue to foster strong relationships between the Department of Defense (DoD), the Department of Homeland Security (DHS) and the National Guard. Indeed, the Federal response to Hurricane Katrina highlighted a need for improved coordination, better planning, procurement of critical equipment and interoperable communications, as well as joint training between the National Guard, active forces, and our Federal and state partners. Although there are no cookie-cutter solutions for disaster management, without adequate planning, proper equipment and

effective communications, the ability to maximize the participation of the military in a coordinated response will be constrained.

A domestic response capability is defined by a three part equation: people, training and equipment. We have been working with the US Army to manage our wartime deployment strategy to ensure that every Governor have at least 50% of his home state's National Guardsmen available to respond to domestic emergencies. More than ever, Guard personnel are well trained, experienced and ready. At the beginning of this year, the Army National Guard had on-hand approximately 40% of warfighting equipment required. With the continued support of the Department of Defense and strong support of our elected leaders we will succeed in meeting this challenge as well.

Governors count on the National Guard to be the first military responder and call on Guard assets within the first hours of an event. Therefore, the allocation of adequate resources on location is critical. The National Guard must be able to support the Governors' requirements on an immediate basis, and respond with the right capabilities, to the right location, at the right time. The States have indicated to the National Guard Bureau that there are certain capabilities they need to meet in emergencies. As a result, we have identified ten (10) essential capabilities each State, Territory, and the District of Columbia must maintain at all times: (1) Joint Force Headquarters (2) Engineering (3) Civil Support Teams (4) Security (5) Medical (6) Transportation (7) Maintenance (8) Logistics (9) Aviation and, (10) Communications.

As far back as 2000, we began developing and implementing key initiatives that, at the state level, play a major role in interagency coordination.

- **Joint Force Headquarters—State (JFHQ-State).** JFHQ-State is a joint command and control entity in each State and territory. It is integrated into national consequence management and contingency planning structures. JFHQs provide situational updates (common operating picture) information to national level headquarters before and during any contingency operation and Joint Reception, Staging, and Onward Movements, and Integration (JRSOI) for all inbound military forces. In very simplistic terms, JRSOI is simply a selection of predetermined sites (distribution points, airports etc.) and routes for moving supplies and personnel into affected areas. Federal law provides a mechanism whereby a National Guard officer can command Federal troops. Such a commander at the head of a Joint Task Force—State (JTF-State), which is created in times of emergency by the Joint Force Headquarters, can assume tactical control of all military units –State National Guard, other National Guard forces, Active Component and Reserves. The JTF-State commander can be a dual-hatted commander of both Title 32 (Federally funded, yet state controlled) and Title 10 (Federally funded and controlled) forces as demonstrated in the 2004 G8 Summit as well as the Democratic and Republican National Conventions.
- **Joint Force Headquarters Joint Operations Centers (JFHQ JOC).** The JOC is a network composed of the National Guard Bureau JOC, located in Arlington, Virginia and a separate JOC in each of the 54 States and Territories. The JFHQ JOC serves as the primary entity for coordinating, facilitating, and synchronizing efforts in support of their states, information requirements of the National Guard Bureau and customers at the Federal level during natural disasters, National

Special Security Events (NSSE), exercises and domestic activities. Each JFHQ JOC has redundant connectivity: DoD architecture of Non-Secure Internet Protocol Router (NIPR) and Secure Internet Protocol Router (SIPR); a High Frequency (HF) network with classified and unclassified voice and data information; and commercial systems. In a nutshell, the JOC concept allows for a continual and accurate flow of information from each state and territory into the National Guard Bureau. In turn, this information is consolidated and shared with Northern Command and other Federal agencies.

- **National Guard Chemical, Biological, Radiological/Nuclear, and high-yield Explosive (CBRNE) Enhanced Response Force Package (CERFP).** The National Guard developed and fielded 12 CERFP teams to provide a regional capability to respond to incidents involving chemical, biological, radiological or high explosive threats. Each team is designed to rapidly (less than 96 hours) provide the capability to locate and extract victims from a CBRNE incident site and perform mass patient/casualty decontamination and medical triage and stabilization. The CERFP augments the capabilities of the National Guard's Civil Support Teams (CST). The incremental training and equipment for this capability is specialized, compatible with the first responders, and interoperable with the incident command system.
- **Critical Infrastructure Program- Mission Assurance Assessments (CIP-MAA).** National Guard CIP-MAA teams execute the pre-planning needed to educate the civilian agencies on basic force protection and emergency response. Additionally, these teams are building relationships with first responders, owners

of critical infrastructure and National Guard planners in the States and Territories. CIP-MAA teams deploy traditional National Guard forces in a timely fashion to assist in protection of the Nation's critical infrastructure, including vital elements of the Defense Industrial Base.

- **National Guard Reaction Force (NGRF).** Being based in so many communities, the National Guard has proven time and again that it can muster forces and be on the scene of an incident within hours. NGRF's provide every state with a combat ready arms force capable of delivering, at the request of the governor or resident, a unit of 50-75 personnel within 4-8 hours and a follow-on force of up to 400 personnel within 24-36 hours. NGRFs are a critical element of the first line of counter-terrorism defense and are designed to respond to an incident well ahead of Federal assets. They deploy with the capability to be logistically self-sustaining for 48 hours. NGRFs are formed from current unit and personnel resources and are organized as temporary task forces. As such, their mission primarily falls under the command and control of the governors of their home states. They will be, first and foremost, state assets, operationally falling under the command and control of the State Adjutant General. Missions include, but are not limited to (a) providing site security, (b) providing presence patrols and shows of force, (c) establishing roadblocks, check points, or both, (d) controlling civil disturbances and (e) protecting DoD selected critical infrastructure.
- **Joint CONUS Communications Support Environment (JCCSE).** The National Guard has successfully established a JCCSE nationwide. This communication

environment is a joint National Guard Bureau and Northern Command strategy for leveraging current National Guard communication capabilities to provide support to the major military commands, Department of Defense as well as non-DoD partners at the State and/Territorylevel and to any incident site. Each JFHQ established Homeland Security Information Network (HSIN) linkages. The HSIN is an unsecured collection of Department of Homeland Security systems designed to facilitate information sharing and collaboration. Additionally, each Joint Force Joint Operation Center (JF JOC) has secure/non-secure real-time operational network linkages in addition to secure video teleconference capabilities. This is critical to providing real time operational connectivity as well as a common operating picture to local, state and Federal agencies.

- **Weapons of Mass Destruction-Civil Support Teams (WMD-CSTs).** Include 22 Army and Air National Guard- Active Guard Reserve (AGR) personnel organized, trained and equipped to enter contaminated areas and identify contaminants within a short period of time. They have extensive reach-back communications capability to facilitate off-site evaluation and support from various laboratories. They are equipped with mobile laboratories capable of providing identification of chemical or biological materials. To date, the National Guard has 51 of 55 teams fully operational.
- **Aviation Security and Support (S&S) Battalions.** As part of the Army's overall aviation transformation, the Army National Guard has been able to convert and grow a valuable dual-purpose aviation structure that will be readily available and responsive to Homeland Security/Defense needs, in addition to their normal Army

operational mission. The ARNG officially activated six of these 24-aircraft S&S Battalions on 1 October 2005 and placed them in readily responsive locations across 44 states.

The Emergency Management Assistance Compact (EMAC) is the cornerstone to effective coordination at the state level. When equipment is needed but not on-hand at a particular location, it is necessary to bring in equipment from other units within a state or from other states. Although the EMAC has helped states tremendously to reduce response time, as long as we continue to rely on other States to respond to a disaster, natural or manmade, our effectiveness in the protection of lives and property is reduced.

Another concern is the gap between Department of Homeland Security (DHS), the DoD and the States when it comes to facing Homeland Security challenges. It is imperative for these entities to have continuous awareness of each other's capabilities, to engage in a cooperative strategic planning process, to train together and allocate resources in a manner mindful of the needs of the States.

Under the existing coordination mechanisms established by the DHS, the National Guard participates in the local to state level coordination together with the Governors and their Homeland Security Advisors and Emergency Management Agencies. Also, we are working to share information with DHS and we have military liaison officers at the Federal Emergency Management Agency (FEMA) and DHS. However, we still have a long way to go to reach the level of effective interagency collaboration necessary for a fully coordinated response.

Recommendations:

- To improve interagency collaboration and planning, model the Joint Interagency Task Force (JIATF) South command structure as it partners DHS, DoD and the National Guard.
- Preserve the ability of Governors to direct an emergency response at the ground level. This is critical. We need Governors, the Commanders in Chief of each State's civil responders and first military responders, to step forward and use their knowledge of the local terrain, population and emergency response capabilities. That is where any response effort should start instead of relying on Federal resources.
- To bridge the gap between the DHS, DoD and the States, borrow the wisdom of the Goldwater-Nichols Department of Defense Reorganization Act of 1986, which made tremendous changes in the way DOD operates-joint operations. To reach the desirable level of agency integration we must become fully joint: intellectually, operationally, organizationally, doctrinally, and technically. This is the key to operational success in the future. Therefore, any effort to achieve a fully coordinated response will benefit from similar Congressional guidance.

As a full member of the homeland security team, the National Guard is meeting its mission requirements at home and abroad. However, a continued commitment to increased resources and better inter-governmental coordination is needed for the National Guard to be more effectively postured to meet the needs of the future. By working closely with the Department of Defense, the Department of Homeland Security, and the Congress, the National Guard will continue to be Always Ready, Always There.

Thank you.

TESTIMONY OF
MAJOR GENERAL JOHN W LIBBY
ADJUTANT GENERAL, STATE OF MAINE
BEFORE THE SENATE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Chairman Lieberman, Senator Collins and members of the Committee. Thank you for the opportunity to testify before you today. I want to emphasize at the outset that I am testifying on behalf of the State of Maine and as a representative of the Adjutants General Association of the United States (AGAUS). Although I am a federally recognized and U.S. Senate confirmed Army General Officer, I appear before you today as a state official in state status at state expense. My formal testimony, oral statement, and responses to your questions should therefore be understood as independent expressions of states' sovereign interests. Unlike other military panelists who typically appear before you, nothing I am about to say has been previewed, edited or otherwise approved by anyone in the Department of Defense.

I am appearing before you today wearing multiple State hats. I am the cabinet level Commissioner of the Maine Department of Defense, Veterans and Emergency Management (DVEM), which includes the Maine Emergency Management Agency (MEMA). I am also the Adjutant General of the Maine National Guard and the Governor's Homeland Security Advisor (HSA).

Among my peers, this puts me in a unique position which I will refer back to throughout my testimony. For reference, the FY 2007 *National Emergency Management Association (NEMA) Profile of State Emergency Management Directors and Their Agencies* report notes that 11 Emergency Management Directors report directly to the Governor, 16 to the Adjutant General, 4 to the Homeland Security Director, 14 to the Public Safety Director and 9 to others. The same report also notes that the following positions are designated as homeland security coordinators: Emergency Management Director, 6; Adjutant General, 5; Homeland Security Director, 22; Public Safety Secretary/Commissioner, 7; and others, 14. Clearly, this distribution of assignments makes communications problematic in terms of a coordinated message between Homeland Security, Emergency Management and Department of Defense officials.

Let me begin by describing the emergency management process:

"Imagine that you were somehow able to watch, from a distance, a major disaster unfold. You would see suffering and devastation, but that would only be part of the story. You would also see lots of people move into action – people from government agencies, private organizations, businesses, and volunteer groups. You would see them **working as a team** to keep the essential services in operation, provide first aid, food and water, clear debris, rebuild homes and businesses, and prevent the disaster from happening again.

Over time you would begin to see a pattern to this activity. You would see how people work together when disasters occur. You would see how "first responders" risk their lives to help others. You would see the results of planning and coordination in the execution of an effective response. And you would learn that communities and individuals could lessen the damage that disasters cause, and sometimes avoid it altogether.

The pattern behind this activity is called emergency management. It is the process through which America prepares for emergencies and disasters, responds to them, recovers from them, rebuilds and mitigates their future effects." (Courtesy of the Federal Emergency Management Agency (FEMA))

In my judgment, the place in the United States where this process is best integrated between civil, military and business authorities is at the State level and this is the model that should be replicated at the Federal level.

BACKGROUND

Since all disasters are local, it follows that all response is local, at least initially. Governors have a sovereign responsibility and authority to carry out emergency preparedness, response and recovery in the name of the safety and welfare of the states citizens. Therefore, before a disaster strikes, a governor needs to establish an emergency response team; compile essential emergency management information, include a detailed risk analysis; and asses the State's resources and capabilities for dealing with these risks. It is important to note that Governors, and their state EMA Directors, have several well defined and recognized measurement tools for evaluating the state's emergency management capabilities:

1. **Capability Assessment for Readiness (CAR)** – A self-assessment tool that can be used to identify strengths and weaknesses in emergency response.
2. **GAP Analysis** – An evaluation currently underway at the State and Federal levels, under the auspices of FEMA, which seeks to provide a true and accurate picture of our shortfalls and gives responding agencies an opportunity to assess needs before events occur. Having an accurate operational picture assures that agencies are in a position to provide support assets more rapidly.
3. **Emergency Management Accreditation Program (EMAP)** – Provides national standards through which emergency management programs can demonstrate success and accountability and determine areas and issues where additional resources are needed.

Multiple state agencies share responsibility for state emergency management activities. In Maine, these Departments are assembled into what we call the Emergency Response Team (ERT) and assemble at the state's Emergency Operations Center (EOC) when responses are required for events that exceed the capability of the local community and/or County to respond. If the resources needed to manage a disaster or emergency are not readily available within the state, outside resources may be obtained through the following protocols;

1. **Mutual Aid Agreements Between States** - These agreements allow the State's EMA office to request disaster response and recovery assistance from unaffected regional states.
2. **The Emergency Management Assistance Compact (EMAC)** – EMAC is a congressionally ratified organization that provides form and structure to interstate mutual aid. Through EMAC, a disaster impacted state can request and receive assistance from other member states quickly and effectively, resolving two key issues upfront; liability and reimbursement. (EMAC has been adopted by all 50 states and 3 territories)

3. **The International Emergency Management Compact (IEMAC)** – On the 18th day of July, in Halifax, Nova Scotia, Canada at the 25th Annual Meeting of the New England Governors and Eastern Canadian Premiers, the International Emergency Management Assistance Memorandum of Understanding (IEAMMOU) was signed by all parties. Modeled on EMAC, when ratified by the Legislature of each state, Congress and the comparable levels of government in Canada, this Compact will provide form and structure for mutual aid between the cited international parties. A similar Pacific Northwest Emergency Management Agreement has also been legally ratified and established between the States of Alaska, Washington, Oregon and Idaho and the Canadian Province of British Columbia and the Yukon.

Most disasters do not reach the magnitude of a presidential declaration, however, when the resources of the state and local agencies are insufficient to respond to or recover from a disaster, the governor may ask the President to declare a major disaster or emergency. A presidential major disaster declaration sets in motion both federal response and long-term recovery assistance programs.

The primary system for a federal response to major disasters is the National Response Plan (NRP). It can be implemented in anticipation of a major disaster or in response to an actual event requiring federal assistance.

OBSERVATIONS

I believe there is an emerging exchange of information, views and identification of capabilities taking place. Maine was one of several states recently visited by General Renuart and the Governor and I were immediately impressed by his philosophy, candor and understanding of the sovereign role of states.

General Renuart articulated clearly his understanding that federal military resources brought to a state disaster would be at the request of, and in support of, the Governor. While we discussed the philosophy of "dual-hat" National Guard General Officers, what we both concluded was that what the Governor truly wanted from any federal troops in Maine was *support*. The Governor and I have no issues with federal troops remaining under the command and control of their normal chain of command, or a Title 10 Command and Control cell in Maine. What we really want and need is operational control, the authority to assign tasks, designate missions and give authoritative direction necessary to complete the missions. What we do not want or need is the authority to direct matters of administration, discipline, logistics, internal organization or unit training.

Additionally General Renuart distinguishes between his deploying federal resources forward to a local federal enclave versus employing them at the Governor's request; He is a strong proponent of the key role of the Defense Coordinating Officer at each FEMA Regional Headquarters; understands the difficulty with developing a common operating picture when 40+ states are using WebEOC (a common piece of software for situational awareness and resource tracking used in the emergency management community) to capture and communicate data and DOD is not. Finally he supports the discussion of the role of local Reserve capability in the aftermath of a Governor's Emergency Declaration.

General Renuart is continuing dialogue begun by Admiral Keating at USNORTHNCOM with TAGs and will host the AGAUS Homeland Security Committee at the end of the month.

It should also be noted that the National Guard Bureau has facilitated the General Cody springtime briefings by Gulf TAGs for the past two years on equipment requirements for upcoming hurricane seasons.

From my point of view, perceived shortfalls may lie in the lack of dialogue between DHS and the states, especially in those states where the TAG is not also the Governor's Homeland Security Advisor (HSA). Those TAGs find themselves blind to the exchanges between their State EMAs and DHS. I would point out that FEMA Region I, under the leadership of Art Cleaves, has instituted a quarterly homeland security forum for region states that includes the TAGs, the Governor's Homeland Security Advisor and the State's Emergency Management Director. While I wear all three of those hats in Maine, Massachusetts, by way of example, sends three different people to represent them. The value of this type of forum is that its inclusiveness does not allow for any of the three key principals at state level to be out of the information loop. This is a model worth adopting nationwide.

I have mentioned the state's sovereign rights on more than one occasion and would be remiss if I did not applaud the Commission on the National Guard and Reserves' March 1, 2007 recommendation to Congress on establishing a bipartisan Council of Governors to meet with and advise DOD, DHS and the White House Homeland Security Council on matters related to the Guard and civil support missions. The issues surrounding a properly layered response to a major disaster are primarily about communications and coordination and this Council will enhance both.

RECOMMENDATIONS

Preserve the ability of state Governors to direct the emergency response within their states through the repeal of Section 1076 of the 2007 National Defense Appropriations Act which changed more than 100 years of well established and carefully balanced state-federal and civil-military relationships. As written, the Act does not require the President to contact, confer or collaborate in any way with a governor before seizing control of a state's National Guard.

Reinforce the intent of HSPD-5 which states that the Secretary of Homeland Security is responsible for coordinating Federal resources within the United States to prepare for, respond to, and recover from terrorist attacks, major disasters and other emergencies. The implied tasks here include planning, training and exercising. The specific short term tasks include the need to identify homeland security requirements and resource them. By institutionalizing a Homeland Security "Chain of Command" from the President through the Secretary of DHS through his FEMA Regional Offices, State Governors will have a concrete procedure in place to request and receive federal assistance in disasters. This Chain of Command would preserve the Governor as the Incident Commander for emergencies in his/her state and place DHS and other federal agencies at the Governor's request as a resource provider.

Accept the Commission of the National Guard and Reserves recommendation that the Commander or Deputy Commander of NORTHCOM should be a National Guard officer at all times. Note that I have excluded their mention that a Reserve officer holding either position as I

believe that only a National Guard General Officer who has risen through the ranks can fully understand the concept of the Governor's roles and sovereign responsibilities.

The National Incident Management System (NIMS) provides a template for incident management regardless of the size, scope and cause. Use of this template enables Federal, State, local and tribal governments and private sector and non-governmental organizations to work together effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents. Integration and implementation of NIMS has been required of most Federal agencies and is a requirement all lower levels of government, from States through County and local agencies. In order to provide a truly seamless federal response, study of NIMS needs to be institutionalized within the DOD educational system for officers and non-commissioned officers.

CONCLUSION

Interagency coordination during the emergency response to natural or manmade disasters at state level is inherent in the Governors' constitutional roles and responsibilities. At the federal level, HSPD-5 has directed that the Secretary of Homeland Security is responsible for coordinating Federal resources to prepare for, respond to and recover from major disasters, to include terrorist attacks. The organization within DHS that deals effectively, efficiently and on a consistent basis between Washington, Maine and Washington, DC is FEMA.

In my judgment, FEMA should be the location in the federal government where the responsibility for interagency coordination during emergency response resides. FEMA Regional offices are the closest counterparts to state agencies and best know the specific and unique needs of the states in their regions. As FEMA strengthens its efforts to facilitate coordination across federal departments, the Regional offices can be performing a simultaneous outreach effort on a more localized scale.

It was Casey Stengel who said, "Getting good players is easy. Getting them to play together is the hard part." We have good players.

I thank you for the opportunity to testify today and look forward to your questions.

HOMELAND DEFENSE
& AMERICAS' SECURITY AFFAIRS

ASSISTANT SECRETARY OF DEFENSE
2600 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-2600

APR 2 6 2007

The Honorable Ike Skelton
Chairman, Committee on Armed Services
House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The Congress directed the Assistant Secretary of Defense for Homeland Defense and Americas' Security Affairs to review the findings applicable to the Department, made in the Final Report of the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina. The committee also directed the Department to submit to the Senate Committee on Armed Services and the House Committee on Armed Services, a report detailing how the Department intends to address the issues raised by the Select Committee report and the White House report.

The report to Congress pursuant to House Report 109-452, which accompanied HR 5122 of the FY07 National Defense Authorization Act is enclosed.

Sincerely,

V/R

Peter F. Verga
Acting

Enclosure:
As stated

cc:
The Honorable Duncan Hunter
Ranking Member

ASSISTANT SECRETARY OF DEFENSE
2600 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-2600

HOMELAND DEFENSE
& AMERICAS' SECURITY AFFAIRS

APR 2 6 2007

The Honorable Carl M. Levin
Chairman, Committee on Armed Services
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

The Congress directed the Assistant Secretary of Defense for Homeland Defense and Americas' Security Affairs to review the findings applicable to the Department, made in the Final Report of the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina. The committee also directed the Department to submit to the Senate Committee on Armed Services and the House Committee on Armed Services, a report detailing how the Department intends to address the issues raised by the Select Committee report and the White House report.

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Sincerely,

Peter F. Verga
Acting

Enclosure:
As stated

cc:
The Honorable John McCain
Ranking Member

Department of Defense

Office of the Assistant Secretary of Defense
(Homeland Defense & Americas' Security Affairs)

Report to the Senate Committee on Armed Services and the House Committee on Armed Services on Department of Defense Civil Support

April 2007

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Introduction

Hurricane Katrina was one of the most devastating hurricanes in U.S. history – in terms of persons displaced, business disrupted, affected commerce, and projected aggregate economic losses. Appropriately, the deployment of military resources in support of civil authorities after Hurricane Katrina exceeded, in speed and size, any other domestic disaster relief mission in the history of the United States. The ability of our military forces – Active Duty, Reserves, and National Guard – to respond quickly and effectively to an event of this magnitude is a testament to their readiness, agility, and professionalism.

United States Northern Command (USNORTHCOM), established to unify DoD's homeland defense and civil support operations, provided command and control of Federal military forces during this most significant operation. Well before Hurricane Katrina struck the Gulf Coast, the Department of Defense, including USNORTHCOM, undertook preparations for the 2005 hurricane season. Based on an analysis of previous hurricanes, the Secretary of Defense approved a standing crisis action order to prepare and organize DoD forces for severe weather disaster response operations. This order provided for the pre-positioning of senior military representatives, known as Defense Coordinating Officers, to act as liaisons with other governmental organizations in the projected disaster areas prior to an event. The order also allowed the use of DoD installations as logistical staging areas for the Federal Emergency Management Agency (FEMA). While overseeing the operational response to Hurricane Katrina, Hurricane Rita, and other impending hurricanes, USNORTHCOM also continued to focus on its mission to deter, prevent, and defeat threats and aggression aimed at the United States, its territories, and interests.

By any measure, the flow of military forces and relief supplies into the Katrina affected areas was a massive operation. At the height of the DoD response, some 72,000 men and women in uniform assisted Federal, State, and local authorities in recovery efforts. Other military capabilities employed during the response included 21 ships, 68 fixed-wing aircraft, 293 helicopters, amphibious landing craft, space-based imagery, night vision capabilities, port and waterway surveillance, mortuary teams, and large-scale construction support provided through the U.S. Army Corps of Engineers and the U.S. Navy Seabees. Additionally, nine DoD installations served as logistical staging areas for the delivery of supplies, marshaling areas for Federal responders, and sites for Federal medical shelters.

Federal military and National Guard forces were instrumental in saving lives, restoring order, and beginning the long, challenging process of recovery. The Department of Defense planned

for and employed or helped to coordinate a balance of Active, Reserve, and National Guard capabilities in responding to Hurricane Katrina.

In contrast to Hurricane Andrew (1992), in which National Guard forces constituted 24% of the military response, National Guard forces represented more than 70% of the military force for Hurricane Katrina. National Guard forces from every State, territory, and the District of Columbia were involved in Hurricane Katrina response operations. Participating National Guard forces initially served in a State active duty status. Later, the Deputy Secretary of Defense approved Title 32 status, which was made retroactive. While in Title 32 status, the States maintain command and control of their forces and the Department of Defense provides funding. National Guard forces in Title 32 status were also able to undertake direct law enforcement responsibilities if so directed by their governor.

Prior to Hurricane Katrina, USNORTHCOM and various National Guard units participated in numerous exercises that involved defense support to the Department of Homeland Security or other civil authorities. DoD entities either sponsored or were major participants in no fewer than four major interagency exercises per year. These exercises were designed to maximize interoperability among local, State, and Federal, specifically military, capabilities. These exercises were designed to utilize National Response Plan procedures.

In keeping with our published Strategy for Homeland Defense and Civil Support, there is a focused reliance on the Reserve Components, including in particular, the National Guard (NG). The NG is already in place "forward deployed" in the communities and the States have interstate support arrangements under the Emergency Management Assistance Compact and other regional compacts. They are increasing their capabilities across the board in communications, transportation, and readiness.

Active Duty forces always stand ready to assist civilian authorities when requested and approved by the Secretary of Defense or when so directed by the President.

The following report provides information requested by the House Committee on Armed Services in House Report 109-452 regarding issues raised in "The Federal Response to Hurricane Katrina: Lessons Learned," and in "A Failure of Initiative: Final Report of the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina."

22. DOD and DHS should develop recommendations for revision of the NRP to delineate the circumstances, objectives, and limitations of when DOD might temporarily assume the lead for the Federal response to a catastrophic incident. DOD should develop plans to lead the Federal response for events of extraordinary scope and nature (e.g., nuclear incident or multiple simultaneous terrorist attacks causing a breakdown in civil society).

The Homeland Security Act of 2002 assigns to the Secretary of Homeland Security the responsibility to manage and coordinate the Federal response to terrorist attacks and major disasters.

DoD and DHS actively collaborate in planning and preparation for a catastrophic event in which DoD will play a significant supporting role. DoD is currently the only Federal Department or Agency that supports all fifteen Emergency Support Functions (ESFs). Additionally, DoD plays a critical supporting role as prescribed in the NRP Catastrophic Incident Annex.

DoD has taken an active support role in enabling the Department of Homeland Security to lead the Federal response in such circumstances. Many of the initiatives previously mentioned support this goal.

23. DOD should revise its Immediate Response Authority (IRA) policy to allow commanders, in appropriate circumstances, to exercise IRA even without a request from local authorities.

DoD installation commanders can and do enter into mutual aid agreements with the local community to provide support for firefighting, as well as emergency services including, but not limited to, basic and advanced life support, hazardous material containment and confinement, and special rescue events involving vehicular and water mishaps, and trench building and confined space extractions. Under mutual aid agreements, the partners agree to respond. Requests are not a prerequisite. Immediate Response Authority provides Installation Commanders and responsible officials of other DoD Agencies the ability to provide support to civil authorities to prevent human suffering, save lives, or mitigate great property damage. After careful review, it was decided that it is reasonable and prudent to respond to requests from civilian authorities rather than allow a DoD official to respond off the DoD installation without a verbal request or acknowledgement from civilian authorities that assistance is needed. Immediate Response Authority fills the gap in capabilities that are not authorized under Mutual Aid Agreements. The local commanders and responsible DoD civilians work closely with the local community's emergency responders, and rapid communication of requests is facilitated by these relationships. The local commanders and responsible DoD civilians have the authority to approve the support under imminently serious conditions to save lives, prevent human suffering, and mitigate great property damage when time does not permit approval from higher headquarters.

24. DOD and DHS should plan and prepare for a significant DOD supporting role during a catastrophic event.

DoD and DHS actively collaborate in planning and preparation for a catastrophic event in which DoD will play a significant supporting role. DoD is currently the only Federal Department or Agency that supports all ESFs. Additionally, DoD plays a critical supporting role as prescribed in the following documents:

Catastrophic Incident Annex. The Catastrophic Incident Annex is a supporting annex of the NRP and establishes "the context and overarching strategy for implementing and coordinating an accelerated, proactive national response to a catastrophic incident."[1] Only the Secretary of Homeland Security may initiate implementation of the Catastrophic Incident Annex.

DoD may be asked to provide additional assistance and will play a significant role in providing support in the event of a catastrophic incident.

National Disaster Medical System (NDMS). DoD and DHS also support NDMS, which was created to provide medical surge support in the event of large-scale wartime casualties abroad. Since then, the NDMS charter has been modified to include support to catastrophic domestic emergencies. The Department of Health and Human Services (HHS) is the Federal lead agency for the program, which also includes key support from DoD, DHS, and the Department of Veterans Affairs (DVA).[2] There are three components to NDMS:

- Medical Response. The Department of Health and Human Services (HHS) is responsible for medical response. Supporting elements include Disaster Medical Assistance Teams (DMAT), Disaster Mortuary Affairs Teams (DMORT), Veterinary Medical Assistance Teams, and the Public Health Service.
- Patient Evacuation. DoD is responsible for patient evacuation, which will primarily include fixed-wing aircraft.
- Definitive Care. DoD and DVA share responsibility for the provision of definitive care.[3]

USNORTHCOM PLANS. Commander, USNORTHCOM, has approved the plan for Defense Support of Civil Authorities. This plan provides the guiding principles for operations and the technical/operational architecture for DSCA. USPACOM has a comparable plan for its area of responsibility, and a USSOUTHCOM equivalent plan is being developed.

Standing DSCA EXORD. The Secretary of Defense-approved DSCA EXORD provides the Commanders of USNORTHCOM, USPACOM, and USSOUTHCOM, as Supported Combatant Commanders, a more responsive and flexible mechanism for providing initial DoD support to a

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[1] Department of Homeland Security, *National Response Plan, Catastrophic Incident Annex* (Washington, DC), December 2004, p. CAT-1.

[2] Public Law 109-417 § 301, Pandemic and All-Hazards Preparedness Act, URL: <http://thomas.loc.gov/cgi-bin/query/F?c109:4:./temp/~c109AQTv4D:e71651>, accessed January 19, 2007.

[3] Department of Defense, U.S. Northern Command, "NDMS Presentation," December 2006.

Federal lead agency, when requested. The EXORD addresses DoD support in response to the adverse effects of severe weather, acts of nature, man-made disasters, and other emergencies. It is not designed to support a Weapons of Mass Destruction (WMD) CBRNE event, which is the subject of a separate EXORD. It permits the deployment of a DCO and staff to provide the Principal Federal Official (PFO) and/or the Federal Coordinating Officer (FCO) a single DoD point-of-contact through which to request additional DoD assistance, if needed, and for the coordinated use of DoD installations for pre-positioning of Federal emergency supplies and staging of personnel and equipment.

Additionally, it allows the Supported Commander to place limited personnel and resources in a Prepare-to-Deploy (PTDO) status, in anticipation of a large-scale event that may overwhelm State and local resources, or in the event of a catastrophic no-notice incident, e.g., an earthquake. Assets placed in a PTDO status can deploy upon approval of a valid request for assistance. The support includes resources historically requested by DoD's interagency partners in an emergency response and may include:

- DCO and supporting staff element
- FEMA mobilization centers on DoD installations
- Medium and heavy lift helicopters
- Search aircraft for reconnaissance and video
- Robust communications package for command and control (C2)
- Patient movement evacuation/transportation
- Joint Task Force (JTF) for C2 of Title 10 forces
- Combatant Commander's Assessment Element (CAE)
- Forward Surgical Team
- Defense Logistics Agency (DLA) Joint Deployment Distribution Center

Interagency Pre-Scripted Requests for Assistance. DoD assisted FEMA in developing more than twenty-five pre-scripted requests to support requirements of ESFs in the NRP. Pre-approved contracts have been used by FEMA for a number of years to expedite the provision of resources.

Pre-scripted requests for assistance were first introduced to the interagency process by DoD after Hurricane Katrina to expedite the interagency coordination process. Each request is a "fill-in-the-blank" template that uses the FEMA standard mission assignment format. Although these pre-scripted requests are designed to reduce the time it takes to staff a request, they do not constitute pre-approved support. Each pre-scripted request for assistance will be validated by the DCO at the Joint Field Office (JFO) and be approved by the Secretary of Defense.

The current DoD-FEMA set of pre-scripted requests for assistance includes support in several critical resource areas, including transportation, communications, debris removal, incident management, mass care and shelter, resources support, and medical care.

FEMA – Defense Logistics Agency Agreement. After Hurricane Katrina, the Defense Logistics Agency (DLA) signed a broad agreement with DHS/FEMA to provide disaster relief support after receiving a FEMA request.

Common Operating Picture (COP). USNORTHCOM is working to establish an unclassified web-COP that can be shared with interagency and State partners.

25. DOD should provide support from the National Geospatial Intelligence Agency (NGA) and the National Security Agency (NSA) as part of overall DOD support to DHS under the NRP to provide technical skills, situational awareness, imagery support, analysis and assessment for responding to catastrophic events. Requests for situational awareness capabilities should follow DOD processes for asset allocation. DOD will ensure requests for assistance are identified and satisfied for access to NGA, NSA and other Combat Support Agency's capabilities.

Significant progress has been made in improving DoD processes for imagery support and analysis during domestic crises and addressing any legal concerns associated with domestic operations. Both areas were previously identified as obstacles to integrated intelligence support. Progress areas to date:

- USNORTHCOM developed a Reconnaissance Concept of Operations (CONOPS) to facilitate coordination of DoD assets. The CONOPs was tested and validated during Exercise Ardent Sentry in 2006. Slight adjustments will be made based on exercise observations, analysis, and recommendations.

- DHS established an organic Intelligence, Surveillance, and Reconnaissance Branch and hosted planning sessions in which DoD participated. DoD also will participate in a DHS-established Interagency Board to coordinate interagency imagery support strategy, policy, and collection requirements.

- DoD revamped the process to improve imagery requests, analysis support, and coordination between Title 10 and Title 32 forces. During Exercise ARDENT SENTRY, USNORTHCOM and the National Guard Bureau worked together to ensure de-confliction of requirements and information sharing.

- DoD and DHS signed a Standing Proper Use Memorandum (PUM) for national and commercial imagery in January 2006 that was successfully employed during Exercise Ardent Sentry.

- DoD is working with the Federal Aviation Administration (FAA) to pursue use of unmanned aerial vehicles (UAV) in national airspace.

USNORTHCOM will work on approval and institution of its Reconnaissance CONOPS. It will

continue to work with DHS on operational concepts and support. OSD and the Joint Staff will work with National Guard Bureau to implement policy that requires submission of support requirements to USNORTHCOM.

27. In addition to the National Guard, the other Reserve Components of the military services should modify their organization and training to include a priority mission to prepare and deploy in support of homeland security missions.

In the Quadrennial Defense Review (QDR), DoD identified the need to focus the use of the Reserve Components "Authorities Execution" roadmap for homeland defense/civil support operations more effectively and to seek changes in authorities to improve access to National Guard and Reserve consequence management capabilities.

To this end, in 2006, DoD proposed legislation that would have allowed more effective and rapid mobilization of applicable Reserve units to conduct all-hazards civil support missions in response to disasters.

28. DOD should consider fully resourcing the JTF State Headquarters to address capabilities gaps and to enhance readiness.

The nucleus of the JTF State Headquarters is the Joint Force Headquarters – State. A Joint Requirements Oversight Council Memorandum on April 20, 2006, approved Joint Force Headquarters State (JFHQ-State) required documents dealing with doctrine, organization, training, materiel, leadership and education, personnel, and facilities for validation of the JFHQ-State as a DoD Joint Capability. $22.6 million in the Post Katrina Supplemental has been used to upgrade and improve deployable interoperable communications programs. An additional $34.39 million has been programmed for additional procurement and sustainment of items. For Fiscal Year (FY) 2008 to FY 2013, $50 million has been programmed for Joint Interagency Training and exercises that will synchronize JFHQ-State, JTF-State, and other domestic interagency response organizations.

29. Develop the capability to rapidly activate a JTF-State for contingencies.

This is primarily the responsibility of each individual State, Commonwealth, or Territory, since these Joint Task Forces will always be under the governor's command and control. Each sovereign jurisdiction has its own authority and criteria for activating National Guard forces for emergencies in its jurisdiction.

In March 2005 DoD approved the Mission Statement for JFHQ-State. In May 2006 the National Guard began implementation of the JFHQ-State Concept and Implementation Plan (C&IP). Congressional funding in the FY 2007 National Defense Authorization Act (NDAA) provided for a Joint Communications package for JTF-State, which will enhance capabilities and interoperability in crisis responses. The States identified National Guard general officers to

serve as JTF-State Commanders when required during crisis or exercises. A total of 175 colonels and general officers, representing every State, have completed the Joint Task Force-State Commanders Course. Approximately 235 Colonels and General Officers will be trained as JTF-State commanders by June 2007.

30. DOD should consider assigning additional personnel (to include general officers) from the National Guard and the reserves of the military services to USNORTHCOM to achieve enhanced integration of Active and reserve component forces for homeland security missions.

DoD has already assigned a mix of National Guard and Reserve Component officers at various levels within USNORTHCOM. There are currently 45 Reserve Component officers on the USNORTHCOM staff, including five flag/general officers. These assignments are not normally tied to specific billets or positions. These assignments will continue to be made on an appropriate rotational basis. The Joint Staff and USNORTHCOM reviewed the USNORTHCOM Staff Reserve Component complement, and USNORTHCOM has added a National Guard Watch Position within the USNORTHCOM Command Center to enhance situational awareness capabilities. The Joint Staff is currently coordinating with the Military Departments to identify resource options for funding 414 previously validated USNORTHCOM Reserve mobility positions.

31. DOD should support DHS development of an analysis and operational planning capability to enable DHS to predict detailed requirements and plan for specific actions needed to respond to future disasters.

DoD provided planners and liaison personnel to DHS and FEMA to assist with planning for the 2006 Hurricane Season. Particular emphasis was placed on the vulnerable Gulf Coast region. At the direction of the Assistant Secretary of Defense for Homeland Defense and Americas' Security Affairs, USNORTHCOM conducted a comprehensive assessment of the Gulf Coast States prior to the 2006 season to determine the level of effort and potential DoD assets that would be required in response to a major hurricane in the region. This assessment continues to provide the foundation for planning in the 2007 season. DoD planners also maintains very close relationships with Gulf Coast State and local officials, as well as DHS/FEMA, to develop a survivable and interoperable communications plan. Finally, DoD, in collaboration with DHS/FEMA, established twenty-five pre-scripted requests for assistance that will expedite the provision of DoD resources for domestic crisis responses.

32. DOD should consider chartering the NGB as a joint activity of the DOD.

Currently, Title 10 U.S.C. § 10501 provides that NGB is a joint bureau of the Army and the Air Force. The Commission on the National Guard and Reserves released its report with findings

and recommendations on this issue on March 1, 2007. The Commission's recommendations are currently under review by the Department.

38g. DOD should detail logistics planners to DHS to assist in developing this logistics system. DOD and DHS should review and consider supply chain management best practices in developing the DHS logistics system. DOD should assist DHS in developing its logistics system; train DHS personnel in logistics management; exercise the DHS logistics system; and assist operating DHS' logistics management system until a fully mature capability exists.

DoD continues to work closely with DHS/FEMA in facilitating the development of a robust logistics capability in the event of a catastrophic incident. DoD depot infrastructure is already in place for the supply, storage, and distribution of Federal assets, when requested. Specifically, the Standing DSCA EXORD (see Recommendation 24) addresses providing DoD installations as FEMA mobilization centers for the staging and distribution of resources, as well as a Defense Logistics Agency (DLA) Joint Deployment Distribution Center, when requested. The DHS/FEMA logistics capability was directly increased by the signing in March 2006 of a broad memorandum of agreement between FEMA and DLA. Under this agreement, FEMA has provided $70 million to DLA to procure, store, rotate, and provide supplies to be used in the event of a catastrophic emergency.

In accordance with the agreement, and when funded by FEMA, DLA may procure and maintain supplies in support of FEMA response to domestic disasters, including:

- Meals Ready to Eat
- Health and comfort kits
- Bottled water
- Tents
- Generators
- Cots
- Fuel
- Pharmaceuticals
- Medical supplies and equipment
- Communications equipment
- Portable shelters
- Construction materials and equipment

DLA has been working closely with FEMA in the preparation and planning for meeting logistical requirements prior to, during, and after an event.

The Office of the Secretary of Defense, the Joint Staff, USNORTHCOM, and DLA have participated in the FEMA-led interagency Disaster Logistics Advisory Board Working Group, which has drafted a FEMA logistics concept of operations.

Additionally, the National Guard Bureau (NGB) is working closely with States to build a

database of current and planned standing Emergency Management Assistance Compacts (EMACs) (pre-scripted interstate support agreements) to ensure rapid deployment of resources.

106. All agencies with operational components should establish and fund Remedial Action Management Programs (RAMPs).

DoD sets the standard for lessons learned and remedial action management programs. The Joint Lessons Learned Program (JLLP) outlined in CJCS Instruction 3150.25A establishes policies, reporting procedures, and responsibilities for the management and execution of the CJCS's JLLP. It is used in both a training environment and an operational environment, domestically and abroad.

In addition, each Combatant Command and Military Service each have a Lessons Learned organization whose mission is to collect, process, analyze, maintain, and distribute relevant lessons learned to enhance joint operations capabilities.

117. Federal departments and agencies should strengthen their existing homeland security educational and training programs.

DoD, in coordination with DHS and other interagency partners has proposed the creation of a National Security Officer and the establishment of a National Security Education Consortium of USG and civilian academic institutions. This proposal has been taken to and approved by the Homeland Security Council.

DoD is working with DHS to develop homeland security and homeland defense core competencies that will be used to standardize homeland security/homeland defense education and training.

DoD is an active member of the DHS-led Katrina Lessons Learned Interagency Working Group dedicated to responding to those recommendations of the Critical Challenge Homeland Security Professional Development and Education.

Additionally, DoD sponsors several courses to promote a better understanding of DoD's role in homeland defense and Defense Support of Civil Authorities (DSCA):

Defense Support of Civil Authorities Course. The DSCA Course, sponsored by U.S. Army North and primarily conducted in San Antonio, Texas, is the primary training course for all DoD personnel for DSCA operations. Attendance is mandatory for Defense Coordinating Officers (DCOs), Defense Coordinating Element (DCE) members, and Emergency Preparedness Liaison Officers (EPLOs). The mission of the DSCA Course is to educate Federal military forces, DoD civilians, and DoD contractor personnel to be able to plan, coordinate, execute, and support DSCA operations. The course provides information to attendees about National, State, local, and DoD statutes, directives, plans, command and control relationships, and capabilities related to

DoD support during domestic emergencies and for designated law enforcement and other activities.

DHS/FEMA Emergency Management Institute. The Emergency Management Institute (EMI) is located at the National Emergency Training Center in Emmitsburg, Maryland. This nationally recognized institute serves as the national focal point for the development and delivery of emergency management training. DCOs, DCE members, and EPLOs are required to take courses on the NRP, NIMS, and the Incident Command System through EMI's on-line training programs.

Naval Post-Graduate School (NPS) Center for Homeland Defense and Security. NPS and the U.S. Department of Homeland Security are partnering to pioneer the development and delivery of homeland security education programs for governors, mayors, and senior homeland security leaders from across a wide spectrum of disciplines in local, State, and Federal government, including the military.

Homeland Security/Defense Education Consortium. With USNORTHCOM support and funding provided by Congress, 175 academic institutions in the United States, Canada, and Argentina are promoting homeland security expertise in the academic, military and corporate sectors.[1]

[1] Statement of Admiral Timothy J. Keating, USN, Commander, United States Northern Command and North American Aerospace Defense Command, before the Senate Armed Services Committee, March 14, 2006. URL: <http://armed-services.senate.gov/statemnt/2006/March/Keating%2003-14-06.pdf>, accessed December 4, 2006.

A Failure of Initiative: Final Report of the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina

Excerpted from: A Failure of Initiative: Final Report of the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina

1. The National Response Plan's Catastrophic Incident Annex as written would have delayed the active duty military response, even if it had been implemented.

The NRP Catastrophic Incident Annex along with the rest of the NRP is currently being revised by FEMA, in coordination DoD with a focus on findings and recommendations from Hurricane Katrina lessons learned.

2. DOD/DHS coordination was not effective during Hurricane Katrina.

Since Hurricane Katrina, DoD has instituted several changes in how it coordinates with DHS, and has improved integration of existing capabilities, including:

- Continued full-time DoD representation in the National Operations Center
- Continued full-time DoD liaison personnel at FEMA headquarters
- Assignment of Emergency Preparedness Liaison Officers (EPLOs) to the National Response Coordination Center, when required
- Assignment of full-time planners to the DHS Incident Management Planning Team (IMPT)
- Assignment of Defense Coordination Officers (DCOs) and Defense Coordinating Element (DCE) (5 personnel) at FEMA Region headquarters
- Development of twenty-five Pre-Scripted Mission Assignments (PSMA) with FEMA
- Continued EPLO presence at FEMA Region headquarters and State Emergency Operations Centers, when required

3. DOD, FEMA, and the state of Louisiana had difficulty coordinating with each other, which slowed the response.

DoD provided full-time planners from USNORTHCOM, USTRANSCOM, DLA, and NGB. These planners assisted FEMA and the State of Louisiana Emergency Management Office with hurricane planning prior to and during the 2006 hurricane season. Many of the items mentioned above (under Finding 2) also contributed to the improvement of DoD coordination at the Regional, State, and local levels in the Gulf Coast Region.

4. National Guard and DOD response operations were comprehensive, but perceived as slow.

The DoD response to Hurricane Katrina was the largest and fastest deployment of military forces domestically in the history of the United States. Within 48 hours of hurricane landfall, DoD personnel were committed to the effort. By September 11, 2005, DoD-commanded and DoD-funded forces providing support numbered more than 72,000 National Guard and Federal military personnel supported by twenty U.S. Navy ships and more than 400 rotary and fixed wing aircraft.

5. The Army Corps of Engineers provided critical resources to Katrina victims, but pre-landfall contracts were not adequate.

The U.S. Army Corps of Engineers (USACE) has created a program called the Advanced Contracting Initiative, or ACI. Under the ACI program, it competitively awards contracts for future use in the areas of water, ice, power, temporary roofing, and debris removal. Having these contracts in place allows the USACE to respond rapidly to emergency situations. USACE used ACI contracts to support not only the Katrina recovery, but those areas affected by Hurricanes Rita and Wilma. It also used the contracts to support recovery efforts in the Southeast after several storms during last year's hurricane season. The ACI program has been in place for about six years.

The Competition in Contracting Act (CICA), with certain exceptions, requires full and open competition. Moreover, the Office of Federal Procurement Policy (OFPP) Act generally requires a minimum 15-day notice period before a solicitation may be issued and a minimum 30-day period for the submission of proposals. However, the Act exempts procurements conducted on the basis of unusual and compelling urgency. If the USACE had been required to comply with the general rules, it would not have been able to award a contract to get the flood waters out of the city of New Orleans until the end of October. The people of New Orleans could not wait. Accordingly, as authorized by CICA and the OFPP Act, the USACE shortened the time period of the award. The USACE contracting officer contacted four companies on September 1, 2005. Of those four companies, only Shaw Environmental, Inc., of Baton Rouge, Louisiana, could respond in a timely manner to begin the unwatering effort. The contract award was made on September 2, 2005.

In other USACE efforts to support relief efforts in response to this emergency situation, USACE considered and used the entire suite of available contracting options authorized under the Federal Acquisition Regulation, including letter contracts. Using these methods, the USACE procured such critical items as sand bags to be used to stop the flow of water into New Orleans. The situation was urgent, which required expedited procurement. Additionally, the USACE used a Naval Facilities contract to assist in the unwatering of the city.

Due to the magnitude of Hurricane Katrina and the wide spread devastation, the USACE needed to award debris removal and roofing contracts in excess of those contracts pre-placed under the

ACI program. Based on the large scale of the work that needed to be performed, USACE awarded four debris removal contracts. Each contract was valued at $500 million with a $500 million option. This requirement was open to any company, under a shortened advertisement and proposal period. The USACE received twenty-two proposals in response to the advertisement. The contracting officer awarded the contracts on a best-value-to-the-government basis. The Army Audit Agency is reviewing the award and administration of these four contracts.

6. DOD has not yet incorporated or implemented lessons learned from joint exercises in military assistance to civil authorities that would have allowed for a more effective response to Katrina.

DoD has a robust and effective capability to take observations and findings from real-world events and/or exercises and incorporate them into subsequent doctrine, procedures, and training exercises. If deficiencies are noted, DoD will implement and track corrective action and then reassess the results. Joint Exercise ARDENT SENTRY has included observations and findings from the Hurricane Katrina response in 2006 and in 2007.

7. The lack of integration of National Guard and active duty forces hampered the military response.

In the 2006 QDR report, DoD identified the need to focus the use of the Reserve Components' "Authorities Execution" roadmap for homeland defense/civil support operations more effectively and to seek changes to authorities to improve access to Guard and Reserve consequence management capabilities.

DoD supports the National Guard Bureau plan to establish JFHQ-State mission and accompanying implementation in each State. The National Guard has implemented the Joint Force Orientation Course, designed to increase the proficiency of National Guard staffs in joint and strategic environments. As of March 2007, 1,500 National Guard personnel from 53 of 54 States and Territories have participated in this training. In addition, Congressional funding in the FY 2007 NDAA provided for a joint communications package for JTF-State that will enhance capabilities and interoperability with both civil and active duty response forces in crisis responses. States have identified National Guard general officers to serve as JTF-State commanders when required during crisis or exercises. A total of 175 colonels and general officers, representing every State, have completed the Joint Task Force-State Commanders Course. Approximately 235 National Guard colonels and general officers will have completed training once the fourth course is completed in June 2007.

DoD continues to evaluate Title 10/32 and State Active Duty options that might be suitable, feasible, and acceptable for the levels of domestic crisis response, emphasizing unity of effort to provide needed support. USNORTHCOM, USPACOM, and NGB have coordinated and established concepts of operation to enable rapid implementation of Title10/32 coordination or

command and control during a domestic crisis. The establishment of the JFHQ-State, the subsequent training of its personnel, the congressionally provided interoperable communication equipment, and the increased National Guard involvement in crisis response planning processes has greatly improved DoD's ability to integrate Active Duty and National Guard response forces in future crisis events.

8. Northern Command does not have adequate insight into state response capabilities or adequate interface with governors, which contributed to a lack of mutual understanding and trust during the Katrina response.

DHS, not DoD, requires insight into State response capabilities and interface with State governors. DoD and USNORTHCOM support DHS efforts in understanding State response capabilities.

9. Even DOD lacked situational awareness of post landfall conditions, which contributed to a slower response.

Based on lessons learned regarding situational awareness after the landfall of Hurricane Katrina, DoD recognized that earlier situational awareness was needed. Accordingly, DoD employed wide-area assessment capabilities very successfully during Hurricane Rita. DoD provided rotary- and fixed-wing aircraft (Civil Air Patrol, U.S. Navy P-3), UAVs, imagery support by the National Geospatial Intelligence Agency, and communications packages.

10. DOD lacked an information sharing protocol that would have enhanced joint situational awareness and communications between all military components.

DHS is developing a Common Operating Picture (COP) for interagency entities, to which DoD contributes. The National Military Command Center (NMCC) maintains constant communications with USNORTHCOM, which has trained and equipped its Joint Task Forces, as well as its FEMA region-assigned DCOs and DCEs, with robust communications packages. The establishment of U.S. Army North (ARNORTH) as the likely nucleus of a Joint Task Force will improve communications with interagency entities as well as between Federal and State military forces. The National Guard has established 54 full-time Joint Force Headquarters State, located in every U.S State, Territory, and possession, and plays a leading role in the integration of civilian authorities and State and Federal military forces. National Guard forces are supported by the Joint Incident Site Communications Capability (JISCC) that provides critical interoperability among deployed National Guard and civilian responders, deployable communications, and information technology capabilities needed by National Guard forces at deployed sites. It also provides significant reach-back capabilities from the incident site to State headquarters and beyond.

11. Joint Task Force Katrina command staff lacked joint training, which contributed to the lack of coordination between active duty components.

The stand-up of ARNORTH as the Army Component Command of USNORTHCOM and the likely nucleus of a Joint Task Force headquarters will improve integration, coordination, and joint training.

12. Joint Task Force Katrina, the National Guard, Louisiana, and Mississippi lacked needed communications equipment and the interoperability required for seamless on-the-ground coordination.

DHS is developing a Common Operating Picture (COP) for interagency entities, to which DoD contributes. The National Military Command Center (NMCC) maintains constant communications with USNORTHCOM, which has trained and equipped its Joint Task Forces, as well as its FEMA region-assigned DCOs and DCEs, with robust communications packages. The stand-up of ARNORTH as the likely nucleus of a Joint Task Force will improve communications with interagency entities as well as between Federal and State military forces. The National Guard has established 54 full-time Joint Force Headquarters State, located in every U.S State, Territory, and possession, and plays a leading role in the integration of civilian authorities and State and Federal military forces. National Guard forces are supported by the Joint Incident Site Communications Capability (JISCC) that provides critical interoperability among deployed National Guard and civilian responders, deployable communications, and information technology capabilities needed by National Guard forces at deployed sites. It also provides significant reach-back capabilities from the incident site to State headquarters and beyond.

13. Equipment, personnel, and training shortfalls affected the National Guard response.

Personnel and operational tempo are currently important issues within DOD and the National Guard. While DoD resources nearly 90% of the National Guard forces primarily for their Federal military mission, the National Guard lacks much of its authorized equipment due to ongoing efforts in Operation Enduring Freedom and Operation Iraqi Freedom. Much of the equipment used by the National Guard serves a dual purpose for both Federal military and domestic/state missions. The same holds true for training; many military skill sets can also be used in a dual role for Federal and State response.

14. Search and rescue operations were a tremendous success, but coordination and integration between the military services, the National Guard, the Coast Guard, and other rescue organizations was lacking.

DHS is developing a Common Operating Picture (COP) for interagency entities, to which DoD contributes. The National Military Command Center (NMCC) maintains constant communications with USNORTHCOM, which has trained and equipped its Joint Task Forces, as

well as its FEMA region-assigned DCOs and DCEs, with robust communications packages. The stand-up of ARNORTH as the likely nucleus of a Joint Task Force will improve communications with interagency entities as well as between Federal and State military forces. The National Guard has established 54 full-time Joint Force Headquarters – State, located in every U.S State, Territory, and possession, and plays a leading role in the integration of civilian authorities and State and Federal military forces. National Guard forces are supported by the Joint Incident Site Communications Capability (JISCC) that provides critical interoperability among deployed National Guard and civilian responders, deployable communications, and information technology capabilities needed by National Guard forces at deployed sites. It also provides significant reach-back capabilities from the incident site to State headquarters and beyond.

CHARRTS No.: SG-05-001
Senate Committee on Governmental Affairs
Hearing Date: July 19, 2007
Subject: The Military's Role in Disaster Response: Progress Since Hurricane Katrina
Witness: Mr. Verga
Senator: Senator Lieberman
Question: #1

Question. In his memo dated May 31, 2007, Secretary Gates directed DoD and military leaders to provide recommendations on programming and budgeting for civil support, and directed DoD to report to Congress on civil support requirements generated by the Secretary of Homeland Security and those validated and executed by DoD. You testified that the current system of dual-capability forces is preferable to a system in which capabilities are specifically organized, trained, and equipped for civil support. Secretary Gates's memo indicates that he is willing to consider changing the Department's policy on programming and budgeting for civil support, yet your testimony suggests that the current system is preferable. Please clarify your position on the optimal means for ensuring that DoD is fully prepared and resourced to meet the civil support requirements that are likely to arise in a catastrophic incident.

Answer.

As required by law, DoD plans, programs, and budgets to develop capabilities and capacities and execute operations to defend the United States and its interests. As a matter of policy, DoD has not – with a few exceptions established in law – planned, programmed, and budgeted for civil support. Instead, DoD has, in accordance with the Stafford Act and other applicable laws, made available to support civil authorities those capabilities and capacities developed to defend the United States and its interests.

Historically, DoD has provided support to civil authorities for three activities: (1) pre-planned activities such as National Special Security Events (e.g., the 2004 Democratic and Republican National Conventions) and domestic operations (e.g., Operation LIBERTY SHIELD in 2003, Operation WINTER FREEZE in 2004/2005, and Operation JUMP START from 2006 to 2008), (2) anticipated activities such as preparations for the 2006 and 2007 hurricane season, and (3) ad hoc activities such as disaster responses (e.g., the responses to Hurricane Andrew, Hurricane Katrina and the 9/11 terrorist attacks). In each case, a lead Federal agency such as the Federal Emergency Management Agency has, in coordination with affected States, identified the assistance required from DoD for these activities. To date, DoD has been able to satisfy all such requests for assistance from capabilities and capacities developed to defend the United States and its interests. Helicopters, water purification units, Meals-Ready-to-Eat, and aerial reconnaissance assets developed to execute DoD's national defense mission have proven equally useful in DoD's support of civil authorities in domestic emergencies and operations.

In today's security environment, however, as we wage a global fight against transnational terrorists who would measure a mass casualty weapon of mass destruction attack on the United States as their greatest victory, DoD recognized that this approach may no longer be sufficient and began undertaken measures to develop capabilities to be better prepared to support civil authorities. For example, as indicated in DoD's 2005 Strategy for Homeland Defense and Civil

Support, "DoD will maintain a ready, capable, and agile command and control structure, along with competently trained forces, to assist civilian authorities with catastrophic incident response. However, with the exception of a dedicated command and control element (currently the Joint Task Force-Civil Support) and the National Guard's WMD Civil Support Teams, DoD will continue to rely on dual-capable forces for consequence management and other defense support of civil authorities. The Department minimizes the risk that dual-capable forces may be assigned to other high priority missions by deconflicting overseas and domestic force requirements wherever possible." The result of this direction was the establishment of the Chemical, Biological, Radiological, Nuclear, and High-Yield Explosives (CBRNE) Consequence Management Response Forces (CCMRF), which participated in this year's ARDENT SENTRY exercise.

More recently, based on the Commission on the National Guard and Reserves recommendation, the Secretary of Defense directed the Department to provide him with recommendations as to whether or not current DoD policy should be changed and, if it should be changed, how it should be changed. Even if the Secretary changes current policy, ensuring that forces and resources developed are dual-capable and deconflicting overseas and domestic requirements wherever possible is a prudent approach to increasing DoD's capability to support civil authorities without reducing its preparedness to perform its national defense mission or consuming an inordinate amount of the Federal Budget.

CHARRTS No.: SG-05-002
Senate Committee on Governmental Affairs
Hearing Date: July 19, 2007
Subject: The Military's Role in Disaster Response: Progress Since Hurricane Katrina
Witness: Mr. Verga
Senator: Senator Lieberman
Question: #2

Question. Secretary Gates stated in his memo dated May 10, 2007 that he does not agree with the recommendation of the Commission on the National Guard and Reserves regarding granting operational control of Title 10 forces to state governors (Recommendation #8). Please explain the reasoning behind this conclusion, particularly in light of the fact that provisions exist for U.S. forces to operate under the operational control of foreign commanders. Please explain how DoD's plans will ensure unity of effort between state and federal military forces operating under separate chains of command in a response to a disaster.

Answer. The Secretary evaluated the Commission's recommendations and, as noted in his May 10, 2007, memorandum, directed "an alternative approach to address the shortcomings identified by the Commission" for recommendation 8.

The Commission recommended (#8) that "the Department of Defense should develop protocols

that allow governors to direct the efforts of federal military assets responding to an emergency such as a natural disaster." The Secretary has directed the development of "options and proposed protocols that allow federal forces to assist state emergency response personnel in order to have a coordinated response to domestic catastrophes and other emergency operations." He further directed that these "protocols must preserve the President's authority as commander in chief of federal forces, and should emphasize unity of effort, rather than purport to establish unity of command in state authorities, consistent with section 162(b) of title 10 of the U.S. Code." This approach preserves the historic relationship among the Federal, State, and local levels of government.

In the response to Hurricane Katrina, military command and control was workable but not unified because National Guard planning, under the command of the States' governors, while superbly executed, was not well-integrated with Federal military forces. Given the importance of the historic relationship between the Federal and State governments, federalizing all military personnel to respond to a domestic emergency may be neither possible nor desirable. In most domestic emergencies, Federal military personnel will be operating under Title 10, U.S. Code, and National Guard personnel will be operating under the authority of the State governors. Under these circumstances, unity of command for military forces is not possible. However, through close coordination between the Title 10 forces and the National Guard, unity of effort is achievable.

Integrated planning between Federal and State civilian and military planners such as that conducted in advance of the 2006 and 2007 hurricane seasons informs expectations (e.g., who is doing or providing what, when, and where), permits the integration and synchronization of response operations, provides the framework for readiness exercises, and identifies shortcomings in needed capabilities and capacities.

Integrated exercises, under the auspices of the National Exercise Program, are essential to test the readiness of Federal, State, and local responders and the effectiveness of interagency and intergovernmental planning, coordination, and execution. DoD has integrated the lessons learned from the response to Hurricane Katrina into its exercises (e.g., ARDENT SENTRY) to minimize or mitigate military command and control difficulties during responses to future disasters.

Another option is the designation of a dual status commander. In the past, as with the G-8 Summit in Sea Island, Georgia, in June 2004; the Democratic National Convention in Boston, Massachusetts, in July 2004; and the Republican National Convention in New York City, New York, in September 2004, the Department of Defense, acting on authority delegated by the President, has entered into memorandums of agreement (MOA) with the Governors of the affected States. These MOAs established mutually accepted terms for a National Guard officer of the affected State, under the authority of section 325 of Title 32, U.S.C., to be ordered to active duty without being relieved from duty in the National Guard of that officer's State. This enabled these officers to serve as a dual status commander for both State and Federal military forces in their States.

A related authority is section 315 of Title 32, U.S.C. Under this authority, DoD can detail a regular officer of the Army or Air Force to duty with the Army or Air National Guard of a State.

With permission from the President, an officer so detailed may accept a commission in the Army National Guard or Air National Guard of that State without prejudicing his or her rank and without vacating his or her regular appointment.

Whether initially a regular officer or a National Guard of a State, once a dual status commander has been appointed, this commander has authority over both State and Federal military forces. Acting pursuant to State authority, this dual status commander may issue orders to National Guard forces serving in a State status (Title 32, U.S.C., or State Active Duty). Acting pursuant to Federal authority, this dual status commander may issue orders to Federal military forces, i.e., Active Duty forces including Reserve forces serving on active duty and federalized National Guard forces. It is important to note that Federal and State chains of command are mutually exclusive. While acting pursuant to State authority, the commander cannot issue orders to Federal military forces; while acting pursuant to Federal authority, the commander cannot issue orders to State forces.

Appointment of a dual status commander has several potential advantages. First and foremost, a dual status commander may assist in establishing a unity of effort for all State or Federal military forces engaged in a particular operation. In addition, a dual status commander may help de-conflict and reduce duplicative efforts between all State or Federal military forces engaged in a particular operation.

Finally, the Assistant Secretary of Defense for Homeland Defense and Americas' SecurityAffairs has promoted an integrated planning concept to improve Federal, State, local, and military integration. This concept, if widely adopted, will provide cohesive Federal, State, and local governments, as well as private, commercial, and volunteer agencies, State-level disaster and emergency pre-incident response planning and coordination led by State Adjutants General.

CHARRTS No.: SG-05-003
Senate Committee on Governmental Affairs
Hearing Date: July 19, 2007
Subject: The Military's Role in Disaster Response: Progress Since Hurricane Katrina
Witness: Mr. Verga
Senator: Senator Lieberman
Question: #3

Question. This Committee's investigation of the response to Hurricane Katrina found that the "military command structure in Katrina exposed a fundamental tension-inherent in our system of government-between the principles of unity of command and federalism." Has a resolution been reached as to how the military command structure in a situation in which large numbers of Title 10 forces would be operating alongside large numbers of state controlled National Guard personnel should be shaped in order to achieve unity of effort, and is this

reflected in current plans? If so, what is that resolution?

Answer. Given the importance of the historic relationship between Federal and State governments, Federal civilian and military personnel and State civilian and military personnel usually will be operating under their respective chains of command. Under these circumstances, unity of command is not possible. However, through integrated planning and exercises, unity of effort is achievable.

Integrated planning between Federal and State civilian and military planners such as that conducted in advance of the 2006 and 2007 hurricane seasons informs expectations (e.g., who is doing or providing what, when, and where), permits the integration and synchronization of response operations, provides the framework for readiness exercises, and identifies shortcomings in needed capabilities and capacities.

Integrated exercises, under the auspices of the National Exercise Program, are essential to test the readiness of Federal, State, and local responders and the effectiveness of interagency and intergovernmental planning, coordination, and execution. DoD has integrated the lessons learned from the response to Hurricane Katrina into its exercises (e.g., ARDENT SENTRY) to minimize or mitigate military command and control difficulties during responses to future disasters.

CHARRTS No.: SG-05-004
Senate Committee on Governmental Affairs
Hearing Date: July 19, 2007
Subject: The Military's Role in Disaster Response: Progress Since Hurricane Katrina
Witness: Mr. Verga
Senator: Senator Lieberman
Question: #4

Question. In light of the National Guard's noted shortages in equipment available to governors for homeland-related missions, and LTG Blum's testimony that in the event of a no-notice event, these equipment shortages place the nation at "significant risk," what is the optimal means of ensuring that the National Guard is adequately funded and equipped for the anticipated missions in responding to a domestic disaster? What is DoD currently doing to increase National Guard equipment levels, and to ensure that sufficient equipment is available for homeland-related missions?

Answer. The Total Force -- Active, National Guard, and the Reserves – across all of the Military Departments are experiencing equipment shortfalls. Routinely, the Military Departments cross-level equipment and personnel to ensure that their units can accomplish assigned missions and tasks prior to any deployments or operations. For example, in preparation for the 2007 hurricane season, the Army helped U.S. states and territories that are in the paths of potentially deadly hurricanes by providing equipment to help fill shortages identified by National Guard commanders there. The Army has either issued or loaned 2,600 pieces of equipment to a

handful of coastal States, Hawaii, Guam, Puerto Rico, and the Virgin Islands. The equipment includes relief necessities, such as generators, trucks, Humvees and radios. Some of the equipment will be permanently assigned to fill shortages at the States. Equipment on loan is temporarily assigned and positioned within the State and will be returned at the end of hurricane season, in November.

This is much improved over 2006. That year, States and Territories asked the Army for 11,000 pieces of equipment, and it took until September to distribute all of the equipment. States may also borrow equipment and personnel from neighboring States via the Emergency Management Assistance Compact (EMAC). For example, 52,000 additional National Guard personnel were made available from States in the region to provide support to Texas in preparation for Hurricane Dean.

The long-term solution to equipment shortages is to procure equipment. The Department appreciates Congress' continuing support in funding such equipment procurement. Also, DoD has taken additional steps to monitor the availability of National Guard equipment and is tracking equipment shortfalls needed for homeland missions.

CHARRTS No.: SG-05-005
Senate Committee on Governmental Affairs
Hearing Date: July 19, 2007
Subject: The Military's Role in Disaster Response: Progress Since Hurricane Katrina
Witness: Mr. Verga
Senator: Senator Lieberman
Question: #5

Question. A major cause of pandemic flu spread through the U.S. in 1918 was troop movements in support of overseas missions. Does the military have plans in place to address how troop rotation overseas and within our borders will be handled if a pandemic occurs at home or in theater where they are deployed?

Answer. Specific decisions regarding troop movements will be made based on the facts of each situation, including the U.S. Government containment policies in force and the assessed effect of specific movements or movement restrictions on the Department's readiness, ability to execute ongoing missions, the health of the force, and public health.

CHARRTS No.: SG-05-006
Senate Committee on Governmental Affairs
Hearing Date: July 19, 2007
Subject: The Military's Role in Disaster Response: Progress Since Hurricane Katrina
Witness: Mr. Verga
Senator: Senator Lieberman
Question: #6

Question. Please describe DoD's participation in interagency planning efforts at DHS and FEMA. How does DoD's contribution to planning at the Incident Management Planning Team (IMPT) at DHS differ from its contribution to planning at the Operational Planning Unit at FEMA? Are DoD's own plans for responding to domestic disasters linked with plans at the IMPT and FEMA, and if so, how?

Answer. The Incident Management Planning Team (IMPT) supports production and execution of national operational plans under a unified planning effort for domestic incidents that would require a Federal response. The IMPT is the permanent planning element of the National Operations Center (NOC) and is comprised of two components: (1) A core full-time planning staff; and (2) A pre-identified "on-call" staff that will augment the core staff when required.

DoD supports the full-time staff with a dedicated planner and adds one additional planner when the IMPT begins continuous operations. The DoD planners provide DoD-specific information and planning expertise, including inter/intra agency subject-matter expertise, operational planning experience, and reach-back capabilities to support national base plans, annexes, and resource data. This planning began with the 15 National Planning Scenarios and will address other potential scenarios in accordance with planning tasks issued by the Secretary of Homeland Security.

DoD planners also support crisis operations, during which the IMPT adapts plans of record developed during the steady-state planning effort to the current situation and makes recommendations on options or adjustments to the NOC leadership and/or the Secretary.

DoD supports the FEMA Operational Planning Unit on an as-requested basis. These requests are normally for planning support for limited durations to address specific scenarios. For example, DoD has supported FEMA regional hurricane planning for the Gulf Coast and, most recently, transportation planning in preparation for Hurricane Dean.

DoD is also reviewing the scope of its planning collaborations with DHS in the context of the recommendations of the Commission on the National Guard and Reserves. In regards to recommendation #2, the Secretary of Defense has directed the Department to revise the memorandum of agreement with DHS to ensure that DoD personnel with significant knowledge and experience in National Guard and Reserve matters are detailed to DHS and that personnel detailed from DHS have the opportunity to enhance their knowledge of National Guard and Reserve capabilities. The Secretary also directed that this exchange program "should also include involvement in planning, training and exercises that could assist in validating requirements for federal civil support missions."

CHARRTS No.: SG-05-007
Senate Committee on Governmental Affairs
Hearing Date: July 19, 2007
Subject: The Military's Role in Disaster Response: Progress Since Hurricane Katrina
Witness: Mr. Verga
Senator: Senator Lieberman
Question: #7

Question. Please provide a copy of DoD's plans for support to civil authorities, including NORTHCOM's CONPLAN 2501.

Answer. The Department of Defense only disseminates operational plans to those personnel who have a mission critical role in the production, review, or execution of the plans.

We would be happy to brief Congress on DoD's plans for support to civil authorities.

CHARRTS No.: SG-05-008
Senate Committee on Governmental Affairs
Hearing Date: July 19, 2007
Subject: The Military's Role in Disaster Response: Progress Since Hurricane Katrina
Witness: Mr. Verga
Senator: Senator Lieberman
Question: #8

Question. Testimony from the hearing described many improvements in preparedness and coordination since Hurricane Katrina, and also indicated areas in which we are not fully prepared, equipped, or organized for the most effective response to a catastrophic disaster. In your judgment, what should be done within DoD, between DHS, FEMA and DoD, across the federal government, and among the federal, state, and local governments to improve the capability to effect a swift and coordinated response, particularly with regards to minimizing the amount of time that the federal government will bring the necessary support to overwhelmed communities? In what specific ways should Congress act to improve preparedness across the government?

Answer. The key to a swift and coordinated response to a catastrophic disaster is deliberate and integrated national planning in advance of a catastrophic disaster. Deliberate and integrated national planning will inform expectations, integrate and synchronize response operations, provide a framework for readiness exercises, and identify shortcomings in needed capabilities and capacities.

DoD is currently supporting the Department of Homeland Security's Incident Management Planning Team, which is leading an interagency effort to develop deliberate concept plans to

address each of the 15 National Planning Scenarios (e.g., a major hurricane, a major earthquake, a 10-kiloton improvised nuclear device, a pandemic, and a cyber attack) and will address other potential scenarios in accordance with planning tasks issued by the Secretary of Homeland Security or the Homeland Security Council.

These fifteen National Planning Scenarios provide an excellent framework to integrate Federal and State plans and thereby ensure more integrated national response operations.

CHARRTS No.: SG-05-009
Senate Committee on Governmental Affairs
Hearing Date: July 19, 2007
Subject: The Military's Role in Disaster Response: Progress Since Hurricane Katrina
Witness: Mr. Verga
Senator: Senator Pryor
Question: #9

Question. Which of the numerous exercises you cited in your testimony has been most productive and why? Are there characteristics that are common to successful exercises/simulations and if so, how can they be extended to all exercises to ensure that we are getting comprehensive plans in place?

Answer. DoD's most productive exercise to date was the exercise mentioned during the hearing by General Renuart and Lieutenant General Blum: Exercise ARDENT SENTRY '07. This particular exercise was especially productive because it included much more robust participation by senior leaders from the State and local levels all the way up to the White House than in past exercises, a live deployment by the newly established Chemical, Biological, Radiological, Nuclear, and High-Yield Explosive (CBRNE) Consequence Management Response Forces (CCMRF). Also, for the first time, the Department of Homeland Security (DHS), as part of the National Exercise Program, collected lessons learned into a tracking system known as the "Corrective Actions Program (CAP)."

Common characteristics of a successful domestic emergency exercise include:

Active Participation by Responders and Decision-Makers. Active participation by Federal, State, and local responders and decision-makers, including senior leaders, who will be called upon to act in times of domestic emergencies, is critical. In April 2007, the President approved a National Exercise Program (NEP), under the leadership of DHS. This NEP was established in accordance with the Post-Katrina Emergency Management Reform Act of 2006. The NEP requires Cabinet-level participation in domestic emergency response exercises.

Advanced Planning and Budgeting. Advanced planning is essential to designing an effective exercise for all participants. A two-week exercise can take a year or more to plan. In addition,

advanced budgeting is essential to ensure that participants can afford to execute such an exercise. The NEP established a five-year exercise schedule that permits Federal departments and agencies to plan and budget in advance for exercises.

Challenging Scenarios. A challenging scenario that stresses the national response system is necessary to identify systemic or procedural weaknesses before actually having to execute realworld versions of such scenarios.

An Effective Lessons Learned System. An effective lessons learned system ensures that lessons are not only learned but are acted upon. For the NEP, the CAP system tracks critical lessons learned from identification to final resolution.

CHARRTS No.: SG-05-010
Senate Committee on Governmental Affairs
Hearing Date: July 19, 2007
Subject: The Military's Role in Disaster Response: Progress Since Hurricane Katrina
Witness: Mr. Verga
Senator: Senator Pryor
Question: #10

Question. Secretary Gates reportedly agreed with 20 of the 23 recommendations of the National Guard Commission. What was the substance of the disagreement with the three that the DoD has not agreed to consider or implement?

Answer. The Secretary evaluated the Commission's recommendations and, as noted in his May 10, 2007 memorandum, directed "an alternative approach to address the shortcomings identified by the Commission" for recommendations 8, 9, and 17.

The Commission recommended (#8) that "the Department of Defense should develop protocols that allow governors to direct the efforts of federal military assets responding to an emergency such as a natural disaster." The Secretary has directed the development of "options and proposed protocols that allow federal forces to assist state emergency response personnel in order to have a coordinated response to domestic catastrophes and other emergency operations." He further directed that these "protocols must preserve the President's authority as commander in chief of federal forces, and should emphasize unity of effort, rather than purport to establish unity of command in state authorities, consistent with section 162(b) of title 10 of the U.S. Code." This approach preserves the historic relationship among the Federal, State, and local levels of government.

The Commission recommended (#9) that the "National Guard Bureau should be made a joint activity of the Department of Defense, rather than a joint bureau of the Army and Air Force. This designation should not change the National Guard Bureau's relationship with the Army and

Air Force related to Title 10 matters and planning and budgeting for Title 32 mission requirements." The Secretary has directed DoD to "recognize the joint functions being performed by the National Guard Bureau, to include a new reporting relationship to [the Secretary of Defense] and the Chairman on matters prescribed in a revised charter for the National Guard Bureau, and provide the appropriate joint duty credit and eligibility for joint awards for the National Guard Bureau staff."

The Commission recommended (#17) that "[e]ither the officer serving in the position of the commander or the officer serving in the position of deputy commander of U.S. Northern Command should be a National Guard or Reserve officer at all times." The Secretary has directed DoD to ensure that "procedures are established that consider qualified National Guard and Reserve officers for most senior command and leadership positions within the Department, not only at U.S. Northern Command, but all joint and service senior leadership positions, consistent with their education, training, and civilian and military experience."

CHARRTS No.: SG-05-011
Senate Committee on Governmental Affairs
Hearing Date: July 19, 2007
Subject: The Military's Role in Disaster Response: Progress Since Hurricane Katrina
Witness: Gen Renuart
Senator: Senator Lieberman
Question: #11

Question. The Commission on the National Guard and Reserves recommended that DHS should generate civil support requirements, to be validated as appropriate by DoD, and that DoD should program and budget for civil support missions based on these requirements. In his memo dated May 31, 2007, Secretary Gates directed military leaders, including the Commander of U.S. Northern Command, to provide recommendations on this issue. In your judgment, what would be the optimal process to ensure the active and reserve military components can provide timely and effective support to civil authorities, and what role would NORTHCOM play in this process?

Answer. USNORTHCOM fully supports the Department of Defense strategy for implementation of the recommendations generated by the Commission on the National Guard and Reserves. We are working within the Department of Defense and collaboratively with the Department of Homeland Security to ensure an optimal requirement generation and validation process is implemented to support civil authorities. We are actively engaged in ensuring USNORTHCOM is the advocate for National Guard and Reserve forces in the budgeting process within the Department of Defense. Our seat at the Joint Requirements Oversight Council (JROC) should ensure our strong voice is heard.

CHARRTS No.: SG-05-012
Senate Committee on Governmental Affairs
Hearing Date: July 19, 2007
Subject: The Military's Role in Disaster Response: Progress Since Hurricane Katrina
Witness: Gen Renuart
Senator: Senator Lieberman
Question: #12

Question. Have any of the recommendations of the Commission on the National Guard and Reserves been implemented at NORTHCOM to date? What efforts are currently in place at NORTHCOM to implement the Commission's recommendations?

Answer. The recommendations are in the process of being fully implemented. USNORTHCOM is coordinating with the staffs of the Office of the Secretary of Defense and the Joint Chiefs of Staff to meet the milestones laid out in the implementation plan for the Commission on the National Guard and Reserves.

I have requested USNORTHCOM be designated the Department of Defense lead for recommendations #4 (advocacy for civil support requirements) and #16 (identification of key positions at USNORTHCOM that require reserve component experience).

In addition, USNORTHCOM is assisting in the implementation of the following recommendations:

- #1—Programming and Budgeting for Civil Support Requirements
- #2—Department of Defense / Department of Homeland Security Exchange Representatives
- #3—Annual Report to Congress
- #6—Council of Governors
- #8—Governor Directing Federal Forces (Secretary of Defense provided an alternative approach)
- #11 and #12—National Guard Bureau Charter revision and Directive-Type Memorandum
- #19—Consequence Management and Civil Support Planning

CHARRTS No.: SG-05-013
Senate Committee on Governmental Affairs
Hearing Date: July 19, 2007
Subject: The Military's Role in Disaster Response: Progress Since Hurricane Katrina
Witness: Gen Renuart
Senator: Senator Lieberman
Question: #13

Question. Has NORTHCOM been advised of gaps in civilian medical or mass care capabilities identified by the Department of Homeland Security and/or the Department of Health and Human Services that NORTHCOM should anticipate filling in the event of a large-scale domestic disaster such as those envisioned in the National Planning Scenarios, including a pandemic influenza outbreak? What capability gaps have been identified? Has NORTHCOM, in coordination with the appropriate commands, identified the military resources which will be assigned to fill those gaps? What resources are available? Do any gaps in capabilities still exist in these areas when military and civilian resources are combined?

Answer: Neither the Department of Homeland Security or the Department of Health and Human Services has advised USNORTHCOM of gaps in civilian medical or mass care capabilities. However, there have been multiple planning efforts among all federal interagency, regional, state, and local partners, as well as non-governmental organizations and other civilian healthcare institutions, to discuss potential requests for Department of Defense support to fill gaps in medical and mass care capabilities. A principle element of my concern is bed space for burn patients.

To the extent that the Department of Defense can help fill the gaps, the following efforts are underway to identify gaps in medical response capabilities:

- The Department of Health and Human Services has asked MITRE Corp. to conduct an internal review of the National Disaster Medical System.

- USNORTHCOM has asked Defense Threat Reduction Agency to perform over 120 medical modeling scenarios (using four of the fifteen National Planning Scenarios) to identify Health Service Support requirements. We will share the results with our interagency partners, specifically the Department of Health and Human Services, to identify what assets and capabilities are required.

- USNORTHCOM, through the Joint Capabilities Integration Development System, is analyzing where the medical capability gaps exist in homeland defense and civil support missions. Since this is in the early stages, no gaps have been identified, though planners anticipate hospital beds, surgical capability, and definitive care assets are among the gaps.

We believe we can make the most impact during early response planning through the fielding of additional hospital beds, patient evacuation (preferably prior to an event when known), medical logistics support, triage, emergency care, and definitive care.

CHARRTS No.: SG-05-014
Senate Committee on Governmental Affairs
Hearing Date: July 19, 2007
Subject: The Military's Role in Disaster Response: Progress Since Hurricane Katrina
Witness: Gen Renuart
Senator: Senator Lieberman
Question: #14

Question. Your testimony states that both National Guard and Title 10 CBRNE response forces are not at a full state of readiness. What resources and personnel does NORTHCOM currently have dedicated to the CBRNE Consequence Management Response Forces, and what resources and personnel are lacking? Additionally, how do current plans account for the integration of National Guard and Title 10 CBRNE response forces during response operations?

Answer. USNORTHCOM currently does not have dedicated forces for the Chemical, Biological, Radiological, Nuclear, or High-Yield Explosive (CBRNE) Consequence Management Response Force. However, forces have been apportioned for planning and will be allocated to USNORTHCOM upon approval from the Secretary of Defense. USNORTHCOM continues to work closely with USJFCOM to ensure that all CBRNE Consequence Management Response Forces are trained and equipped and are able to meet the response posture levels

associated with USNORTHCOM CONPLAN 3500.

CHARRTS No.: SG-05-015
Senate Committee on Governmental Affairs
Hearing Date: July 19, 2007
Subject: The Military's Role in Disaster Response: Progress Since Hurricane Katrina
Witness: Gen Renuart
Senator: Senator Lieberman
Question: #15

Question. How many full-time positions at NORTHCOM are currently filled by National Guard personnel? Of these, how many of these positions are specifically assigned to represent the National Guard Bureau or the National Guard? Do you anticipate increasing these numbers of personnel in the near future, and if so, what will be the target numbers and positions? How will NORTHCOM benefit from this increase, particularly with regard to its civil support mission?

Answer. Of the 43 authorized full-time National Guard positions at USNORTHCOM, 35 are currently filled. All 43 positions were recently reviewed and revalidated to ensure both National Guard equities and USNORTHCOM mission requirements are supported with National Guard experience and expertise.

The National Guard is pursuing additional resources to increase the number of National Guard personnel at USNORTHCOM. Based on recent recommendations by the Commission on the National Guard and Reserves, and guidance by the Secretary of Defense, the USNORTHCOM Manpower and Personnel Directorate formed a working group to conduct a full review of all authorized positions at USNORTHCOM; as the intent is to determine those billets best suited for fill with National Guard and Reserve personnel. After the review is completed, coordination with the National Guard Bureau will provide target numbers and positions best suited for increasing the National Guard presence at USNORTHCOM.

USNORTHCOM will benefit from this increase in garnering personnel who know the National Guard capabilities and who can provide guidance and instruction for improving the planning, training and exercising of National Guard assets in the conduct of military operations while in support of governors and other lead federal agencies in domestic emergency response efforts. As NG units are typically the first military responders during domestic operations, this expertise is invaluable in planning federal responses to incidents and USNORTHCOM's defense support to civil authorities mission.

CHARRTS No.: SG-05-016
Senate Committee on Governmental Affairs
Hearing Date: July 19, 2007
Subject: The Military's Role in Disaster Response: Progress Since Hurricane Katrina
Witness: Gen Renuart
Senator: Senator Lieberman
Question: #16

Question. Which homeland missions will the Commander's Integrated Priority List address? Will the list, together with the Capabilities Based Assessment, be tied to the 15 National Planning Scenarios, and what role will DHS have in this process? Please explain how the process of compiling the list and assessment will incorporate both National Guard and Title 10 capabilities.

Answer. Our integrated priority list is one of the primary means for NORAD and USNORTHCOM to identify our most important capability requirements. It addresses needed capabilities across the full spectrum of both the homeland defense and civil support missions. In addition to the 15 National Planning Scenarios, we also consider those unique missions that the governors would task the National Guard to perform in a catastrophic manmade or a natural disaster event.

Our goal for the Homeland Defense and Civil Support Capabilities Based Assessment is to define DOD's homeland defense and civil support core capability requirements; determine where gaps, excesses, and redundancies exist within DOD; and prioritize them to develop solutions within a limited resource environment.

DHS, as well as the National Guard, must play an integral role throughout the analytical effort. We anticipate DHS will lead the effort to define the contributions of non-DOD agencies to homeland defense and civil support, which will in turn help to define realistic DOD capability requirements. The rigorous analysis within the Capabilities Based Assessment will be a factor in future Integrated Priorities List submittals.

CHARRTS No.: SG-05-017
Senate Committee on Governmental Affairs
Hearing Date: July 19, 2007
Subject: The Military's Role in Disaster Response: Progress Since Hurricane Katrina
Witness: Gen Renuart
Senator: Senator Lieberman
Question: #17

Question. Please describe NORTHCOM's participation in interagency planning efforts at

DHS and FEMA. Are NORTHCOM's own plans for responding to domestic disasters linked with plans at the IMPT and FEMA, and if so, how?

Answer. USNORTHCOM has been directly involved in FEMA's hurricane season planning efforts, at the national-, regional-, and local-levels for the past two years. Pre-scripted Mission Assignments are a key product of these efforts and are serving as a model for planning in a variety of forums and between entities well beyond DOD and FEMA. In addition, USNORTHCOM has established a close working relationship with FEMA's Operational Planning Unit (OPU) and remains ready to continue and increase its focused planning support as the OPU expands its efforts.

USNORTHCOM has also been working with the DHS Incident Management Planning Team (IMPT) since it was created in September 2006. The IMPT is charged with developing national-level (strategic) plans for the 15 National Planning Scenarios. To support this effort, the Office of the Secretary of Defense has placed a permanent representative with the IMPT, who integrates expert, scenario-specific planning assistance from USNORTHCOM and other DOD entities. During an incident, the IMPT transitions to become the DHS Crisis Action Team and develops situation-specific plans. As such, the USNORTHCOM counterpart entity, the Future Operations Cell, has also developed a close working relationship with DHS.

Both FEMA and DHS headquarters have been briefed on the USNORTHCOM Family of Plans and are provided updates as those plans are refined. And, just as the National Guard Bureau collaborates with USNORTHCOM on planning, the National Guard Bureau also provides planning support to FEMA and DHS, thereby providing yet another venue to ensure the planning efforts of these three critical entities are harmonized.

In the development of its own family of homeland defense, civil support, and other Concept Plans, USNORTHCOM participates with partner agencies, including DHS, on the annual update of the Interagency Annex for each plan. This Annex outlines anticipated roles and responsibilities and estimates support requirements for a particular plan. The highly successful Pre-scripted Mission Assignments were initially inspired and developed as a part of these interagency planning efforts. USNORTHCOM currently has 40 agency representatives resident in the Command and continually liaises with nearly 60 agency representatives to sustain and improve collaboration and communication related to planning and operations. The USNORTHCOM Joint Interagency Coordination Group is an increasingly mature, proactive body that assists the Command in integrating and synchronizing the planning efforts of DOD, DHS and other key interagency partners, and the National Guard Bureau.

CHARRTS No.: SG-05-018
Senate Committee on Governmental Affairs
Hearing Date: July 19, 2007
Subject: The Military's Role in Disaster Response: Progress Since Hurricane Katrina
Witness: Gen Renuart

Senator: Senator Lieberman
Question: #18

Question. Testimony from the hearing described many improvements in preparedness and coordination since Hurricane Katrina, and also indicated areas in which we are not fully prepared, equipped, or organized for the most effective response to a catastrophic disaster. In your judgment, what should be done within DoD, between DHS, FEMA and DoD, across the federal government, and among the federal, state, and local governments to improve the capability to effect a swift and coordinated response, particularly with regards to minimizing the amount of time that the federal government will bring the necessary support to overwhelmed communities? In what specific ways should Congress act to improve preparedness across the government?

Answer. Planning should include all mission partners, from concept development through plan completion. Given the nature of operations in our homeland, plans should be truly interagency and intergovernmental. DOD should partner with DHS, Department of Justice and other key agencies to facilitate a homeland defense and consequence management response that includes: integrated plans and procedures, information sharing/common operating picture, integrated logistics/commodities distribution system (including private sector) and increased evacuation and medical support capacity at all levels. These plans should be incorporated into a robust national exercise program that includes participation by the federal government, regional organizations, and the private sector.

Congress can help by supporting legislative initiatives and funding for information sharing, integrated logistics, evacuation and medical support and a national-level integrated exercise program, as well as supporting ongoing interagency reform efforts, such as the Project on National Security Reform.

CHARRTS No.: SG-05-019
Senate Committee on Governmental Affairs
Hearing Date: July 19, 2007
Subject: The Military's Role in Disaster Response: Progress Since Hurricane Katrina
Witness: Gen Renuart
Senator: Senator Pryor
Question: #19

Question. General Renuart, in your written testimony you mention the likelihood that a catastrophic event would exceed state and local resources and would have the "potential to considerably interrupt governmental operations and emergency services to such an extent that national security could be threatened" (p.7). a. Are existing procedures for calling in and authorizing active duty or reserve forces sufficient to cope with an extreme situation? b. As the

Chairman of the State, Local, and Private Sector Preparedness Subcommittee, several private sector and emergency planning constituencies have suggested to me that Congress should consider enacting a body of "catastrophic disaster law" that would supercede normal procedures in extreme situations. Are there any circumstances under which you would prescribe this solution?

Answer. [DELETED]

The Joint Staff 2007 Standing Defense Support of Civil Authorities (DSCA) standing execute order (issued 081823Z Jun 07) provides current guidance for DSCA operations. It expands the authorities of Commander, USNORTHCOM to plan and to posture USNORTHCOM to respond more quickly to actual or potential domestic incidents in accordance with the National Response Plan. That said, Commander, USNORTHCOM has minimal assigned forces for DSCA missions and is reliant on the joint force provider, or service providers, for the preponderance of DSCA forces. Commander, USNORTHCOM does not have visibility over DSCA forces until they are provided to him in response to specific mission requests.

This question may be better addressed by the Secretary of Defense. However, from my perspective as the Commander, USNORTHCOM, at this juncture, I would state that USNORTHCOM has sufficient authorities to meet its assigned missions in providing Defense Support of Civil Authorities.

CHARRTS No.: SG-05-020
Senate Committee on Governmental Affairs
Hearing Date: July 19, 2007
Subject: The Military's Role in Disaster Response: Progress Since Hurricane Katrina
Witness: Gen Renuart
Senator: Senator Pryor
Question: #20

Question. You also mention that the current state of military CBRNE response force training and equipment resourcing is "less than optimal" for both the Guard and active duty military. In what ways is the military deficient and what would it take in terms of training, equipment, and time to bring the military up to an adequate level of preparedness?

Answer. DELETED

Question#:	1
Topic:	IMPT
Hearing:	The military's role in disaster response: progress since Katrina
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

Question: The Post Katrina Emergency Management Reform Act of 2006 united the responsibility for national preparedness and response within FEMA, and assigned FEMA the authority and responsibility for coordinating interagency planning for disaster response. Please explain how the strategic plans being developed by the IMPT are coordinated with the operational plans being developed by FEMA. Please explain why the strategic planning is being conducted by a different office than the operational planning. Please list the specific elements of the strategic plans, and describe, in detail, the purpose of the strategic plans. Is the National Guard represented on the IMPT, and is its mission incorporated into the strategic plans? Lastly, please explain what features of DOD's Joint Operation Planning and Execution System, designed for developing operational plans for the U.S. military, are suitable to developing strategic plans.

Please explain how the strategic plans being developed by the IMPT are coordinated with the operational plans being developed by FEMA.

- The IMPT develops strategic plans for the entire Federal government across the spectrum of operations and multiple levels of classification.
- FEMA has two full time senior representatives (GS-15) on the IMPT to ensure seamless coordination between the IMPT strategic plans and FEMA operational planning requirements.
- Additionally, the IMPT and FEMA have initiated a series of monthly planning response exercises (PRXs) to ensure seamless coordination between the two organizations.

Please explain why the strategic planning is being conducted by a different office than the operational planning.

- *Strategic planning* is defined as the process by which the mission is defined, authorities are identified, roles and responsibilities are delineated, mission essential tasks are established, required capabilities are determiend, and performance and effectiveness measures are developed.

- *Operational planning* is defined as the process by which specific resource, personnel, and asset allocations are made to execute the objectives of the strategic plan. An operational plan contains a full description of the concept of operations with supporting annexes, as appropriate.

Question#:	1
Topic:	IMPT
Hearing:	The military's role in disaster response: progress since Katrina
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

- These definitions highlight why strategic planning is different than operational planning and result in different organizations being assigned responsibility for each of these requirements.

Please list the specific elements of the strategic plans, and describe, in detail, the purpose of the strategic plans.

- A strategic plan contains a concise summary of the situation, mission, and Federal coordination and oversight. The purpose of strategic plans are to generate requirements; establish long-range goals, priorities, and objectives; obtain interagency agreement on specific roles/responsibilities for a given threat; and develop approved performance and effectiveness measures in order to execute National policy.

Is the National Guard represented on the IMPT, and is its mission incorporated into the strategic plans?

- Yes, the Department of Defense (DOD) has assigned a full time National Guard Colonel to support integration of NGB mission requirements on the IMPT.

Lastly, please explain what features of DOD's Joint Operation Planning and Execution System, designed for developing operational plans for the U.S. military, are suitable to developing strategic plans.

- DOD's JOPES is designed for developing both strategic and operational plans. Strategic and operational planning is conducted at different levels of operations using the same process.

- The JOPES is defined as a system of joint policies, procedures, and reporting structures, supported by communications and computer systems, that is used by the joint planning and execution community to monitor, plan, and execute mobilization, deployment, employment, sustainment, redeployment, and demobilization activities associated with joint operations. JP 1-02, *Department of Defense Dictionary of Military and Associated Terms*).

- DOD's *strategic level of war* is defined as the level of war at which a nation, often as a member of a group of nations, determines national or multinational (alliance or coalition) strategic security objectives and guidance, and develops and uses national resources to achieve these objectives. Activities at this level

Question#:	1
Topic:	IMPT
Hearing:	The military's role in disaster response: progress since Katrina
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

establish national and multinational military objectives; sequence initiatives; define limits and assess risks for the use of military and other instruments of national power; develop global plans or theater war plans to achieve those objectives; and provide military forces and other capabilities in accordance with strategic plans (JP 1-02).

- DOD's *operational level of war* is defined as the level of war at which campaigns and major operations are planned, conducted, and sustained to achieve strategic objectives within theaters or other operational areas. Activities at this level link tactics and strategy by establishing operational objectives needed to achieve the strategic objectives, sequencing events to achieve the operational objectives, initiating actions, and applying resources to bring about and sustain these events (JP 1-02). The DOD definitions are roughly analogous to the strategic and operational level of planning in NPES.

- JOPES was specifically designed as a process to be used at all levels of planning from strategic to tactical. It is important to understand the distinction between the terms military operation plans and the operational level of war. Military operation plans are developed and executed, using JOPES at all three (strategic, operational and tactical) levels of war. As stated in the Users Guide for Joint Operation Planning and Execution System (JOPES), "JOPES is the Chairman of the Joint Chiefs of Staff's (Chairman's) joint planning system. It covers the planning spectrum from the National Command Authorities (NCA) through the Chairman, to the combatant commanders and the joint task force commanders. JOPES governs all aspects of conventional joint military operations planning and execution. It is the tool used by **all** echelons of planners and operators to speak a commonly understood language."

- The National Planning and Execution System (NPES) was developed as a framework to coordinate Federal support to State, local and Tribal entities when needed. The NPES was designed to be compatible with JOPES while building on the framework of the National Response Plan and using the language and phases established in the National Incident Management System. The NPES mirrors JOPES in much of its methodology and procedural steps, and possesses the same characteristic of being suitable for the planning across the spectrum of operations from Strategic/National level to Tactical/Field. The end state is a consistent doctrinal framework for incident management at all jurisdictional levels (regardless of size or complexity).

Question#:	2
Topic:	national guard
Hearing:	The military's role in disaster response: progress since Katrina
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

Question: How many full-time positions at DHS are currently filled by National Guard personnel? Of these, how many of these positions are specifically assigned to represent the National Guard Bureau or the National Guard? Secretary Gates signaled his commitment to increasing the number of National Guard personnel at DHS in his memo dated May 10, 2007. In your judgment, how many National Guard personnel should be detailed at DHS and FEMA, and in what capacities? How would DHS and FEMA benefit from such an increase?

Answer:

The National Guard and the Department of Defense (DOD) play key roles in supporting FEMA in many different areas of disaster response and in overall planning, coordinating, integrating, and providing Defense Support to Civil Authorities (DSCA). FEMA's partnership with the National Guard and DOD continues to evolve and the disaster response support provided by FEMA's military partners is critical to enhancing our comprehensive prevention, protection, response, and recovery capabilities for dealing with all types of natural and man-made hazards.

As part of an active, layered response, DOD has a long history of supporting civil authorities with specialized skills and assets that can rapidly stabilize and improve the situation in the wake of catastrophic events. USNORTHCOM provides DSCA, as directed by the President or Secretary of Defense, primarily through its service-specific component commands in accordance with the National Response Plan (NRP) and its proposed successor document, the National Response Framework (NRF) and applicable laws, including the Stafford Act and the Economy Act.

USNORTHCOM assigned full-time Defense Coordinating Officers (DCO) along with a support staff call the Defense Coordinating Element in each of the ten FEMA regions to facilitate coordination and share expertise. In addition to acting as the single point of contact for all federal agency requests for DOD assets during response operations, DCOs routinely coordinate with the State Adjutants General/State National Guards and other key stakeholders to fully understand State response plans, capabilities, and gaps and to allow DOD assets to be assigned quickly and effectively, when requested in times of crises. DOD also assigned liaisons officers to FEMA Headquarters to represent the Joint Director of Military Support (JDOMS), USNORTHCOM, and the National Guard Bureau (NGB). The liaisons help ensure effective coordination of activities, provide

Question#:	2
Topic:	national guard
Hearing:	The military's role in disaster response: progress since Katrina
Primary:	The Honorable Joseph I. Lieberman
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advice, prepare reports, and facilitate relationship building for more effective and timely DSCA.

FEMA and the States rely heavily on the NGB and the State National Guards for critical disaster response support. In fact, a full time JDOMS Military Support Liaison Officer with a background in the National Guard is assigned to FEMA Headquarters and has full reach back capability to access DOD and National Guard expertise, as needed. FEMA Regional staff and State officials routinely coordinate with the National Guard at the State level. In fact, 14 of The Adjutants General (TAG), the leadership of the National Guard at the State level, are also State Emergency Management Officials.

At the national level, FEMA coordinates closely with the NGB. The NGB also routinely interacts with and coordinates with all States and Territories on DSCA and homeland security matters and provides national level support. Additional FEMA and National Guard coordination includes conducting daily conference calls; sharing incident reports, special event planning information, and situational awareness for National Special Security Events; assessing continuity of operations sites; and participating in joint exercises, planning, and training activities. FEMA continues to work closely with The Adjutants General and the NGB to improve situational awareness, communications planning, force package planning, and overall mission and disaster response planning. NGB coordinates with DHS/FEMA to support national and regional level exercises. The National Guard provides additional disaster response support with the following capabilities:

- National Guard Reaction Force
- Critical Infrastructure Program – Mission Assurance Assessment
- WMD Civil Support Teams
- CBRNE Enhanced Response Force Package
- Under EMAC, National Guard forces can also provide food, water, medicine, shelter, transportation, vital communications, and all of the other emergency support functions in support of FEMA.

Over the last couple of years, the National Guard and DOD have supported FEMA by providing operational planners and planning expertise in logistics, communications, transportation, medical planning, and in other disaster response related areas. FEMA continues to increase its own staffing levels and improve its own operational planning expertise, but will continue to work closely with the National Guard and DOD to take advantage of their expertise in operational planning, logistics, strategic planning, communications, transportation and other disaster response-related areas.

Question#:	2
Topic:	national guard
Hearing:	The military's role in disaster response: progress since Katrina
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

The Department of Homeland Security and the Department of Defense are currently working together to create an amendment to the 2004 "Memorandum of Agreement Between the Department of Homeland Security and the Department of Defense for DOD Personnel Support to the Department of Homeland Security" which will reflect a consensus on the number of National Guard personnel that should be detailed to DHS. We would be happy to provide our recommendation and/or briefings when this Amendment is completed.

Question#:	3
Topic:	Ardent Sentry exercise
Hearing:	The military's role in disaster response: progress since Katrina
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

Question: In your judgment, did the "Ardent Sentry" exercise in May 2007 accurately simulate the respective roles that the National Guard, USNORTHCOM, and DHS would play in responding to the hurricane and 10KT detonation scenarios, and were DHS and FEMA able to adequately exercise their capabilities and their relationships with state and local authorities? What, if any, improvements would you suggest for the design and execution of such exercises in the future?

Answer:

In general, Ardent Sentry – Northern Edge 2007 (AS-NE 07) provided participating agencies an opportunity to accurately portray the response mechanisms that would be initially employed in managing a catastrophic disaster. The scope of the scenario easily met a threshold to necessitate engagement from the full range of capabilities across the homeland security community, including State National Guard, USNORTHCOM, DHS, FEMA, other Federal agencies, and the private sector. However, certain planning and participation constraints limited the full value of this exercise. For example, many State and local jurisdictions and some elements of the Federal government were not able to fully participate in AS-NE 07; consequently, some elements of participation were simulated while others were absent altogether.

A significant strength of AS-NE 07 is that the exercise was designed to focus on planning and executing exercise activities through a regional framework. The FEMA regions have not always been able to take on this role. Despite that, participants were able to address strategic as well as operational issues in response to both a hurricane and an improvised nuclear device scenario, focusing on Concept Plans, Catastrophic Incident Annexes and procedures for establishing and maintaining a Common Operational Picture.

Overall AS-NE 07 would have provided an even greater opportunity to exercise operational response relationships had a more robust participation at the Federal, Regional, State, and local levels been feasible. The cause of the disproportionate levels of participation stem from previously misaligned exercise planning cycles, and significantly unbalanced resource availability. The National Exercise Program (NEP) is designed to provide the means to more effectively synchronize exercise coordination. At the Federal level, the NEP also provides firm guidance to Federal agencies, which dictates that agencies must adequately forecast for resources required to participate in such exercises.

Question#:	3
Topic:	Ardent Sentry exercise
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Primary:	The Honorable Joseph I. Lieberman
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The NEP and the NEP Implementation Plan is intended to overcome these shortfalls and better align national level exercises with regional and State/local exercises. DHS FEMA National Exercise Division is establishing a series of regional training and exercise planning workshops through the FEMA Regional Offices to align State/local exercise grant funding and State exercise priorities with the National Exercise Program. The NEP tiered exercise concept requires Federal Agency support in selected Tier I and Tier II national level exercises. The establishment of the National Exercise Program 5-year National Level Exercise schedule allows not only Federal agencies, but State and local authorities, to project their exercise requirements over a 5-year period, allowing all to properly resource and fund required exercise participation.

Question#:	4
Topic:	civil support
Hearing:	The military's role in disaster response: progress since Katrina
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

Question: The Commission on the National Guard and Reserves, in March 2007, found that DHS "has not identified the requirements that the Department of Defense must meet to adequately perform domestic civil support missions," and recommended that the Secretary of Homeland Security "should generate civil support requirements, which the Department of Defense will be responsible for validating as appropriate." Has DHS generated any such requirements for DOD since March 2007? Secretary Gates, in May 2007, directed civilian and military officials in DOD to report to Congress on "civil support requirements generated by the Secretary of Homeland Security." When will DHS begin to generate such requirements for DOD, which component of DHS will be responsible for compiling these requirements for the Secretary, and what system and methodology will be used to do so?

Has DHS generated any such requirements for DOD since March 2007?

Answer:

The Department of Defense (DOD) plays a key role supporting FEMA in planning, coordinating, and integrating Defense Support to Civilian Authorities. Since, of course DOD's primary mission is to defend the nation outside of the US borders, FEMA works closely with DOD at each disaster to determine the needs of the disaster, State and local needs and how they may be matched up with other agencies available resources. If other agencies are unable to meet the needs of the disaster, FEMA seeks assistance from DOD. The primary method of obtaining resources from DOD is through Mission Assignments (MA) and now the very helpful Pre-scripted Mission Assignment (PSMA) process. 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.

As part of an active, layered response, DOD has a long history of supporting civil authorities with specialized skills and assets that can rapidly stabilize and improve the situation in the wake of catastrophic events. USNORTHCOM provides defense support to civilian authorities, as directed by the President or Secretary of Defense, primarily through its service-specific component commands in accordance with the National Response Plan (NRP) and Catastrophic Incident Supplement and applicable laws, including the Stafford Act and the Economy Act.

Question#:	4
Topic:	civil support
Hearing:	The military's role in disaster response: progress since Katrina
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

USNORTHCOM has full-time Defense Coordinating Officers (DCO) and Defense Coordinating Elements assigned to each of the ten FEMA regions. In addition to acting as the single point of contact for all federal agency requests for DOD assets during response operations, DCOs routinely coordinate with State Adjutants General and other key stakeholders to fully understand state response plans, capabilities, and gaps and to allow DOD assets to be assigned quickly and effectively, when requested in times of crises. DOD assigned liaisons officers to FEMA Headquarters to represent the Joint Director of Military Support (JDOMS), USNORTHCOM, and the National Guard Bureau (NGB). The liaisons help ensure effective coordination of activities, provide advice, prepare reports, and facilitate relationship building for more effective and timely DSCA. Similarly, FEMA assigned liaisons to USNORTHCOM to facilitate coordination, as dicussed in the previous answer.

FEMA closely coordinates operational planning and response activities with DOD and its components and routinely coordinates with USNORTHCOM in a number of areas that facilitates understanding of needs and capabilities:

- Exchange of operational information and reports between operations centers;
- Expert planning provided by DOD to support FEMA's planning efforts;
- Synchronization of USNORTHCOM, FEMA, and DHS planning and response activities;
- Conducting routine video-teleconferences to exchange operational information;
- Developing Pre-scripted Mission Assignments (PSMA) to identify support needed. PSMAs are time-saving tools prepared before a disaster to facilitate rapid response and to provide baseline Mission Assignments (MA) for work routinely needed during disaster response. MAs are the mechanism to task the interagency community for disaster response assistance. 26 PSMAs have been coordinated with DOD and 41 more between FEMA and the U.S. Army Corps of Engineers to provide support in:
    - Rotary Wing Lift (Heavy and Medium support)
    - Tactical and Strategic Transportation
    - Communications
    - First Responder Response
    - Emergency Route Clearance
    - Aerial Damage Assessment
    - Preparing Temporary Housing Sites
    - Mobilization Centers
    - Operational Staging Areas
    - Fuel Distribution

Question#:	4
Topic:	civil support
Hearing:	The military's role in disaster response: progress since Katrina
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

- Rotary Wing Medical Evacuation
- Temporary Medical Facilities

- Additional examples of coordination with DOD include:
  - Participating in DOD-sponsored exercises at the State, local, and regional levels;
  - Leveraging expertise from the Defense Logistics Agency, Corps of Engineers, and Marine Corps Systems Command; and
  - Collaborating on training, catastrophic planning, and cross border emergency preparedness with Mexico and Canada.

Through all of the coordination and information exchange activities that are taking place, the ability to leverage and understand DOD capabilities continues to improve. FEMA and DOD have jointly developed an initial list of basic DOD disaster response assets and capabilities that are available.

Secretary Gates, in May 2007, directed civilian and military officials in DOD to report to Congress on "civil support requirements generated by the Secretary of Homeland Security."

- **When will DHS begin to generate such requirements for DOD, which component of DHS will be responsible for compiling these requirements for the Secretary, and what system and methodology will be used to do so?**

In accordance with the National Response Plan, when directed by the President or Secretary of Defense, USNORTHCOM would be one of the primary commands to support civil authorities for natural or manmade disasters.

USNORTHCOM has also written and administers two primary plans that would support most areas of the United States in supporting disaster response. CONPLAN 2501 *Defense Support of Civil Authorities (DSCA)* outlines capability packages that the Primary Agencies can request in catastrophic circumstances. Those packages include security and law enforcement capabilities. CONPLAN 2502, *Civil Disturbance Operations* details the DOD response to restore order during a domestic civil disturbance. US Pacific Command and US Southern Command also have similar plans to support civil authorities in their respective geographic areas of responsibility. The National Response Plan Support Annexes identify Federal Emergency Support Function Departments and Agencies responsible for supporting DHS domestic incident management. When requested by civil authorities and directed by the President or the Secretary of Defense, DOD provides DSCA to any or all of these agencies. The packages can be modified to respond to the severity of the crisis and some are specifically designed to provide security and restore law and order.

Question#:	5
Topic:	coordinated response
Hearing:	The military's role in disaster response: progress since Katrina
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

Question: Testimony from the hearing described many improvements in preparedness and coordination since Hurricane Katrina, and also indicated areas in which we are not fully prepared, equipped, or organized for the most effective response to a catastrophic disaster. In your judgment, what should be done within DHS and FEMA, between DHS, FEMA and DOD, across the federal government, and among the federal, state, and local governments to improve the capability to effect a swift and coordinated response, particularly with regards to minimizing the amount of time that the federal government will bring the necessary support to overwhelmed communities? In what specific ways should Congress act to improve preparedness across the government?

Answer:

Pursuant to the Secretary's role as principal Federal official for domestic incident management, DHS is engaged in a number of activities to enhance response to a catastrophic incident, both internally and across the interagency, as well as in partnership with State and local governments.

As the Department's hub for leading and supporting efforts to reduce the loss of life and property and prepare the nation to address all hazards, FEMA now has a broader mission, a wider constituency, and a greater depth of penetration with inclusion of preparedness programs, the National Preparedness Guidelines, and grants program responsibilities. FEMA is working hard to improve core operational and business capabilities to lead the Nation's all-hazards preparedness programs. This includes working closely with all federal, state, local, tribal, private sector, and other partners to ensure the most effective disaster responses possible. Among the specific responsibilities now assigned to FEMA are the following:

- Leading the nation's comprehensive emergency management efforts 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;
- Greater leveraging of DHS' resources
- Working with states and local agencies to build non-federal emergency management capabilities, including those involving communications; and

Question#:	5
Topic:	coordinated response
Hearing:	The military's role in disaster response: progress since Katrina
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- Developing and coordinating the implementation of a risk-based all hazards preparedness strategy.

In addition, the Office of Health Affairs (OHA) is developing a coordinated national architecture for WMD planning and catastrophic medical consequence management, and serves as the Department's lead on the development of end–to-end base plans for managing a biological attack. OHA and DHS will use the outputs of these plans to drive requirements into the DHS medical readiness grant process, and coordinate with Federal, state, local, tribal and territorial governments. OHA is also developing and coordinating comprehensive policy, strategy, requirements and metrics for the Department's medical and public health grants and cooperative agreements; and overseeing the WMD medical contingency planning function. These include:

- Engage with interagency stakeholders on exercises and support response activities in order to maintain visibility on interagency plans, requirements, and response actions;
- Identify and evaluate DHS readiness programs and activities related to medical and public health;
- Develop a methodology and approach for an interagency pilot project for regional all-hazards systems for medical and public health preparedness;
- Revise and update the DHS Pandemic Influenza Contingency Plan to reflect updated information from components, interagency partners and the private sector;
- Develop & disseminate to DHS components and interagency partners the requirements for full end-to-end planning; and
- Coordinate with FEMA and HHS to develop risk-based performance objectives for health and medical capabilities required under Homeland Security Presidential Directive (HSPD) 8.

At the direction of the Congress, DHS has also established a new Office of Emergency Communications (OEC) to promote the development of standard operating procedures and best practices for communications interoperability, among other key missions. A component of the National Protection and Programs Directorate, OEC will work closely with FEMA, with all the other DHS components, including the operational components, and our federal agency partners to integrate federal delivery of communications assistance, services and solutions to state, local and tribal governments and first responders. OEC is in the process of completing a national interoperability baseline assessment, and will then turn to building a national emergency communications plan.

Question#:	5
Topic:	coordinated response
Hearing:	The military's role in disaster response: progress since Katrina
Primary:	The Honorable Joseph I. Lieberman
Committee:	HOMELAND SECURITY (SENATE)

The U.S. Coast Guard is also improving its capabilities to execute its responsibilities under the National Response Framework. Among its most recent reforms, the Coast Guard is standing-up a Deployable Operations Group, which will align all Coast Guard deployable, specialized forces under a single, unified command headed by a rear admiral. The command will provide organized, equipped, and trained forces to Coast Guard and interagency operational and tactical commanders. The Deployable Operations Group will combine specially trained and equipped maritime homeland safety and security forces throughout the Coast Guard so they can be rapidly deployed in adaptive force packages anywhere and anytime they are needed to protect America and respond to a broad range of threats and hazards. Deployable specialized forces are comprised of approximately 3,000 Coast Guard personnel from 12 Maritime Safety and Security Teams, the Maritime Security Response Team, two Tactical Law Enforcement Teams, eight Port Security Units, three National Strike Teams and the National Strike Force Coordination Center.

To ensure operational connectivity among States, planners from DHS and multiple Federal departments and agencies are assigned with other full-time interagency representatives to the Incident Management Planning Team (IMPT). This interagency planning group, managed by the DHS Director of Operations Coordination, is developing strategic guidance and plans for the 15 National Planning Scenarios. A critical function of the IMPT is to identify the national level commitments of the entire interagency in one comprehensive document. This effort serves two distinct purposes. First, it facilitates the ability of the Secretary to fulfill his coordination responsibilities under HSPD-5 by providing awareness of the individual capabilities that a specific agency plans to deliver. Second, it identifies existing seams and gaps that exist within the interagency for a particular scenario. Exchange of watch officers, operations staff and intelligence analysts is robust and growing among Federal departments and agencies.

With respect to coordination with DOD, the White House Katrina Report specifically stated that the DOD and DHS should: (a) jointly plan for the DOD's support of Federal response activities; and (b) plan and prepare for a significant DOD supporting role during a catastrophic event. It added that DOD's joint operational response doctrine is an integral part of the national response effort that must be fully integrated at all levels of government, and that DOD should assist DHS with its expertise in logistics, planning, and other areas. It also specified that the NRP and Catastrophic Incident Supplement should identify specific DOD resource requirements.

There are multiple facets of coordination and cooperation ongoing between DHS and DOD. 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

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of Defense and the DOD in preparing for all types of disasters is critical. Different DOD components provide support including:

- US Northern Command
- Defense Logistics Agency
- U S Army Corps of Engineers
- National Guard Bureau
- National Geospatial-Intelligence Agency
- US Transportation Command
- US Pacific Command
- US Southern Command
- Marine Corps Systems Command

Collectively with DOD and the State National Guards, FEMA and its partners are enhancing overall coordination and cooperation to improve future disaster response capabilities. Coordination continues to take place among all of these organizations in many different forms including the following:

- DOD assignment of liaisons to FEMA Headquarters to help ensure effective coordination;
- FEMA assignment of liaisons to NORTHCOM to facilitate exchange of information and provide advice on FEMA programs and disaster response issues.
- Assignment of Defense Coordinating Officers and Defense Coordinating Elements in each FEMA Region;
- Direct exchange of operational information and reports between NORTHCOM and FEMA;
- Routine coordination to facilitate development of pre-scripted mission assignments to provide support such as the following:
    - 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

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FEMA has extended its reach across the span of Federal agencies to ensure the smooth and responsive coordination of Federal support when it is needed. The most visible demonstration of that coordination is the array of Federal capabilities contained in our "playbook" of pre-scripted mission assignments. This playbook represents an examination of the range of Federal support that may be requested in response to a disaster. It also includes advance inter-agency coordination to ensure delivery of that capability when it might be called upon in time of need. This support ranges from heavy-lift helicopters from DOD, to generators from the U.S. Army Corps of Engineers, to Disaster Medical Assistance Teams from HHS and Emergency Road Clearing Teams from the U.S. Forest Service. These pre-scripted mission assignments will result in more rapid and responsive delivery of Federal support to States.

With the addition of the National Preparedness Directorate, FEMA is implementing a systematic planning methodology using a capabilities-based framework. This meets the requirements of HSPD-8, which tasked the Secretary of Homeland Security, in coordination with the heads of other appropriate Federal departments and agencies and in consultation with State, local, territorial, and tribal governments, to develop a National Preparedness Goal. The Goal represents a shared national endeavor. The set of target capabilities developed, in cooperation with Federal partners to implement the Goal, are designed to support the achievement of a fully integrated, adaptable, all hazards system to prevent, protect against, respond to, and recover from acts of terrorism and natural disasters. They provide the means to build, sustain, and improve preparedness across all regions of the nation. The aim is to ensure that a robust prevention, protection, response and recovery infrastructure is in place to deal rapidly, effectively and flexibly with terrorist attacks, major disasters, and other emergencies.

DHS recognizes that establishing an early Federal presence at a disaster site or state/local Emergency Operations Center to support state and local responders is essential to providing effective and efficient coordination between all levels of government. The capability to provide initial situational assessments, determine federal support requirements, support federal resource ordering through established state procedures, and integrate federal assets into the state and local response is paramount. In addition, close working relationships must be established and maintained with state and local emergency management personnel to coordinate awareness and connectivity with key DHS operations centers and components. FEMA continues to work closely with its State and local partners to so that coordination will be effective when needed during disaster response.

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Ensuring all parties understand and follow National Incident Management System/Incident Command System (NIMS/ICS) standards will help improve coordination across all levels of government and improve the capability to affect a swift and coordinated response. In addition, NIMS/ICS standards provide a systematic, proactive, and coordinated approach for governmental and nongovernmental organizations at all levels to effectively prepare for, prevent, respond to, recover from, and mitigate the effects of incidents. This helps to ensure situational awareness and a common operating picture during all-hazards response and recovery activities.

The continued support of Congress for DHS and FEMA, and the continued provision of adequate resources to meet our mission, is appreciated.

Question: You testified that the IMPT has developed draft plans for five of the 15 National Planning Scenarios. What is the target date for finalization of these five plans, and for the remainder of the scenarios? In addition, please provide the draft plan of the 10KT detonation scenario which was exercised in "Ardent Sentry."

What is the target date for finalization of these five plans, and for the remainder of the scenarios?

- Because the drafting of 15 strategic plans takes considerable time and effort, and requires extensive consultation with senior officials from across the Federal government, it is difficult to provide a precise date. However, the IMPT has established a goal of providing drafts of all 15 plans for executive branch consideration within approximately 12 months. Following the interagency review, comment, and adjudication process the final plans will be issued. Of course, it is expected that plans will need to be constantly revised and updated as regional, State, and local plans are developed or enhanced and planning capabilities at all levels of government are developed.

In addition, please provide the draft plan of the 10KT detonation scenario which was exercised in "Ardent Sentry."

- The 10 KT improvised nuclear device federal interagency CONPLAN that was exercised during Ardent Sentry is still in draft form and is a pre-decisional working document. As a result, the Department cannot yet release the plan.

CHARRTS No.: SG-05-021
Senate Committee on Governmental Affairs
Hearing Date: July 12, 2007
Subject: The Military's Role in Disaster Response: Progress Since Hurricane Katrina
Witness: LTG Blum
Senator: Senator Lieberman
Question: #21

Question. The Commission on the National Guard and Reserves recommended that DHS should generate civil support requirements, to be validated as appropriate by DoD, and that DoD should program and budget for civil support missions based on these requirements. In his memo dated May 31, 2007, Secretary Gates directed military leaders, including the Chief of the National Guard Bureau, to provide input on this issue. In your judgment, what would be the optimal process to ensure the active and reserve military components can provide timely and effective support to civil authorities, and what role would the National Guard Bureau play in this process?

Answer: The optimal process for providing timely and effective support to civil authorities has to be multi-faceted. From NGB's perspective, first and foremost is to give the National Guard federal funds to plan, prepare for and conduct homeland defense and civil support activities. A requirements validation process such as the one suggested by the CNGR would be very helpful. Further, having the units continue to work closely with FEMA and other civilian organizations in their training, as well as with active component units for their expeditionary warfighting missions, is important. Whether some units should be dedicated to a HLS mission with their training and readiness tailored accordingly is an issue we are examining. To achieve a quick and robust response to catastrophic emergencies, National Guard units need a predictable overseas rotation policy that will allow assignment to an available pool for domestic civil support missions.

Serious shortcomings in the equipping of National Guard units for Civil Support, Homeland Security and Homeland Defense must be addressed. Congress has provided a down-payment on resourcing the force in this area, but that is only a beginning. A continual programmed replacement and upgrading of equipment is vital for a rapidly responsive and sustainable dedicated force. Communication links must be designed as "interagency friendly" in order that all organizations communicate with each other on a reliable, secure and timely basis.

States need to maintain plans for calling up designated units quickly and the governors must be prepared to call up their units on an involuntary basis to respond to emergencies "out of state". Command relationships and command and control capabilities need to be adapted, as we are now collaborating with the rest of DoD to do, to achieve a seamless move into and out of affected states whenever needed.

The National Guard Bureau should be at the center of this process, with roles specified in its charter to provide NGB an authoritative voice on National Guard domestic operations matters in the DoD requirements validation and program/budget processes.

CHARRTS No.: SG-05-022
Senate Committee on Governmental Affairs
Hearing Date: July 12, 2007
Subject: The Military's Role in Disaster Response: Progress Since Hurricane Katrina
Witness: LTG Blum
Senator: Senator Lieberman
Question: #22

Question. Has the National Guard Bureau participated in planning efforts with NORTHCOM or other Combatant Commands and DoD entities for scenarios in which National Guard and Title 10 are anticipated to operate together in providing support to civil authorities? If so, what was the extent of the participation? Do you believe such plans adequately represent the role of the National Guard in order to enable an effective and integrated response to a disaster? What improvements to the planning process, if any, would you recommend?

Answer.

The NGB has worked closely with NORTHCOM on plans for simultaneous state and federal military responses to civil authority support requests. The closeness of our work together has been steadily increasing over the past 18 months, and has involved concept development workshops for plans related to pandemic flu, homeland defense, hurricane response, and other topics; collaborative exercise design and participation; and formal written review of Secretary of Defense-required NORTHCOM Concept Plans. The plans, which are now being reviewed as frequently as every six months, are improving with each iteration vis-à-vis adequately accounting for both federal military and National Guard roles, and providing for unity of effort during response. NGB's ability to coordinate Combatant Commander plans with the National Guard in the states could be improved by wider availability of secure e-mail capability among the States, and about 45 more days in the review cycle to allow time for coordination with the states.

CHARRTS No.: SG-05-023
Senate Committee on Governmental Affairs
Hearing Date: July 12, 2007
Subject: The Military's Role in Disaster Response: Progress Since Hurricane Katrina
Witness: LTG Blum
Senator: Senator Lieberman
Question: #23

Question. In your judgment, did the "Ardent Sentry" exercise in May 2007 accurately simulate the respective roles that the National Guard, NORTHCOM, and DHS would play in

responding to the hurricane and 10KT detonation scenarios, and was the National Guard able to adequately exercise its capabilities? What, if any, improvements would you suggest for the design and execution of such exercises in the future?

Answer.

The Ardent Sentry Exercise did accurately simulate the role the National Guard would play in response to the scenarios presented. The National Guard was able to adequately exercise its capabilities. We have identified several potential areas of improvement to the planning of future exercises. These recommended improvements include better pre-exercise interagency coordination with DHS/FEMA and NORTHCOM, continued improvement in strategic communications, and synchronization of the national and regional exercise schedule within the National Exercise Plan. We have shared these recommendations with NORTHCOM and DHS.

CHARRTS No.: SG-05-024
Senate Committee on Governmental Affairs
Hearing Date: July 12, 2007
Subject: The Military's Role in Disaster Response: Progress Since Hurricane Katrina
Witness: LTG Blum
Senator: Senator Lieberman
Question: #24

Question. You testified before the Commission on the National Guard and Reserves on January 31, 2007 that the National Guard's presence at DHS is limited to liaison officers. Secretary Gates signaled his commitment to increasing the number of National Guard personnel at DHS in his memo dated May 10, 2007. In your judgment, how many National Guard personnel should be detailed at DHS and FEMA, and in what capacities? How should DHS's relationship with the National Guard Bureau, and the National Guard, be structured? Additionally, in what ways would requiring the Deputy Commander of NORTHCOM to be a National Guard officer improve NORTHCOM's ability to provide effect support to civil authorities?

Answer.

We are still assessing, in concert with the Office of the Secretary of Defense and the Department of Homeland Security, the appropriate level of National Guard presence at DHS, including what portion of it should be detailed and what portion should serve in a liaison capacity. We are also examining to what extent DHS should provide, in exchange, liaison and detailees to DoD beyond the present level. A rough estimate would be in the range of 10-20 National Guard personnel at DHS/FEMA, and a roughly commensurate number of DHS/FEMA personnel in DoD, including NGB.

Concerning the structure of the relationship among DHS, NGB and the National Guard, informal communications, as appropriate to the issue at hand, need to be more frequent and open, but the current formal relationship is probably best – DHS communicates formally with the National Guard through DoD/NGB, and vice-versa.

CHARRTS No.: SG-05-025
Senate Committee on Governmental Affairs
Hearing Date: July 12, 2007
Subject: The Military's Role in Disaster Response: Progress Since Hurricane Katrina
Witness: LTG Blum
Senator: Senator Lieberman
Question: #25

Question. In light of the National Guard's noted shortages in equipment available to governors for homeland-related missions, and your testimony that in the event of a no-notice event, shortages in the ten "essential capabilities" place the nation at "significant risk," what is the optimal means of ensuring that the National Guard is adequately funded and equipped for the anticipated missions in responding to a domestic disaster? In your judgment, is the National Guard Bureau's Joint Capabilities Database an accurate and sufficient system of assessing state capabilities? What improvements would you recommend?

Answer.

The" optimal means" of ensuring the National Guard is adequately funded/equipped for domestic disaster preparedness and support is difficult to define. It must be a combination of federal and state investment in preparedness activities, including funds for staffing, training, planning activities and exercises, combined with a requirements development and validation system for capital improvements/equipping that feeds the programming process, such as the concept suggested by the CNGR, involving the states, DoD and DHS. While some sort of contingency fund for operational needs might also be desirable, the current approach of funding through supplementals seems to be adequate, despite its inherent uncertainty and somewhat cumbersome nature.

The degree of accuracy to which the Joint Capabilities Database (JCD) is able to assess state capabilities varies by state. The variance is directly dependent on manpower available the Joint Force HQ of the 54 States/Territories/District. As maintaining the JCD is an unfunded mandate, states use existing personnel in the J5 and J3 offices to keep the JCD updated. NGB has provided contractor support to the J5 directorates of twelve states and thereby increased the accuracy and timeliness of the data. It is important to note that the JCD is the only operational system in the DoD, or any other Federal Agency, that is currently meeting the guidance set forth in NDAA 2007 section 1406.

The JCD, with proper funding and command support, has the potential to effectively provide responders at all levels with accurate and effective situational awareness of state capabilities to respond to domestic emergencies. Increasing the level of support to the states/territories/district is the single most effective way to improve the quality and accuracy of the assessments captured in the JCD. The intent of the NGB is to eventually secure funding sufficient to provide one contracted person per state. Secondly, our new initiative to provide resource typing of NG capabilities, in a manner that is compatible with NIMS, will provide increased fidelity of state capabilities to respond to very specific missions.

Strengths of the JCD:

- A unique, joint view of capabilities within each State/Territory/District, including NG, non-NG state agencies, and other reserve components.
- A way to identify derivative force structure capabilities.
- The Adjutant General's (TAG's) assessment of his/her joint force capability.
- State capabilities measured against state requirements.
- A strategic method of identifying capability gaps.
- A useful domestic operations planning tool.
- A way to highlight the most critical state functional capability shortfalls.
- UNCLASS/FOUO information thus allowing State and Federal civilian access.
- A way to identify the impact of force structure changes.
- An indicator of mobilization impact on state capabilities.
- Not limited to the NG; JCD considers other Reserve Component and non-NG state agencies.

Weaknesses of the JCD:

- Quality of data dependent on manpower available in each JFHQ
- Is not currently quantifiable
- Does not consider the time required to cross-level resources.

Way Ahead:

- JCD is being revised to allow input of active component data.
- NGB J5 has submitted a request to add 12 additional state contractor support personnel.
- Continued interagency interaction/coordination (DHS, FEMA, Federal/State Agencies, etc)

CHARRTS No.: SG-05-026
Senate Committee on Governmental Affairs
Hearing Date: July 12, 2007
Subject: The Military's Role in Disaster Response: Progress Since Hurricane Katrina
Witness: LTG Blum
Senator: Senator Lieberman
Question: #26

Question. What percentage of National Guard medical response assets is currently available for homeland-related missions? In the event that both our Title 10 forces and or civilian communities need National Guard medical assets to deal with the mounting health needs of both military and civilian populations in a pandemic influenza outbreak, what distribution of resources is planned?

Answer. The medical burden of a global influenza pandemic would be significantly influenced by the severity of the influenza strain. Given that fact, approximately 40% of our capability is dedicated to Military Mission Support. Approximately 60% of our capability is available for Medical Ops (Care of victims). It should be noted that most of National Guard's medical assets and capabilities are focused pre-hospital care, emergency medical care and evacuation. The NG does not have any large acute care hospitals. National Guard medical assets will assist states in accordance with the State Pandemic Response Plans.

CHARRTS No.: SG-05-027
Senate Committee on Governmental Affairs
Hearing Date: July 12, 2007
Subject: The Military's Role in Disaster Response: Progress Since Hurricane Katrina
Witness: LTG Blum
Senator: Senator Lieberman
Question: #27

Question. Hearing testimony states that both National Guard and Title 10 CBRNE response forces are not at a full state of readiness. What resources and personnel does the National Guard currently have dedicated to the Civil Support Teams and CBRNE Enhanced Response Force Packages, and what resources and personnel are lacking? Additionally, how do current plans account for the integration of National Guard and Title 10 CBRNE response forces during response operations?

Answer.

Currently, the National Guard has 55 Weapons of Mass Destruction (Civil Support Teams) (WMD(CST)) and 17 CBRNE Enhanced Response Force Packages (NG CERFPs).

The CSTs are composed for 6 sections with 14 different specialties. The CSTs are staffed with 22 Title 32 AGR personnel. The total Title 32 AGR personnel on CSTs is 1210. (990 ARNG/220 ANG)

The CERFPs are composed of four elements staffed with 186 personnel from established National Guard units. The elements are command and control, search and extraction, decontamination and medical. The assigned units are dual-missioned; they will continue to maintain the skills necessary to perform the unit's primary "Go-To-War" mission, as well as the CERFP mission. The CERFP is resourced with 5 AGRs per CERFP to manage CERFP requirements in addition to AGRs assigned to the individual traditional Guard units, ie, training and logistics management.

Funding is required for the CSTs to replenish the stockage and parts due to congressionally mandated cuts in FY07. And to standardize the equipment sets due to life cycle management and product improvement over the standup periods for the CSTs. Approximately $12.5 Million is required. Further, in NDAA FY07, Congress identified the stand-up of two additional CSTs. The law needs to reflect the change from 55 to 57 authorized CSTs to include personnel additional personnel authorizations and sustainment funding for these units in the out years.

Additional funding is required in order to bring the original 12 CERFP equipment packages up to the current TDA authorized equipment set, approximately $4.5 Million; also required is approximately $4 Million for training and equipment sustainment

US NORTHCOM has been tasked to develop an integrated CONOPS, which will account for the integration of National Guard and Title 10 CBRNE response forces.

CHARRTS No.: SG-05-028
Senate Committee on Governmental Affairs
Hearing Date: July 12, 2007
Subject: The Military's Role in Disaster Response: Progress Since Hurricane Katrina
Witness: LTG Blum
Senator: Senator Lieberman
Question: #28

Question. Have any of the recommendations of the Commission on the National Guard and Reserves been implemented to date, and in your judgment has DoD's ability to provide effective support to civil authorities improved as a result?

Answer.

None of the recommendations of the Commission have been fully implemented as of this date, although several of them are moving quickly toward implementation at the direction of the

Secretary of Defense. Recommendations 7, 10, 11, 13, and 20 are moving along the most rapidly, as they are relatively simple to execute. For many of the others, particularly those dealing with program/budget and with long-term improvements to National Guard and Reserve officer joint educational development and joint duty assignments, immediate results are unlikely to occur as the programs will take many years to effect the desired cultural and organizational improvements. At this point in time, however, DoD's ability to provide effective support to civil authorities has not yet significantly improved specifically as a result of implementing the CNGR recommendations.

CHARRTS No.: SG-05-029
Senate Committee on Governmental Affairs
Hearing Date: July 12, 2007
Subject: The Military's Role in Disaster Response: Progress Since Hurricane Katrina
Witness: LTG Blum
Senator: Senator Lieberman
Question: #29

Question. Testimony from the hearing described many improvements in preparedness and coordination since Hurricane Katrina, and also indicated areas in which we are not fully prepared, equipped, or organized for the most effective response to a catastrophic disaster. In your judgment, what should be done within the National Guard, between the National Guard and the other components of DoD, between DHS, FEMA and DoD, across the federal government, and among the federal, state, and local governments to improve the capability to effect a swift and coordinated response, particularly with regards to minimizing the amount of time that the federal government will bring the necessary support to overwhelmed communities? In what specific ways should Congress act to improve preparedness across the government?

Answer.

In order to affect a swift and coordinated response to overwhelmed communities, the Executive Branch must continue to implement the many improvements in response support processes and capabilities it has been working since 9/11 and particularly those begun in the wake of Katrina, such as the Standing Execute Order process and pre-scripted mission assignments. Congress should continue to prioritize resource support to these efforts, and legislatively support reforms such as those recommended by the CNGR. Regionally based agreements among states (between governors) might be needed to ensure a more rapid response. These agreements would specify regional assets that may be pre-positioned for immediate emergency response. Specific units must be designated for HLS/HD/CS activities within a state's structure, perhaps on a rotational basis. These units would work in concert with FEMA and their ERT teams as well as localized state organizations. Transportation will be a key to quick response; therefore, ways need to be

planned to facilitate the movements of designated National Guard units across states via commercial and military aircraft.

CHARRTS No.: SG-05-030
Senate Committee on Governmental Affairs
Hearing Date: July 12, 2007
Subject: The Military's Role in Disaster Response: Progress Since Hurricane Katrina
Witness: LTG Blum
Senator: Senator Pryor
Question: #30

Question. The suggestion of implementing Goldwater Nichols Act type reforms to the disaster planning and emergency response community is a good one, given that the various agencies suffer from the pre-GNA problems of jurisdictional arguments, duplication of efforts, and confusion over who is in charge in each situation. But the major innovation of the GNA, which made it a success, was that it incentivized the service members themselves to want to learn about and work collaboratively with other branches - indeed, they had to do so in order to move up the chain. This worked well in an environment where military service was a career choice and a long-term commitment. Given that civilian service in DHS, FEMA, etc. is a shorter-term (and often more politicized) commitment, how would you suggest Congress try to foster a culture of joint effort between the various response agencies? Beyond high-level agency exchanges, what specifically can we do to encourage this sense of institution for the emergency planning and response community?

Answer.

From the perspective of a citizen-soldier military organization with deep connections to the civilian emergency planning and response community, through both our state mission requirements and the number of National Guard personnel with full-time or part-time civilian jobs in this field, I believe that the key to establishing a multi-institutional climate of effective shared purpose and collaboration is two-fold:

First, Congress should consider the establishment of a mission-oriented career field construct for FEMA and DHS personnel, with an appropriate in-service educational system, which ensures broadening of individual civil service careers through periodic "joint" assignments to allied Federal agencies. Recruitment for mid-career and higher positions from state and local as well as federal emergency response and law enforcement candidates should be merit-based on a set of well-considered criteria and occur, insofar as is possible, without consideration of perceived political benefit or debit on the part of individuals considered for hire. The incentive to learn and work collaboratively with sister agencies can be achieved, as is now the case in the Armed

Services, by the successful accomplishment of one or two year assignments outside the primary agency from which the individual originates, and made a requirement for higher-level leadership positions in both organizations. This cross-fertilization, once institutionalized, over time, will yield a more unified sense of purpose in the federal agencies involved.

Secondly, a culture of unified effort must be inculcated in the disparate agencies on several fronts. High-level agency exchanges do not create this effect, imbedding lower and mid-level professionals into allied agencies as described earlier does. Furthermore, it is essential to create a "team" mindset and definition of success rather than simply allowing a culture of "my agency did what it was supposed to do, and that's as far as I'm required to go" to predominate. Even with the military's greater time of service and relative lack of politicization, this has been difficult to achieve and the degree of inter-service cooperation we see today has been hard won. At the highest levels, it requires a common understanding of national strategy and purpose, while at the lower levels, a shared rather than agency-specific feeling of accomplishment must be fostered. Lower-to-mid level leader exchanges are more useful to achieve this goal. It is human and organizational nature to resist inviting "competitor" agency "spies" into one's operations, for fear that the primary loyalty is to the original agency and that such personnel may report back information injurious to the parochial interests of the second agency. This may well be true, but what also happens is that the cross-attached leader acquires a greater understanding of the other agency's function and particular concerns, and transmits that understanding back to his or her original agency as well. In the long run, this indirect means of creating teamwork and interagency trust is more productive than simply ordering everyone to work well together, and it is more productive when it occurs from the bottom up, rather than from the top down.

Post-Hearing Questions for the Record
Submitted to Major General John W. Libby, USA
From Senator Joseph I. Lieberman

"The Military's Role in Disaster Response: Progress Since Hurricane Katrina"
July 19, 2007

1. You testified about the desirability of states being give "operational control" over Title 10 forces that are provided to support a state-led response to a disaster. Is such an arrangement consistent with DoD policy concerning chain of command, and why would it be effective in a state-led response? Would other arrangements, in which the state and federal military chains of command are separate, be less effective, and if so, why?

   There are several standard command and support relationships that are identified in current doctrine.

   The following standard relationships define command responsibility and authority:

   Organic: A unit that forms an essential part of an Army unit and is listed in its table of organization and equipment (TOE) or its table of distribution and allowances (TDA).

   Assigned: A unit that is placed in an organization on a permanent basis and is controlled and administered by the organization to which it is assigned for its primary function or the greatest portion of its functions.

   Attached: A unit that is placed in an organization on a temporary basis, subject to the limitations specified in the attachment order.

   Operational Control (OPCON): A unit that has been provided to another commander to accomplish specific missions or tasks that are usually limited by function, time or location. The commander may deploy the unit concerned and retain tactical control or he may assign tactical control of the unit to a subordinate commander. OPCON does not include administrative and logistical responsibility, discipline, internal organization and unit training.

   Tactical Control (TCON): North Atlantic Treaty Organization (NATO) term defined as the detailed and usually local direction and control of movements or maneuvers necessary to accomplish missions or assigned tasks.

   While most disasters do not reach the magnitude of a presidential declaration, when state and local resources are insufficient to respond to and recover from a disaster, the Governor may ask the president to declare a major disaster or

emergency. A presidential major disaster declaration sets in motion federal assistance programs to include support from the Department of Defense. What the Governor is asking for from DOD is assistance to "accomplish specific missions or tasks that are limited by function, time or location". What the Governor does not need or want is "administrative and logistical responsibility, discipline, internal organization or unit training".

Operational Control (OPCON) is a standard DOD support relationship and is the exact relationship the Governor wants and needs.

2. In your judgment, what is the optimal process by which the federal government should assess the capabilities and assets of state and local governments, including state National Guard capabilities as well as civilian capabilities, in order to identify gaps which the federal government should expect to fill in responding to a disaster?

First and foremost, it is the responsibility of the State to assess its risks and capabilities and determine gaps that exist in its capability to respond.

FEMA has recently conducted a Gap Analysis, primarily with the hurricane prone states, to determine gaps in capability in responding to hurricane events. This is an excellent process and could well be expanded to take other scenarios into account but that would be a time consuming initiative.

Of particular significance is the Capability Assessment for Readiness (CAR). The Federal Emergency Management Agency (FEMA) and the National Emergency Management Association (NEMA) joined together in 1997 to develop the CAR, a self-assessment tool that States and Territories can use to evaluate their own operational readiness and capabilities in emergency management. The CAR has been revised since 1997 and is available in automated and manual versions and divided into the thirteen (13) Emergency Management Functions (EMF) common to emergency management programs.

Each EMF is divided into broad criteria called attributes and the attributes are subdivided into more detailed criteria called characteristics. Using the CAR, the States will develop a detailed self-profile of strengths and weaknesses.

Link periodic completion of the CAR to federal resources.

3. You testified about communication gaps between the federal and state governments in some instances in which the Adjutant General is not dual-hatted as homeland security and emergency management director. What measures should be taken, either at the state or federal level, to improve such communication?

The three (3) key players in each State are the Governor's Homeland Security Advisor, Emergency Management Director and Adjutant General. In Maine, I wear all three hats and, therefore, am in the flow of information from DHS to the Governor's Homeland Security Advisor, from FEMA to the EMA Director and from DOD/NGB to the Adjutant General. My situation is the exception and not the rule.

The key to eliminating gaps in communications is to ensure that DHS, FEMA, DOD and NGB communicate with the key players (HLS Advisor, EMA Director and TAG) on all traffic that impacts on the Federal Response Plan. For example, when NGB published its After Action Report on Hurricane Katrina, in addition to the Adjutant General in each state receiving a copy, the Governor's HLA Advisor and EMA Direction should have received one also.

Additionally, FEMA Region I has begun a series of periodic briefings that include these three (3) key players to discuss both natural and manmade disaster response and recovery. They have, in fact, eliminated communications gaps through this process.

4. In what ways would requiring the Deputy Commander of NORTHCOM to be a National Guard officer improve NORTHCOM's ability to provide effect support to civil authorities?

In my testimony, I recommended that you accept the Commission on the National Guard and Reserves recommendation that either the officer serving in the position of Commander or the officer serving in the position of Deputy Commander of the U.S. Northern Command should be a National Guard officer at all times.

I excluded the Commissions mention of a Reserve officer holding either position as I believe that only a National Guard officer who has risen through the ranks of the National Guard can fully understand the concept of the Governor's roles and sovereign responsibilities.

All disaster are local, therefore all response is local and when federal resources arrive, they arrive at the request of the Governor and in support of the Governor who is, and always will be, the Incident Commander. It is not reasonable to expect that a qualified Active Component officer and/or a qualified Reserve officer can understand the Governor's roles and responsibilities in this capacity to the extent that a National Guard officer can. In matters of response and recovery from a natural or manmade disaster, the National Guard is forward deployed in each State and Territory and understands the support role the National Guard and other DOD forces play. This is not the case with AC/Reserve officers who have no State mission set.

The Secretary of Defense noted, in his statement of non-support for this recommendation, that officers should be selected for the most senior commands and leadership positions within DOD consistent with their education, training and civilian and military experience. The only General Officers with civilian experience at the State level are National Guard General Officers.

5. Testimony from the hearing described many improvements in preparedness and coordination since Hurricane Katrina, and also indicated areas in which we are not fully prepared, equipped, or organized for the most effective response to a catastrophic disaster. In your judgment, what should be done within the National Guard, between the National Guard and the other components of DoD, between DHS, FEMA and DoD, across the federal government, and among the federal, state, and local governments to improve the capability to effect a swift and coordinated response, particularly with regards to minimizing the amount of time that the federal government will bring the necessary support to overwhelmed communities? In what specific ways should Congress act to improve preparedness across the government?

   Interagency coordination during an emergency response at State level is inherent in the Governors' constitutional roles and responsibilities. As I stated in my testimony, "in my judgment, the place in the United States where the EMA process is best integrated between civil, military and business authorities is at the State level and this is the model that should be replicated at the Federal level."

   This can be best accomplished by reinforcing the intent of HSPD-5 which states that the Secretary of Homeland Security is responsible for coordinating Federal resources within the United States to prepare for, respond to and recover from terrorist attacks, major disasters and other emergencies.

   An institutionalized Homeland Security "Chain of Command" from the President, through the Secretary of DHS, FEMA Regional Officers to the State Governors is what is needed to improve response and recovery capability.

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