

**NOMINATIONS OF GRAYLING G. WILLIAMS AND
ELIZABETH M. HARMAN**

HEARING

BEFORE THE

**COMMITTEE ON
HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE**

OF THE

ONE HUNDRED ELEVENTH CONGRESS

FIRST SESSION

NOMINATIONS OF GRAYLING G. WILLIAMS TO BE DIRECTOR, OFFICE
OF COUNTERNARCOTICS ENFORCEMENT, U.S. DEPARTMENT OF
HOMELAND SECURITY, AND ELIZABETH M. HARMAN TO BE ASSIST-
ANT ADMINISTRATOR, FEDERAL EMERGENCY MANAGEMENT AGENCY,
U.S. DEPARTMENT OF HOMELAND SECURITY

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NOMINATIONS OF GRAYLING G. WILLIAMS AND ELIZABETH M. HARMAN

THURSDAY, DECEMBER 10, 2009

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

The Committee met, pursuant to notice, at 10:04 a.m., in room SD-342, Dirksen Senate Office Building, Hon. Joseph I. Lieberman, Chairman of the Committee, presiding.

Present: Senators Lieberman and Collins.

OPENING STATEMENT OF CHAIRMAN LIEBERMAN

Chairman LIEBERMAN. The hearing will come to order. Good morning and welcome to this hearing at which we are going to consider the nomination of Grayling Williams to be the Director of the Office of Counternarcotics Enforcement (CNE) at the Department of Homeland Security (DHS).

I want to note at the outset that after we consider Mr. Williams' nomination, the Committee will move immediately to consider the nomination of Elizabeth Harman, who has been nominated to be Assistant Administrator for the Federal Emergency Management Agency (FEMA) in charge of the Grant Programs Directorate (GPD).

But let us begin with the Office of Counternarcotics Enforcement. It was created as part of the Homeland Security Act of 2002 and strengthened by the Intelligence Reform and Terrorism Prevention Act of 2004, the so-called 9/11 Commission legislation—both of which, I am proud to say, came out of this Committee. The idea here was to create an office to coordinate the counternarcotics policies and operations of the Department of Homeland Security's many component agencies and to coordinate policy with other Federal, State, and local law enforcement agencies to halt the flow of illegal drugs into the United States.

CNE is responsible for recommending appropriate levels of financial and personnel resources within DHS to address the drug-trafficking threat and works very closely with the Joint Terrorism Task Forces (JTTFs) to track and sever connections between illegal drug trafficking and terrorism.

Frankly, the office, in my opinion, has never been more vital to the mission of the Department of Homeland Security than it is today. As this Committee learned in a set of hearings earlier this year which focused on violence on the southern border, the Federal Bureau of Investigation (FBI) has labeled the Mexican drug cartels

as the No. 1 organized crime threat in America today. The cartels have used the cash and guns they transport south across the border to declare war on the Mexican government, which has led to a series of brutal attacks on Mexican officials, including beheadings and mass murders.

If this level of violence against a government occurred elsewhere in the world, we would quickly call it terrorism. And I think that is exactly what the cartels have become: Narcoterrorists. The Mexican government, led by President Calderon, has taken courageous and unprecedented steps to take on these cartels and to strengthen and re-impose, if you will, the rule of law. But despite the Mexican government's best efforts, the level of violence in Mexico is still much too high. The Department of Homeland Security itself has projected a 40-percent increase in drug cartel-driven murders in Mexico this year, and that is over the very high levels of last year.

Mr. Williams, if you are confirmed, you will be, of course, a key player in our efforts to combat these threats I have just described and generally the threats of drug trafficking. I know you will have to work tirelessly to strengthen our defenses against increasing levels of drug-related violence along our southern border, but also the growing level of sophistication in the tactics used by drug traffickers. For example, the cartels are exploiting a loophole in our money-laundering laws that allows drug traffickers to use stored value cards to launder their drug profits, and I hope you will work with us to ensure that this loophole is closed, should you be confirmed.

Mr. Williams, I believe, is exceedingly well qualified to take on these challenges of this position after a 23-year career at the Drug Enforcement Administration (DEA). Since 2008, he has served there as Chief of Staff to the Chief of Operations at DEA, following earlier tours of duty, if you will, as Section Chief/Assistant Special Agent in Charge at DEA Headquarters Operations Division, and before all that work at DEA, I am proud to say, Mr. Williams was in law enforcement in the State of Connecticut and got part of his extraordinary educational background at universities in the State of Connecticut as well, including Yale and the University of New Haven.

So I welcome you before this Committee. I look forward to hearing your statement and your plans, if confirmed, and I am very proud now to call on our Ranking Member, Senator Susan Collins.

OPENING STATEMENT OF SENATOR COLLINS

Senator COLLINS. Thank you, Mr. Chairman.

As the Chairman has pointed out, this nomination comes before us at a time when the threat to our Nation posed by illegal drug trafficking is escalating.

Earlier this year, the Committee held two hearings on violence along the southwest border being perpetrated by Mexican drug cartels. The horrific bloodshed that has resulted in the deaths of thousands in Mexico is not constrained to the southern side of the border. It has, on multiple occasions, spilled over into the United States leading to murders, kidnappings, and other violent crimes. The cartels' trafficking and the associated violence demand in-

creased attention at the Department and across the Federal Government.

The 2009 National Southwest Border Counternarcotics Strategy noted an even greater threat to our homeland security, and that is, the possibility of collaboration between drug cartels and terrorist groups. The strategy noted that the same smuggling routes and techniques used to bring narcotics across the border could be exploited to smuggle in "terrorists and weapons of terror." Our homeland security officials must fight this potential threat, working closely with the many security elements arrayed against illegal drug trafficking.

Coordinating DHS's work with these security elements at the Federal, State, and local levels is among the primary responsibilities of the Director of the Office of Counternarcotics Enforcement. The Director serves as the Secretary's primary adviser on all counternarcotics issues and coordinates DHS's enforcement efforts across the Department and with other Federal, State, and local entities. Working with Joint Terrorism Task Forces, CNE also must help to detect and disrupt any connections between drug trafficking and terrorist groups.

Mr. Williams comes before this Committee with more than 20 years of experience in our Nation's counternarcotics efforts, and I look forward to hearing his views this morning.

Thank you, Mr. Chairman.

Chairman LIEBERMAN. Thank you very much, Senator Collins.

Let me say for the record that Mr. Williams has filed responses to a biographical and financial questionnaire, answered pre-hearing questions submitted by the Committee, and has had his financial statements reviewed by the Office of Government Ethics. Without objection, this information will be made part of the hearing record with the exception of the financial data, which are on file and available for public inspection in the Committee offices.

Mr. Williams, our Committee rules require that all witnesses at nomination hearings give their testimony under oath, so I would ask you to please stand and raise your right hand.

Do you swear that the testimony you are about to give to the Committee will be the truth, the whole truth, and nothing but the truth, so help you, God?

Mr. WILLIAMS. Yes, I do.

Chairman LIEBERMAN. Thank you very much. Please be seated. We would welcome at this point any opening statement you would like to make, as well as introduction of any family or friends who are with you this morning.

**TESTIMONY OF GRAYLING G. WILLIAMS TO BE DIRECTOR,¹
OFFICE OF COUNTERNARCOTICS ENFORCEMENT, U.S. DEPARTMENT OF HOMELAND SECURITY**

Mr. WILLIAMS. Thank you and good morning, Senator Lieberman and Senator Collins, and distinguished Members of the Committee. I am honored to appear before you today.

I am deeply humbled by the confidence that President Obama has shown in me by nominating me to be the second Director of

¹The prepared statement of Mr. Williams appears in the Appendix on page 31.

the Office of Counternarcotics Enforcement at the Department of Homeland Security, and I am very grateful to Secretary Napolitano for her support.

Right now I would like to introduce you to my brother, Darwin Cadogan, who has spent 30 years as a special agent with the Bureau of Diplomatic Security at the Department of State and, prior to that, as a corrections officer with the New York City Corrections Department.

Also here is my niece, Rhonda Cadogan, of whom I am very proud, and also a few of my colleagues from the Drug Enforcement Administration, most notably the Deputy Chief of Intelligence, Judith Bertini. They have all been very supportive of me.

Last, and perhaps most important, I would like to thank my children, Brianna and Grayling, who are with me in spirit and, I understand, watching this hearing online through the Committee website.

Chairman LIEBERMAN. Good.

Mr. WILLIAMS. Should I be confirmed, I look forward to working with the dedicated men and women of CNE and the entire Department of Homeland Security to protect our Nation from threats and ensuring that CNE is an effective and valued member of the counternarcotics enterprise. There are several members of CNE that are also here today with us.

If confirmed, I will draw upon my almost 29-year career as a law enforcement officer, which includes 22 years as a special agent of the Drug Enforcement Administration. I have worked on the front lines of the War on Drugs as a case and undercover agent and as a supervisor. I know what it takes to coordinate a successful drug enforcement operation in a multi-jurisdictional task force environment. I also have experience managing headquarters' staff; directing, coordinating, and planning programs; and motivating and mentoring employees. I have acquired the knowledge, skills, and abilities necessary to provide competent and accountable leadership, and I have learned how to achieve change within an organization.

Moreover, from working foot patrol in New Haven, Connecticut, as a member of the Yale University Police Department, to developing complex drug conspiracy investigations for DEA, to conducting undercover operations training for the Polish National Police in Warsaw, I have developed collaborative working relationships with many State and local police departments, Federal agencies, and international law enforcement entities. In fact, in my current position at DEA headquarters, I oversee studies and projects focused specifically on interagency collaboration—affording me a unique understanding of the interagency process and how to strengthen partnerships across the Federal Government.

Today, our Nation faces a difficult challenge: How do we combat the illicit drug trade and smuggling activities while facilitating the legitimate movement of goods and people across our borders? Highly complex and sophisticated criminal organizations test our Nation's security on a daily basis by attempting to smuggle drugs, people, weapons, and money across our borders. Moreover, these criminal organizations are constantly evolving, forcing us to rethink our methods for dealing with them.

Part of the Department of Homeland Security's primary mission, as set forth in the Homeland Security Act of 2002, is to "monitor connections between illegal drug trafficking and terrorism, coordinate efforts to sever such connections, and otherwise contribute to efforts to interdict illegal drug trafficking." CNE is a unique office geared toward coordinating DHS's efforts to fulfill this mandate. CNE both coordinates the Department's work with State, local, and tribal law enforcement on these issues and represents the Department within the interagency community on counternarcotics policy and operations. If confirmed, I will lead the office in its efforts to fully and effectively carry out these responsibilities.

First, CNE will ensure coordination of DHS's counternarcotics activities along the borders. We will strengthen the office's partnerships within and outside the Department. Second, I will ensure that the DHS counternarcotics enterprise succeeds by assessing the resources needed to fulfill the Department's mission. Third, I will work with DHS component heads to ensure that each component is properly incorporating the Department's mandate to track and sever the ties between drug trafficking and terrorism.

Additionally, I will establish a proactive, positive relationship with Secretary Napolitano's other advisers on policy and operational matters and further develop previously established mechanisms, such as the Counternarcotics Coordinating Council. I will also work with the interagency community by establishing regular contact with non-DHS officials and entities and strengthening outreach and collaboration with State, local, and tribal officials.

In conclusion, I believe that my background and experience have prepared me to take on the significant and varied responsibilities of the Director of the Office of Counternarcotics Enforcement. I would like to thank the Committee for considering my nomination.

Thank you.

Chairman LIEBERMAN. Thank you, Mr. Williams. Thanks very much for an excellent, really clear opening statement. I am going to start the questioning with the three questions we ask of all nominees.

First, is there anything you are aware of in your background that might present a conflict of interest with the duties of the office to which you have been nominated?

Mr. WILLIAMS. No, sir.

Chairman LIEBERMAN. Second, do you know of anything, personal or otherwise, that would in any way prevent you from fully and honorably discharging the responsibilities of the office to which you have been nominated?

Mr. WILLIAMS. No.

Chairman LIEBERMAN. And, third, do you agree without reservation to respond to any reasonable summons to appear and testify before any duly constituted committee of Congress if you are confirmed?

Mr. WILLIAMS. Absolutely, sir.

Chairman LIEBERMAN. Thank you very much.

Let me, in my first couple of questions, pick up on a few of the statements that you made. Obviously, the primary responsibility of this office to which you have been nominated is coordination of the various assets within the Department of Homeland Security. Be-

cause CNE does not have an operational role, like Customs and Border Protection (CBP) or the Coast Guard, it depends on the component agencies providing sufficient information in order to execute its mission.

I have heard that the DHS component agencies, for instance, only report their counternarcotics performance measures to CNE twice a year and that the Counternarcotics Coordinating Council, which includes the head of all the operational agencies and is chaired by the CNE Director, the position to which you have been nominated, has met very rarely in the past.

So I wanted to ask you what thoughts do you have, what ideas do you have, what plans do you have to require more sharing of counternarcotics information on a real-time basis. And, for instance, what thoughts do you have about the use you would make of the Counternarcotics Coordinating Council?

Mr. WILLIAMS. Senator, I would like to say that if I am confirmed, what I would like to do is get into the position and reinvigorate the Counternarcotics Coordinating Council. I see that as a vital component in carrying out our mission of coordinating and developing strategies with those entities such as Immigration and Customs Enforcement (ICE), CBP, and the Coast Guard that have a counternarcotics mission. So I would like to reinvigorate that whole program and get that started again.

The other thing that is important on getting information from our components is, I would like to pursue having detailees from each of those components—ICE, CBP, and the Coast Guard—work at CNE on a regular headquarters detail.

Chairman LIEBERMAN. That is a very good idea. That reminds me of what I was going to ask you, just a basic fact question. Approximately how many people are working directly in CNE now, do you know?

Mr. WILLIAMS. We have about 15 staff members.

Chairman LIEBERMAN. So it is a core headquarters staff and a coordinating staff?

Mr. WILLIAMS. Yes.

Chairman LIEBERMAN. How about the other part of this, which you mentioned? And I will quote from one of your responses to the Committee's questions, which is when you said, "The major external challenge facing CNE is to ensure the effective coordination of the Department of Homeland Security's counternarcotics efforts with other departments in the interagency process." I wanted to ask you what ideas you have. It is an important commitment, and I agree with you, that is a priority. What are your specific ideas, if you have any now, to implement that goal, that vision?

Mr. WILLIAMS. Well, a couple of ideas that come to mind are I would like to be able to leverage my relationship with such agencies as DEA, the FBI, and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). I have lifelong friends and relationships that are well established and that I would like to be able to utilize.

One of the things for CNE is that we are supposed to represent the Department on counternarcotics matters at interagency working groups, policy and strategy task force groups, and that is something that we need to continue and we need to actually reinvigo-

rate and move forward. So I would like to continue that. But, again, the only way I am going to be able to do that is if I am able to get a good, strong working relationship with our components with a counternarcotics mission because ultimately I will be representing them, looking for resources for them to carry out their mission.

Chairman LIEBERMAN. Good answer, and I appreciate it.

Let me ask you about the Mexican drug cartels, which both Senator Collins and I referred to in our opening statements. As a career agent and executive at DEA, I know you have a wealth of knowledge about drug-trafficking organizations. I wanted to ask you first, what is your assessment of the threat posed to America by the Mexican drug cartels?

Mr. WILLIAMS. Well, my assessment actually mirrors that of the statement of the FBI that the drug cartels are the major organized crime threat to this country right now. I could not agree more. This is a problem that we have to aggressively deal with by good intelligence sharing and good collaboration and old-fashioned detective work, get our agents and our Border Patrol officers out there, working to disrupt their activities and, when possible, to dismantle their cartel organizations.

We also need to keep in mind, because the Department has an overarching mandate to protect the homeland and to protect us from terrorism, we have to always look for that link if possible between drug trafficking and terrorism. And we know that exists. We see it in the Middle East in areas like Afghanistan with what is going on there with the opium production. So we have to monitor that with the Mexican drug cartels and see if they have ever been approached by foreign terrorist organizations.

Chairman LIEBERMAN. Yes, I agree. We have had evidence before the Committee of a concern that foreign terrorist groups might actually link up with Mexican drug cartels to assist them in entering the country illegally, but also to gain revenue to carry out their plans against the United States.

Let me ask you to just go a little bit deeper, if you can, if you have any thoughts about what the unique role of the Office of Counternarcotics Enforcement would be in the battle against the Mexican drug cartels, particularly with regard to any of the component agencies of DHS.

Mr. WILLIAMS. Well, as you alluded to earlier, CNE is not an operational component of DHS, nor is it an intelligence-gathering component. So our main role is to work with our component agencies—ICE, CBP, and the Coast Guard—to ensure that whatever programs that they are pushing forward, they are on point and on track, working with them, being their representative on various committees.

One of the things that CNE was able to do, along with the Office of the Deputy Attorney General, is to put together the Southwest Border Counternarcotics Strategy.

Chairman LIEBERMAN. Right.

Mr. WILLIAMS. Which is an excellent document. I just want to say that for many years, law enforcement at the Federal level has given resources to the southwest border, but it was basically that

DEA would do their thing, the FBI would do their thing—before ICE, it was Customs, and Customs would do their thing.

This is a road map now that basically spells out everybody's responsibilities, and it gives them guidance on what they should be doing and how they should be doing it, and, more importantly, the sharing of information.

So CNE will be that group that is at the 30,000-foot level and will be able to bring our components together as one DHS and then take that message forward to the interagency, as well as State and locals.

Chairman LIEBERMAN. Good. Thank you. Senator Collins.

Senator COLLINS. Thank you, Mr. Chairman.

Let me follow up on the issues that the Chairman has raised. I am very concerned from the work that we have done in this Committee and from what I have seen at the Armed Services Committee about the link between terrorism and drug trafficking. You see it literally all over the world, and certainly we see it in Afghanistan, where the proceeds from the drug crop, the poppy crop, are used by terrorist groups such as the Taliban.

That leads me to be very concerned that it is inevitable that terrorist groups are going to link up with the Mexican drug cartels to smuggle either terrorists into this country using well-known successful smuggling routes or perhaps a weapon of mass destruction of some sort.

I am curious what the relationship is between CNE and our Joint Terrorism Task Forces and also the relationship between CNE and the National Counterterrorism Center because CNE may well have information about drug trafficking through the components of DHS that would be very valuable to the Joint Terrorism Task Forces or to the National Counterterrorism Center (NCTC). So what kind of relationship exists now? And how would you strengthen it?

Mr. WILLIAMS. Well, Senator Collins, your concerns are my concerns also, and one of the things I will say is that, again, not having that operational or intelligence-gathering component under us, we do have an individual that is assigned to the national JTTF, and we are looking at that because from my years of experience, it is more appropriate to leverage our operators—our ICE operators, our CBP officers, Border Patrol agents, Coast Guard folks—because those are the men and women who are out there doing the job every day.

My staff, which is only 15 people, are not on the ground. They are not operationally engaged. So what we would do is work with them to identify those associations. Besides the JTTF, there is the Special Operations Division (SOD) run by the Drug Enforcement Administration that has a counterterrorism component. If there is any information that comes up in a drug investigation, there is already a unit in place at SOD to which you are to turn that information over for ultimate exploitation by the FBI.

So I would look to make sure that our components are working, not just with the JTTF, but also in areas such as SOD and the Organized Crime Drug Enforcement Task Force (OCDETF) Fusion Center. The important key here is, as you mentioned, to get the in-

formation and then get it out to the right people so that information can be acted upon.

Senator COLLINS. The Chairman and I are very sensitive to that issue because we have worked for so many years to change the culture in the Federal Government to one of sharing essential information, not only across the Federal Government but with our State and local partners, and that is why I am particularly pleased with your background because you will understand who has the information and why it must be shared. But as the case involving the massacre at Fort Hood certainly appears to suggest, we still have barriers to the sharing of absolutely vital information.

I also want to join the Chairman in expressing concerns about stored value cards. An important part of the counternarcotics effort is to interdict and seize cash from the drug trade, and we have been very concerned about an emerging trend where money is smuggled across the border in an electronic format such as stored value cards. And we all know that if you cross the border with \$10,000 or more in cash, Federal law requires that to be declared. Any of us who have ever checked that box on the Customs form is aware of that regulation—not that I have ever had to worry about having \$10,000 with me.

But there is a glaring loophole in that stored value cards are not deemed as “monetary instruments” and they do not have to be declared. And for this reason, the Chairman and I joined forces once again, and when the credit card accountability bill was on the floor in May, I offered an amendment with the Chairman that required the Treasury Department, in consultation with DHS, to issue regulations that should be aimed at requiring stored value cards to be declared as well.

Unfortunately, I am told that the Treasury Department appears to be extremely reluctant to issue regulations regarding these cards.

What will you do to ensure that the intent of Congress—since DHS has a role here, that is, these regulations are supposed to be issued in consultation with DHS—is carried out and that the regulations are issued?

Mr. WILLIAMS. Well, what I would like to get involved in is already under discussion between DHS and, for instance, the Financial Crimes Enforcement Network (FinCEN), a component of the Treasury Department. As a matter of fact, it is our money-laundering experts from ICE that are leading the charge in looking at this issue of stored value cards. Any assistance, any guidance or help that I can offer Immigration and Customs Enforcement, the money-laundering gentlemen there that are leading the charge, I would like our office to be able to be involved in that. And if I can leverage assistance from such agencies like DEA and their Office of Financial Operations to get involved in the fight and even bring the FBI into it, I will because everyone across the board in law enforcement sees this as an evolving threat.

So the way this thing works is if we are supposed to stop money being taken out of the country, drug proceeds, and you are telling me that \$500,000 can be put on a stored value card and there is nothing that says that this person has to declare it or give any in-

formation, that is a major problem for this country and that is a major problem for law enforcement.

So whatever I can do—and I will do this in consultation, again, with entities such as ICE and CBP—my office stands ready.

Senator COLLINS. Great. Well, I hope that you will make that a priority, assuming your confirmation, which I think is a pretty good assumption, and that you will let the Chairman and me know if you encounter resistance from the Treasury Department on this. It is inconceivable to me that Treasury has not acted. This is such a glaring loophole, and it does need to be closed. So please do come back to us.

Let me just make one final comment, if I may, Mr. Chairman. The southwest border obviously has gotten a great deal of consideration and attention and warrants it. But my final comment to you is do not forget the northern border as well. That also is vulnerable. There are wide open stretches where there is very little enforcement activity. That border is far longer than our southern border, and it, too, is vulnerable to smuggling of drugs. So I hope that as we appropriately, in response to the Mexican cartel problem, focus resources and efforts on the southwest border, we do not create a new vulnerability on our northern border. Thank you.

Mr. WILLIAMS. Yes, thank you.

Chairman LIEBERMAN. Thanks, Senator Collins. I agree.

Mr. Williams, thanks for your testimony. You have been very responsive, and you have a great background, and I agree that I hope your nomination goes sailing right through.

Just as I listened to you—and we have had a couple of other nominees come forward—when we put this Department together in response to September 11, 2001, we knew part of it was to gain the benefits of collaboration and coordination that were missing in a literal sense that implied a lot more to have a place where the dots were connected. People were working together to protect our security from natural disasters and unnatural ones like terrorism and drug trafficking. But then we came back and created positions like this one and in some sense the Intelligence and Analysis Directorate (I&A), which were aimed at creating within the Department of Homeland Security people who would really work to coordinate the relevant people in the 22 or so agencies of the Department so that the whole would be greater than the sum of its parts. And obviously, that is exactly what this office is about, and I think there is tremendous potential to do things that have not been done in that regard yet and that I am confident you have the ability and experience to do. So I appreciate your willingness to serve.

We are going to, without objection, keep the record of this hearing open until tomorrow at 12 noon for the submission of any written questions or statements for the record. If you get any questions, I hope you will answer them as quickly as you can, and to the extent that it is possible, and as you may know from following the newspaper, the Senate is a highly unpredictable organism. One never knows when it will move quickly or not move at all. [Laughter.]

But hopefully it will move quickly and smoothly in regard to your nomination, so I thank you very much, and we will now close this part of the hearing.

Mr. WILLIAMS. Thank you, Senators. Thank you very much.
Chairman LIEBERMAN. All the best.

We will now proceed to the hearing on the nomination of Elizabeth Harman. Would you please come forward to the table?
[Pause.]

OPENING STATEMENT OF CHAIRMAN LIEBERMAN

Chairman LIEBERMAN. The hearing will reconvene. Ms. Harman, welcome to the table. We are now going to consider your nomination to be the Assistant Administrator for FEMA in charge of the Grant Programs Directorate. You have drawn support from a truly impressive array of people. First, I want to submit for the record, without objection, a very strong statement on your behalf from Senator Barbara Mikulski of Maryland, our colleague.

[The prepared statement of Senator Mikulski follows:]

PREPARED STATEMENT OF SENATOR BARBARA MIKULSKI IN SUPPORT OF ELIZABETH HARMAN

Mr. Chairman, I am happy to support the nomination of Elizabeth Harman to become Assistant Administrator for the Federal Emergency Management Agency. Ms. Harman's credentials, as well as her commitment to the people of this country, make her an excellent choice for this position.

I have three criteria that I use to evaluate all Executive Branch nominees: Competence, integrity, and commitment to the core mission of the Department. Based on these criteria, I wholeheartedly support Elizabeth Harman to the FEMA Assistant Administrator Post.

Ms. Harman has served as the Director of the Hazardous Materials and Weapons of Mass Destruction Training Department at the International Association of Firefighters for the past 5 years. While there, she has managed a program specifically targeted to disaster preparation and response. In addition to her roles as a mentor and teacher at various points throughout her career, Ms. Harman has been out there herself—notably as Prince George's County Volunteer Fire Fighter in our home State of Maryland for 8 years. She understands the environment, and has the education and practical knowledge that will only be an asset to the Department.

I am proud to join the Fraternal Order of Police, the International Association of Fire Chiefs, and many others in endorsing this nomination, and thank you for bringing this nomination forward for a hearing.

Chairman LIEBERMAN. The support comes from a very broad array of leaders of the first responder community, a number of whom are here today. I would note and welcome my dear friend, Harold Schaitberger, the President of the International Association of Fire Fighters (IAFF), and all the other representatives of various first responder communities that are here.

Your nomination has been endorsed not only by the IAFF, but by the International Association of Fire Chiefs (IAFC), the National Association of State Fire Marshals, the National Fire Protection Association, the Fraternal Order of Police (FOP), the National Association of Police Organizations, the National Sheriffs' Association, and many individual leaders in the field of response and emergency medical service. This reminds me of all those old stories that say when you are this far ahead, you probably should not answer any of the questions we ask. But it is quite an impressive group of supporters.

The Grant Programs Directorate and the position of Assistant Administrator in charge of grant programs are the result of changes made by the Post-Katrina Emergency Management Reform Act of 2006, which this Committee authored. Our goal there

was to create a new, stronger FEMA by bringing together the Department's mission to prepare for natural and manmade disasters with its mission to respond to those same disasters.

Homeland security grant programs were a key part of the preparedness mission, and the new FEMA was to include a "one-stop shop" for grant assistance to help State and local governments and first responders to prepare for natural disasters or terrorist attacks.

The Assistant Administrator for the Grant Programs Directorate, the position for which you have been nominated, is responsible for these programs. If confirmed, you would fully administer about 20 of these programs to help prepare State, local, and tribal governments, first responders, and nonprofit organizations for acts of terrorism and natural disasters through training and equipping police, firefighters, and other first responders; and through better security at our ports and transit systems. And you would be responsible additionally for the financial management of another 30 grant programs that assist victims post disaster and help communities mitigate against potential damage from future disasters.

So this is a wide-ranging job, a big job, and big responsibilities. But I do believe your strengths for this nomination are as big as the responsibilities of the office. It begins with the fact that you have been a firefighter and a paramedic and, therefore, have in this case what certainly would be called "boots on the ground" experience. You understand, I am sure, from firsthand experience that proper preparation and sufficient resources are keys to helping first responders do the jobs that we ask them and you to do for us. I am sure that you know the value of all-hazards training, in other words, training for predictable emergencies such as fires and floods, as well as the unpredictable, such as terrorist attacks, and that you understand where Federal grants are being spent, where they should be spent, and the value of consulting first responders before spending decisions have been made.

Since 2005, Ms. Harman has been the Director of the Hazardous Materials and Weapons of Mass Destruction training program within the IAFF. She has held emergency medical training positions at the University of Maryland Fire and Rescue Institute, the Johns Hopkins University Medical School, and the George Washington University. And as I mentioned, you began your career as a firefighter and emergency medical technician (EMT) in Bowie, Maryland, and Fairfax, Virginia.

A graduate of the George Washington University with a degree in Emergency Medical Services Management, and from the University of Maryland, a Master of Science in Emergency Health Services, so you really bring quite an impressive background.

If confirmed, you will, of course, face a number of challenges over the next few years, the most serious of which may be the need to do more with less. Under the assumptions set out in the fiscal year 2010 budget, by 2014 the Department will be faced with a 13-percent budget cut in real terms from its current funding level. I know that we, on this Committee, will work hard to see if we can turn those projections around and, as we have in the past, fight for more funding. I hope that will be true. But even assuming it is based on the demands, resources are inevitably going to be tight, and grant

funding is going to involve some tough decisions. So performance measurement, I think, will gain in importance as resources must be focused most on programs that work.

In both the Post-Katrina Act and the 9/11 Act of 2007, we injected and put in various methods for ensuring that grant funds are spent effectively. Up until this point, I must say that many of those requirements have not been met, and I look forward to your closing that gap when, if confirmed, you assume this position.

Senator Collins.

OPENING STATEMENT OF SENATOR COLLINS

Senator COLLINS. Thank you, Mr. Chairman.

First, let me join you in welcoming the first responder organizations who are here today. They are friends in this Committee. We have worked very closely with them on a number of issues, and the fact that Ms. Harman has their support means a lot to me as well.

Our Nation's homeland security grant programs are a vital part of enhancing our capacity to prepare for, protect against, and respond to a full range of natural disasters and manmade hazards. And because terrorists do not always live and plan in areas that they ultimately intend to strike, these grants must ensure that all States—both large and small—are able to build the capabilities to confront terrorist activity and to respond effectively to all hazards.

As Senator Lieberman has indicated, we wrote the law that restored the administration of the grant programs to FEMA. This reform improved FEMA's ability to support State, local, and tribal preparedness with funds for planning, training, exercises, personnel, and equipment.

In addition to providing such critically needed funding to improve the Nation's preparedness, FEMA must play another important role in the administration of these grants, and that is, to ensure wise spending of taxpayer dollars.

Since fiscal year 2002, the Department has awarded more than \$27 billion in homeland security grants. It seems every year, the Chairman and I have to join forces to restore budget cuts that Presidents of both parties have made in these important programs. But given the size of this investment, it is crucial that the Department can identify, measure, and assess what this money has bought and what future investments are needed. That is why Congress directed FEMA in 2006 to establish performance metrics to assess the Nation's overall level of preparedness.

To meet this mandate, the Department has developed the Cost-to-Capabilities (C-2-C) initiative to measure the Nation's return on this investment. After 19 months of development, however, this program is still in its initial phases. The next leader of the Department's grant programs must accelerate its progress. After all, if we are going to keep advocating for the investment that we believe is absolutely essential, we need to be able to show our colleagues and the American people that the money is well spent.

So I look forward to exploring these issues this morning with our nominee. Thank you, Mr. Chairman.

Chairman LIEBERMAN. Thank you, Senator Collins.

Ms. Harman has filed responses to a biographical and financial questionnaire, answered all the pre-hearing questions, and had her

financial statements reviewed by the Office of Government Ethics. Without objection, this information now will be made part of the hearing record except for the financial data, which are on file and available for public inspection in the Committee offices.

I think you know that the Committee rules require that all witnesses at nomination hearings give their testimony under oath, so I would ask you to please stand and raise your right hand.

Do you swear that the testimony you are about to give to the Committee will be the truth, the whole truth, and nothing but the truth, so help you, God?

Ms. HARMAN. I do.

Chairman LIEBERMAN. I thank you. Please be seated. We will be glad to hear an opening statement, if you have one, and the introduction of any guests that you have with you.

TESTIMONY OF ELIZABETH M. HARMAN TO BE ASSISTANT ADMINISTRATOR,¹ FEDERAL EMERGENCY MANAGEMENT AGENCY, U.S. DEPARTMENT OF HOMELAND SECURITY

Ms. HARMAN. Thank you. Good morning, Mr. Chairman, Ranking Member Collins, and Members of the Committee. I would like to introduce to you my family who is here with me today: First and foremost, my husband, Dwayne, who has supported me throughout; my younger son, Nathan. My older son is on a field trip in New York. I am sure he would prefer to be there. My father, Richard Nalesnik. Over here I have my brother Christopher Nalesnik, and my other brother Matthew Nalesnik.

Chairman LIEBERMAN. Who is the guy behind you?

Ms. HARMAN. I wonder. Again, as far as introductions go, I do not think this man needs one, but this is General President Schaitberger from the International Association of Fire Fighters, and I do give sincere thanks to all of those who have supported me, and particularly the IAFF, which has given me an opportunity to work for them not once but twice in a variety of increased capacity and responsibility, and I thank them very much for their continued support and both my personal and professional growth. I am thankful to the IAFC as well as the FOP and all the others who have also provided letters of support.

I understand that Senator Mikulski could not be here this morning due to a scheduling conflict, but I would like to thank her for her written statement of support and for her years of support for emergency responders throughout Maryland and across the country.

I am privileged to appear before you today as President Obama's nominee for Assistant Administrator of the Grant Programs Directorate for the Federal Emergency Management Agency. I would like to thank my family again who is here, particularly my husband, who has always been very supportive of me in the various decisions I have made in my life, and my sons, who keep me very focused and driven.

Throughout my life, I have been surrounded by very hard-working people, public servants who have always strived to do what is right in their country. My father served in the Navy and retired

¹The prepared statement of Ms. Harman appears in the Appendix on page 71.

after 30 years with the Environmental Protection Agency. My brother Richard served in the Army, my brother Christopher in the Navy and has been in local law enforcement with Prince Georges County, Maryland, for over 20 years now; and my brother Matthew has served in the U.S. Secret Service.

The position of the Assistant Administrator of the Grant Programs Directorate is a position of great responsibility as one of its primary missions is to ensure that through Federal funding our Nation is better prepared to respond to and mitigate all-hazard events. The Post-Katrina Emergency Management Reform Act centralized all Department of Homeland Security grants at FEMA, providing a more integrated and coordinated system of grant management. The challenge of the Assistant Administrator position is to ensure that FEMA's grant programs are administered responsibly and economically, maximizing each dollar spent to improve our Nation's capabilities and provide a strong return on investment.

As a former volunteer and professional firefighter, and as a former paramedic, I have seen firsthand where these dollars are being spent, have an idea where they should be spent, and how important Federal funding is to building capability as well as ensuring the health and safety of first responders everywhere.

I understand the importance of including front-line responders of all disciplines in the design and planning phase of grant programs. Additionally, I understand the importance of keeping these stakeholders informed throughout the decision-making process.

Over the years, I have not only had the opportunity to serve as a first responder on the front lines, both, again, volunteer and career, but I have also been fortunate to serve in other emergency response managerial, teaching, policy, and leadership positions. I believe this experience has prepared me well, and if confirmed as the Assistant Administrator of the Grant Programs Directorate, I look forward to working with you and your Committee.

As a young volunteer firefighter in Prince George's County, Maryland, as a career firefighter with the City of Fairfax Fire and Rescue, and as a member of IAFF Local 2702, I have firsthand knowledge of the planning, training, and equipment needed to perform the duties of a first responder. The City of Fairfax department is a combined career and volunteer organization. It provides fire suppression and emergency medical services to over 22,000 residents. The department responds to over 11,000 incidents, an average of over 30 responses per day from only two fire stations. It is a privilege to have been affiliated with them.

In my tenure on the faculty of the University of Maryland, Maryland Fire and Rescue Institute, I provided vital training to first responders across the country to better prepare them for all-hazard events. During my service at the Maryland Emergency Management Agency as a State Administrator for Exercise and Training with the National Capital Region, I worked with various local, State, Federal, and private sector partners to evaluate the effectiveness of response to both small- and large-scale disasters. I helped coordinate disaster declarations under the Stafford Act. I counseled counties on the assistance that was available to them. I helped coordinate Emergency Management Assistance Compact

(EMAC) requests to provide aid to affected areas. I led Maryland's National Incident Management System (NIMS) rollout efforts. And during the catastrophic events of Hurricanes Katrina and Rita, I served as a State Liaison under the incident management system and coordinated efforts to receive evacuees from affected States.

Most recently, as the Director of the International Association of Fire Fighters Hazardous Materials (HAZMAT) and Weapons of Mass Destruction (WMD) Training Department, I have been involved in all aspects of the Federal grant process, from the interpretation of guidance, preparation of submission packages, to financial and programmatic direction and oversight, including oversight of IAFF grants that support full-time staff, more than 100 instructors that train more than 12,000 responders each year. I have established a progressive evaluation program to measure the effectiveness and impact of these training programs, a program which has become the evaluation model of several supporting Federal agencies.

If confirmed, I will work diligently to measure the current level of preparedness to ensure Federal dollars have been accounted for and are producing positive results. And I vow to prioritize outreach efforts to ensure that grantees and potential grantees are using these dollars wisely and are building capabilities effectively. I also commit to cooperating fully with this Committee as it fulfills its important oversight function.

In closing, I am honored and humbled by this opportunity to serve, and if confirmed, I pledge to work with Secretary Napolitano, Administrator Fugate and the FEMA leadership team, this Committee, and Congress to ensure that the FEMA Grant Programs Directorate efficiently and effectively executes the Department of Homeland Security's grant programs and properly supports the reforms contained in the Post-Katrina Emergency Reform Act and the Recommendations of the 9/11 Commission Act.

I thank you, Mr. Chairman and Senator Collins, for the opportunity to appear before you today, and I look forward to answering any questions that you may have.

Chairman LIEBERMAN. Thanks very much, Ms. Harman. That was an excellent opening statement. I am going to start with the standard three questions we ask all nominees.

First, is there anything you are aware of in your background that might present a conflict of interest with the duties of the office to which you have been nominated?

Ms. HARMAN. No.

Chairman LIEBERMAN. Second, do you know of anything, personal or otherwise, that would in any way prevent you from fully and honorably discharging the responsibilities of the office to which you have been nominated?

Ms. HARMAN. No.

Chairman LIEBERMAN. And, third, do you agree without reservation to respond to any reasonable summons to appear and testify before any duly constituted committee of Congress if you are confirmed?

Ms. HARMAN. Yes.

Chairman LIEBERMAN. Thank you. Let me begin right inside the Grant Programs Directorate. Staffing has been a consistent prob-

lem of the Directorate. The Inspector General of DHS and the Government Accountability Office (GAO) have pointed out that shortages in staffing have adversely affected the administration of grants. For example, staff shortages reportedly contributed to delays in distribution of transit security grants and also made it difficult for FEMA to conduct comprehensive grant monitoring.

I wanted to ask you what your understanding is of the staffing levels now and where does staffing fall among your priorities if you enter this office, should you be confirmed.

Ms. HARMAN. Yes, Mr. Chairman, thank you. Staffing is a consistent theme throughout all of the GAO reports and IG reports that I have read over the last few months in preparation for today and this position, if confirmed. The staffing shortages, as I understand them, there are approximately 30 shortages. That shortage is balanced with, obviously, the use of contractors and the not so favorable view of the usage of contractors throughout the Department.

There is much to do in this Directorate. There are a lot of challenges ahead. And if you look at the recommendations in the GAO reports and the IG reports, all of those recommendations basically become my to-do list, if confirmed.

My first priority, aside from establishing our measurements and our metrics to try to figure out what good all of the funding that we have provided everyone has done, as well as outreach efforts, is to take an aggressive approach to fill those positions with full-time government employees. That is the building block. There is, again, much to do, and we cannot get that done without full-time staff. So I look forward, if confirmed, to working with the FEMA leadership team as well as the Human Resources Department to see what we can do to get those positions filled quickly with qualified and energetic people who are ready to take on the task.

Chairman LIEBERMAN. That is good to hear, and obviously, you cannot do all that we need you to do, particularly with resources tight, unless you have a staff that can support your effort.

Let me ask you another somewhat related question. I mentioned all the programs that GPD administers, separate preparedness grants. As a result, of course, several grants from different programs may go to the same jurisdiction. And I wanted to ask you whether you think there is an overproliferation of specific grant programs and whether we would be better off consolidating some of the many grant programs into a smaller number of larger grant programs. Or do you think that having a number of distinct targeted grant programs is actually a more effective way of addressing the range of homeland security challenges? Incidentally, if this is a problem, it is not the fault of the Department. It is our fault. So I am interested in from your experience what your judgment on that question is.

Ms. HARMAN. Thank you. That is an excellent question. There are a lot of grant programs. There are more than 50 programs that this Directorate oversees, both administratively, programmatically, and financially. Much of those programs are coordinated through the subject matter experts in the various fields, whether it be transit or the Coast Guard as far as the port security goes. And the Grant Programs Directorate does take the lead on that.

So, whether they are separate programs or they are combined programs, each one of those programs has their specific goals and objectives which need to be measured at the end. So, I have not looked at them, whether they should be separate or together, but I can certainly do so, if confirmed.

Now I know comprehensively with the IAFF, I oversee anywhere from seven to eight different grant programs within my department alone. Those have to be looked at comprehensively as we work through each fiscal year, but also have to be looked at separately, measured separately, reported on separately, and it can be very challenging at times. So in the aspects of the stakeholders, I would be interested to hear what the stakeholders have to say and how they feel about that. Are there too many programs, too much reporting? Would it be better to put them all together? I mean, that is a very good question, and if confirmed, we can certainly look at that.

Chairman LIEBERMAN. Well, I urge you to do that, and I do not have a real judgment on it myself. It is just a question that I have thought about, and I would look forward to working with you on it as you pursue it.

Incidentally, another possibility is to set up some mechanism by which your office is pushing and in some sense ensuring that multiple grants to a single jurisdiction or area are used, even if they are distinct, synergistically to create greater capabilities than if they are not coordinated.

Ms. HARMAN. Absolutely.

Chairman LIEBERMAN. Let me go to the question of measuring performance that we talked about. We talked about the Post-Katrina Act, the provisions we put in to ensure that grants are being spent effectively, yet in a recent hearing before the House Homeland Security Committee, the Deputy FEMA Administrator for National Preparedness acknowledged that FEMA did not yet have an accurate way of measuring the preparedness of States or determining to what extent preparedness has actually improved as a result of the homeland security grants. And so I wanted to ask you, if confirmed, whether you have any specific steps you plan to take to develop performance measures for preparedness and also to assess the impact of the broad homeland security grants.

Ms. HARMAN. Thank you. I am familiar with the testimony that was given by Deputy Administrator Manning. I watched it on the webcast there. And I am very familiar with the C-2-C program. I have been briefed on that.

Chairman LIEBERMAN. Good.

Ms. HARMAN. I understand it is in the pilot phase right now. It has had some stakeholder involvement, and it is progressing forward. And if confirmed, I look forward to analyzing the results of that to see how to move forward.

The measurement of preparedness overall with all of the billions of dollars that have been invested into building capability is a huge undertaking. I can speak firsthand of just the programs that I run in measuring performance. We have a model program. That is easy to do when you have a small group of people, you are measuring training, you are measuring their performance, whether or not your training is any good, and are folks retaining information. It is easi-

er to do on a small scale. But on a much grander scale, particularly as we look at capabilities across the Nation, States that require one set of capabilities to respond to, let us just say, earthquakes or tornadoes versus other States that may not necessarily need to prepare for that, it is a huge undertaking on how you are going to mesh those together and come up with a quantifiable and qualifiable answer to give you on how prepared are we.

I can speak from firsthand knowledge of being a volunteer in Prince George's County, understanding the equipment that was provided to me at that time many years ago, progressing into a career position with the City of Fairfax, and knowing the advanced equipment that was provided at that time. The money that has been invested into our first responders and capability I can attest to firsthand, and it provides for safety, it provides interoperability and communications. But to take that information and quantify it and say what good has it done collectively, I think we have a lot of work to do on that. So, if confirmed, I look forward to working with you on that, and this Committee, and progressing through and looking at the C-2-C program that we have already invested in and seeing where that takes us.

Chairman LIEBERMAN. Good. Thank you. Senator Collins.

Senator COLLINS. Let me pick up where the Chairman just left off in talking to you about the C-2-C program. It is my understanding that just last week the Department sent out an e-mail telling the pilot participants that the Department has decided to close the pilot. It looks like they are halting it because of negative feedback from the State and local users.

I applaud FEMA for being responsive to the needs and concerns of stakeholders, but I am concerned that this pilot, which has been in existence for 19 months, has still not been brought to fruition. And if we are reading the e-mail correctly, it looks like it may never be brought to fruition. That obviously is not acceptable.

It seems to me that FEMA would have been much better off if at the beginning of designing a program to assess the value and effectiveness of grant investments, it brought together the first responder communities, State emergency managers, local emergency managers, and sat down and discussed what is the best way to assess the effectiveness of the Federal investment. That is sort of a negotiated rulemaking approach, which I think always improves the process.

How do you plan to proceed with this initiative now?

Ms. HARMAN. That is a very wise suggestion you make to bring stakeholders together, and obviously, that is what we want to do. We want to be careful with any measurement tool. As the Federal Government, we are responsible to say what good our funding and our support has gotten us. What is our return on investment? What good have we done over all of these years?

Stakeholder involvement is very important, and not everyone who sits around the table—they need to be invited to the table. They do not always get what they want. There is a little bit of push and shove sometimes. But we want to make sure folks have the money, have the funding to build the capabilities, but they need to understand, they need to report to us in some fashion, in some

metric that we determine what that is collectively, hopefully, so that we do not burden them with any reporting requirements.

As the Chairman indicated earlier, there are numerous grant programs out there, all of them on various different cycles, different grant periods, different reporting requirements. It can be very challenging.

I am not familiar with the e-mail that you referenced. However, the advantage that I see to the C-2-C program—although it has taken a long time and I am not familiar with the inception of that, so I will certainly look into that, if confirmed—is that it is building on existing investments that the Federal Government has already made. It is looking and using metrics such as the target capabilities list, the universal task list, the national scenarios as a foundation for measurement, which I think is an asset to the program, but how that works, we need to really look at that.

Pilot phases, it is good that there is stakeholder involvement, and I am curious to see what would halt—I do not know if it was halted or we are just moving into another phase of that. But knowing the investment that has already been made into the C-2-C program, I certainly, if confirmed, will take a look at that and find out where we are. We do not want to throw the baby out with the bath water, but if there are improvements that can be made and stakeholder involvement that has already come in, and if it has not come in, we need to make sure it does come in, so that we have a solid program and can make a determination whether we need to move forward or move into another direction.

Senator COLLINS. Thank you. I want to bring up an issue that was covered in some of the pre-hearing questions. As you know, most of the DHS grant programs contain a requirement that the grantee match part of the grant, and the reason for that and the reason that I have supported having some kind of match is you want the State or local entity to be invested, to have some skin in the game, to make sure that it is not just a Federal handout but, rather, a true partnership to improve capabilities. But in your response to a pre-hearing question, you expressed concern about the use of matches.

Now, I recognize that we are in very difficult economic times right now, and there may be a valid reason to suspend or lower the match to get us through this budget time that is causing so many State and local governments to have to cut back. But, in general, your concern seems to be over the administrative burden of the match requirement.

I need to clarify this issue with you. What is your view on requiring a match from the grantee?

Ms. HARMAN. I respect your approach and your desire to have matches in the programs, and certainly I understand that there is various legislation, the 9/11 Act and others, that requires matches in the grant programs. And certainly if that is legislated, that is how the grants will be executed.

The question in the questionnaire referenced my answer to whether or not I thought a match should be waived. My question back was: What good do matches do for us? What do we get? Aside from a concept of buy-in, I have not seen any data that suggests that matches get us a better bang for the buck at the end. I think

in theory they do. You would think if you are a teenager and you are going to buy a \$25,000 car and your father says, "I will give you a \$25,000 car if you put \$5,000 into it," that is great. I am thrilled. But when it comes to grant dollars, what does that mean for our grantees and the end user? Are they deterred by that? Do they not apply because there is a match? Do they finally get to the point where they are eligible to apply for a grant that requires a match, receive it, and then go through some sort of hardship, whether it is the economy or personal business hardship, that requires them to turn that money back in to us? What does that mean for the program?

So I throw those questions out there and, if confirmed and I am asked if a grant should require a match, if we should negate an existing match, or if a grant should be waived, my personal experience with administering grants with matches, it was a disaster. It was very difficult. You have cash matches. You have in-kind matches. The burden on doing the math behind an in-kind match and sometimes internally having interpretation differences between the programmatic side and the accounting side takes away the focus from the program when you are just worried about numbers sometimes on a page.

So I think, if confirmed in this position and I am asked should a match be required, should it be waived, should it be negated, I would like to see the data to see what does that do for us? Do we have more applicants when a match is not required? Do we have less applicants? And if we are looking to really provide a diverse support for folks, particularly in small rural areas that may not have the infrastructure, the administrative support, or the cash to calculate and pony up that 25 percent, or whatever it may be, we might be deterring them from building the capability.

So I just want to make sure that, if confirmed and I am in this position, I have the data to properly inform either the Secretary who has the option of making a waiver or this Committee to decide what you want to do with the legislation as opposed to just using my personal experience where I did not care for a match.

Senator COLLINS. Well, I am concerned about your response. It is certainly understandable from the perspective of a local or State official or first responder that you would want no match at all. I mean, who would not want just Federal money? But I think if we are talking about ensuring high-quality, needed equipment, personnel, training, that having some sort of match, not a burdensome one that prohibits the application from going forward, not one that is so burdened with paperwork that it becomes impossible, as you have suggested, but rather a match that shows that there is a serious commitment at the State or local level to me is absolutely essential because otherwise I think we are going to see low-priority projects brought forward because if you are not paying anything and there is no accountability at the State or local level for the investment there, I believe you will see lower-quality projects.

So your response concerns me. I do not doubt at all that you are going to follow the law. That is not my issue. But I think you need

to think more about what the requirement for a match brings to the integrity of the program.¹

Let me just very quickly ask you one final question, and I will submit the rest for the record, if I may.

The Chairman and I did an extensive investigation into the attacks on our country on September 11, 2001, in the wake of the report by the 9/11 Commission. And what that report demonstrated is that terrorists do not always operate solely in the areas that they intend ultimately to strike. They plan, they recruit, they train, and they live in places like Norman, Oklahoma; Portland, Maine; Decatur, Georgia; Verona Beach, Florida. That is where the September 11, 2001, hijackers trained or lived or passed through.

Therefore, I believe it is imperative that we build a baseline of capabilities all across this country. I will never forget that on that day, two of the hijackers started their path to death and destruction from Portland, Maine, even though their targets were elsewhere. And Secretary Napolitano has said before us that every area of America faces some level of risk.

Are you committed to ensuring that smaller States, that every State has the resources and receives adequate Federal equipment and assistance to meet baseline capabilities, not only when it comes to terrorist attacks, but also natural catastrophes which affect every State?

Ms. HARMAN. Absolutely. Clearly, the legislation that sets forth in the 9/11 Act prioritizes the grants on risk and vulnerability, and we do have small town rural America that we also have to be concerned about, and some of those individuals and organizations may not necessarily have the high risk that would allow them to receive direct funding. In those instances, it is very important for them—and, if confirmed, I mentioned earlier one of my priorities is outreach. Those locals need to coordinate closely with their State administrative agencies, and we need to ensure at FEMA that those States have comprehensive plans to build capabilities, not just in the high-risk places, but to understand that those individuals who may have to evacuate the high-risk areas should something happen and are moving out into the more rural areas, they need to be prepared out there as well.

So outreach is key to me. Coordination of existing grant programs to maximize their effectiveness, I think, needs to occur in every single State, and they need to focus on their individual threats and the potential threats that they could have.

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

Chairman LIEBERMAN. Thanks, Senator Collins.

Ms. Harman, thank you. I think you have been very impressive. We have asked you some tough questions. You have a lot of experience. You have thought about the answers, and I am sure at Senator Collins' invitation you will think twice about some of the answers.

Ms. HARMAN. I will, sir. Thank you.

Chairman LIEBERMAN. But I have been impressed. I must say I am also impressed by your family. It is quite remarkable that you are from a family that has been so involved in public service, now

¹Letter from Ms. Harman submitted by Senator Collins appears in the Appendix on page 112.

in the second generation. That says a lot about the stock from which you have emerged.

Without objection, the record of the hearing will be kept open until 12 noon tomorrow for the submission of any written questions or statements for the record.

Again, I hope that the Committee can approve your nomination rapidly and see if we can get you confirmed by the Senate before Christmas. But for now, I thank you for a long career of public service and for your willingness to, if confirmed, take on this responsibility.

Ms. HARMAN. Thank you, Mr. Chairman and Senator Collins. Thank you very much.

Chairman LIEBERMAN. The hearing is adjourned.

[Whereupon, at 11:20 a.m., the Committee was adjourned.]

A P P E N D I X

**Opening Statement of Chairman Joseph I. Lieberman
on the Nomination of Grayling G. Williams
to be Director, Office of Counternarcotics, DHS
December 10, 2009**

Good morning and welcome to our hearing today during which the Committee will consider the nomination of Grayling Williams to be the Director of the Office of Counternarcotics Enforcement (CNE) at the Department of Homeland Security (DHS).

I want to note at the outset that after we consider Mr. Williams' nomination, the Committee will move immediately to consider the nomination of Elizabeth Marie Harman, who has been nominated to be Assistant Administrator for the Federal Emergency Management Agency in charge of the Grants Programs Directorate.

Let's begin with the Office of Counternarcotics Enforcement. It was created by the Homeland Security Act of 2002 and strengthened by the Intelligence Reform and Terrorism Prevention Act of 2004, the so-called 9/11 Commission legislation – both of which I am proud to say came out of this Committee. The idea was to create an office to coordinate the counternarcotics policies and operations of DHS' many component agencies and to coordinate policy with other federal, state, and local law enforcement agencies to halt the flow of illegal drugs into the United States.

CNE is responsible for recommending appropriate levels of financial and personnel resources within DHS to address the drug trafficking threat and works very closely with the Joint Terrorism Task Forces (JTTF) to track and sever connections between illegal drug trafficking and terrorism.

Frankly, the office, in my opinion, has never been more vital to the mission of homeland security than it is today. As this Committee learned in a set of hearings earlier this year that focused on violence on the southern border, the FBI has labeled the Mexican drug cartels as the number one organized crime threat in the American today. The cartels have used the cash and guns they transport south across the border to declare war on the Mexican government, which has led to a series of brutal attacks on Mexican officials, including beheadings and mass murders.

If this level of violence against a government occurred elsewhere in the world we would quickly call it terrorism. And I think that's exactly what the cartels have become: narco-terrorists. The Mexican government, led by President Calderon, has taken courageous and unprecedented steps to take on the cartels and to strengthen and re-impose the rule of law. But, despite the Mexican government's best efforts, the level of violence in Mexico is still much too high. DHS is projecting a 40 percent increase in drug cartel-driven murders in Mexico this year and that is over the very high levels we saw last year.

Mr. Williams, if you are confirmed, you will be a key player in our efforts to combat the threat of drug trafficking. You will have to work tirelessly to strengthen our defenses against

increasing levels of drug-related violence along our southern border, but also the growing level of sophistication in the tactics used by drug traffickers. For example, the cartels are exploiting a loophole in our money laundering laws that allows drug traffickers to use stored value cards to launder their drug profits. I hope you will work with us to ensure that this loophole is closed, should you be confirmed.

Mr. Williams I believe is exceedingly well qualified to take on these challenges after a 23-year career at the Drug Enforcement Administration (DEA). Since 2008, he has served as Chief of Staff to the Chief of Operations at DEA, following earlier tours of duty as Section Chief /Assistant Special Agent in Charge at DEA Headquarters Operations Division and numerous policy and supervisory positions at DEA over the past two decades. Before all that work, he received a degree from the University of New Haven in 1977, and began his career on the Yale University police force before joining the DEA as a special agent, serving in New Haven, Hartford, and Bridgeport, Conn.

So, I welcome you before the Committee and I look forward to hearing your statement and your plans if confirmed.

Senator Collins?

Statement of
Senator Susan M. Collins

**“Nomination of Grayling Williams to be Director of the Office of
Counternarcotics Enforcement at the Department of Homeland Security”**

Committee on Homeland Security and Governmental Affairs
December 10, 2009

★ ★ ★

The nomination of Grayling Williams to be the Director of the Office of Counternarcotics Enforcement comes at a time when the threat to our nation posed by illegal drug trafficking is escalating.

Earlier this year, the Committee held two hearings on violence along the Southwest Border being perpetrated by Mexican drug cartels. The horrific bloodshed that has resulted in the deaths of thousands in Mexico is not constrained to the southern side of the border. It has, on multiple occasions, spilled over into the United States leading to murders, kidnappings, and other violent crimes. The cartels’ trafficking and the associated violence demand increased attention at the Department and across the federal government.

The 2009 National Southwest Border Counternarcotics Strategy noted an even greater threat to our homeland security: the possibility of collaboration between drug cartels and terrorist groups. The Strategy noted that the same smuggling routes and techniques used to bring narcotics across the border could be exploited to smuggle in “terrorists and weapons of terror.” Our homeland security officials must fight this potential confederacy, working closely with the many security elements arrayed against illegal drug trafficking.

Coordinating DHS’s work with these security elements, at the federal, state, and local levels, is among the primary responsibilities of the Director of the Office of Counternarcotics Enforcement (CNE). The Director serves as the Secretary’s primary advisor on all counternarcotics issues and coordinates DHS counternarcotics enforcement efforts across the Department and with other federal, state, and local entities. Working with Joint Terrorism Task Forces, CNE also must help to detect and disrupt any connections between drug trafficking and terrorist groups.

Mr. Williams comes before this Committee with more than 20 years of experience in our nation’s counternarcotics efforts, and I look forward to hearing his views on the policies and practices needed to improve DHS’s counternarcotics mission.

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**Opening Statement of Chairman Joseph I. Lieberman
on the Nomination of Elizabeth M. Harman
to be Assistant Administrator, FEMA, DHS
December 10, 2009**

Good morning and welcome to our hearing on the nomination of Elizabeth Marie Harman to be Assistant Administrator for the Federal Emergency Management Agency (FEMA) in charge of the Grant Programs Directorate.

Ms. Harman has drawn support from a truly impressive array of leaders from the first responder community, a number of whom are here today. I would like to acknowledge my good friend, Harold Shaitberger, the head of the International Association of Fire Fighters, and I see representatives here from the International Association of Fire Chiefs, as well.

Ms. Harman's nomination is endorsed by many leading first responder organizations in addition to the IAFF and the IAFC, including the National Association of State Fire Marshals, the National Fire Protection Association, the Fraternal Order of Police, the National Association of Police Organizations, the National Sheriffs' Association, and many individual leaders in the field of first response and emergency medical service.

The Grant Programs Directorate (GPD) and the position of Assistant Administrator in charge of grant programs are a result of changes made by the Post-Katrina Emergency Management Reform Act of 2006, which this Committee authored. Our goal was to create a new, stronger FEMA by bringing together the Department's mission to prepare for natural and man-made disasters with its mission to respond to those same disasters.

Homeland security grant programs were a key part of the preparedness mission, and the new FEMA was to include a "one-stop shop" for grant assistance to help state and local governments and first responders prepare for natural disasters or terrorist attacks.

The Assistant Administrator for the Grant Programs Directorate is responsible for these grant programs. If confirmed, you would fully administer about 20 of them to help prepare state, local, and tribal governments, first responders, and nonprofit sector organizations for acts of terrorism and natural disasters through training and equipping police, fire fighters, and other first responders; and through better security at our ports and transit systems. And you would be responsible additionally for the financial management of another 30 or so grant programs that assist victims post disaster and help communities mitigate against potential damage from future disasters.

So, this is a wide-ranging job with big responsibilities. Your strengths are as big as the responsibilities of the office. That begins with the fact that you have been a firefighter and a paramedic and therefore has what we call "boots on the ground" experience. You understand from first-hand experience that proper preparation and sufficient resources are keys to helping first responders perform their jobs effectively. You know the value of all-hazards training, in other words, training for predictable emergencies such as fires and floods, as well as for

unpredictable emergencies, such as terrorist attacks. You understand where federal grants are being spent, where they should be spent, and the value of consulting first responders before spending decisions are made.

Since 2005, Ms. Harman has been the director of the Hazardous Materials and Weapons of Mass Destruction training program within the IAFF. She has held exercise and emergency medical training positions at the University of Maryland Fire and Rescue Institute, the Johns Hopkins University Medical School, and George Washington University. As I mentioned, she began her career as a fire fighter and EMT in Bowie, Maryland, and Fairfax, Virginia.

Ms. Harman graduated from George Washington University in 1997 with a degree in Emergency Medical Services Management and in 2006 received a Master of Science in Emergency Health Services from the University of Maryland, Baltimore County. So you bring quite an impressive background into play.

If confirmed, she will face a number of challenges over the next few years, the most serious of which will be the need to do more with less. Under the assumptions set out in the FY10 budget, by 2014 the department will be faced with a 13 percent budget cut in real terms from its current funding level.

We on this Committee will work hard to turn those projections around but resources are inevitably going to be tight, and grant funding is likely to be at or below current levels. Performance measurement, for example, will gain in importance as resources must be focused on programs that work.

In both the Post-Katrina Act and the 9/11 Act of 2007, we put in various measures to ensure that grant funds are spent effectively. Many of these requirements, however, have not yet been met, and I look forward to your closing that gap.

Senator Collins?

Statement of
Senator Susan M. Collins

**"Nomination of Elizabeth Harman to be Assistant Administrator of the
Federal Emergency Management Agency"**

Committee on Homeland Security and Governmental Affairs
December 10, 2009

★ ★ ★

Homeland security grant programs are a vital part of enhancing the nation's capability to prepare for, protect against, and respond to a full range of natural disasters and man-made hazards. And because terrorists do not always live and plan in areas they ultimately intend to strike, these grants must ensure that states - both large and small - are able to build capabilities to confront terrorist activity and respond effectively to all hazards.

In 2006, Senator Lieberman and I co-authored the Post-Katrina Emergency Management Reform Act, which restored the administration of the grant programs to the Federal Emergency Management Agency (FEMA). This reform improved FEMA's ability to support state, local, and tribal preparedness with funds for planning, training, exercises, personnel, and equipment.

In addition to providing such critically needed funding to improve the nation's preparedness, FEMA must play another important role as grant administrator: ensuring wise spending of taxpayer dollars.

Since Fiscal Year 2002, the Department has awarded more than \$27 billion in homeland security grants. Given the size of this investment, it is crucial that the Department can identify, measure, and assess what this money has bought and where future investments are needed. And that is why Congress directed FEMA in 2006 to establish performance metrics to assess the nation's overall level of preparedness.

To meet this mandate, the Department developed the "Cost-to-Capabilities" initiative, or C-2-C, to measure the nation's return on this substantial investment. After 19 months of development, however, this program is still in its initial phases. The next leader of the Department's grant programs must accelerate its progress.

I join the Chairman in welcoming Ms. Harman to this hearing, and look forward to learning how she would put her experience as a first responder to work on the many challenges confronting DHS's Grant Program Directorate.

#

Prepared Statement of Grayling G. Williams

Chairman Lieberman, Senator Collins, and distinguished Members of the Committee, I am honored to appear before you today.

I am deeply humbled by the confidence that President Obama has shown in me by nominating me to be the second Director of the Office of Counternarcotics Enforcement (CNE) at the Department of Homeland Security, and I am grateful to Secretary Napolitano for recommending me for this important position.

Before I start, I'd like to introduce you to my brother, Darwin Cadogan, who prior to retiring, was a Special Agent with the Department of State Bureau of Diplomatic Security for 30 years, and before that, a Corrections Officer with the New York City Department of Corrections. He has supported me throughout my career.

Should I be confirmed, I look forward to working with the dedicated men and women of CNE and the entire Department of Homeland Security to protect our nation from threats, and ensuring that CNE is an effective and valued member of the counternarcotics enterprise.

If confirmed, I will draw upon my almost 29-year career as a law enforcement officer, which includes 22 years as a special agent of the Drug Enforcement Administration. I have worked on the front lines of the War on Drugs as a case and undercover agent and as a supervisor. I know what it takes to coordinate a successful drug enforcement operation in a multi-jurisdictional task force environment. I also have experience managing Headquarters' staff; directing, coordinating, and planning programs; and motivating and mentoring employees. I have acquired the knowledge, skills, and abilities necessary to provide competent and accountable leadership, and I have learned how to achieve change within an organization.

Moreover, from working foot patrol in New Haven, CT as a member of the Yale University Police Department, to developing complex drug conspiracy investigations for DEA, to conducting undercover operations training for the Polish National Police in Warsaw, I have developed collaborative working relationships with many state and local police departments, federal agencies, and international law enforcement entities. In fact, in my current position at DEA Headquarters, I oversee special studies and projects focused specifically on interagency collaboration—affording me a unique understanding of the interagency process and how to strengthen partnerships across the federal government.

Today, our Nation finds itself facing a difficult challenge – how do we combat the illicit drug trade and smuggling activities while facilitating the legitimate movement of goods and people across our borders? Highly complex and sophisticated criminal organizations test our nation's security on a daily basis by attempting to smuggle drugs, people, weapons, and money across our borders. Moreover, these criminal organizations are constantly evolving, forcing us to re-think our methods for dealing with them.

Part of the Department of Homeland Security's primary mission, as set forth in the Homeland Security Act of 2002, is to "monitor connections between illegal drug trafficking and terrorism, coordinate efforts to sever such connections, and otherwise contribute to efforts to

interdict illegal drug trafficking.” CNE is a unique office geared towards coordinating DHS’s efforts to fulfill this mandate. CNE both coordinates the Department’s work with state, local, and tribal law enforcement on these issues and represents the Department within the interagency community on counternarcotics policy and operations. If confirmed, I will lead the Office in its efforts to fully and effectively carry out these responsibilities.

First, if I am confirmed, CNE will ensure coordination of DHS’s various counternarcotics activities along the borders by strengthening the Office’s partnerships with our counterparts both within and outside of the Department. Secondly, I will ensure that the DHS counternarcotics enterprise succeeds by assessing the resources needed to fulfill the Department’s counternarcotics mission, and working closely with all DHS components with counternarcotics missions to identify opportunities for collaboration to avoid unnecessary duplication. The annual development of this data will be used to inform the Department’s financial and human capital resources needed for an effective and efficient counternarcotics effort. Third, I will work with DHS component heads to ensure that each component is properly incorporating the Department’s mandate to track and sever the ties between drug trafficking and terrorism into its operations.

In addition, if confirmed, as the primary adviser to the Secretary for counternarcotics issues, I will work to advocate for the counternarcotics mission both within and outside of the Department. Internally, I will establish a proactive, positive relationship with Secretary Napolitano’s other advisors on policy and operational matters, and further develop previously established mechanisms, such as the Counternarcotics Coordinating Council, to coordinate the Department’s counternarcotics activities with senior DHS leadership. Externally, I will enhance partnerships across the interagency community by establishing regular contact with non-DHS officials and entities and strengthening outreach and collaboration with state, local, and tribal officials.

In conclusion, I believe that my background and experience have prepared me to take on the significant and varied responsibilities of the Director of the Office of Counternarcotics Enforcement. I would like to thank the Committee for considering my nomination. If confirmed, I look forward to working closely with Members of the Committee, the Committee staff, and the Congress as a whole. Thank you.

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

A. BIOGRAPHICAL INFORMATION

1. **Name:** (Include any former names used.)
 - Grayling Grant Williams
2. **Position to which nominated:**
 - Director of the Office of Counternarcotics Enforcement, Department of Homeland Security
3. **Date of nomination:**
 - November 4, 2009
4. **Address:** (List current place of residence and office addresses.)
 - Home: REDACTED
 - Office: Drug Enforcement Administration HQ
700-600 Army Navy Drive
Arlington, VA 22202
5. **Date and place of birth:**
 - September 5, 1958; New York, NY
6. **Marital status:** (Include maiden name of wife or husband's name.)
 - Divorced
7. **Names and ages of children:**
 - REDACTED
 -
8. **Education:** List secondary and higher education institutions, dates attended, degree received and date degree granted.
 - Brooklyn Technical High School, 9/1972 – 6/1976, HS Diploma (6/1976)
 - Bronx Community College, 9/1976 – 6/1977, no degree
 - University of New Haven, 9/1977 – 1/1983, BS (1/1983)
 - Johns Hopkins University, 9/2004 – 5/2006, MS (5/2006)

9. **Employment record:** List all jobs held since college, and any relevant or significant jobs held prior to that time, including the title or description of job, name of employer, location of work, and dates of employment. (Please use separate attachment, if necessary.)
- 6/1981 – 3/1987: Police Officer, Yale University Police Department, New Haven, CT
 - 3/1987 – 1/1996: Special Agent/Criminal Investigator (GS-7 through 13), Drug Enforcement Administration (DEA), Hartford, New Haven, and Bridgeport, CT.
 - 1/1996 – 2/1998: Special Agent/Instructor/Course Developer (GS-13), DEA Training Academy, Quantico, VA.
 - 2/1998 – 3/2001: Unit Chief/Supervisory Special Agent (GS-14), DEA HQ/Operations Division, Washington, D.C.
 - 3/2001 – 5/2003: Group Supervisor/Supervisory Special Agent (GS-14), DEA, Baltimore, MD and Washington, D.C. offices.
 - 5/2003 – 5/2008: Section Chief/Assistant Special Agent in Charge (GS-15), DEA HQ/Operations Division, Washington, D.C.
 - 5/2008 – Present: Executive Assistant (Chief of Staff) to the Chief of Operations (GS-15), DEA HQ/Operations Division, Washington, D.C.
10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with federal, State, or local governments, other than those listed above.
- See above
11. **Business relationships:** List all positions currently or formerly held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.
- None
12. **Memberships:** List all memberships, affiliations, or and offices currently or formerly held in professional, business, fraternal, scholarly, civic, public, charitable or other organizations.
- National Organization of Black Law Enforcement Executives (NOBLE) (since June 1996)
 - National Executive Board Member (Federal Assistant to the National President)
 - Washington D.C. Metropolitan Area Chapter President
 - Member, Police Executive Research Foundation (PERF) (Member since 2006)
 - Member, International Association of Chiefs of Police (IACP) (dates unknown; membership inactive)

13. **Political affiliations and activities:**

- (a) List all offices with a political party which you have held or any public office for which you have been a candidate.
- None
- (b) List all memberships and offices held in and services rendered to any political party or election committee during the last 10 years.
- None
- (c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$50 or more during the past 5 years.
- None

14. **Honors and awards:** List all scholarships, fellowships, honorary degrees, honorary society memberships, military medals and any other special recognition for outstanding service or achievements.

- Organized Crime Drug Enforcement Task Force (OCDETF), Certificate of Appreciation (June 1993)
- U.S. Attorney's Office, District of Connecticut, Certificate of Appreciation (1987 – 1996)
- DEA Exceptional Performance Awards
 - December 1990 (Administrator Robert Bonner)
 - September 1994 (Administrator Robert Bonner)
 - June 1998 (Administrator Robert Bonner)
 - September 2000 (Administrator Donnie Marshall)
 - August 2004 (Administrator Karen Tandy)
 - September 2006 (Administrator Karen Tandy)
 - July 2008 (Acting Administrator Michele Leonhart)
 - September 2009 (Acting Administrator Michele Leonhart)

15. **Published writings:** Provide the Committee with two copies of any books, articles, reports, or other published materials which you have written.

- *You Never Know Who's Watching*, NOBLE Newsletter, July 2009. (Attached)

16. **Speeches:**

- (a) Provide the Committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated. Provide copies of any testimony to Congress, or to any other legislative or administrative body.

- In June 2009, I was the keynote speaker at the Cross Channel Intelligence Conference in Essex, England. I addressed approximately 70-80 law enforcement managers regarding information sharing and how law enforcement components of the Department of Justice (DOJ) were trying to share information within DOJ and also externally with state and local counterparts. The attendees were from France, Belgium, Holland, and England. I have attached a copy of the presentation.
- (b) Provide a list of all speeches and testimony you have delivered in the past 10 years, except for those the text of which you are providing to the Committee. Please provide a short description of the speech or testimony, its date of delivery, and the audience to whom you delivered it.
- On two occasions during the last few years, I spoke on the topic of DEA investigations to an Administration of Justice class at Howard University taught by Professor Terrie Adams-Fuller. I did not speak from prepared remarks.

17. **Selection:**

- (a) Do you know why you were chosen for this nomination by the President?
- I believe I was chosen for this position because of my experience in counternarcotics operations and programs at the Drug Enforcement Administration, because of my experience in the area of law enforcement information sharing at the Department of Justice, and because of my work with Federal, State, and local law enforcement.
- (b) What do you believe in your background or employment experience affirmatively qualifies you for this particular appointment?
- I have served as a law enforcement officer for approximately 29 years, including 22 years as a special agent of the Drug Enforcement Administration. During that time, I have developed an acute understanding of the American criminal justice system. While my expertise is in drug law enforcement, throughout my career I have developed collaborative working relationships with numerous State and local police departments and various federal law enforcement agencies. I have acquired the knowledge, skills, and abilities necessary for providing competent and accountable leadership, and have learned how to achieve change within an organization. I have worked on the front lines of the war on drugs as a case and undercover agent and as a supervisor. I know what it takes to coordinate a successful drug enforcement operation in a multi-jurisdictional task force environment. I also have experience managing

staff at Headquarters; directing, coordinating, and planning programs; and motivating and mentoring people.

B. EMPLOYMENT RELATIONSHIPS

1. Will you sever all connections with your present employers, business firms, business associations or business organizations if you are confirmed by the Senate?
 - Yes
2. Do you have any plans, commitments or agreements to pursue outside employment, with or without compensation, during your service with the government? If so, explain.
 - No
3. Do you have any plans, commitments or agreements after completing government service to resume employment, affiliation or practice with your previous employer, business firm, association or organization, or to start employment with any other entity?
 - No
4. Has anybody made a commitment to employ your services in any capacity after you leave government service?
 - No
5. If confirmed, do you expect to serve out your full term or until the next Presidential election, whichever is applicable?
 - Yes
6. Have you ever been asked by an employer to leave a job or otherwise left a job on a non-voluntary basis? If so, please explain.
 - No

C. POTENTIAL CONFLICTS OF INTEREST

1. Describe any business relationship, dealing or financial transaction which you have had during the last 10 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.

- In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Homeland Security's Designated Agency Ethics Official to identify potential conflicts of interest. My potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I have entered into with the Department's designated agency ethics official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.
2. Describe any activity during the past 10 years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat or modification of any legislation or affecting the administration or execution of law or public policy, other than while in a federal government capacity.
 - None
 3. Do you agree to have written opinions provided to the Committee by the designated agency ethics officer of the agency to which you are nominated and by the Office of Government Ethics concerning potential conflicts of interest or any legal impediments to your serving in this position?
 - Yes

D. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics for unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, provide details.
 - No
2. Have you ever been investigated, arrested, charged or convicted (including pleas of guilty or nolo contendere) by any federal, State, or other law enforcement authority for violation of any federal, State, county or municipal law, other than a minor traffic offense? If so, provide details.
 - No
3. Have you or any business of which you are or were an officer, director or owner ever been involved as a party in interest in any administrative agency proceeding or civil litigation? If so, provide details.

- I was an unnamed plaintiff in two class action cases. I did not testify or otherwise participate in either case:

I was a member of a class of federal law enforcement officers in an action for overtime compensation under the Fair Labor Standards Act. The D.C. District Court awarded monetary damages to the plaintiffs in 2007.

In 1987, as a result of my new employment with DEA and my racial status as an African-American, I became a member of a class of African-American DEA agents who brought a suit alleging racial discrimination in hiring, promotion, and discipline. Previously, in 1982, the court had granted the plaintiffs injunctive relief and ordered ongoing oversight by a special EEOC committee.

- In approximately 1998, an employee at DEA brought an EEO complaint alleging age, race, and sex discrimination after the employee was reassigned to a different position with the same salary and title. I had made the decision to reassign this employee, in consultation with my two direct superiors, due to repeated performance issues. I was interviewed by telephone once regarding the complaint, but subsequently heard nothing further about the matter. As a result, I believe the matter was likely not pursued beyond the initial inquiry.
4. For responses to question 3, please identify and provide details for any proceedings or civil litigation that involve actions taken or omitted by you, or alleged to have been taken or omitted by you, while serving in your official capacity.
- Please see my response to question 3, above.
5. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be considered in connection with your nomination.
- In 2002, the owner of a business that was the target of a DEA enforcement operation alleged that the operation had harmed him financially and violated his civil rights. A subsequent investigation by DEA's Office of Professional Responsibility (OPR) determined that a DEA task force officer under my supervision had not properly documented the operation. Although the operation had been supervised by others and was conducted while I was out of the office attending a mandatory DEA training seminar, the DEA Deciding Official issued a "letter of caution," stating that I should have more closely reviewed the operation and ensured that it was properly documented. A "letter of caution" is not a disciplinary action and was not incorporated into my official personnel file. The investigation was closed in August 2003.

E. FINANCIAL DATA - REDACTED

All information requested under this heading must be provided for yourself, your spouse, and your dependents. (This information will not be published in the record of the hearing on your nomination, but it will be retained in the Committee's files and will be available for public inspection.)

AFFIDAVIT

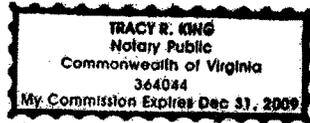
I, Grayling G. Williams being duly sworn, hereby states that he/she has read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of his/her knowledge, current, accurate, and complete.

Grayling G. Williams

Subscribed and sworn before me this 12th day of November, 2009

Tracy R. King

Notary Public





United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

November 18, 2009

The Honorable Joseph I. Lieberman
Chairman
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Grayling G. Williams, who has been nominated by President Obama for the position of Director, Office of Counternarcotics Enforcement, Department of Homeland Security.

We have reviewed the report and have also obtained advice from the agency concerning any possible conflict in light of its functions and the nominee's proposed duties. Also enclosed is an ethics agreement outlining the actions that the nominee will undertake to avoid conflicts of interest. Unless a date for compliance is indicated in the ethics agreement, the nominee must fully comply within three months of confirmation with any action specified in the ethics agreement.

Based thereon, we believe that this nominee is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert I. Cusick".

Robert I. Cusick
Director

Enclosures - REDACTED

**U.S. Senate Committee on Homeland Security and Governmental Affairs
Pre-Hearing Questionnaire for the
Nomination of Grayling Williams to be
Director, Office of Counternarcotics Enforcement, Department of Homeland Security**

I. Nomination Process and Conflicts of Interest

1. **Why do you believe the President nominated you to serve as Director of the Office of Counternarcotics Enforcement for the Department of Homeland Security (“DHS” or “the Department”)?**

Answer: I believe the President nominated me for this position to enhance the Department of Homeland Security's ability to coordinate its counternarcotics enforcement mission through my three decades of experience working with federal, state, and local law enforcement officials on counternarcotics. I served the Yale University Police Department for seven years, and have worked in counternarcotics operations and programs for over twenty years at the Drug Enforcement Administration (DEA) —giving me a frontline agent's understanding of how law enforcement information sharing operates at the Department of Justice (DOJ).

2. **Were any conditions, expressed or implied, attached to your nomination?**

Answer: No

3. **What specific background and experience affirmatively qualifies you to be Director of the Office of Counternarcotics Enforcement (CNE) for DHS?**

Answer: I have served as a law enforcement officer for approximately twenty-nine years, including twenty-two years as a special agent of the Drug Enforcement Administration (DEA). I know what it takes to coordinate a successful drug enforcement operation in a multi-jurisdictional task force environment. I also have experience managing headquarters staff; directing, coordinating, and planning programs; and motivating and mentoring employees. Throughout my tenure at the DEA, I have developed collaborative working relationships with numerous state and local police departments and various federal agencies. I have acquired the knowledge, skills, and abilities necessary to provide competent and accountable leadership and to understand how to achieve change within an organization.

4. **Have you made any commitments with respect to the policies and principles you will attempt to implement as Director of CNE? If so, what are they and to whom have the commitments been made?**

Answer: No. I have made no such commitments.

5. **If confirmed, are there any issues or matters from which you may have to recuse or disqualify yourself because of a conflict of interest or the appearance of a conflict of interest? If so, please describe them and explain what procedures you will use to carry out such a recusal or disqualification.**

Answer: No. To my knowledge, there are no such issues or matters.

6. **The Office of National Drug Control Policy Reauthorization Act of 2006 (P.L. 109-469) struck legislative language requiring that the Director of the CNE be the only person eligible at DHS to be the United States Interdiction Coordinator (USIC), a position with the responsibilities of coordinating and overseeing the use of federal resources in drug interdiction, due to concerns that the dual responsibilities had “become increasingly problematic,” and that the position of CNE Director, “is simply too large to allow sufficient time and attention for the mission of the USIC.” Do you believe that this was appropriate? Should the CNE Director also serve as the USIC?**

Answer: The USIC is responsible for “agency alignment with the National Drug Control Strategy.” As you are aware, DHS possesses more interdiction resources at the border than any other federal agency. If I am confirmed, I will engage ONDCP Director Kerlikowske to better understand ONDCP’s views.

7. **You have spent most of your career working for the Drug Enforcement Administration (DEA) in increasingly senior positions. DEA has often had a contentious relationship with some components within DHS.**

- a. **Are you prepared to be an advocate for DHS and its component agencies in the interagency process should their interests run counter to those of the DEA?**

Answer: I am fully prepared to be the chief advocate for DHS, CNE, and other DHS components in the interagency process in the area of counternarcotics enforcement. While I greatly value the relationships I have formed and the experience I have gained at the DEA, I fully understand the expectation that if confirmed as a leader at the Department of Homeland Security, I will advocate on behalf of departmental priorities.

- b. **How would you leverage your relationships from your experience at DEA in order to further the mission of CNE?**

Answer: Secretary Napolitano has made clear her interest in furthering the goal of “One DHS.” Not only does this require greater internal integration, it requires that those who serve DHS capitalize on and institutionalize pre-existing relationships with federal, state and local officials. Over my years at the DEA, I developed close relationships with the

agency's senior leadership, as well as with other federal, state, and local law enforcement officials. I served with many members of the law enforcement community on task forces and operations. I hope to institutionalize these relationships and better position the components of DHS in our counternarcotics mission, at home and abroad. Lastly, my experience developing and establishing programs at DEA can support DHS work with the interagency, strengthening areas where DHS and DEA can enhance coordination and avoid duplication of efforts.

II. Role and Responsibilities of the Director of the Office of Counternarcotics Enforcement, Department of Homeland Security

8. What is your view of the role of the Director of the Office of Counternarcotics Enforcement? What do you believe should be the primary focus or concern for DHS Counternarcotics Enforcement?

Answer: DHS component organizations – the United States Coast Guard (USCG), Customs and Border Protection (CBP), and Immigration and Customs Enforcement (ICE) – have significant responsibilities in the national counterdrug effort. However, these agencies' resources are focused on "all threats" that pose a risk to U.S. national security, not specifically the counternarcotics mission. The creation of the CNE office by Congress emphasizes the counternarcotics mission within the homeland security enterprise. Given that emphasis, the CNE Director is and should be: 1) the Secretary's principal advisor for the counternarcotics mission, and 2) the chief advocate and coordinator for counternarcotics policy and missions within the Department and for DHS in the interagency process. The CNE Director must ensure the formation and articulation of a coherent departmental counternarcotics policy, and advocate within the interagency process on behalf of the counternarcotics mission of all DHS components.

9. In your view, what are the major internal and external challenges facing DHS and the Office of Counternarcotics Enforcement? If confirmed, what specific actions would you take to address these challenges?

Answer: In my view, the major external challenge facing CNE is to ensure the effective coordination of DHS' counternarcotics efforts with other departments with subject matter jurisdiction in the interagency process. The major internal challenge facing the DHS CNE is ensuring the appropriate allocation and prioritization of resources to the counternarcotics mission while other national security concerns continue to multiply in type and number.

If confirmed, I will work to ensure coordination and collaboration with DHS operational components. Collaboration among DHS agencies is important in order to ensure sustainable information flow, intelligence sharing, and coordinated responses to the drug trafficking threat facing this nation's national security.

If confirmed, I will work to establish fruitful relationships with state, local, and tribal drug law enforcement agencies (DLEAs) – organizations that are at the “tip of the spear” in the counternarcotics effort. We can also strengthen relationships with other parts of the counterdrug federal interagency community such as DEA.

10. Are you aware of the current funding or staffing level for the Office of Counternarcotics Enforcement?

Answer: Yes. If confirmed, I will lead an office of 15 full-time employees with a FY 2010 budget of approximately \$3.6 million.

a. Do you believe that this level of staffing or funding is appropriate given the CNE mandate?

Answer: At this point, it is difficult to make an assessment of whether the funding and staffing is appropriate. If confirmed, I will review the functions and operations of the office and determine the adequacy of funding.

b. What kind of resources do you envision the Office of Counternarcotics Enforcement will need to be effective?

Answer: As I mentioned above, if confirmed, I will conduct a review to better assess whether resources match CNE's mission needs. The statutory responsibilities of CNE include the coordination of policy and operations internally and externally, ensuring the adequacy of resources, recommending the appropriate financial and personnel resources, representing DHS on all task forces, committees, or other entities whose purpose is to coordinate the counternarcotics enforcement activities of DHS and other federal, state or local agencies, and tracking and severing connections between illegal drug trafficking and terrorism within the Joint Terrorism Task Force. Most of CNE's mission is focused on coordinating internal and external outreach, prioritizing the counternarcotics mission across the Department, and ensuring a counternarcotics enforcement presence in the interagency process. If confirmed, my review will include an assessment of what it would take to fully carry out the office's responsibilities. In addition, I am interested in ensuring that the office has personnel that fully understand the responsibilities of components with counternarcotics related missions. To that end, I believe that the management directive requiring that USCG, CBP and ICE provide detailees to staff CNE is extremely helpful in ensuring collaboration and coordination.

c. Do you anticipate a need for additional staffing or funding beyond CNE's current level?

Answer: If confirmed I plan to conduct a complete review of funding and staffing issues within CNE.

11. **Please describe in detail your previous experiences with policy formulation. How will your past operational drug interdiction experiences guide you in setting counternarcotics enforcement priorities at DHS?**

Answer: I previously served as the head of the Policy and Source Management Section at DEA headquarters. My primary responsibility in this capacity was to develop operational policy to set guidelines for how agents should perform their duties in the field. In furtherance of this objective, my unit conducted revisions to the DEA Agents Manual, while working in concert with the field, the DEA Office of Chief Counsel, and the Department of Justice (DOJ). I received policy inquiries from these entities and directed my staff to conduct research into the issue we were presented. Depending on the issue, we would bring together subject matter experts from the field to receive their input. I have also developed decision and position papers on various topics. My past experience at DEA will assist me in working with the operational components of DHS, especially those with a counternarcotics mission, to assist them in enhancing their programs and improving coordination and collaboration.

12. **The mission of the White House Office of National Drug Control Policy (ONDCP) is to establish policies, priorities, and objectives for the nation's drug control program. ONDCP goals include reduction of drug manufacturing and trafficking. ONDCP also has budgetary review duties. These duties can appear to overlap with those of CNE, which is statutorily required to review DHS budget submission for drug control missions and to establish priorities and objectives for DHS's counternarcotics mission.**

- a. **To what extent do you believe the responsibilities of CNE overlap with those of ONDCP?**

Answer: CNE and ONDCP both ensure that resources and policies are adequate to support the counternarcotics effort. ONDCP does this across the interagency while CNE is focused primarily on the resources and policies within the Department of Homeland Security.

- b. **If confirmed, what approach would you take to ensure that any overlaps are well-coordinated and that programs and policies are consistent and integrated?**

Answer: If confirmed, I will establish a regular CNE dialogue with ONDCP Director Kertikowske and his senior staff. I will ensure that CNE staff work in concert with their counterparts at ONDCP. With regard to ONDCP's review of the DHS CNE budget, I believe that the office's review of CNE's budget can help ensure greater coordination of the counternarcotics mission across the federal government.

13. **One of CNE's responsibilities is to coordinate policy and operations within DHS, between DHS and other federal departments and agencies, and between DHS and state and local agencies with respect to stopping the entry of illegal drugs into the United States. Within DHS, the U.S. Coast Guard, Customs and Border Protection (CBP), and Immigration and Customs Enforcement (ICE) all have robust drug interdiction roles and all interact with other federal, state, and local law enforcement agencies.**

- a. **Included among DEA's primary responsibilities is "coordination and cooperation with federal, state and local law enforcement officials on mutual drug enforcement efforts." This mission appears to be similar to CNE's coordination responsibility. To what extent do you believe the responsibilities of CNE overlap with those of DEA?**

Response: CNE's responsibilities do not overlap with those of the DEA. On the contrary, CNE compliments and can assist DEA in coordination and collaboration with DHS. The CNE coordination mission is premised on the work of DHS operational components, and our advocacy role is on behalf of DHS' counternarcotics enforcement mission as it relates to the security of our borders. CNE does not have an operational or intelligence gathering role, as DEA does. DEA, as a single mission law enforcement agency, is primarily focused on drug enforcement. Several DHS components – ICE, CBP, USCG, to name a few – have a counternarcotics mission but are also responsible for executing various homeland security missions unrelated to drug enforcement. CNE can be the "glue" to bring these counternarcotics roles together in a cohesive fashion.

- b. **If confirmed, how would you view your role with respect to coordinating DHS's counternarcotics enforcement efforts with DEA and other federal and state law enforcement agencies?**

Answer: Because of my long tenure at DEA, I can bring unique strengths to DHS to enhance coordination with DOJ and across the interagency. I expect to serve DHS as an advocate for DHS counternarcotics policy and to work with my colleagues at ICE, CBP and USCG in enhancing the coordination of counternarcotics enforcement operations. One of my primary responsibilities will be to initiate and facilitate an ongoing dialogue among DHS, DEA, and other federal and state law enforcement agencies in order to coordinate DHS's counternarcotics efforts.

- c. **What specific organizational arrangements, decision-making mechanisms, and procedures would you implement to ensure coordination of counternarcotics policies and operations within DHS? Between DHS and other federal departments and agencies? Between DHS and state and local agencies?**

Answer: Within DHS, if confirmed, I would utilize the Counternarcotics Coordinating Council where senior DHS leadership collaborates on the Department's counternarcotics activities. Between DHS and other federal agencies, I will create formal and informal links through working groups. I will conduct personal visits with senior leadership of the other federal agencies, and create staff-to-staff relationships by which contact is regular and productive. Between DHS and state and local agencies, I will utilize existing mechanisms, such as the DHS Office of State and Local Law Enforcement's regular calls to local law enforcement officials to facilitate greater coordination of efforts. Moreover, I will work with the DHS Office of Intergovernmental Affairs to conduct additional outreach to state and local law enforcement agencies.

- d. **What specific actions will you take to ensure that DHS' counternarcotics strategy is effectively implemented and coordinated throughout the component agencies?**

Answer: If confirmed, I plan to utilize the Counternarcotics Coordinating Council (CCC) as an outreach and communication vehicle for the various DHS component heads to strengthen the Department's counternarcotics strategy, the respective components' roles, and the role of CNE in the coordination and implementation of policy and strategy. In order to promote coordination, and enhance CNE expertise in each of the relevant components, I will ensure that the CNE office staff includes detailees from components such as ICE, CBP, and US Coast Guard. Additionally, I will work with the components to review departmental counternarcotics performance measures, and specific counternarcotics performance measures for each of the components.

14. **The CNE Director is required to review and evaluate for various House and Senate committees the President's request for DHS expenditures. The goal of this review is to identify how the requested funds would be expended in furtherance of counternarcotics activities and compare such requests with Administration requests for expenditures and amounts appropriated by Congress in the previous fiscal year. The Director is also tasked with reviewing and evaluating counternarcotics activities each February for the previous year.**

- a. **Please describe, in detail, your previous experience in reviewing budget requests.**

Answer: As a DEA supervisory special agent, I reviewed and submitted training budget requests and managed the in-service training program for all DEA employees. I also participated in the preparation of the overall training budget for the DEA Office of Training. While assigned as a field supervisor, I worked within the constraints of our quarterly operations funding allocations and prioritized investigative expenditures.

- b. **What criteria do you believe should be used to review and evaluate the expenditure requests?**

Answer: If confirmed as the Director of CNE, I will conduct cost/benefit analyses when expenditure requests are brought to my attention to determine the viability of each request. I will assess whether the request fulfills the office's mission and responsibility, and whether the request is a worthwhile and cost effective expenditure. I will also consult with relevant components on the expenditure request to ascertain if there is already a program or initiative in place that is performing the proposed function.

- c. **If confirmed, how would you ensure that budgetary requests at DHS include performance measures? What performance measures do you believe are needed to review and evaluate the counternarcotics enforcement activities of the Office?**

Answer: If confirmed as Director of CNE, I will be responsible for recommending the appropriate financial and personnel resources necessary to help DHS better fulfill its responsibility to stop the entry of illegal drugs into the United States. Performance measures, properly constructed, are an invaluable tool in assessing an organization's progress, needs, and adequacy of requests for additional resources. If confirmed I will conduct an assessment of our current system of performance measures in consultation with the relevant operational component to ensure it includes their input and accurately reflects current activities.

15. **While CNE has been given statutory responsibility for policy and operations within DHS with respect to stopping the trafficking of illegal drugs, other entities within the Secretary's office have overarching responsibility for policy (Assistant Secretary for Policy) and operational coordination (Director of Operations Coordination).**

- a. **If confirmed, what do you believe your relationship will be to these offices and officials?**

Answer: CNE should be viewed as a partner with Policy and Operations Coordination. The Office of Counternarcotics Enforcement is the departmental integrator on all matters relating to counternarcotics policy. If confirmed, I will strive to establish a proactive, positive partnership with these offices and plan to meet with Assistant Secretary David Heyman of Policy and Rear Admiral John Acton, Director of Operations Coordination to foster positive working relationships with senior officials from these offices, as well as the other components that have equities in counternarcotics enforcement.

- b. **How will you ensure that the potential overlap in jurisdictions between your offices does not duplicate resources or lead to mixed messages to frontline staff?**

Answer: If confirmed, I plan to work closely with the Secretary and the leadership of ICE, CBP, the USCG, and the Offices of Public Affairs, Policy and Operations

Coordination to ensure that there is a unified message on counternarcotics enforcement policy. By congressional mandate, the Director of CNE is tasked with conducting a review and evaluation of the President's budget requests for DHS counternarcotics expenditures each year and presenting this review to committees of jurisdiction in both the House and Senate. Furthermore, the same congressional mandate states that CNE is to "be a representative of the Department on all task forces, committees, or other entities whose purpose is to coordinate the counternarcotics enforcement activities of the Department and other Federal, State or local agencies." Through this mandate, Congress clearly established the DHS counternarcotics coordination and policy development role within CNE. Coordination and a seamless information exchange between CNE and other DHS entities, such as the Office of Policy and the Office of Operations Coordination, will be necessary to ensure resources are maximized.

16. **Since the formation of DHS, concerns have been raised regarding the appropriate balance between activities aimed at countering terrorism and programs that do not directly deal with terrorism. Although drug traffickers are sometimes linked to terrorism, other trafficking enterprises have no direct link to terrorism. What approach will you take to ensure that CNE's and DHS's counternarcotics activities appropriately prioritize counterterrorism and drug-trafficking?**

Answer: Stemming the flow of illicit narcotics into this country is one of Secretary Napolitano's key goals. While many federal agencies, departments, and organizations are concerned with stopping terrorists and their activities, CNE is a unique office focused on a specific threat – drug trafficking. The end goal is to secure our borders from the threats posed by illicit narcotics. If confirmed, I will work closely with DHS Intelligence and Analysis, and DHS components with interdiction and investigation responsibilities to ensure that we are exploiting any and all investigative leads or information about the involvement of terrorists in drug trafficking. I will also work to ensure that whenever a link to terrorism is developed, through an investigation or drug interdiction operation, that information is shared within DHS, with the counternarcotics community through the SOD Terrorism Coordination Unit and, when appropriate, among other federal, state and local law enforcement.

III. Policy Questions

17. **If confirmed, you will have responsibility for leading an office within DHS with specific responsibilities, including: (1) coordination of policy and operations within DHS, between DHS and other federal departments and agencies, and between DHS and state and local agencies with respect to stopping the entry of illegal drugs into the United States; (2) ensuring the adequacy of resources within DHS for stopping the entry of illegal drugs into the United States; (3) recommending the appropriate financial and personnel resources necessary to help DHS better fulfill its responsibility to stop the entry of illegal drugs into the United States; (4) tracking**

and severing connections between illegal drug trafficking and terrorism within the Joint Terrorism Task Force; and (5) representing DHS on all task forces, committees, or other entities whose purpose is to coordinate the counternarcotics enforcement activities of DHS and other federal, state or local agencies.

- a. Taking each of these five areas separately, what do you see as the major counternarcotics enforcement policy and operational issues the office will have to contend with during the next year? During the next five years?

Answer: If confirmed, some of the issues that we will have to contend with include: (1) Coordination – CNE will have to re-establish its position as the lead on DHS counternarcotics activities and reinvigorate our partnerships with our counterparts, both inside and outside of DHS. (2) Adequacy of Resources – CNE will have to “be at the table” to appropriately represent the interests of the counternarcotics community within DHS to ensure that emerging technology and other resources (air, land, and marine) are earmarked for use in counternarcotics missions as well as other border security programs. (3) Recommend appropriate financial and personnel resources – CNE must review expenditures and ensure that we are spending funding wisely and working to avoid duplication of effort by identifying collaborative ventures for DHS counternarcotics components. (4) Tracking/severing ties between drug traffickers and terrorists – we will ensure components across the Department are incorporating this mandate into everything they do in the counternarcotics arena. (5) CNE must continue to strengthen relationships with the components to best represent DHS and all of its counternarcotics activities at external coordination meetings. This is why it will be extremely important to have detailees from ICE, CBP, and USCG assigned to CNE.

Over the next five years, drug trafficking across the Southwest and Northern Borders will continue to present huge challenges to our country, but there are several initiatives in play that will assist in addressing these problems. Tracking and intercepting criminal proceeds, money laundering, tunnels, smuggling via submarines and low-flying aircraft, and weapons smuggling/trafficking will also continue to be issues for DHS.

- b. If confirmed, what will be your policy and operational priorities in each area in the first year? During the next five years?

Answer: Over the coming year, if confirmed, I plan on reviewing Memoranda of Understanding between CNE and other agencies and components, examining performance measurements, providing input to the National Drug Control Strategy, and updating the Southwest Border Counternarcotics Strategy. We will be working closely with DIIS' Offices of Policy and Intelligence and Analysis to identify what the emerging threats are over the next five years to determine how the office's efforts can best be utilized to fulfill its mission. Specifically, if confirmed, (1) I will seek to reinvigorate the Counternarcotics Coordinating Council to develop the relationships among the DHS components with counternarcotics missions. I will also identify opportunities for

operational task forces and fusion centers to enhance participation and cooperation with other federal agencies, as well as state, local and tribal governments. (2) I will work with our chief counternarcotics components to ascertain what resources they will need to stop the flow of drugs into the U.S. To that end, I will establish a uniform methodology by which these components will be able to request such resources. With the assistance of the DHS Budget Office and Office of Policy I will tie these requests to performance measurements. (3) Based upon #2, I will be able to move forward with appropriate financial and personnel recommendations. (4) In the area of tracking and severing links between drugs and terrorism, I will work to instill a mindset throughout the DHS counternarcotics community to always search for possible links between drug trafficking and terrorism. Finally, (5) I will ensure that there is a single coordinating voice for counternarcotics in DHS.

- 18. Do you believe that the responsibilities of the various federal agencies that play some role in investigating drug trafficking organizations, including ICE, CBP, the U.S. Coast Guard, the DEA, the Federal Bureau of Investigations (FBI), and the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), are sufficiently well defined to permit necessary interagency cooperation without leading to counterproductive jurisdictional disputes? If confirmed, what specific actions will you take to ensure that jurisdictional disputes do not interfere with DHS's ability to work effectively with its federal partners to interdict drug smuggling?**

Answer: I believe that the responsibilities of the various federal agencies that play some role in investigating drug trafficking organizations are sufficiently well defined to permit necessary and productive interagency cooperation. While there is some overlap of authorities among federal departments, that overlap should ensure and facilitate enhanced enforcement, if coordinating mechanisms are in place. If confirmed, I will ensure that we maintain open lines of communication with senior officials through the interagency. As a former DEA agent, I will bring a fresh, unique perspective to DHS's mission, ensuring that DHS is able to integrate and coordinate its efforts with DEA and, more broadly, with DOJ's counternarcotics activities. My previous association with organizations such as the National Organization of Black Law Enforcement Executives (NOBLE) will assist me in bridging the gap between various federal law enforcement agencies. As the former Federal Advisor to the NOBLE National President, I have worked with Director Mueller of the FBI, Acting Director Melson of ATF, and DEA Acting Administrator Leonhart for many years. If confirmed, I hope to leverage these pre-existing relationships in my new position.

- 19. In outlining how performance measures for seizures are currently being compiled, the CNE 2009 Report to Congress, notes that "[i]n the future, CNE aims to have a rigorous 'credit' assignment system of scoring the seizure that can be empirically demonstrated. In theory, a deeper understanding of asset application will be used to properly assign the correct value to an agency's contribution to the final seizure. The benefit will be a demonstration of the impact of intelligence and air and**

maritime detection and monitoring assets in yielding seizures, arrests, and indictments.”

- a. **What is your assessment of the performance measurement system currently being used for counternarcotics operations at DHS?**

Answer: Performance measures are an invaluable tool in assessing the needs of organizations and their requests for additional resources. While DHS components currently have counternarcotics related performance measures in place, those measures are unique to the particular component. To better unify the Department's efforts, it is important that CNE develop departmentwide performance measures. If confirmed, one of my priorities will be to revise the system we currently use.

- b. **What role do you believe that performance measures should have in setting enforcement priorities for DHS? Do you believe that there are any limitations to using performance measures in such a way?**

Answer: I believe that performance measures can serve as a good indicator of how successfully we are conducting our efforts, and, as such, should be a benchmark in setting enforcement priorities for DHS. Moreover, when used in conjunction with Intelligence and Analysis' determinations of future trends, performance measures can serve as indicators of emerging threats. This enables us to be proactive when setting departmental priorities. However, we must also take into account the variables that can affect performance. Performance measures are critical, but any single set of data must not blind us to the complex realities at work on the ground.

- c. **Will you support the goal outlined above to move to a “rigorous credit assignment system” to score seizures made by component agencies?**

Answer: If confirmed, I will engage in a full review of CNE's activities, including the effort to create a credit assignment system. I will work with the agency heads to determine whether this approach is the best one to pursue.

- d. **There has been some uncertainty concerning how DHS component agencies measure their performance. For example, ICE reports drug seizures generated through its Border Enforcement Security Taskforce program that may actually have originated in other federal, state, or local law enforcement agencies. What specific actions would you take, if confirmed, to ensure that the DHS component agencies that play a significant role in counternarcotics enforcement properly measure their counter drug activities?**

Answer: If confirmed, I will examine drug seizures and data compiled by DHS components and will look at DEA's National Seizure System as a point of comparison. I also hope to enhance reporting at DHS. Currently CNE receives data on seizures from

ICE, CBP and the USCG semi-annually upon request. It could be helpful to create a data reporting system, so that all DHS operational activity is provided to CNE and helps inform counternarcotics policy formulation.

20. **The CNE 2009 Report also notes that “CNE plays a prominent role in U.S. efforts to increase bilateral and multilateral cooperation with the [Government of Mexico] on security issues, including those related to the smuggling of illegal drugs and related criminal activities.” A number of component agencies also have a prominent role to play in coordinating efforts with Mexican authorities. If confirmed, what specific actions will you take with regards to cooperation with the Government of Mexico?**

Answer: U.S. cooperation with Mexico to combat narcotics operations represents a historic opportunity. I understand that CNE is working closely with its interagency partners – including the Departments of Justice (DOJ), State (DOS), and Defense (DOD) – to ensure an effective and coordinated approach to combating drug-related threats emanating from Mexico. CNE has crafted a comprehensive Southwest Border Counternarcotics Strategy, which identifies concrete joint actions to enhance intelligence and information sharing, strengthen interdiction capabilities, and provide the proper investigatory and prosecution tools to combat drug cartels. If confirmed, I would look to advise Secretary Napolitano on policies related to how our counternarcotics components can work together to assist the Government of Mexico.

21. **What specific actions will you take to coordinate CNE’s efforts in this arena with those efforts already being undertaken by component agencies?**

Answer: If I am confirmed, CNE will continue to take action to provide policy guidance and assistance to DHS components on a number of levels with regard to the Southwest Border and the Merida Initiative. For example, CBP plays a key role in implementing projects related to deploying non-intrusive inspection equipment (NII) and canines in Mexico. If confirmed, I plan to work with both CBP and the Department of State to ensure that DHS resource and funding needs are met in this respect. CNE will also work with CBP and the Government of Mexico’s Customs Service to align U.S. operations with Mexico operations in order to more effectively leverage the resources and capabilities of both countries.

22. **This Committee has been increasingly concerned that Stored Value Cards and other forms of digital currencies represent a loophole in our enforcement posture at the border that may be exploited by drug smuggling organizations and terrorist networks to fund their activities in the U.S. and launder their illicit proceeds.**
- a. **What specific priorities do you believe DHS should have in its strategic plans for reducing funds that are funneled into Mexican and Columbian drug cartels from the United States?**

Answer: We must target the illicit use of electronic payment devices and encourage agencies to share financial investigative information and intelligence that subsequently leads to the identification and prosecution of illegal use of money services and electronic payment devices. Unless sufficient controls are in place, narcotics traffickers will increasingly rely upon new industries and technology to launder and move funds from the United States into Mexico and Colombia. U.S. law enforcement and regulators need to work closely with these emerging industries to ensure that anti-money laundering controls are implemented to effectively monitor the purchase of these devices and subsequent financial transactions. We must also develop a cohesive strategy with our other federal partners that are also targeting drug proceeds of Mexican and Colombian drug trafficking organizations.

b. What is your assessment of the threat posed by stored value cards and other digital currencies?

Answer: Stored value cards and other digital currencies present a challenge to the security of this country. The difficulties faced by law enforcement officers and organizations in mitigating the flow of bulk currency across our borders is exacerbated by the ease with which stored value cards can be transported. The likelihood that drug traffickers and criminals are exploiting the convenience and anonymity of prepaid stored value cards to launder and move funds associated with their illicit enterprise is of great concern and is something that the law enforcement community must counter with a new strategy.

c. Do you believe that individuals entering or exiting the U.S. through a port of entry should be required to report stored value cards or digital currencies in excess of \$10,000?

Answer: Yes. I believe that individuals entering or exiting the U.S. through a port of entry should be required to report stored value cards or digital currencies in excess of \$10,000 due to the inherent risk that these cards are being used for illicit activities.

d. The "Credit Card Accountability Responsibility and Disclosure Act of 2009," which was signed into law by President Obama in May, requires the Secretary of the Treasury, in consultation with the Secretary of Homeland Security, to issue regulations "regarding...international transportation" of stored value cards. The deadline for issuance is 270 days after enactment, which will be in February 2010. If confirmed, what specific regulations would you advise the DHS Secretary to advocate for in order to best address the role played by stored value cards in narcotics trafficking?

Answer: I have not had the opportunity to review the legislation, but if confirmed, I will advise Secretary Napolitano to support regulations, which would give law enforcement the ability to trace the ownership of stored value cards, including where, when and from

whom they were purchased. I would look to subject matter experts, most likely in ICE, for further guidance in this area. I would also ask for a comprehensive review of the legislation to determine further regulations that would aid law enforcement in conducting these investigations.

23. **In June 2009, the ONDCP released a National Southwest Border Counternarcotics Strategy which identified six key strategic objectives for improving the efforts of the federal government in addressing the threat posed by the activities of Mexican cartels and drug trafficking organizations. The strategy identifies the following strategic objectives: a) enhance intelligence capabilities associated with the Southwest border; b) interdict drugs, drug proceeds, and associated instruments of violence at the ports of entry, between the ports of entry, and in the air and maritime domains along the Southwest border; c) ensure the prosecution of all significant drug trafficking, money laundering, bulk currency, and weapons smuggling/trafficking cases; d) disrupt and dismantle drug trafficking organizations; e) enhance counterdrug technologies for drug detection and interdiction along the Southwest border; and f) enhance U.S.-Mexico cooperation regarding joint counterdrug efforts.**

- a. **What do you believe are the primary challenges to achieving these objectives?**

Answer: Meeting the strategy's objectives with regard to resourcing programs and personnel requirements will be difficult, especially as federal, state, local, and tribal governments face a challenging economic environment. The third objective, ("ensure the prosecution of all significant drug trafficking, money laundering, bulk currency, and weapons smuggling/trafficking") is an example of an exceptionally resource dependent objective. Additionally, intensified efforts in targeting, interdiction, investigation, and prosecution of Southwest Border drug cases will also have a significant impact on other criminal justice system components.

- b. **If confirmed, what will be your policy and operational priorities in each area?**

Answer: If confirmed, my first priority would be to continue efforts towards a "One DHS" environment where information is freely shared among components. We must then look outward to our federal, state, and local partners and set up information sharing systems through our involvement in fusion centers, regional information sharing systems, and various task forces. My next priority would be to sit down with CBP and the U.S. Coast Guard and determine what resources they need to keep up their level of intensity in interdiction efforts. We must also explore emerging technology and/or upgrades to current interdiction equipment. With regard to prosecution of Southwest Border drug, money laundering, and gun smuggling cases, I would continue to encourage joint investigations through BEST task forces, HIDTA task forces, and OCDETF task forces.

We will need to explore prosecution, where appropriate, by state and local district attorneys and also support prosecutions in Mexico. Finally, if confirmed, I would work to ensure that every component within DHS with a counternarcotics mission understands that our policy towards criminal activity at the Southwest border must be constant, unrelenting enforcement. In an effort to disrupt and/or dismantle the activities of smuggling organizations our policy should be to support interdiction efforts; recruitment and development of informants for intelligence gathering and proactive investigations; and undercover operations in the areas of drug purchases, bulk money movement, and weapons.

24. **The Southwest Border Strategy identifies “early and persistent detection capabilities, joined with multi-agency assets” as crucial to effective air and marine counternarcotics operations. Currently, CBP’s Air and Marine Operations Center (AMOC), the Coast Guard, U.S. Navy, National Guard, and other federal, state, and local law enforcement officials participate in this effort.**

a. **What do you envision CNE’s role to be in these efforts?**

Answer: CNE should coordinate counterdrug efforts within the Department and between the Department and its federal, state and local partners. If confirmed, I will seek the placement of a National Guard liaison in CNE.

b. **In your view, what can be done to improve air and marine operations’ efforts in the counternarcotics arena?**

Answer: I believe that we need to fully integrate all available sensors, law enforcement databases, and intelligence into a centralized location to facilitate communication and coordination of effort. In addition, we need to allocate sufficient funding for physical and personnel resources to ensure that we can maximize counternarcotics efforts.

c. **What would you do to ensure that DHS components are coordinating effectively in this effort?**

Answer: If confirmed, I would maintain open lines of communication between my office and the AMOC and other Federal entities involved in the air and marine counternarcotics efforts. I will seek the placement of liaison officers within CNE to better coordinate these activities.

25. **The Southwest Border Strategy advocates an increased emphasis on enforcement activities between the ports of entry, with particular focus on task force initiatives such as the Border Enforcement Security Teams or the Organized Crime Drug Enforcement Taskforce Southwest Border Strike Forces.**

a. In your view, what should be the role of these taskforces in addressing the southwest border threat?

Answer: If confirmed, I would fully support placing an increased emphasis on task forces to address criminal activities along the Southwest border. The BESTs are uniquely positioned to address border vulnerabilities as well as the underlying crimes that fuel cross-border violence, which include weapons smuggling across the U.S./Mexico border. Similarly, the Organized Crime Drug Enforcement Task Forces (OCDETF) Fusion Center brings together the principal Federal law enforcement agencies to focus on the most significant real-time enforcement intelligence to develop target profiles and identify links between drug trafficking organizations (DTOs) smuggling contraband and people over the Southwest border. Such taskforces play a critical role in stemming the flow of drugs, weapons, and illicit cash proceeds between the U.S. and Mexico, and if confirmed I would fully support their continued use.

b. How can the capabilities of taskforce initiatives be enhanced, and what role should they play in enforcement activities with state and local law enforcement agencies?

Answer: Integrating state, local, and tribal law enforcement investigators with federal agents would further enhance the effectiveness of these taskforce initiatives. These entities, generally closer to the ground, have first-hand knowledge of criminal activity, have identified confidential informants within their local jurisdictions, and have years of expertise working within their local communities. By combining the talents and resources of federal, state, local, and tribal law enforcement, we can disrupt and dismantle drug trafficking organizations and identify their links, if any, to foreign terrorist organizations. A key element to the success of such task forces is the strategic co-location of all participating members to ensure that the necessary information and intelligence is provided to all of its members.

c. What, if any, do you envision for CNE in these taskforces?

Answer: DHS has several operational components that are represented on these taskforces, and CNE operates in support of these components' operational efforts. CNE, however, is not a law enforcement entity or enforcement/operational component of DHS. Therefore CNE would not have any direct operational role to play in these operational task forces. If confirmed, I would direct CNE to support our DHS components in developing strategies and improving coordination among agencies inside and outside of DHS, but the CNE role at the "street level" would be limited. I understand that CNE fosters relationships between various federal, state, local and, tribal law enforcement partners by encouraging information sharing relative to drug trafficking and terrorism and by soliciting their advice on how to track and sever drug trafficker/terrorist connections.

26. **Given the renewed emphasis on proposals to increase security along the land border, what do you believe should be the Department's long-term strategy to counter the inevitable shift to smuggling increased amounts of narcotics and immigrants via maritime routes? Across the northern border?**

Answer: DHS needs to continue its forward-thinking approach of collaborating with our Legislative and Executive Branch partners in countering the increased use of waterways by drug trafficking organizations. For example, just this past year the Drug Trafficking Vessel Interdiction Act (DTVIA) became law, in direct response to the increasing use of small submersible vessels by drug traffickers to smuggle drugs. Securing the Northern Border from the flow of illicit narcotics presents unique challenges. As such, DHS needs to develop a comprehensive assessment of how we can increase security without harming the valuable flow of goods and services across the border.

27. **What do you believe should be the DHS strategy for eliminating or severely reducing the creation of tunnels along the southwest border that are used to smuggle narcotics into the United States?**

Answer: Criminal organizations have demonstrated ever-evolving capabilities to creatively construct and use underground passageways to transport narcotics, people, and other illicit contraband into the continental United States. Successfully countering the construction and use of tunnels depends on two critical capabilities: 1) intelligence collection and the information-sharing related to the planning, financing, construction, and use of tunnels, and 2) detection of tunnel construction and smuggling activities. The Department of Homeland Security and the Department of Justice will continue to work with the Department of Defense and other organizations to research new and improved technologies, procedures, methods, and techniques for detecting the construction and use of crossborder tunnels and subterranean passageways.

IV. Relations with Congress

28. **Do you agree without reservation to respond to any reasonable summons to appear and testify before any duly constituted committee of the Congress if you are confirmed?**

Answer: Yes

29. **Do you agree without reservation to reply to any reasonable request for information from any duly constituted committee of the Congress if you are confirmed?**

Answer: Yes

V. Assistance

30. Are these answers your own? Have you consulted with the DHS or any interested parties? If so, please indicate which entities.

Answer: Yes. These answers are mine. I have participated in briefings provided by the Department of Homeland Security, and the content of those briefings has helped inform my responses to these questions.

AFFIDAVIT

I, BRAYLIE G. WILLIAMS, being duly sworn, hereby state that I have read and signed the foregoing Statement on Pre-hearing Questions and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

Braylie G. Williams

Subscribed and sworn before me this 3rd day of December, 2009.

Jared Vincent Ferris
Notary Public



Jared Vincent Ferris
Notary Public, District of Columbia
My Commission Expires 12-14-2009

Senator Carl Levin
Questions for the Record
Pre-Hearing Questions for Grayling G. Williams
Director, Office of Counter Narcotics Enforcement, Department of Homeland Security
November 20, 2009

1. **In the area of combating money laundering, do you believe that companies formed in the United States should be required to identify the beneficial owner of these companies and should DHS grant funds be used to help pay for this mandate?**

Response: While I am not a subject matter expert on money laundering, I understand that there is pending legislation that attempts to close a loophole that allows corporations to be formed in certain States that then are allegedly sold to overseas criminal enterprises that use them as "shell" entities in various fraudulent or criminal schemes. I know that criminal targets may utilize shell corporations, and law enforcement's inability to gain access to true beneficial ownership information impedes the efforts of investigators to follow criminal proceeds. I support efforts to close these types of loopholes. To disrupt and dismantle an organization, we must not only seize its contraband but we must also seize its criminal proceeds, so that the organization cannot continue its criminal enterprise during and after the incarceration of those who operated the enterprise.

Regarding the use of DHS grant funds, I will need to further study how homeland security grant programs are currently implemented and how to most effectively and prudently utilize DHS funding to combat money laundering operations.

**Senator Susan Collins
Questions for the Record
Pre-Hearing Questions for Grayling G. Williams
Director, Office of Counter Narcotics Enforcement, Department of Homeland Security
November 20, 2009**

1. **In your responses to the Committee's biographical questionnaire, you noted that you had received a "letter of caution" from the DEA's Office of Professional Responsibility (OPR) resulting from an investigation that ended in 2003 of a DEA enforcement operation in which the OPR determined that a task force officer under your supervision had not properly documented the operation and that you should have more closely reviewed the operation.**
- a. **Please describe the nature of the operation in question, including when it took place.**

Answer:

Please note that I have done my best to answer each question regarding this operation, including the questions below and the relevant question on the Committee's biographical questionnaire, to the best of my knowledge and recollection. I have spoken with colleagues to refresh my recollection, but I have not had the opportunity to review written documentation of the operation.

From what I have been told and what I remember, the operation occurred sometime in 2001 or early 2002 and involved a Maryland search warrant at a produce store in Baltimore, MD. My former group, the Baltimore DEA High Intensity Drug Trafficking Area (HIDTA) Mass Transit Interdiction Group had received a tip that a shipment of drugs was to be delivered in a vehicle to the produce store. The group identified the suspected vehicle, and a drug detection canine alerted officers to the presence of drugs, but no drugs were found in a search of the vehicle. To the best of my knowledge, a DEA Task Force Officer from the Maryland State Police, assigned to my group, then asked a DEA Task Force Officer from another HIDTA group to prepare an affidavit for a local search warrant for the produce store. My understanding is that the second task force officer was from the Baltimore Police Department and was asked to prepare the affidavit supporting the warrant because the Maryland State Trooper (my task force officer) did not know how to prepare a search warrant affidavit. The search warrant was issued by a judge and executed upon the produce store. The store was temporarily shut down while the DEA HIDTA task force officers searched the premises. No drugs were found, and control of the premises was returned to the owner.

- b. **Please describe your involvement, if any, in the planning and execution of the operation and post-operation actions.**

Answer: On the day this operation occurred, I was at a DEA Washington Division management training conference and had no involvement with the planning and execution of this operation. I had officially delegated (via memorandum) the supervisory duties to a senior DEA agent in our group, and he was serving as the back-up supervisor on the day of the operation. When I returned, I was told of the activity that had occurred with the group during my absence. To the best of my recollection, my back-up supervisor told me of the incident, explained that the produce store owner might possibly file a complaint, and told me that an officer from another group had prepared the search warrant. As a result, I believed that the officer who prepared the search warrant would also be responsible for the necessary paperwork, such as a DEA Report of Investigation, and that his supervisor would follow-up with him regarding that paperwork. It was only when I was interviewed by OPR, approximately one year after the business owner filed a complaint, that I learned that the Maryland State Police Officer in my group should have prepared the report.

- c. What was the specific allegation made by the business owner regarding possible financial harm and civil rights violations by DEA task force personnel?**

Answer: As I recall, the allegations stemmed from the claim that DEA had caused loss to his business during the time task force personnel including DEA agents were searching his premises and the store was closed for business. However, I am not familiar with the details of the allegations because I was not part of the original incident and was not named as a party in the complaint. No complaint was filed against me relating to this search, and I only learned of the store owner's complaint when I was interviewed by OPR almost a year later.

- d. What was the specific documentation problem uncovered in OPR's investigation?**

Answer: To the best of my knowledge, the documentation problem uncovered by the OPR investigation was that the Maryland State Trooper assigned to my group had not prepared a DEA Report of Investigation within five days of the incident and had been delinquent in submitting the report. Apparently, this caused DEA to settle with the storeowner.

- e. Who was the DEA Deciding Official that issued the letter of caution?**

Answer: I do not recall who the Deciding Official was that issued the letter of caution. Because this was not a formal disciplinary action, I did not maintain a copy of the memorandum.

- f. Were you disciplined in any way as a result of your handling of this operation, other than receiving a letter of caution?**

Answer: I was never disciplined with regard to my handling of this operation. (As noted above, I did not handle the operation as I was away at the training seminar.) Moreover, the letter of caution I received was not considered disciplinary. At DEA, a "letter of caution" is a memorandum that documents that the Deciding Official felt that no formal discipline was warranted but that the person receiving the memo should be more cognizant of their responsibilities in the future. It is not placed in one's official personnel file and is only retained in the files of the Deciding Officials for two or three years. The letter of caution does not affect one's performance appraisal or opportunity for promotion.

- g. Do you know whether there was a process to appeal a "letter of caution" from OPR? If so, did you attempt to appeal OPR's letter of caution? If you did attempt to appeal it, please describe the appeals process and its outcome. If there was an appeals process that you chose not to exercise, why did you not do so?**

Answer: OPR conducts investigations into allegations regarding DEA personnel. OPR does not determine discipline; instead, it turns its findings over to the Board of Professional Conduct, which makes a recommendation on whether discipline is warranted and if so, what that discipline should be. The Board makes its recommendation to the subject of the allegation with a copy to the Deciding Official. The subject of the allegation has ten days to respond to the Board's recommendation and explain why the Deciding Official should not accept the Board's recommendation. After ten days, the Deciding Official renders an official decision. Because the letter of caution is not considered discipline, I did not contest the Board's recommendation.

- h. If confirmed, what actions will you take to ensure adequate oversight of all CNE personnel and their activities?**

Answer: If confirmed, I will work with the supervisors and managers under my chain of command to ensure that personnel assigned to CNE follow all policies and regulations. I have been a law enforcement officer for approximately 30 years (7 with the Yale University Police Department and almost 23 with DEA). During this time, I have held positions of increasing responsibility, and I have always held the personnel under my command, as well as myself, accountable for actions taken in furtherance of our mission. As outlined in my biographical questionnaire, I have been recognized for my dedication to duty with eight Exceptional Performance awards as well as certificates of appreciation from the U.S. Department of Justice Organized Crime Drug Enforcement Task Force and from the U.S. Attorney's Office in the District of Connecticut. I have told my son and my daughter that at the end of the day the only thing you have that no one can take from you is your integrity and your reputation. I promise to maintain that for myself and the DHS Office of Counternarcotics Enforcement, if confirmed as Director.



U. S. Department of Justice
Drug Enforcement Administration

www.dea.gov

Springfield, VA 22152

DEC - 8 2009

Senator Joseph I. Lieberman, Chairman
 Senator Susan Collins, Ranking Member
 Committee on Homeland Security & Governmental Affairs
 U.S. Senate
 340 Dirksen Senate Office Building
 Washington, DC 20510

Dear Chairman Lieberman and Ranking Member Collins:

I am writing to express my support for the nomination of Grayling G. Williams to become the Director of the Office of Counternarcotics Enforcement (CNE), United States Department of Homeland Security (DHS). Within DHS, CNE plays an important role in helping to coordinate counternarcotics policy and operations, critical to interagency cooperation and coordination. Grayling is well qualified for this position, due to his nearly 23 years with DEA.

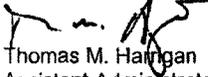
I first met Grayling in 1987 when we were both Basic Agent Trainees attending the DEA Academy and then again when we both served at DEA headquarters in the late 90's. Grayling has always served DEA with honor and distinction. As an instructor at the DEA Office of Training, he distinguished himself as an expert in the area of Undercover Operations and Confidential Source Management. As the supervisor of the Baltimore Mass Transit Interdiction group and later, as the supervisor of Washington Division Enforcement Group 46, he led teams of special agents and task force officers conducting drug enforcement operations. As a manager at DEA headquarters, Grayling handled various policy issues but always with the goal of facilitating clarity for the agents in the field. He developed a decision paper on the proactive tasking of informants based on their biographical profile, portions of which have been integrated into the DEA Confidential Source program, and was temporarily assigned to the Department of Justice (DOJ) to assist in the development of the DOJ Law Enforcement Information Sharing Program, "One DOJ." Throughout his career, Grayling has progressively assumed more responsibility with each assignment.

As my Executive Assistant, Grayling has worked through various issues on my behalf covering everything from human resources to policy review to intra-agency coordination with our domestic Special Agents in Charge and foreign Regional Directors. At the National level, Grayling has been instrumental in furthering the relationship between DEA

and State and local law enforcement, through his work with the National Organization of Black Law Enforcement Executives.

As the Chief of Operations for DEA, I welcome the chance to work with Grayling as the new Director of CNE at DHS. His presence in this position and expertise in drug law enforcement would continue to move interagency collaboration forward in the counternarcotics community.

Respectfully,



Thomas M. Harigan
Assistant Administrator
Chief of Operations



U.S. Department of Justice

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District of Connecticut*

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December 8, 2009

Senator Joseph I. Lieberman, Chairman
Senator Susan Collins, Ranking Member
Committee on Homeland Security and Governmental Affairs
United States Senate
340 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chairman Lieberman and Ranking Member Collins:

In the winter of 1987, this writer became a federal prosecutor, after having served as a state prosecutor for seven years. I now have been an Assistant United States Attorney for more than two decades. For virtually that entire time period I have known Grayling G. Williams. While I cannot speak on behalf of my Office, I am pleased to write in my personal capacity, based on my long and rewarding association with Grayling Williams.

During my tenure as an Assistant United States Attorney and as Chief of our Office's Organized Crime Drug Enforcement Task Force for the past fifteen years I have had the privilege of working with local, state and federal law enforcement officers representing a vast array of departments and agencies. Many outstanding officers and agents have worked with me and sat by me in the courtroom. However, I can state, without reservation, that I was never in better hands than when I was teamed with Special Agent Williams. Special Agent Williams' investigative acumen, professionalism, demeanor and intelligence, coupled with his articulateness, his confident presence, and his gifted sense of humor made him an outstanding ally for this Assistant United States Attorney, and a formidable foe for the many drug traffickers he diligently investigated and successfully brought to justice.

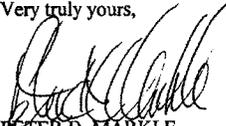
Special Agent Williams played a critical role in a number of the most significant cases I prosecuted against violent drug trafficking gangs. He assisted me as a young Assistant United States Attorney and helped me evolve into a more seasoned, experienced prosecutor. Whatever success I have had as an Assistant United States Attorney, then and now, is due, in large part, to Special Agent Williams and the lessons he taught me.

December 8, 2009
Letter to Chairman Lieberman and Ranking Member Collins
Page 2 of 2

The rash of successful investigations and prosecutions in New Haven, Connecticut and the significant, sustained and beneficial impact the DEA Task Force has had on the community is attributable to many devoted and dedicated agents and officers. That being said, the contributions made by Special Agent Williams to the many accomplishments of the DEA Task Force rank among the greatest.

My father was the State's Attorney for the Judicial District of New Haven for nearly twenty years. He often told me, and others, that no prosecutor was better than the first officer at the scene. I would add that no prosecutor is better than the agent or officer who sits with him or her in their office or in the courtroom attempting to see that justice is done. Special Agent Williams was always a welcome presence in my office or at counsel table and I was never a better prosecutor then when he was at my side. Once in a long while you meet a special person who does so much yet is willing to do so much more. They are the people who deserve our praise and recognition. Grayling Williams is one of those special persons. His background and experience, his professionalism, his ability to work effectively with others, and his passionate determination to pursue and achieve justice will make Grayling Williams a Director of the Office of Counternarcotics for whom all who promote his nomination will be proud.

Very truly yours,



PETER D. MARKLE
ASSISTANT UNITED STATES ATTORNEY
CHIEF, ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCE



**NATIONAL ORGANIZATION OF
BLACK LAW ENFORCEMENT EXECUTIVES**

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Website: <http://www.noblenational.org>

December 7, 2009

Senator Joseph I. Lieberman, Chairman
Senator Susan Collins, Ranking Member
Committee on Homeland Security & Governmental Affairs
U.S. Senate
340 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Lieberman and Ranking Member Collins:

On behalf of the National Organization of Black Law Enforcement Executives (NOBLE), we are writing to express our strong support for the nomination of Grayling G. Williams to become the Director of the Office of Counternarcotics Enforcement (CNE), United States Department of Homeland Security (DHS). We respectfully urge the Senate to confirm his nomination without delay.

As you may know, CNE plays a critical role in helping to coordinate counternarcotics policy and operations within the Department of Homeland Security. This coordination is critical to the interagency cooperation with Federal, State, local, and tribal law enforcement. The individual selected to lead CNE must understand the important partnership which exists not only within DHS but at all levels of law enforcement. Mr. Williams' vast qualifications and experience make him the ideal candidate to serve as the Director of CNE.

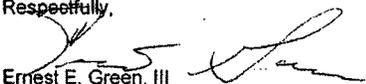
Throughout his distinguished career, Mr. Williams has served in positions where he gained essential knowledge in drug enforcement operations, policy development, law enforcement information sharing, and, interagency collaboration and coordination. As a Section Chief at the Drug Enforcement Administration (DEA) headquarters, he was detailed to the Office of the Chief Information Officer at the Department of Justice (DOJ), where he assisted in the development of the DOJ Law Enforcement Information Sharing Program. Throughout his career, he has worked in various DEA task forces to include the New Haven, CT. Organized Crime Drug Enforcement Task Force (OCDETF). This OCDETF group successfully disrupted and eventually dismantled the drug trafficking operations of a violent New Haven gang known as the JUNGLE BOYS. The JUNGLE BOYS case was briefed to then Attorney General Janet Reno as a successful example of multi-agency cooperation and coordination, under the DOJ OCDETF program.

Prior to his nomination by President Obama, Mr. Williams served NOBLE on the Executive Board as the Federal Law Enforcement Advisor to the National President. Through Mr. Williams' national efforts, he helped NOBLE maintain strong ties between the State and local law enforcement community and the Federal government. Mr. Williams was instrumental in

furthering the relationship between Attorney General Eric Holder and NOBLE. Under his leadership as the Washington, DC chapter president, Mr. Williams championed partnerships and community outreach that improved the communications and respect among Federal and local law enforcement and the communities they serve.

NOBLE looks forward to working with Mr. Williams to enhance the relationship between the federal government and state and local law enforcement, thereby creating a safer country for all of our citizens. As one of the nation's largest law enforcement associations, NOBLE is calling upon the United States Senate to swiftly confirm Grayling G. Williams as the Director of the Office of Counternarcotics Enforcement.

Respectfully,


Ernest E. Green, III
National President

**Statement of Elizabeth M. Harman
Nominee for Assistant Administrator of the
Federal Emergency Management Agency before the
U.S. Senate Committee on Homeland Security & Governmental Affairs
December 10, 2009**

Good morning Mr. Chairman, Ranking Member Collins, and Members of the Committee.

I understand that Senator Mikulski could not be here this morning due to a scheduling conflict, but I would like to thank her for her written statement of support, and for her years of strong support for emergency responders throughout Maryland and across the country.

I am privileged to appear before you today as President Obama's nominee to be Assistant Administrator of the Grant Programs Directorate for the Federal Emergency Management Agency. I would like to thank my family who is here with me today; particularly my husband who has always been supportive and my two sons who keep me focused and driven. Throughout my life, I have been surrounded by a hard-working family of public servants who have always strived to do what is right in serving their country. My father served in the Navy and retired after 30 years of service with the Environmental Protection Agency; my brother Richard served in the Army; my brother Christopher served in the Navy and has been a local law enforcement officer for more than 20 years in Prince George's County, Maryland; and my brother Matthew served in the U.S. Secret Service.

The position of Assistant Administrator for Grant Programs is a position of great responsibility as one of its primary missions is to ensure that through federal funding, our nation is better prepared to respond to and mitigate all-hazard events. The Post Katrina Emergency Management Reform Act centralized all Department of Homeland Security grants at FEMA, providing a more integrated and coordinated system of grant management. The challenge of the Assistant Administrator position is to ensure that FEMA's grant programs are administered responsibly and economically—maximizing each dollar spent to improve our nation's capabilities and provide a strong return on investment.

As a former volunteer and professional fire fighter and as a former paramedic, I have seen firsthand where these dollars are being spent, where they should be spent, and how important federal funding is to building capability as well as ensuring the health and safety of first responders everywhere. I understand the importance of including frontline responders of all disciplines in the design and planning phase of grant programs. Additionally, I understand the importance of keeping these key stakeholders informed throughout the decision making process.

Over the years, I not only have had the opportunity to serve as a first responder on the front lines in both the volunteer and career capacity, but I have also been fortunate to serve in other emergency response managerial, teaching, policy, and leadership positions. I

believe this experience has prepared me well to serve, if confirmed, as the Assistant Administrator of the Grant Programs Directorate.

As a young volunteer fire fighter in Prince George's County, Maryland; as a career fire fighter with the City of Fairfax Fire and Rescue Department; and as a member of IAFF local 2702, I have firsthand knowledge of the planning, training, and equipment needed to perform the duties of a first responder. The City of Fairfax Fire Department is a combined career/volunteer organization that provides fire suppression and emergency medical services (EMS) to over 22,000 residents. The department responds to over 11,000 incidents, an average of over 30 responses per day from only two fire stations. It is a privilege to have been affiliated with them.

In my tenure on the faculty of the University of Maryland, Maryland Fire and Rescue Institute (MFRI), I provided vital training to first responders from across the country to better prepare them for all-hazards events.

During my service at the Maryland Emergency Management Agency as State Administrator for Exercise and Training for the National Capital Region, I worked with various local, state, federal and private sector partners to evaluate the effectiveness of response to both small and large scale disasters; I helped coordinate disaster declarations under the Stafford Act; I counseled counties on the assistance that was available to them; I helped coordinate EMAC requests to provide aid to affected areas; I led Maryland's NIMS rollout efforts; and, during the catastrophic events of Hurricanes Katrina and Rita, I served as the State Liaison under the incident management system and coordinated efforts to receive evacuees from affected states.

Most recently, as the Director of the International Association of Fire Fighters Hazardous Materials and Weapons of Mass Destruction Training Department, I have been involved in all aspects of the federal grant process—from the interpretation of guidance and preparation of submission packages to financial and programmatic direction and oversight—including oversight of IAFF's federal grants that support a full-time staff and more than 100 instructors, who train over 12,000 first responders each year. I have established a progressive evaluation program to measure the effectiveness and impact of these training programs—a program which has become the evaluation model by several supporting federal agencies.

If confirmed, I will work diligently to measure the current level of preparedness to ensure federal dollars have been accounted for and are producing positive results, and I vow to prioritize outreach efforts to ensure grantees and potential grantees are using their dollars wisely and are building capability effectively. I also commit to cooperating fully with this Committee as it fulfills its important oversight function.

In closing, I am honored and humbled by this opportunity to serve, and, if confirmed, I pledge to work with Secretary Napolitano, Administrator Fugate, the FEMA leadership team, this Committee and Congress to ensure that the FEMA Grant Programs Directorate efficiently and effectively executes the Department of Homeland Security's grant programs and properly supports the reforms contained in the Post-Katrina Emergency Reform Act and the Recommendations of the 9/11 Commission Act.

I thank you, Mr. Chairman, and Senator Collins for the opportunity to appear before you, and I look forward to answering any questions you may have.

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES**A. BIOGRAPHICAL INFORMATION**

1. **Name:** (Include any former names used.)
 - Elizabeth Marie Harman (formerly Elizabeth Marie Nalesnik (maiden name), Elizabeth Marie Sanders)
2. **Position to which nominated:**
 - Assistant Administrator of the Federal Emergency Management Agency, Department of Homeland Security
3. **Date of nomination:**
 - October 13, 2009
4. **Address:** (List current place of residence and office addresses.)
 - Residence: REDACTED
 - Office: IAFF, 1750 New York Avenue NW, Washington, DC 20006
5. **Date and place of birth:**
 - April 23, 1973; Cheverly, MD
6. **Marital status:** (Include maiden name of wife or husband's name.)
 - Married to Dwayne Earl Harman
7. **Names and ages of children:**
 - REDACTED
 -
8. **Education:** List secondary and higher education institutions, dates attended, degree received and date degree granted.
 - St. Mary's High School, Annapolis, Maryland
August 1987- May 1991
High School Diploma, May 1991
 - Anne Arundel Community College, Arnold, Maryland
August 1991-August 1993
Associate of Arts, General Studies, August 1993
 - The George Washington University, Washington, DC
August 1995-May 1997
Bachelor of Science, Emergency Medical Services Management, May 1997
 - California Pacific University, San Diego, California (state licensed, non-accredited, distance learning)
February 2000-June 2001
Master of Business Administration, June 2001
 - The University of Maryland, Baltimore County (UMBC)

January 2003-June 2006

Master of Science, Emergency Health Services, August 2006

9. **Employment record:** List all jobs held since college, and any relevant or significant jobs held prior to that time, including the title or description of job, name of employer, location of work, and dates of employment. (Please use separate attachment, if necessary.)
- Fire Fighter/EMT (part-time), Bowie Volunteer Fire Department, Bowie, Maryland, 1989-1997
 - Fire Fighter/Paramedic, City of Fairfax Fire and Rescue Department, Fairfax, Virginia, September 1997 – December 2000
 - Adjunct Faculty/Instructor, (Taught EMS training to US Secret Service employees) The George Washington University, Washington, DC, January 1999 – October 2000
 - Industrial Training Specialist and Department of Defense Program Coordinator, University of Maryland, Maryland Fire and Rescue Institute, College Park, Maryland December 2000-February 2004
 - Health and Safety Assistant, International Association of Fire Fighters (IAFF), Washington, DC, February 2004-March 2005
 - Exercise and Training Administrator for the National Capital Region, Johns Hopkins University, School of Medicine, on loan to Maryland Emergency Management Agency, March 2005-November 2005
 - Director, Hazardous Materials and Weapons of Mass Destruction Training Department, International Association of Fire Fighters (IAFF), Washington, DC, November 2005-Present
 - Contracted Grant Peer Reviewer, Systems Research and Applications Corporation, Fair Lakes, Virginia, July 2008
 - Adjunct Faculty, Northwestern State University, Natchitoches, Louisiana, Criminal Justice Department, Unified Public Safety Administration (UPSA) degree program, August 2008 – May 2009 (Instructor in the eNSU online learning program)
10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with federal, State, or local governments, other than those listed above.
- None
11. **Business relationships:** List all positions currently or formerly held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.
- None, except those listed in response to Question 9.
12. **Memberships:** List all memberships, affiliations, or and offices currently or formerly held in professional, business, fraternal, scholarly, civic, public, charitable or other organizations.
- Current memberships

- National Fire Protection Agency (NFPA), 2005-present
 - Past memberships
 - Fire Fighter/EMT (part-time), Bowie, MD, Volunteer Fire Department, 1989-1997
13. **Political affiliations and activities:**
- (a) List all offices with a political party which you have held or any public office for which you have been a candidate.
 - None
 - (b) List all memberships and offices held in and services rendered to any political party or election committee during the last 10 years.
 - None
 - (c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$50 or more during the past 5 years.
 - \$200 – Senator Dodd for 2008 Presidential Campaign
 - \$500/year (2005 – present) – IAFF Fire Pac
14. **Honors and awards:** List all scholarships, fellowships, honorary degrees, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.
- None
15. **Published writings:** Provide the Committee with two copies of any books, articles, reports, or other published materials which you have written.
- None
16. **Speeches:** See attached testimony from May 2009
- (a) Provide the Committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated. Provide copies of any testimony to Congress, or to any other legislative or administrative body.
 - Testified before the House Subcommittee on Railroads, Pipelines and Hazardous Materials on Reauthorization of the Department of Transportation's Hazardous Materials Safety Program, May 14, 2009. Testimony is attached.
 - (b) Provide a list of all speeches and testimony you have delivered in the past 10 years, except for those the text of which you are providing to the Committee.

Please provide a short description of the speech or testimony, its date of delivery, and the audience to whom you delivered it.

- None

17. **Selection:**

- (a) Do you know why you were chosen for this nomination by the President?

- I believe I was chosen for this nomination by the President for my leadership qualities and the demonstrated ability to manage millions of dollars in federal funds to support the largest HazMat/WMD training program of fire fighters in the United States. Additionally, I have first hand knowledge and experience in multiple aspects of emergency response and training. I have served the emergency management community with administration, exercise and evaluation, and teaching at various institutions, including Northwestern State University, Johns Hopkins University School of Medicine, Maryland Emergency Management Agency, the Maryland Fire and Rescue Institute at the University of Maryland, and George Washington University.

- (b) What do you believe in your background or employment experience affirmatively qualifies you for this particular appointment?

- It would be both a great honor and responsibility to serve the Administration as Assistant Administrator for Grant Programs. I recognize the myriad challenges facing our country at the federal, state and local levels, and believe my personal and professional experience would well serve the Department and the nation. I believe that I offer policy and operational knowledge and experience, demonstrated leadership and management skills, and a proven track record in achieving results.

I was raised in a family of public servants. My father recently retired from over 30 years of service with the Environmental Protection Agency. My brother Richard served in the Army. My brother Christopher served in the Navy and has been a local law enforcement officer for more than 18 years in Prince George's County, Maryland. My brother Matthew served in the U.S. Secret Service for a period of time. During my life, I have been surrounded by hard-working people who have served their country and always strived to do what is right.

The position of Assistant Administrator for Grant Programs is a position of great responsibility as one of its primary missions is to ensure that through federal funding, our nation is better prepared to respond to and mitigate all-hazard events. The challenge of the Assistant Administrator position is to ensure that FEMA's grant programs are administered responsibly and economically and that each dollar spent improves our nation's capabilities and

provides a strong return on investment. As a former volunteer and professional fire fighter and paramedic, I have firsthand knowledge of where these dollars are being spent, where they should be spent, and how important this funding is to building capability as well as ensuring the health and safety of first responders everywhere. I understand the importance of including frontline responders in the design and planning phase of grant programs.

As a former faculty member of the University of Maryland, Maryland Fire and Rescue Institute (MFRI), I understand the importance of training our nation's first responders to better prepare them for the unknown, ensuring they can perform in a time of need. While at the University, I expanded MFRI's Department of Defense training program and provided essential training for both civilian and uniformed U.S. military not only across the U.S. but in other countries such as South Korea and Italy.

My experience in training expanded as I worked with the Maryland Emergency Management Agency, incorporating training and exercises throughout the state and national capital region in an effort to measure performance and capability. In this capacity, I coordinated and worked with various local, state, federal and private partners to design and develop grant-funded exercises to evaluate the effectiveness of response to both small and large scale disasters. These exercises, including activities with M&T Bank and the Baltimore Ravens, as well as a local Baltimore City exercise involving the activation of the strategic national stockpile and distribution of prophylaxis, followed HSEEP guidelines and coordinated measurement with the Target Capabilities List and the Universal Task List.

As the Director of the International Association of Fire Fighters Hazardous Materials and Weapons of Mass Destruction Training Department, I provided oversight and direction in the merger of two departments into one, providing leadership and organization skills to ensure an effective transition. I am responsible for the procurement and maintenance of several federal grants that support full-time department staff and a cadre of instructors that train more than 12,000 first responders each year. I have worked to establish a progressive evaluation program to measure the effectiveness and impact of federally-funded training programs. This evaluation program is deemed the evaluation model by several supporting federal agencies. I have utilized and relied on all aspects of the grant process from the interpretation of guidance, preparation of submission packages and financial and programmatic direction and oversight. Additionally, I have provided counsel to IAFF local affiliates on available DHS funding, including the State Homeland Security Grant Program, Urban Area Security Initiative, and Assistance to Fire Fighters Grant Program.

I am honored and humbled by this opportunity to serve. If confirmed, I pledge to work with Administrator Fugate, the FEMA leadership team, and

this Committee to ensure that the FEMA Grant Programs Directorate effectively and responsibly administers the programs under its jurisdiction, and properly supports the reforms contained in the Post-Katrina Emergency Reform Act of 2006 as well as the Implementing Recommendations of the 9/11 Commission Act.

B. EMPLOYMENT RELATIONSHIPS

1. Will you sever all connections with your present employers, business firms, business associations or business organizations if you are confirmed by the Senate?
 - Yes
2. Do you have any plans, commitments or agreements to pursue outside employment, with or without compensation, during your service with the government? If so, explain.
 - No
3. Do you have any plans, commitments or agreements after completing government service to resume employment, affiliation or practice with your previous employer, business firm, association or organization, or to start employment with any other entity?
 - No
4. Has anybody made a commitment to employ your services in any capacity after you leave government service?
 - No
5. If confirmed, do you expect to serve out your full term or until the next Presidential election, whichever is applicable?
 - Yes
6. Have you ever been asked by an employer to leave a job or otherwise left a job on a non-voluntary basis? If so, please explain.
 - No

C. POTENTIAL CONFLICTS OF INTEREST

1. Describe any business relationship, dealing or financial transaction which you have had during the last 10 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.
 - In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Homeland Security's designated agency ethics official to identify potential conflicts of interest. Any potential conflicts of

interest will be resolved in accordance with the terms of an ethics agreement that I have entered into with the Department's Designated Agency Ethics Official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

2. Describe any activity during the past 10 years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat or modification of any legislation or affecting the administration or execution of law or public policy, other than while in a federal government capacity.
 - None
3. Do you agree to have written opinions provided to the Committee by the designated agency ethics officer of the agency to which you are nominated and by the Office of Government Ethics concerning potential conflicts of interest or any legal impediments to your serving in this position?
 - Yes

D. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics for unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, provide details.
 - No
2. Have you ever been investigated, arrested, charged or convicted (including pleas of guilty or nolo contendere) by any federal, State, or other law enforcement authority for violation of any federal, State, county or municipal law, other than a minor traffic offense? If so, provide details.
 - In 1999, I was charged with a misdemeanor as a result of a domestic conflict with my husband (now divorced). In May 1999, the case was placed on the "stet" or inactive docket, and the State's Attorney's Office agreed to request dismissal in 6 months. In connection with my nomination, I learned that, due to an oversight, the case had not been formally dismissed. In August 2009, Prince George's County Circuit Court granted my motion to dismiss the case and expunge my record.
3. Have you or any business of which you are or were an officer, director or owner ever been involved as a party in interest in any administrative agency proceeding or civil litigation? If so, provide details.
 - No

- 4. For responses to question 3, please identify and provide details for any proceedings or civil litigation that involve actions taken or omitted by you, or alleged to have been taken or omitted by you, while serving in your official capacity.
 - Not applicable
- 5. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be considered in connection with your nomination.
 - None

E. FINANCIAL DATA - REDACTED

All information requested under this heading must be provided for yourself, your spouse, and your dependents. (This information will not be published in the record of the hearing on your nomination, but it will be retained in the Committee's files and will be available for public inspection.)

AFFIDAVIT

Elizabeth Marie Harman being duly sworn, hereby states that he/she has read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of his/her knowledge, current, accurate, and complete.

Elizabeth Marie Harman

Subscribed and sworn before me this 26th day of October, 20 09

[Signature]

Notary Public

EXP 11/14/2012



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

October 14, 2009

The Honorable Joseph I. Lieberman
Chairman
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Elizabeth M. Harman, who has been nominated by President Obama for the position of Assistant Administrator of the Federal Emergency Management Agency, Department of Homeland Security.

We have reviewed the report and have also obtained advice from the agency concerning any possible conflict in light of its functions and the nominee's proposed duties. Also enclosed is an ethics agreement outlining the actions that the nominee will undertake to avoid conflicts of interest. Unless a date for compliance is indicated in the ethics agreement, the nominee must fully comply within three months of confirmation with any action specified in the ethics agreement.

Based thereon, we believe that this nominee is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

A handwritten signature in black ink, appearing to read "Don W. Fox".

Don W. Fox
General Counsel

Enclosures - REDACTED

**U.S. Senate Committee on Homeland Security and Governmental Affairs
Pre-hearing Questionnaire
For the Nomination of Elizabeth Harman to be
Assistant Administrator, Federal Emergency Management Agency (Grant Programs),
Department of Homeland Security**

I. Nomination Process and Conflicts of Interest

1. Why do you believe the President nominated you to serve as Assistant Administrator of the Federal Emergency Management Agency (FEMA) Grant Programs?

I believe I was chosen for this nomination for my leadership and demonstrated ability to manage millions of federal dollars to support the largest HazMat/WMD training program of firefighters in the United States. Additionally, I have firsthand knowledge and experience in multiple aspects of emergency response and training. I have served as a frontline firefighter and paramedic and advanced to positions in management and academics at various institutions including Northwestern State University, Johns Hopkins University School of Medicine, Maryland Emergency Management Agency, the Maryland Fire and Rescue Institute at the University of Maryland, and George Washington University.

2. Were any conditions, express or implied, attached to your nomination? If so, please explain.

No.

3. What specific background and experience affirmatively qualifies you to be FEMA Assistant Administrator for Grant Programs?

I believe that I offer policy and operational knowledge, experience, demonstrated leadership and management skills, and a proven track record.

The Assistant Administrator for the Grant Programs Directorate is a position of great responsibility; one of its primary missions is to ensure that our nation is better prepared to respond to and mitigate all-hazard events through federal funding. The challenge of the position is ensuring that FEMA's grant programs are administered responsibly and that each dollar spent improves our nation's capabilities and provides a strong return on investment. As a former volunteer and professional firefighter and paramedic, I have firsthand knowledge of where these dollars are being utilized, where they are most effectively spent, and how this funding builds capabilities while ensuring the health and safety of first responders everywhere. I understand the importance of including frontline responders of all disciplines in the design and planning phase of grant program guidance. Additionally, I understand the importance of including stakeholders in the decision-making process.

As a former faculty member of the University of Maryland, Maryland Fire and Rescue Institute (MFR), I understand the importance of training our nation's first responders to prepare them for the unknown, ensuring they have the preparation and resources to perform effectively in an emergency. I worked with the Maryland Emergency Management Agency as the State Administrator for Exercise and Training for the National Capital Region, incorporating training and exercises throughout the state and National Capital region in an effort to measure performance and capability.

As the Director of the International Association of Fire Fighters Hazardous Materials and Weapons of Mass Destruction Training Department, I oversaw the merger of two departments into one. I am responsible for the procurement and maintenance of several federal grants that support full-time department staff and a cadre of 101 instructors that train more than 12,000 first responders each year. I have worked with independent contractors to establish a progressive evaluation program to measure the effectiveness and impact of IAFF federally-funded training programs; several federal agencies use this program as their evaluation model. I have utilized all aspects of the grant process from the interpretation of guidance, preparation of submission packages, and provision of financial and programmatic oversight. Additionally, I have provided counsel to IAFF local affiliates on available DHS funding, including the State Homeland Security Grant Program, Urban Area Security Initiative, and Assistance to Fire Fighters Grant Program. I cooperate openly with annual financial audits and have worked diligently on the financial aspects of grant management within the Department.

I am honored and humbled by this opportunity to serve. If confirmed, I pledge to work with Secretary Napolitano, Administrator Fugate, the FEMA leadership team, and this Committee to ensure that the FEMA Grant Programs Directorate effectively and responsibly administers the programs under its jurisdiction, and properly supports the reforms contained in the Post-Katrina Emergency Reform Act of 2006 and the Implementing Recommendations of the 9/11 Commission Act.

4. Have you made any commitments with respect to the policies and principles you will attempt to implement as FEMA Assistant Administrator for Grant Programs? If so, what are they, and to whom were the commitments made?

No.

5. If confirmed, are there any issues from which you may have to recuse or disqualify yourself because of a conflict of interest or the appearance of a conflict of interest? If so, please explain what procedures and/or criteria you will use to carry out such a recusal or disqualification.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Homeland Security's designated agency ethics official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I have entered into

with the Department's Designated Agency Ethics Official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

6. Do you expect that your current employment with the International Association of Fire Fighters will affect whether and to what extent you participate in decisions concerning grants to fire departments and other fire-related organizations? Please explain what procedures and/or criteria you will use to determine whether there should be any limitation on your participation with respect to fire-related grants.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Homeland Security's designated agency ethics official to identify potential conflicts of interest. Potentials for conflicts have been identified, including in connection with the International Association of Fire Fighters. Those potential conflicts of interest will be resolved in accordance with the terms of the ethics agreement that I have entered into with the Department's Designated Agency Ethics Official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

7. Have you ever been asked by an employer to leave a job or otherwise left a job on a non-voluntary basis? If so, please explain.

No.

II. Background of the Nominee

8. Have you ever previously administered or participated in the administration of any grant program? If so, please describe in detail your experience, including the nature of the grant program or programs and your role and responsibilities with respect thereto.

My first experience with federal grants in an administrative role was when I worked at the University of Maryland, MFR1. In this role I carried out the programmatic aspects of the grant. I was not involved in any financial matters with respect to reporting or drawdowns, only tracking expenses.

As a Health and Safety Assistant for the IAFF beginning in 2004, I was responsible for programmatic aspects related to grants, cooperative agreements, and contracts that the Health and Safety Department oversaw. These included, but were not limited to, cooperative agreements from DHS/FEMA/USFA regarding respiratory studies, emergency vehicle safety initiatives, wellness fitness initiatives, emergency incident rehabilitation, Redmond Symposium, and a TSWG contract regarding Project HEROES.

As the Director of the HazMat/WMD Training Department for the IAFF, I am responsible for programmatic and financial management of grants and cooperative agreements from DHS, NIOSH, NIEHS, DOE, DOT, DOL, and Canadian Federal Government. These grants pertain to curricula development, delivery, measurement of effectiveness and impact. I also manage a full-time staff and more than 100 independent

consultants that assist in delivery, revision of curricula, and measurement. I am responsible for applying and competing the grant, program reporting, meeting the objectives and measuring the effectiveness of the grant. I attend regular grantee meetings, provide programmatic reports, and coordinate with our internal Accounting Department and Grants Administrator to ensure proper financial management, tracking, spending, and reporting.

9. Please describe in detail any other experience you have with homeland security grants, first responder grants, or other grants, indicating the grant or grant program involved and your role and responsibilities with respect to the grant or grant program.

As previously mentioned, I was a grant-funded employee of the Johns Hopkins School of Medicine on loan to the Maryland Emergency Management Agency. I was not directly involved with the state grant funds; however my position was to ensure proper spending of SHGP dollars during NIMS rollout. In this position, it was my responsibility to build relationships with counties and incorporated cities and provide counsel on allowable SHGP monies for NIMS rollout.

10. Please describe in detail any other relevant homeland security experience you have, including but not limited to any experience you have in preventing, preparing for, protecting against, responding to, recovering from or mitigating against natural disasters, acts of terrorism, or other man-made disasters.

As a former frontline emergency responder, I am well versed in the needs and importance of all aspects of disasters.

Preparedness is key. Preparedness is comprised of a myriad of factors including the proper levels of staffing, equipment, relationships with mutual aid partners, as well as having valid standard operating procedures and emergency plans that guide your every move. While every incident begins and ends as a local incident, there can be many partners involved in response and recovery. This makes relationship-building key to ensuring emergency management efforts run smoothly, and drives me to a pursue a holistic approach to prevention, preparation, protection, response, recovery, and mitigation.

11. Please describe your previous management experience and how you believe it has prepared you for the management responsibilities you would assume if confirmed as the FEMA Assistant Administrator for Grant Programs.

My management experience throughout my career has led me to a firm belief in the value of teamwork, pragmatism, and the empowerment of trained personnel. My initial formal management experience was gained while serving in the fire department, where I faced a variety of emergencies on a daily and weekly basis and had to take command of an emergency scene while a patient was giving birth, having a heart attack, was trapped in a vehicle after an accident, or was helpless as his or her child experienced an undiagnosed seizure. The experiences gained in the fire service never left me. They made me

appreciate the value of teamwork, training, and well-informed decision-making. That mindset has been with me, from my time as an officer in a medic unit to a manager of training programs at the University of Maryland, MEMA, and IAFF. If confirmed, I hope to bring that framework to the Grant Programs Directorate as the Assistant Administrator.

12. With respect to your current position as Director of the Hazardous Materials and Weapons of Mass Destruction Training Department of the International Association of Fire Fighters –

- a. What is the annual budget of the Hazardous Materials and Weapons of Mass Destruction Training Department?

The annual budget of the HazMat/WMD Training Department varies annually from \$5.5 to \$7.5 million.

- b. How many employees do you oversee?

I oversee a staff of 11 full time employees and more than 100 independent consultants across the US and Canada.

III. Role and Responsibilities of the Assistant Administrator for Grant Programs

13. Why do you wish to serve as the FEMA Assistant Administrator for Grant Programs?

I wish to serve as the FEMA Assistant Administrator for Grant Programs Directorate because I feel I can bring the perspective of a frontline first responder. I believe such a viewpoint is important to fulfilling the objectives of the grants—to build response capabilities and overall preparedness in communities across the country. I view this as a position of great responsibility and accountability, and I believe that I can contribute to the success of GPD.

14. What do you see as the principal mission(s) of the Grant Programs Directorate?

I believe the principal mission of the Grant Programs Directorate is to manage federal assistance in order to measurably improve capability and reduce the risks the nation faces. As stated by the Post Katrina Emergency Reform Act, the Directorate was established to be the "one stop shop" for all DHS funding. The GPD should administer all grants, and measure effectiveness and capability, in a unified fashion.

15. What do you see as the Grant Programs Directorate's principal strengths and weaknesses in its ability to accomplish those mission(s)?

Through personal experience and various briefings during my nomination process, I find the strengths of the Directorate to be its openness and willingness to cooperate and collaborate with subject matter experts and stakeholders to ensure the grants policies are

meeting their needs. The desire of GPD to measure effectiveness and increase the capabilities of state and local officials is focused and professional. The commitment of the leadership and personnel is notable.

The Department's grant programs have seen many changes in the past few years. If confirmed, I will make it a priority to define and reinforce GPD's mission and encourage high performance to address areas of improvement, including how the Department measures the effectiveness and impact of various grant programs. I will also analyze the existing workforce in GPD, prioritize hiring of vacant positions, and work to determine whether there is a sufficient number of federal staff members to effectively perform the mission.

16. What is your understanding of the division of grants-related responsibilities between the Grant Programs Directorate and the National Preparedness Directorate, including with respect to the following:

- a. the development of funding priorities;

It is my understanding that GPD and NPD work very closely to establish priorities and grant guidance. NPD established the priorities needed to create a better prepared nation. Those priorities guide GPD in the administration of grants awarded to build such capabilities. GPD is then responsible for working with the grantees on the implementation of the awards, as well as the business and financial aspects of the grant awards – award, reporting, and financial oversight.

- b. the drafting of grant guidance; and

Grant guidance is truly a team effort. Grant guidance is a combined effort of not only GPD and NPD, but also various other directorates within FEMA, DHS, and the executive branch.

- c. the development of performance metrics for grant recipients?

The development of performance metrics is also a combined effort of GPD, NPD, and others.

17. The Grant Programs Directorate, and its predecessor offices, were intended to serve as a "one-stop shop" for the Department of Homeland Security's grants to state, local and tribal governments. However, for historical reasons, certain grants authorized under the Stafford Act – including some grants unrelated to a specific disaster, such as those awarded under the Pre-Disaster Mitigation Grant Program – are administered by a separate office within FEMA.

- a. Do you think this division of grants administration responsibilities makes sense?

I have been briefed on this topic, and I understand that GPD was designed to be the

“one-stop shop” for all business and financial components of federal assistance, and currently manages over 50 FEMA grant programs across six different directorates. In some cases, however, the subject matter expertise resides in other directorates—for example Mitigation has expertise in PDM. This approach is similar to the partnerships that FEMA has with other DHS components, where FEMA provides the business and financial management of the grants, and the programmatic expertise resides in other components.

- b. Given the similar administrative requirements for all the Department’s preparedness grants, do you think that all such grants – *i.e.*, all those grants not related to assistance in response to a specific declared disaster – should be administered by the same office, regardless of the particular statute that authorizes those grants? Why or why not?

I believe that this is a matter worth reviewing, and if confirmed, I will undertake an effort to determine whether or not this should be changed.

- c. If confirmed, what steps will you take to ensure that the Grant Programs Directorate will in fact serve as a one-stop shop for state, local and tribal grant recipients?

I believe that GPD as it currently exists does provide a “one-stop shop” for DHS, as it manages over 50 disaster and non-disaster programs. However, if confirmed, I will review the current process and determine if additional recommendations should be made to the FEMA Administrator for changes to this process. I will of course keep Congress informed of any potential changes.

IV. Policy Questions

General

18. If confirmed, what would be your top priorities? What do you hope to have accomplished at the end of your tenure?

If confirmed, my first priority would be to establish a system to measure the effectiveness of the grants in strengthening preparedness. I am aware that systems are being applied and tested to do just that. I would seek to engage other federal agencies and elicit feedback as to how their respective processes work and identify best practices of measurement that could be incorporated. I would also seek to provide technical assistance to grantees by providing additional site visits from their FEMA regional grant specialists, while providing GPD program analysts the training needed to ensure high work performance.

If confirmed, I will review the process from application to award and the subsequent release of funds to identify areas of strength and weakness that need attention. I will consider seeking a more regimented timeline to ensure consistency in award and receipt of federal funding. Having heard many testimonies with regard to grant awards and

drawdowns, I believe it is important to review the entire process from start to finish to identify areas of strengths and weaknesses that need attention. The lack of consistency in the award and receipt of federal funding can be burdensome to recipients, as it can adversely affect budgeting and administration, as well as hindering progress on grant-funded projects. I am also interested in reaching out to more eligible grantees, including our Tribal and Port partners, that are not applying to find out why and take action as necessary to encourage them to apply for funding.

Efficacy and Oversight of Grants

19. Homeland security grants are the principal means the Department of Homeland Security (“DHS” or “the Department”) has to ensure that state and local governments – and therefore we as a Nation – are prepared for all hazards, whether natural or man-made. This year, FEMA will distribute over \$4 billion to state, local, and tribal governments, port and transportation system operators, and first responders. How will you ensure these grants are effectively building our national capabilities to respond to – and, in the case of terrorist attacks and other manmade incidents, prevent – disasters?

I will work closely with NPD and others to ensure these grants are effectively building our national capabilities. Additionally, I will work to develop specific performance measures and encourage community relationships and partnerships between state and local officials to ensure grant funding is meeting the needs identified by local communities. I believe there can be an appropriate balance between terrorism and natural hazards components that drive federal allocations.

20. Congress, in the Post-Katrina Emergency Management and Reform Act of 2006 (“Post-Katrina Act”) and the Implementing Recommendations of the 9/11 Commission Act of 2007 (9/11 Commission Recommendations Act) (P.L. 110-53), put in place a number of requirements to help ensure that grant funds are spent effectively. Among other things, these include requirements for regular reviews and audits (section 2022 of the Homeland Security Act, 6 U.S.C. § 612); development and implementation of a comprehensive assessment system (section 649 of the Post-Katrina Act, 6 U.S.C. § 749); and reports on federal and state preparedness, including the extent to which the homeland security grants administered by the Department have assisted states and localities in achieving target capabilities for preparedness and led to a reduction in the risks faced from natural disasters, acts of terrorism and other man-made disasters (section 652 of the Post-Katrina Act, 6 U.S.C. § 752).

What is your personal understanding of how much progress FEMA has made in meeting these requirements? If confirmed, what specific steps will you take to comply with these statutory requirements? What do you believe should be the highest priority measures to implement?

I am aware of the challenges GPD has faced in meeting these requirements. If confirmed, I will work with my colleagues at FEMA and throughout DHS to determine the reasons for any delay and any hindrances. I believe that these performance measurements are of

the utmost importance, and, if confirmed, I will work diligently to comply with the statutory requirements.

21. The DHS Office of Inspector General (OIG) issued a report in March 2009 that concluded that FEMA does not consistently and comprehensively carry out financial and program monitoring of grantees and that improvements are needed in FEMA's grant management infrastructure to ensure effective monitoring of grantees ("Improvements Needed in Federal Emergency Management Agency Monitoring of Grants," OIG-09-38). If confirmed, what steps will you take to improve FEMA's grant monitoring capabilities? What additional resources, if any, do you believe FEMA needs, to carry out these responsibilities?

I have read the OIG report, and understand that one of the weaknesses it identified is a shortage of full time government personnel. Without the proper personnel, financial and program monitoring of grantees is a difficult task to perform. If confirmed, one of my priorities will be filling vacancies swiftly and with highly qualified individuals. I will review the existing workload analyses documents that have been conducted on GPD to determine whether the staffing numbers are sufficient for the large number of grant programs that GPD handles. I also believe that the relationship between FEMA Regional personnel and grantees is critical, and therefore will consider ways to improve FEMA's relationship with grantees at the local level, particularly as it relates to direct oversight of the grantee and their programmatic performance.

22. At a recent hearing before the House Homeland Security Committee's Subcommittee on Emergency Communications, Preparedness, and Response, the Deputy FEMA Administrator for National Preparedness acknowledged that FEMA did not yet have an accurate way of measuring the preparedness of states or determining to what extent preparedness had improved as a result of homeland security grants. Subcommittee Chairman Cuellar pointed out the Cost-to-Capabilities initiative, which was developed by the Grant Programs Directorate to measure the impact of DHS grants on capability levels, thus far includes only subjective assessments of preparedness.
- a. What metrics should be used to assess the effect of grants on national preparedness and risk reduction?

In order to assess the effect of grants on national preparedness and risk reduction, we need to break down preparedness into specific objective measurements, and collect and analyze data for each of these measurements. The metrics used should be customized to each state, and its specific risks and vulnerabilities.

If confirmed, I will assess the progress of the Cost to Capability methodology, relate its progress to the Committee, and develop plans to make any necessary improvements. Additionally, I will meet with officials from other departments that manage large grant funding streams, such as DOJ and HHS, to explore the particular metrics they employ with the aim to determine best practices.

- b. What metrics should FEMA require that states use to assess their current capability levels?

FEMA should require metrics that are SMART - Specific, Measurable, Actionable, Relevant, and Timely. As stated above, these metrics should be customized to each state and its specific risks and vulnerabilities and incorporate other successful programs related to building capabilities so as to validate their existence. Preparedness and performance activities, tasks and measures included in the UTL, TCL, and the National Scenarios may be appropriate.

- c. In your current position, how have you employed metrics to determine the effectiveness of the programs you oversaw? If applicable, please provide an example of one or more metrics that you believe was particularly useful in assessing preparedness or another desired outcome.

At the IAFF I follow a proven model for course assessment and evaluation based on Kirkpatrick's Four Levels of Evaluation: Reaction (how well trainees liked a particular program), Learning (calculating difference between pre- and post- tests), Behavior (assessed through interviews with students), and Results (examples would include decrease in worker injury, accidents, and workers compensation claims).

In order to evaluate the quality and integrity of the program, we collect data through a course pre-test, a course post-test, a comprehensive survey, a brief survey of the training, self-assessment of the skills of the instructor(s) and overall assessment of the course (based on course objectives). Progress is measured by comparing the pre-test and post-test scores. Approximately 12-18 months after the training, an on-site evaluation is administered to a sample of students to measure knowledge retention and longer-term results.

In my position with the IAFF, we also developed an integrated Quality Assurance Program (QAP) to ensure the efficient and consistent delivery of high-quality hazardous materials training programs. The focus of this program is to evaluate appropriateness, quality and effectiveness of worker health and safety training. The QAP consists of several components, including a checklist, Internal QA Report (IQAR), External QA Report (EQAR), and Program Auditing Function.

The IAFF also has two methods to determine the effectiveness of its instructors when delivering an IAFF-sponsored course: student evaluations and peer evaluations/observations. Through these evaluations, IAFF measures the extent to which the teacher covers specific objectives; sets clear expectations; possesses good communication skills; promotes critical thinking; checks for understanding; provides feedback; uses facilitation skills; asks open ended questions; encourages participations; uses audio-visuials; uses appropriate voice, eye-contact, and gestures; and has knowledge of the subject matter.

- d. At the House committee hearing, members questioned whether or not the Cost-to-Capabilities initiative could, in Chairman Thompson's words, "be saved and turned into something useful" and whether it was worth continuing to spend millions of dollars on.
- i. Are you familiar with the the Cost-to-Capabilities initiative? If so, what is your view of the current system? What is your view of its potential? Do you believe it can be "turned into something useful"?

I am familiar with the Cost-to-Capabilities initiative; I have been briefed on it, and I have watched the hearing of the House Subcommittee regarding its effectiveness. At this time, it is clear a lot of time, effort, and resources have been invested in the current system. If sufficient stakeholder involvement is incorporated and other systems of reporting are streamlined and incorporated into the Cost-to-Capabilities model, it has the potential to measure preparedness as related to the national scenarios, UTLs and TCLs. I believe that with the proper and diverse input of all stakeholders and subject matter experts the system can be useful. I also believe that it is worthwhile to consider something like C2C as a part of FEMA's overall comprehensive assessment system, and I want to ensure that we are working closely with NPD to gather the data that we need, while not causing an unnecessary burden to our grantees.

- ii. If confirmed, what measures will you take to improve the Cost-to-Capabilities system?

If confirmed, I will ensure that all stakeholders have an opportunity to contribute and suggest changes in the current test sample so both their needs and our needs for measuring capability can be met. Outreach and dialogue with state and local officials is key, as their understanding of C2C and what it should accomplish is critical.

23. In an April 2009 report, the Government Accountability Office (GAO) noted that FEMA officials had established a "charter" between the National Preparedness and Grant Programs Directorates to coordinate preparedness efforts related to the Cost-to-Capabilities initiative and the refinement of target capabilities. Are you familiar with this charter? What is your understanding of how the Cost-to-Capabilities initiative is being integrated with FEMA's efforts, largely led by the National Preparedness Directorate, to develop a comprehensive assessment system?

I am familiar with the charter and have read it in full. This charter is a formal agreement between GPD and NPD to collaborate on the Cost-to-Capability program. The Cost-to-Capability program works to build upon past efforts that went into the development of the UTL, TCL, and the national scenarios. It appears to be a building block approach aligned on past successes of NPD to build national capabilities, while also recognizing the wealth of grant expenditure data stored at GPD.

24. In January 2009, the DHS OIG released its annual report on individual states' management of the State Homeland Security Grant Program (SHSGP) and Urban Area Security Initiative (UASI) grants ("Annual Report to Congress on States' and Urban Areas' Management of Homeland Security Grant Programs" OIG-09-17). In the report, the Inspector General (IG) identified a number of shortcomings in how recipients manage their grants – pointing to, for example, incomplete and inaccurate financial reporting, weaknesses in monitoring and oversight, and a lack of measurable goals and objectives. How can FEMA encourage states and other grant recipients to adopt better management practices?

I believe that FEMA can work towards ensuring that grant recipients of all grant programs effectively manage their programs through a strong emphasis on outreach, training, and proactively working with grantees and potential grantees. If confirmed, I will work to encourage greater outreach and relationships between the grantees and FEMA to ensure compliance.

25. The adoption of additional measures to track, measure and evaluate homeland security spending is likely to put additional burdens on states and other grant recipients, who must measure outcomes and report relevant data to DHS. If confirmed, how will you balance the need to implement additional accountability measures with these potential additional burdens? What will you do to ensure the cooperation of states, first responders, and other recipients in tracking and monitoring efforts?

I am fully committed to strong oversight and tracking of homeland security dollars to ensure these investments are utilized effectively. I believe that stakeholder outreach is critical. We must talk to the states and other grantees to determine the administrative difficulties that they encounter. If confirmed, I will work with grant recipients and the GPD staff to strengthen accountability, while ensuring the information requested is relevant, transparent, and applied to future grant cycles.

26. A central way of assessing the efficacy of grants, as well as overall preparedness, is through the use of exercises. Similarly, weaknesses identified in exercises can form the basis for future grant requests. The National Exercise Program, however, is the responsibility of the National Preparedness Directorate. What specific steps do you intend to take to ensure that there is coordination between the Grant Programs Directorate and the National Preparedness Directorate and that exercises are designed effectively to advance and assess grant goals?

I am aware of the importance of state and local exercises and their after action reporting. In my position with MEMA, I taught the localities within the State of Maryland that after action reports (AARs) can act as report cards – identifying areas of strengths, weaknesses and justifying future funding possibilities, and future actions to be taken on a state level. If confirmed, I will work closely with NPD to ensure states retain the proper latitude in the grant guidance to use grant funding to take the necessary action on

deficiencies noted in the AAR. Additionally, I will encourage states to use grant dollars as incentives to implementing areas of improvement identified in exercise AARs.

Risk Assessment

27. To help it allocate grants such as those under the SHSGP and UASI, and for other purposes, DHS has developed a terrorism risk model. Reflecting the difficulties in determining the true risk of terrorism, however, the model in past years has been incomplete, depended on subjective weighting and has been difficult if not impossible to externally validate.
- a. Given the uncertainties inherent in measuring the risk of terrorism, how, if confirmed, would you approach the issue of risk analysis and what criteria would you use to evaluate whether a proposed method for allocating grants is appropriate and adequately reflects the likely risk of terrorism?

Measuring the risk of terrorism requires data from many sources. It is my understanding that states provide some of the data needed to determine risk. I have been briefed by HITRAC on the NCIPP and the annual data call and its criteria. I have also been provided the risk formulas for the various grant programs. 80% of the formula that affects SHSGP and UASIs is based on vulnerability and consequence, using mostly governmental sources. If confirmed, I will most certainly be open to feedback from stakeholders on the risk formula and its effects. I am aware of the reconsideration process should states have a difference of opinion and will support the process throughout.

- b. Do you believe that DHS's current risk model should be changed? If so, in what respects what you like to see it changed? If not, why not?

The current risk model appears to be of sound methodology, and has been socialized with a large majority of the State and UASI stakeholder groups. However, there may be room to improve the current formula, and I would support looking into that possibility. The current risk formula does not take into account an all-hazards approach. Should the legislation change to allow incorporation of all-hazards into the formula, I would certainly support its implementation.

28. DHS's general risk methodology conceives of risk as composed of three elements – threat, vulnerability and consequences. However, in awarding grants, FEMA has up until now presumed in its methodology that vulnerability is uniform throughout the nation. One consequence of this presumption is that it makes it difficult to determine if grants have “bought down risk” by enabling recipients to reduce their vulnerabilities.

What is your understanding of what FEMA and its Grant Programs Directorate are doing to ensure that vulnerability is appropriately incorporated into their risk analysis? If confirmed, what additional steps, if any, will you take to include measures of

vulnerability in the Grant Programs Directorate's assessments?

Vulnerability can be defined as being open to attack or capable of being wounded. I believe that, through thoughtful processes, vulnerabilities can be reduced. However, does the reduction of vulnerability negate the need for preparedness? In other words, does the attainment of a particular capability or reduction in vulnerability negate the need for continued support? If confirmed, I will work to address these questions and make modification as necessary.

29. The 9/11 Commission Recommendations Act requires DHS to allocate certain grants, such as those given out under the Interoperable Emergency Communications Grant Program, based on the risk of all-hazards. However, DHS has been slow to develop and implement a formula that encompasses both the risk of terrorism and the better-understood risk of natural disasters. What do you see as the challenges in this regard and, if confirmed, what steps will you take to ensure that DHS complies with the law and implements a true all-hazards risk formula? What is your understanding of the current status of the Department's efforts to develop such an all-hazards risk formula?

I have been briefed on this topic by GPD staff and understand that important steps have been taken to introduce an all-hazards formula into the FY 2010 IECGP grant program. If confirmed, I will work to address the concerns noted above. As there is limited funding to allocate, FEMA should be sure the funding is addressing the needs of each state and their unique characteristics.

30. The 9/11 Commission Recommendations Act requires that the FEMA Administrator allocate funds for SHSGP and UASI grants in large measure on the basis of the relative threat, vulnerability and consequences from acts of terrorism faced by states and urban areas. However, much of the work in assessing the risk to states and urban areas is done outside of FEMA, in the Office of Risk Management and Analysis in the National Protection and Programs Directorate. What role do you believe the Grant Programs Directorate should play in assessing the risk faced by states and localities from terrorism for the purpose of allocating homeland security grants?

The assessment of risk is truly a Department-wide activity. I believe the Grant Programs Directorate should continue to work closely with the risk management subject matter experts of the National Protection and Programs Directorate. GPD's focus is the administrative aspects of grant management, and its collaboration with other DHS components, such as the Office of Infrastructure Protection, Intelligence & Analysis, and Risk Management and Analysis; allows for data-driven grant allocation. If confirmed, I will be committed to continue this relationship.

31. The RAND Corporation noted in a 2004 report, "When Terrorism Hits Home: How Prepared are State and Local Law Enforcement," that "[h]omeland-security experts and first-responders have cautioned against an overemphasis on improving the preparedness of large cities to the exclusion of smaller communities or rural areas, noting that much of our critical infrastructure and some potential high value targets (nuclear power plants,

military installations, agriculture facilities, etc.) are located in less-populated areas.” Moreover, we know that al Qaeda attackers lived, trained, transited, hid, and otherwise used smaller communities and rural areas as a staging ground for the September 11, 2001 attacks. What steps will you take to ensure that smaller communities and rural states and localities receive adequate federal assistance to prevent, prepare for, respond to, and recover from terrorist attacks?

The risk-based formulas used to allocate federal assistance balances smaller communities and larger cities. Secretary Napolitano has noted that risk exists everywhere, and we need to ensure a baseline of preparedness across the country. If confirmed, I will work with states, UASIs and other grantees to ensure smaller jurisdictions are included in planning and preparedness efforts.

Integration of Grant Programs

32. The 9/11 Commission Recommendations Act expresses the sense of Congress that “in order to ensure that the Nation is most effectively able to prevent, prepare for, protect against, and respond to all hazards, including natural disasters, acts of terrorism, and other man-made disasters...the Department should administer a coherent and coordinated system of both terrorism-focused and all-hazards grants.” The Grant Programs Directorate is responsible for administering approximately two dozen grant programs, including both terrorism-oriented grants, such as SHSGP and UASI grants and all-hazards grants, such as Emergency Management Performance Grants (EMPG) and Interoperable Emergency Communications Grants. What steps do you intend to take to fulfill the sense of Congress and ensure that there is coherent system of grants so as to most effectively prepare for both man-made and natural disasters?

While each grant program works toward the accomplishment of grant-specific goals and objectives, any emergency requires multiple emergency response disciplines that use multiple modes of transportation and communication. If confirmed, I will work to ensure all grantees are functioning collaboratively to ensure a safe and effective response to all incidents, whether they are natural disasters or man-made.

33. The Post-Katrina Act gave FEMA the responsibility for administering all DHS grants to state and local governments. Although other components within the Department appropriately contribute their subject matter expertise – the Transportation Security Administration (TSA) providing input on transportation grants, the Coast Guard providing its perspective on port security grants – it was deemed important that there be one component, FEMA that would ultimately oversee all the grants, for at least two reasons. First, this maintains and builds upon the long-standing idea of a “one-stop shop” for grants – a single office, the Grant Programs Directorate within FEMA, that state and local governments can contact with questions about any and all grants for which they might be eligible. Second, and perhaps more important, it provides one office the ability to look across grant programs to ensure the guidance provided and the requirements imposed are consistent and, most important, that the grants awarded work together to foster overall preparedness. A single geographic area may receive SHSGP, UASI, port

security, transit security, interoperable communications, EMPG grants and more – and to be most effective those grants need to be allocated and used in a coordinated fashion, to work together to promote preparedness in that area.

- a. What is your understanding of the Grant Programs Directorate's role in administering the full range of state and local homeland security grants? What is your understanding of what the role of other Departmental components will be in the grants process? In the case of grants that may involve the subject matter expertise of other components, what is your understanding of the division of responsibilities in determining grant allocations among recipients? In developing grant guidance?

FEMA's Grant Programs Directorate has the overall programmatic lead for the grant programs and serves as the one-stop shop for grants within the Department. Many of the grant programs in the preparedness portfolio, however, are implemented in collaboration with other Departmental directorates and components, such as the Transportation Security Administration, U.S. Coast Guard (USCG), National Protection and Programs Directorate, and the Office of Health Affairs. As these entities are the subject matter experts, while FEMA serves as the grants administrator, it is entirely appropriate that FEMA and the other components jointly develop grant guidance and monitor recipients. For example, in the Port Security Grant Program, FEMA works with the USCG to develop the priorities within the grant guidance, and FEMA ensures compliance with relevant grant administration regulations, such as the Code of Federal Regulations and applicable OMB circulars. In addition, when determining grant allocations, FEMA works closely with the subject matter expert to develop recommendations for the DHS Secretary, who makes the final decision.

- b. If confirmed, how will you ensure that each of the Department's grants in a single geographic area work synergistically to promote preparedness?

I believe in the concept of working groups across multiple jurisdictions and/or multiple disciplines. If confirmed, I will work to ensure that this type of regional collaboration continues to be highlighted in FEMA/GPD grant guidance packages.

Regional Coordination

34. Most of the grants administered by the Grant Programs Directorate are awarded to individual states. Yet neither terrorist attacks nor natural disasters respect political boundaries. What steps will you take to promote greater regional coordination and regional preparedness?

I have always felt that regional coordination is a vital issue. Many of GPD's existing grant programs encourage regional collaboration, and, if confirmed, I will work to continue this regional perspective for federal funding programs.

35. What role, if any, do you believe FEMA's regional offices should play in grants administration?

I have been briefed on the existing grant programs that are currently implemented by the FEMA regions. Five programs have been migrated to the Regions. These programs, such as the Emergency Management Performance Grant, are appropriately implemented by the regions because they work very closely with the field. I believe that we should review existing programs to determine which, if any, additional programs should be migrated to the FEMA regions.

Grants to Tribes

36. Under the 9/11 Commission Recommendations Act, for the first time Indian tribes were permitted in some circumstances to apply directly for homeland security grants under the State Homeland Security Grant Program. What do you see as the unique challenges in addressing homeland security on tribal lands, and how do you believe that SHSGP grants can effectively be used to address those challenges?

Tribal nations face several unique challenges in addressing homeland security on their lands. Receipt of federal funds through these and other grant programs requires a programmatic and financial infrastructure to ensure accountability. The management of grant programs requires significant time and personnel committed to the project. The grant program also requires all expenditures to be directly linked to a homeland security strategy to ensure funds are spent wisely and are measurable. Regional planning is important, which will require coordination between tribal territories and the state to ensure a regional approach to planning and preparedness is comprehensive. If confirmed, I look forward to working with the FEMA Tribal Liaison and collaborating with other federal Tribal Liaisons to gain best practices and collaborate on projects.

37. In implementing the provisions of the 9/11 Commission Recommendations Act which provides for grants to directly eligible tribes (codified as section 2005 of the Homeland Security Act, 6 U.S.C. § 606), FEMA chose to establish a separate tribal grant program rather than incorporating tribal grant applications into the SHSGP program, as envisioned by the Act. Do you believe that establishing a separate tribal grant program was appropriate? If confirmed, do you expect to reexamine this decision?

A separate tribal program highlights the importance of our partnership with tribal entities and provides a unique program for tribal territories. If confirmed, I will look at the possibility of incorporating the tribal program into SHSP and will keep the Committee updated.

Port Security, Transportation Security and Other Infrastructure Protection Grants

38. FEMA shares responsibility for the Transit Security Grant Program with TSA. In a June 2009 report, GAO found that the roles and responsibilities of the two agencies were not well-defined or documented, limiting their ability to work collaboratively and ensure that the grant program runs smoothly. Further, GAO also found that FEMA has contributed to

delays in funding distribution, attributing them to backlogs in FEMA's review process – environmental reviews in particular – and a reported shortage of staff.

- a. In your view, what should FEMA do to ensure that collaboration and coordination with TSA takes place?

Collaboration and coordination with TSA should be an open and proactive relationship. It is my understanding that there is an existing MOU between FEMA and TSA relative to roles and responsibilities related to the grant programs. Those roles are also spelled out for grantees within each year's grant guidance. If confirmed, I will work directly with the TSA Administrator to ensure cooperation and collaboration among the two components.

- b. FEMA reported to GAO that it expected to have additional staff hired and in place by March or April 2009 in order to better manage the workload and reduce delays. Has the staff been hired? If so, how many? Does FEMA plan to take any further steps to address these challenges?

I have been briefed on this issue, and some additional staff have been hired over the last several months. I believe this is a step forward in assisting in the mitigation of the delays in releasing grant funds. If confirmed, I will review the existing workload analyses that have been completed to determine whether more staffing is needed in that area.

39. In response to a Coast Guard estimate of the cost to provide basic physical security to U.S. ports, Congress has repeatedly authorized and appropriated additional funding for the Port Security Grant Program beyond the Administration's annual budget request. Despite the continued need to improve the basic security measures implemented at U.S. ports post-9/11, DHS has now determined that the Port Security Grant Program should be the primary mechanism for assisting local ports as they implement the requirements of the Transportation Worker Identification Credential (TWIC). This will leave fewer funds available for other security measures, such as hardening perimeter security or for the purchase and deployment of surveillance equipment to improve maritime domain awareness and address a small vessel threat.

Do you believe the Port Security Grant Program is the proper mechanism for providing federal assistance to local ports in order to comply with TWIC regulations?

The TWIC program is an important component of the nation's overall security efforts at our ports. If confirmed, I will work closely with the TSA, the Screening Coordination Office and the USCG to ensure that the TWIC program is appropriately reflected in FEMA's grant guidance.

40. While the Port Security Grant Program has generally been effective, certain program guidelines have attracted criticism from port areas and users. For example, the program

currently prohibits awards for security personnel or operational costs directly associated with security activities, and the program also contains a 25% match requirement.

- a. Do you believe these provisions are necessary? What steps, if any, can be taken to improve the program?

I believe the provisions in all grant programs should take a unified approach to such issues as match requirements, personnel reimbursement, etc. I believe stringent provisions can be deterrents to applicants and leave eligible ports without the proper funding to support high security measures.

- b. Do you believe DHS should consider waiving match requirements while the nation continues to cope with an economic downturn?

Match requirements are a philosophical way of ensuring that grantees have a vested interest in the projects they propose. However, the reporting requirement of such a match can be burdensome, and sometimes act as a deterrent to grantees and potential grantees. At times, it may deter an eligible recipient from applying simply because of their lack of infrastructure to track the match. Additionally, if the match is a "cash" match it can be a hardship in the current economy. If confirmed, I will look into the trends and comparison of the number of applicants during times of a required match versus times when one is waived or not applicable. Additionally, I will review the number of grants that have been cancelled or declined due to grantees having not been able to meet the match.

- c. Port operators have noted that as additional security measures have been incorporated into the port, the costs for maintaining security equipment has grown accordingly. Do you believe lifecycle or maintenance costs should be an allowable expense under the port security grant program?

I believe that if the federal government requires ports and other entities to significantly increase levels of security, personnel, and equipment, then the government has a responsibility to assist in the maintenance of such equipment and assets.

41. Section 1406 of the 9/11 Commission Recommendations Act requires that the Secretary give appropriate consideration to the risks of an entire public transportation system, including the various portions of states into which a system may operate, when awarding grants to a system which operates in multiple states. Though the Committee has discussed this issue with several DHS officials, local transit officials continue to express a concern that TSA still lacks a viable process for coordinating and mediating regional working groups.
- a. How will you ensure DHS will give appropriate consideration to the security of all portions of multi-state transit systems? If confirmed, would you look for ways for FEMA to ensure regional cooperation within these programs is improved?

Yes, if confirmed I will work to ensure regional cooperation within these programs. I look forward to working with TSA and ensuring that the Regional Transit Security Working Groups (RTSWG) are working effectively. I would also encourage a review and update of each region's Regional Transit Security Strategy.

- b. How can we ensure that some parts of multi-state systems are not overlooked when transportation security grants are awarded?

I will work with my TSA colleagues to ensure a holistic approach to funding these multi-state transit systems so that all component parts are considered in the allocation decisions. I believe that the RTSWG can play a vital role in ensuring that portions of multi-state systems are not being overlooked.

42. The 9/11 Commission Recommendations Act includes state and local law enforcement personnel costs as permissible uses of funds for rail, transit and bus security grants but caps how much of those grant programs may be used for operational costs in some cases.

- a. Do you believe federal transportation security grants programs should fund a portion of state and local personnel costs associated with securing those systems of transportation?

GPD allows dollars to go to overtime for law enforcement personnel during training, exercises, and associated activities. If confirmed, I would like to explore the possibility of expanding the allowable use of funds to look at other personnel costs. I would like to discuss this with all impacted parties, including the transit systems and local law enforcement.

- b. Should the amount of funds available for this purpose be capped and, if so, at what level should they be capped?

I believe the cap should be reviewed and modified as necessary. I believe that the current economic environment, as well as changes in technology, should be taken into account during the review process.

- c. What other limitations, if any, should there be?

I would like to talk to the transit system partners about this issue before deciding on additional limitations. GPD/TSA hold a yearly After Action Conference with stakeholders, and that is one venue to seek feedback on issues such as this one.

Homeland Security Grants - Miscellaneous

43. Fusion centers have become one of the nation's key means of encouraging information sharing and collaboration among our different levels of government. DHS has supported

the centers in a number of ways, including through two grant programs – SHSGP and UASI. At our September 30, 2009 hearing, “Eight Years After 9/11: Confronting the Terrorist Threat to the Homeland,” Secretary Napolitano spoke of the importance of fusion centers and the role grant funding plays in sustaining them. What steps, if any, do you think the Grant Programs Directorate should take to encourage the centers?

I believe GPD should support the Secretary's pursuit of fusion centers and work to ensure associated grant guidance requires SMART objectives to effectively measure their impact. FEMA should work closely with DHS components as well as the Department of Justice on this important effort.

44. FEMA recently clarified its policy on the use of DHS grant funds to sustain established preparedness capabilities. Specifically, FEMA stated that grant funding can only be used for “maintenance agreements, user fees, and other sustainment costs as long as the equipment was purchased with FEMA preparedness grant funding and the sustainment costs falls within the performance period of the grant that was used to purchase the equipment.” Under this policy, grant money cannot be used, for example, to keep emergency equipment in order if the equipment was purchased during another performance period.
- a. To what extent do you believe states and locals should fund these sustainment costs? How should the appropriate cost share for the federal government and grantees be determined?

I believe that state and local government should do their best to fund costs associated with daily routine equipment. I believe that if the federal government requires a state or local to maintain a heightened level of capability to respond to all-hazards events then the federal government should provide support. Additionally, I believe that to increase the useful life of the equipment, grantees should be allowed to purchase maintenance contracts and warranties from one fiscal year (FY) to cover equipment purchased with funding from a different fiscal year. I believe we should talk with our grantees about an appropriate level of cost share, based on their current financial limitations.

- b. Should consideration be given to the current fiscal constraints faced by state and local governments? How should maintenance and sustainment costs be shared?

From the perspective of a first responder, I can attest firsthand to the vital need to maintain pieces of equipment. I believe that fiscal constraints faced by state and local governments should be taken into consideration when deciding how maintenance/sustainment costs should be shared. If confirmed, I would like to review all relevant data and determine the most appropriate way to manage these costs.

Metropolitan Medical Response System

45. The Metropolitan Medical Response System (MMRS) provides financial assistance to regions across the country to assist in medical preparedness for disasters, and to ensure that medical planning is integrated with that of other emergency response providers in a region.
- a. The President's proposed Fiscal Year (FY) 2010 budget included a proposal to convert the MMRS program to a new "Medical Surge Grant Program," and the Department has apparently been considering changing how MMRS grants are allocated among jurisdictions. Do you believe that the way MMRS grants are allocated should be changed? If so, why, and how specifically would you propose allocating these grants?

I believe the current MMRS system, which uses a flat rate equally proportioned to identified local governments, should be assessed in full to validate the necessity of funding and its impact. As the rationale for a flat rate for specific identified governments does not take into account risk, vulnerability, populations, or other factors associated as with other grant programs, in an effort to unify the approach to building capabilities, I believe this program should be fully assessed and analyzed to determine if changes are necessary.

- b. Apart from any changes in the allocation formula, what changes, if any, would you recommend be made to the MMRS program?

FEMA works very closely with the Department's Office of Health Affairs to review the grant guidelines each year and propose changes to the program. GPD also does this in cooperation with the MMRS communities and other interested partners. I feel it is appropriate to review the allocation formula for the next cycle, and it may be appropriate to review a process whereby each state and territory has an MMRS jurisdiction. I would not recommend any changes to MMRS until I have had the opportunity to discuss the program with all the relevant stakeholders.

Operation Stonegarden

46. Operation Stonegarden is a program DHS administers that currently provides funding for state and local law enforcement agencies to help DHS secure potential ingress routes along the border. The specific requirements for participating in Operation Stonegarden have varied significantly from year to year. For example, the program was initially restricted to the land border, subsequently expanded also to include states with water borders, and most recently limited once again to land border states. Similarly, Stonegarden initially focused on terrorism-prevention, but more recently has been used to fund activities related to the drug cartels along the southwest border.
- a. What do you believe should be the focus of the grant program in the future?

I believe this program should be flexible to meet the changing needs on America's borders. I also feel that any changes to grant programs should be made in consultation with stakeholders, especially stakeholders from the law enforcement community.

- b. What do you believe the Department can and should do to ensure more clear and consistent guidelines for the program?

Again, I believe this program has been expanded based on the needs along our borders, and I think that is a positive step. I am always interested in hearing from our stakeholder community on how guidelines for our grant programs can be improved.

Assistance to Firefighters Grants

47. The funding authorization for the Assistance to Firefighters Grant (AFG) program expired this year and our Committee is developing legislation to reauthorize the program. What specific changes, if any, would you recommend be made to the program?

My understanding from speaking with staff in FEMA about this program is that its current implementation framework is operating well. One of the greatest strengths of the AFG program is the stakeholder buy-in. The fire service is involved throughout the lifecycle of the program. GPD holds a meeting each year in which members of the fire service discuss criterion development. The applications are reviewed by a panel of peers and funding recommendations are made to GPD. Thus, before making any recommendations to change this program I would want to engage in discussions with the fire service. These discussions would include career, combination, and volunteer departments.

48. You are currently employed by the International Association of Fire Fighters, which represents career fire fighters. If confirmed, how will you work to ensure that volunteer and combination departments continue to receive sufficient support and federal assistance to meet their identified needs?

The International Association of Fire Fighters supports and is committed to a united and effective fire service for America. I understand well the importance of the volunteer departments not only to the fire community, but also, and perhaps more importantly, to the nation. Volunteerism is evidence of community commitment and participation, which are critical to our strength. I spent nine years working as a volunteer firefighter at the Prince George's County VFD, and those were some of the most rewarding years of my professional career. I will have no difficulty in providing an equal level of support and attention to all of the segments of our first responder community.

49. Currently, a percentage of AFG funds are used to support Emergency Medical Services (EMS), including both fire-based and non-affiliated (governmental, nonprofit and

private) EMS providers. Do you support the continuation of this support to EMS providers?

I have served as a paramedic and have the benefit of first-hand knowledge and experience of the Emergency Medical Services. The EMS community is an invaluable homeland security partner and if confirmed, I would elicit its feedback regarding not only the AFG program, but all major grant programs at the Department.

Hazard Mitigation Assistance Program

50. A Congressional Budget Office study found that for every \$1 invested in mitigation projects the federal government saves \$3. Hazard Mitigation Grant Program (HMGP) dollars are made available to states after the President issues a disaster declaration. The amount of HMGP funds available to a state is a function of the level of disaster assistance provided.

- a. Do you believe that this program has been adequately funded in the past?

Although I have received some briefings on the HMGP program, I would need to do additional research regarding funding levels. If confirmed, I look forward to discussing this with the Mitigation Directorate to determine how to best focus limited resources.

- b. If approved, what steps would you take to ensure that this program remains a top priority for the Administration?

If confirmed, I will work with FEMA leadership and the Mitigation Directorate to ensure that HMGP is considered among FEMA's and the Department's top priorities.

51. The National Pre-Disaster Mitigation (PDM) Grant program's purpose has been to implement hazard reduction measures prior to a disaster. Governors identify up to five communities to be considered for pre-disaster mitigation assistance – with FEMA making the final selections on awards. The President's budget request for FY2010 suggests that the competitive process may be replaced by a "risk-based" assessment conducted by FEMA.

- a. Do you support the idea of turning PDM into a risk-based program? If so, how would you recommend FEMA structure the program to ensure that the funds are distributed fairly?

Before I can answer that question, I would need to examine the current process for making PDM awards. There is certainly a precedent for making risk-based awards in FEMA, but I cannot speak to the special considerations for the PDM program. If confirmed, I will discuss the grant with the Mitigation Directorate, and will be sure to keep Congress aware of any potential changes.

- b. Do you believe the PDM program is meeting the overall goal of decreasing the vulnerability of communities throughout the nation to whatever hazard they may face?

If confirmed, I will work to assist the PDM program within FEMA to meet the overall goal of decreasing the vulnerability of communities to all hazards.

Human Capital Management

52. What is your approach to managing staff, and how has it developed in your previous management experiences?

As stated in question 10 above, my management experience has led me to a firm belief in the value of teamwork, pragmatism, and the empowerment of trained personnel. My approach to managing staff has grown and matured over the years as my level of responsibility has increased along with the number of staff which I oversee. My management philosophy, as described earlier, has been a key part of my approach whether performing officer duties on a medic unit or managing training programs at the University of Maryland, MEMA, LAFF. If confirmed, I hope to bring this philosophy to the Grant Programs Directorate. I believe that, if confirmed, my management style coupled with my record of successful leadership in other managerial positions will benefit the Directorate.

53. What actions in your past executive experiences demonstrate your style and approach in the area of labor-management relations?

As a former active member of LAFF Local 2702, I understand the importance of a strong labor-management relationship. As a member in a union within the Commonwealth of Virginia, we were restricted from operating under a collective bargaining agreement. It was therefore imperative to have a good working relationship with management to accomplish all of our goals collectively. Additionally, during my employment with the LAFF from 2004-2005 as a Health and Safety Assistant, I was an active member of the bargaining unit within the LAFF, the Office and Professional Employees International Union (OPEIU) Local 2. Now, as a Director with the LAFF, I work closely with OPEIU on a daily basis – in fact the former Assistant Shop Steward and newly elected Shop Steward currently work on my staff. Communication between management and labor is critical to avoiding misunderstandings and potential grievances. My style is to promote open and free communication. I believe in mutual respect and maintain an open door policy at all times.

54. In its report “Improvements Needed in Federal Emergency Management Agency Monitoring of Grantees” (OIG-09-38, March 2009), the DHS OIG recommended that FEMA develop a plan of action for all staff tasked with grant management and oversight responsibilities, as part of FEMA obligation to conduct a comprehensive strategic human

capital plan under the Post-Katrina Act. If confirmed, will you commit to working with others in FEMA management to develop such a plan for grant management and oversight staff?

I am familiar with this report, and will work with both FEMA and GPD staff to ensure this plan is developed.

Use of Contract Personnel

55. How many individuals work for the Grant Programs Directorate? Please include all individuals to whom an identification badge has been issued. Of those issued identification badges, how many are contractors?

*Federal staff: 155
Contractor staff: 129*

56. Do you believe that the Grant Programs Directorate is currently making appropriate use of contractors, or that it is over- or under-utilizing contractors? If confirmed, what factors would you consider in determining whether or not to use contractors for particular professional and management support services in the Grant Programs Directorate, and how would you weigh those factors?

If confirmed, I will review the existing data to determine whether or not the contractor-federal employee mix is appropriate. I wholeheartedly believe that only federal employees should perform inherently governmental functions related to the grant programs.

57. The DHS OIG's March 2009 report on FEMA's monitoring of grantees concluded that contractors were improperly performing inherently governmental work in the administration of Staffing for Adequate Fire and Emergency Response (SAFER), including approving payments and making program decisions based on a review of quarterly reports. If confirmed, will you commit to ensuring that contractors do not perform these or other inherently governmental functions and that procedures are put in place to ensure that such functions are performed only by FEMA employees?

I am familiar with this report. I would also note that FEMA/GPD has made progress towards the items noted in this report, including replacing the contractors who were previously performing this work with federal employees. I am committed to ensuring that contractors only perform administrative support for GPD and that federal employees handle inherently governmental functions.

V. Relations with Congress

- 58. Do you agree, without reservation, to respond to any reasonable summons to appear and testify before any duly constituted committee of the Congress if you are confirmed?

I agree without reservation.

- 59. Do you agree, without reservation, to reply to any reasonable request for information from any duly constituted committee of the Congress if you are confirmed?

I agree without reservation.

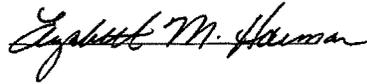
VI. Assistance

- 60. Are these answers your own? Have you consulted with DHS or any interested parties? If so, please indicate which entities.

These answers are my own. I have had briefings and discussions with staff at FEMA, TSA, USCG, NPPD and other DHS components.

AFFIDAVIT

I, Elizabeth M. Hecman, being duly sworn, hereby state that I have read and signed the foregoing Statement on Pre-hearing Questions and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.



Subscribed and sworn before me this 2nd day of December, 2009.


Notary Public EXP 11/14/2012

Senator Joseph I. Lieberman
Additional Questions for the Record
Nomination Hearing of Elizabeth M. Harman
December 10, 2009

1. Some local transit officials have expressed their concern to the Committee that the Department still lacks an effective and equitable process for coordinating the regional working groups established under the Transit Security Grant Program. Under that program, FEMA and TSA expect the participants in the regional working groups to form a consensus in evaluating and prioritizing projects in the region. However, this is often difficult because the parties each have a stake in their own projects. Another grant program, the Port Security Grant Program, overcomes this difficulty by requiring grant applications meet the objectives of the area security plan previously agreed to by all stakeholders, and by requiring an impartial DHS official – in this case, the local Captain of the Port – rank the local projects in accordance with the risks to the port. If confirmed, would you commit to work with TSA to evaluate whether a similar model should be adopted for the Transit Security Grant Program and to make a recommendation to the Secretary on such an approach?

The Transit Security Grant Program (TSGP) is co-managed by FEMA and the Transportation Security Administration (TSA), with FEMA responsible for designing and operating the administrative mechanisms needed to implement and manage the grant program. TSA provides programmatic subject matter expertise for the transportation industry and assists by coordinating intelligence information and risk/vulnerability assessments, which help us rank and rate rail and mass transit assets nationwide against threats.

Currently, the TSGP encourages each entity selected for funding to participate in a Regional Transit Security Working Group (RTSWG), develop a Regional Transit Security Strategy (RTSS), and develop regional consensus on the expenditure of TSGP funds.

I would agree that the success of regional collaboration with the Port Security Grant Program (PSGP) is a best practice to ensure that projects receiving funding are aligned with the required Port Wide Risk Management Plan, and have received regional review and recommendation, with final approval from the local Captain of the Port (COTP).

If confirmed, I will work with TSA and relevant stakeholders to determine if a similar model should be adopted for the TSGP.

2. Section 2007 of the Homeland Security Act, added by the Implementing Recommendations of the 9/11 Commission Act of 2007, requires that in allocating funds for the State Homeland Security Grant Program (SHSGP) and the Urban Area Security Initiative (UASI), DHS must consider both a state or urban area's "relative threat, vulnerability and consequences from acts of terrorism" (i.e., risk) and the "anticipated effectiveness" of the proposed use of the grant by the state or urban area. Requiring that DHS prioritize grants based on both risk and effectiveness is a key provision of that law.

recognizing the fact that a moderate risk area might sometimes propose to make better use of funding than a nominally higher risk area and that this should be factored into the grant allocation. Despite the statutory language, when DHS announced the opening of the application period for FY 2010 homeland security grants earlier this week, Department officials revealed that SHSGP and UASI awards had been determined based only on a risk assessment. Unlike previous years, DHS indicated it would not wait to review applications and evaluate the effectiveness of proposed plans for the grant funds before determining the amount of a state or urban area's final award. If confirmed, will you commit to re-examining this decision and to following the statute's mandate to consider both risk and effectiveness in determining future years' grant allocations?

My understanding is consistent with previous years, FEMA is taking both risk and effectiveness into account when evaluating the funding for States and Urban Areas under the FY2010 SHSGP and UASI grant programs. All SHSGP and UASI grants will have their anticipated effectiveness reviewed prior to awards being made.

If confirmed, I commit to ensuring that effectiveness is appropriately accounted for in the State Homeland Security Program (SHSP) and Urban Area Security Initiative (UASI) program awards as intended by the 9/11 Commission Act of 2007. I commit to reaching out to the Committee if I ever have questions regarding legislative intent.

**Senator Susan Collins
Additional Questions for the Record
Nomination of Elizabeth M. Harman
December 10, 2009**

1. I commend you on your service as a first responder, both as a firefighter and as a current employee of the International Association of Fire Fighters. As I'm sure you're well aware, however, at times members of the volunteer and career firefighting services have differences of opinion on issues relating to the fire service. Can you assure this Committee that you will be an impartial advocate for all members of America's firefighting services?

If confirmed as Assistant Administrator of the Grant Programs Directorate, you have my commitment that I will be an impartial advocate for all members of America's firefighting community; this includes career, combination, and volunteer fire departments. Having spent nine years as a volunteer firefighter in Prince George's County, I can personally attest to the invaluable contributions of the volunteer departments.

2. In recent years, FEMA has been criticized for not being responsive to the needs of State and local governments and other grantees. For example, the Fire Chief in Portland, Maine experienced significant problems in alleviating a backlog of unobligated funding for port security projects dating back several years. While there have been recent improvements, FEMA must do more to ensure coordination with those entities who are most affected by the policy and funding decisions made by FEMA leadership. If confirmed, what will you do to improve outreach to grantees?

I understand that both FEMA Headquarters and its Regions have a cadre of Program Analysts who are dedicated to working both informally and formally with states, territories, tribal nations, local jurisdictions, and nonprofit and private sector homeland security partners. FEMA recently hosted an after-action grants stakeholder conference in July 2009 in Denver, Colorado. Approximately 280 stakeholders attended the conference and provided their input to FEMA and DHS leadership regarding best practices, lessons learned, and recommendations for improving upon various preparedness grant programs. Upon conclusion of this conference FEMA also initiated an open comment period nationwide which gave all stakeholders an opportunity to provide their written comments and recommendations for future grant year programs.

In addition, I understand that there is specific outreach underway for stakeholders of the PSGP (Port Security Grant Program), TSGP (Transit Security Grant Program) and the AFG (Assistance to Firefighters Grant) Programs. If confirmed, I would like to expand on this outreach and ensure that the voices of state and local officials are fully heard.

December 11, 2009

The Honorable Joseph I. Lieberman
Chairman
United States Senate
Washington, DC 20510

The Honorable Susan Collins
Ranking Member
United States Senate
Washington, DC 20510

Dear Chairman Lieberman and Ranking Member Collins:

I would like to take this opportunity to clarify my comments from yesterday's hearing regarding the issue of matching requirements.

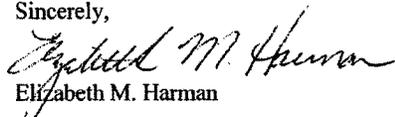
At yesterday's hearing Ranking Member Collins correctly pointed out that my concerns over matches had to do with the administrative burden they entail. The Ranking Member then went on to ask what my view was on requiring matches from grantees. First off, let me say that I can understand the value and importance of a match. A match requirement can be a mechanism for ensuring buy-in from the grantee, and can enhance the partnership between the granting agency (DHS) and the end user.

From an administrative standpoint, it is true that managing the requirements of a match can be arduous. However, my personal experience in grant administration is not a compelling enough reason not to move forward with a matching requirement. If confirmed as the Assistant Administrator of GPD, I would engage in outreach with the State's and other grantees to elicit their input as to how we can make the process clearer and less burdensome.

If confirmed to this important position I would be overseeing the awarding of approximately \$4 billion a year in preparedness grants. I do acknowledge that my perspective would be different as the FEMA awarding authority and steward of federal funds. I would rely on previous experiences as well as consultation with stakeholders to look for ways to make the reporting requirements for a match more user-friendly.

I hope this has helped to provide clarification. If confirmed I look forward to working with Congress and this Committee on these important issues.

Sincerely,


Elizabeth M. Harman



City of Alexandria, Virginia



October 28, 2009

The Honorable Joseph I. Lieberman
Chairman
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510

The Honorable Susan M. Collins
Ranking Member
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510

Dear Chairman Lieberman and Ranking Member Collins:

Please accept this letter as my enthusiastic and unqualified recommendation for the nomination of Elizabeth M. Harman as Assistant Administrator for Grant Programs at the Federal Emergency Management Agency.

I have known Ms. Harman since we were firefighter/paramedics working in adjacent jurisdictions. From my earliest acquaintance with Elizabeth I knew her as a highly-motivated, confident, and extraordinary professional. As our careers diverged from the traditional pathways, we became re-acquainted when I worked directly with Ms. Harman in her work managing a series of grant programs providing essential homeland security-related training and education to public safety and allied professionals across the United States. In this role, Elizabeth was tasked with fundamentally reshaping and recalibrating national programs in an environment characterized by intense fiscal and time pressures. Ms. Harman demonstrated outstanding vision and leadership under these challenging circumstances by engaging stakeholders, employees, and contractors in a unified effort to move forward.

As a local fire chief and former state fire director for the Commonwealth of Virginia, I am supremely confident that Elizabeth's matchless blend of experience, education, and management skills are exactly what is needed to serve with distinction in administering FEMA's critical portfolio of grant programs.

Thank you for your consideration and for your continued work to assure the safety and security of our nation.

Yours in service,

Adam K. Thiel
Fire Chief

October 19, 2009

The Honorable Joseph I. Lieberman
Chairman
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510

Dear Chairman Lieberman:

I am writing to express my support for the nomination of Elizabeth M. Harman as Assistant Administrator for Grant Programs at the Federal Emergency Management Agency.

This is perhaps only the third letter I have ever written to anyone in Congress and my first letter to a member of the Democrat Party. Yes I am a Republican, but like you have demonstrated, certain ideals and issues transcend party lines and those lines need to be ignored. In my view, there is no room for politics when it comes to public safety.

I have known Ms. Harman for many years, going back to her high school days. I have also had the privilege of working with her as a colleague when we were both employed at the University of Maryland Fire and Rescue Institute and later at the Maryland Emergency Management Agency. Her professional resume speaks for itself but it does not adequately speak to those intangibles such as her personal strength, her character and her drive to accomplish good. From her very early years as a recruit in a fire academy to her years on the line as a firefighter and paramedic, she showed her toughness. She also knew that she could do more. She constantly improved herself academically and would continuously seek those opportunities where she could take all that she had experienced and learned and use those lessons to serve the first responders who were still on the front lines. I am proud to have known her and urge you to give her this opportunity to further serve the profession she loves.

Thank you for your consideration and for your continued work to assure the safety and security of our nation.

Sincerely,



Robert Warren Campbell
The Johns Hopkins University Applied Physics Laboratory
National Security Technology Department
CBRNE Systems Defeat Branch
Awareness and Response Information Systems Group
Protection Operations and Analysis Section
11100 Johns Hopkins Road
Laurel, MD 20723-6099



Charleston Firefighter's Association

INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS
LOCAL 61 - CHARLESTON, S.C.

Bill Haigler - President

400 Arbor Oaks Drive, Summerville, S.C. 29485 - Tel 843-327-8120 Fax 843-871-0207

"The Charleston 9" WE WILL NEVER FORGET 6/18/07

October 21, 2009

The Honorable Joseph I. Lieberman
Chairman
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510

The Honorable Susan M. Collins
Ranking Member
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510

Dear Chairman Lieberman and Ranking Member Collins:

I am writing to express my strong support for the nomination of Elizabeth M. Harman as Assistant Administrator for Grant Programs at the Federal Emergency Management Agency.

My name is Bill Haigler and I am the President of International Association of Fire Fighters' Local 61. I met Ms. Harman in 2008 after I was contacted to host the IAFF's annual Instructor Development Conference in Charleston, South Carolina. Together with General President Schaitberger, they selected Charleston as the location for their 2008 conference in solidarity and support of our grief as we continue with the healing process.

As you may be aware, Charleston continues to recover from the tragic Sofa Super Store fire that occurred June 18, 2007 and resulted in the loss of nine brother fire fighters. Before, during and after the conference, Ms. Harman actively engaged the Charleston Fire Department and in particular our training academy instructors in an effort to bring skilled and talented instructors together – both IAFF instructors and Charleston Fire Department instructors. Charleston Mayor Joseph P. Riley, newly appointed Fire Chief Tim Carr and myself had an opportunity to not only welcome the IAFF instructor cadre to Charleston but to share our experience and lessons learned from the sorrowing event in 2007. Simple as it may sound, this conference provided an invaluable opportunity for our members to meet with other instructors from across North America allowing a vital exchange of information amongst those responsible for training America's bravest and most honorable profession.

Ms. Harman's continued training support has provided our department with talented instructors from across the United States that bring not only a powerful training program with a focus on health and safety, but a warmth and inspiration to assist in the rebirth of our great department. In April 2009, Ms. Harman prioritized our request for training and provided an essential four day train-the-trainer program in hazardous materials operations level training. In May 2009, Ms. Harman provided a ten day hazardous materials technician training program. Both of these training programs were essential and well overdue. Through thee solid, educationally sound programs and outstanding instructor cadre, Ms. Harman has assisted our department in significant improvements to ensure the life, safety and health of our members. The caliber of instructors provided by Ms. Harman is a testament to her high level of quality, understanding and expectations of fire fighter training. The training provided was taught by engaging and well versed instructors. Our members not only learned a wealth of information, but now behave safer on the job as a result of it.

Again, I urge your support of Ms. Harman as she moves along through her career, always remembering where she came from and always looking out for us in the field. Thank you for your consideration and for your continued work to assure the safety and security of our nation.

Sincerely,

Bill Haigler
President,
Charleston Firefighters Association
IAFF Local 61



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Washington, D.C. 20002
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Fax: 202-682-FIRE
Email: update@cfsi.org

William M. Webb
Executive Director

William Jenaway
President

Board of Directors
Louis J. Amabili
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Chris Neal

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CONGRESSIONAL FIRE SERVICES INSTITUTE

October 23, 2009

The Honorable Joseph I. Lieberman Chairman, Senate Homeland Security & Governmental Affairs Committee 340 Dirksen Senate Office Building Washington, DC 20510	The Honorable Susan M. Collins Ranking Member, Senate Homeland Security & Governmental Affairs Committee 350 Dirksen Senate Office Building Washington, DC 20510
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Dear Chairman Lieberman and Senator Collins,

On behalf of the Board of Directors of the Congressional Fire Services Institute, I am writing today to express support for President Obama's recent nomination of Elizabeth M. Harman to serve as the Federal Emergency Management Agency's (FEMA) Assistant Administrator of Grant Programs. Ms. Harman is an experienced professional, and we applaud President Obama in his selection.

A former firefighter/ paramedic with the City of Fairfax (VA) Fire and Rescue Department, Ms. Harman currently serves as the Director of the International Association of Fire Fighters' (IAFF) Hazardous Materials and Weapons of Mass Destruction Training Department. In addition, Ms. Harman previously held administrative positions in emergency management and taught at several academic institutions, including Northwestern State University, the Maryland Fire and Rescue Institute at the University of Maryland, and George Washington University.

As the Administration continues to fill key positions within the Department of Homeland Security (DHS), it is important to have experienced and knowledgeable professionals fill these important roles. Ms. Harman's impressive background and experiences in the fields of fire, emergency medical response and hazardous materials training will be of great benefit to FEMA and the position for which she was nominated. She will bring an important perspective to an office that oversees the management of more than 50 grant and financial-assistance programs that disburse approximately \$4 billion in non-disaster grant funding each year.

If you have any questions, or if we can be of further assistance, please do not hesitate to contact CFSI's Director of Government Affairs, Sean Carroll, at 202-371-1277 or scarroll@cfsi.org. Thank you for your continued dedication and commitment to our nation's fire and emergency services and best wishes for your continued success and safety.

Sincerely,

William F. Jenaway, PhD
President



**City of Fairfax
Fire Department**
Taking Pride in Excellence
Thomas W. Owens, CFO
Fire Chief



October 16, 2009

The Honorable Joseph I. Lieberman
Chairman
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510

The Honorable Susan M. Collins
Ranking Member
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510

Dear Chairman Lieberman and Ranking Member Collins:

I am writing to express my strong support for the nomination of Elizabeth M. Harman as Assistant Administrator for Grant Programs at the Federal Emergency Management Agency.

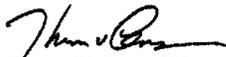
Mrs. Harman was previously employed by the City of Fairfax Fire Department as a Firefighter/Paramedic and provided outstanding service to the citizens of our community and the surrounding region. During her tenure with our department, Mrs. Harman was engaged in many of our organizational programs. This included our strategic planning initiatives, providing insight on woman's issues, participating in our mentoring program for new paramedics and serving as an instructor and performance evaluator for a wide variety of fire and emergency medical service training programs.

During my association with Mrs. Harman, I have found her to be the consummate professional. The variety in her passed experience has allowed her to develop a great depth to her knowledge of the emergency service industry. She has served with several organizations of different size and scope and has demonstrated exceptional skill in operational, administrative and program management positions. This has included significant oversight and management of multi-million dollar federal grants while employed with the International Association of Firefighters.

I believe Mrs. Harman will be a tremendous asset as Assistant Administrator for FEMA and that she would bring an outstanding perspective and capability to managing the DHS Grant Programs Directorate. It is my hope that your committee will provide a favorable review and positive action to confirm Mrs. Harman's appointment.

Thank you for your consideration and for your continued work to assure the safety and security of our nation.

Sincerely,


Thomas W. Owens, CFO
Fire Chief

cc: Members of the Senate Committee on Homeland Security and Governmental Affairs

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CHUCK CANTERBURY
NATIONAL PRESIDENT

JAMES O. PASCO, JR.
EXECUTIVE DIRECTOR

26 October 2009

The Honorable Joseph I. Lieberman
Chairman
Committee on Homeland Security
and Government Affairs
United States Senate
Washington, DC 20510

The Honorable Susan M. Collins
Ranking Member
Committee on Homeland Security
and Government Affairs
United States Senate
Washington, DC 20510

Dear Mr. Chairman and Senator Collins:

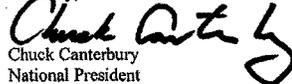
I am writing on behalf of the membership of the Fraternal Order of Police to support the nomination of Elizabeth M. Harman to be the next Federal Emergency Management Agency (FEMA) Assistant Administrator for the Grant Programs Directorate at the Department of Homeland Security.

Ms. Harman is more than qualified for this position considering her valuable experience in emergency management and program administration. She began her career as a fire fighter/paramedic for the City of Fairfax, Virginia Fire and Rescue Department and earned master degrees in Business Administration and Emergency Health Science. Currently she is the director of the Hazardous Materials (HazMat) and Weapons of Mass Destruction (WMD) Training Department at the International Association of Fire Fighters (IAFF), where she manages millions of dollars in Federal funding to support the largest HazMat/WMD training program of fire fighters in North America.

Prior to joining IAFF she was the Director of Department of Defense Training for the University of Maryland, Maryland Fire and Rescue Institute, where she wrote and executed federal training contracts and oversaw the development and delivery of numerous training courses, including hazardous materials management, response and waste. After reviewing her diverse career as a rank and file public safety officer, emergency manager, and program administrator, the FOP is pleased to endorse Elizabeth M. Harman be the next Assistant Administrator for the Grant Programs Directorate at FEMA.

On behalf of the more than 327,000 members of the Fraternal Order of Police, I want to thank you for your consideration of our views. If I can be of any additional help to you, please feel free to contact me or Executive Director Jim Pasco in my Washington office.

Sincerely,


Chuck Canterbury
National President

— BUILDING ON A PROUD TRADITION —





October 19, 2009

The Honorable Joseph I. Lieberman
Chairman
Committee on Homeland Security and
Governmental Affairs
United States Senate
Washington, District of Columbia 20510

The Honorable Susan M. Collins
Ranking Member
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, District of Columbia 20510

Dear Chairman Lieberman and Ranking Member Collins:

I am writing to express my strong support for the nomination of Elizabeth M. Harman as Assistant Administrator for Grant Programs at the Federal Emergency Management Agency.

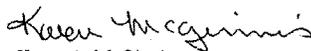
I have known and worked with Ms. Harman for five years in her position with the International Association of Fire Fighters. In that time, I have come to appreciate her knowledge and professionalism in the management and delivery of training for emergency responders and disaster recovery workers. She has the advantage of having first-hand emergency responder experience that she brings to training program administration.

Elizabeth has built a tremendous network with other organizations and agencies who also share in the responsibility to ensure our responders and disaster recovery workers are trained and ready to go for any possible incident. Our organization has had the opportunity to host training and exercises with the IAFF. One included a full field exercise dealing with a radiological dirty bomb incident. That training dealt with not only the initial response, but also the critical issue of disaster scene clean up. We had fire, emergency medical and both building and metal trades' workers training together. Elizabeth understands the needs of these individuals and the responsibility to ensure their safety and health when they are protecting our nation.

In closing, I have come to respect Elizabeth for her work ethic and dedication to the training of our nation's responders. I am confident she would do a great job administering the grant program at FEMA.

Thank you for your consideration and for your continued work to assure the safety and security of our nation.

Sincerely,


Karen A. McGinnis
Director

cc: Members of the Senate Committee on Homeland Security and Governmental Affairs



CITY OF HOBOKEN
DEPARTMENT OF PUBLIC SAFETY
DIVISION OF FIRE
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RICHARD BLOHM
CHIEF OF DEPARTMENT

PHONE (201) 420-2258
FAX (201) 420-2224

October 21, 2009

The Honorable Joseph I Lieberman
Chairman
Committee on Homeland security
And Governmental Affairs
United States Senate
Washington, DC 20510

The Honorable Susan M. Collins
Ranking Member
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510

Dear Chairman Lieberman and Ranking Member Collins:

My name is Richard Blohm and I am currently the Fire Chief in Hoboken, New Jersey having been in the fire service for 32 years I have an avid interest in issues that affect the emergency response community. I have recently heard that Elizabeth M. Harman has been nominated for Assistant Administrator for Grant Programs at the Federal Emergency Management Agency. I wish to express in the strongest terms possible my support for this nominee and urge you to do the same.

I first met Mrs. Harman in 2005 where we collaborated as part of a development team on a unique safety project entitled Frontline Safety which has had a successful impact on the emergency response community across the United States. This project focused on conceptual issues designed to curtail emergency responder fatalities and injuries. Her expertise in the development of this program was invaluable. Honestly, Mrs. Harman "gets it" when it comes to realizing the importance, implementation and ability to measure the effectiveness of training initiatives making her an invaluable asset to any organization. She has also been a big proponent of developing the necessary tools to measure the impact once training has been delivered.

During the development of the Frontline Safety project I had the opportunity to witness firsthand Mrs. Harman's capabilities as a grants manager. Her sharp eye regarding budgetary oversight is legendary and I was party to many of her conversations with her subordinates regarding a myriad of aspects concerning the multiple and varied grants she oversaw. Her ability to mentor and delegate tasks efficiently and effectively are what assisted in successful conclusions for her grant proposals. Her management style and

effectiveness is what led too much of the International Association of Firefighters Hazardous Materials Training program's successes.

In one instance her effectiveness as a grants manager was personally witnessed by me regarding the Bergen County Law & Public Safety Institute's Police & Fire Academy in New Jersey. Mrs. Harman was able to stretch grant dollars to insert this cutting edge training (Emergency Response to Terrorism: Operations) into a program called Firefighter One for entry level emergency responders consisting of career and volunteer firefighters as well as emergency medical responders and law enforcement individuals. This program is still being delivered there today with a minimal drain/cost to the grant yet yielding significant data from each training delivery. The return on this investment is still yet to be fully realized due to Mrs. Harman's vision! I am extremely confident that her extensive knowledge regarding grants will indeed make her a terrific asset to FEMA and the emergency response community across America.

She is an extremely focused woman who at all times remains a true professional yet has the ability to think "outside the box" frankly, individuals of her caliber are not easy to come by. Her ability to identify solutions to the varied challenges that confront first responders is well known throughout the fire service. This is in no small part due to her disciplined skill sets which she commits 100% when identifying any challenges and more importantly arriving at solutions to those challenges.

In closing I would strongly urge you to support Mrs. Harman for the Presidential nominee for this position I think it is extremely important to place talented individuals where they can do the most good. President Obama's administration has made an extremely wise choice in selecting Elizabeth Harman and I urge you to do everything in your power to see her through the upcoming hearings. Should you have any questions please feel free to contact me at your earliest convenience.

Respectfully and Sincerely,



Richard Blohm
Fire Chief
Hoboken, New Jersey



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November 13, 2009

The Honorable Joseph I. Lieberman
 Chairman
 U.S. Senate Committee on Homeland Security
 and Governmental Affairs
 340 Dirksen Senate Office Building
 Washington, D.C. 20510

Dear Chairman Lieberman:

On behalf of the nearly 13,000 chief fire and emergency officers of the International Association of Fire Chiefs (IAFC), I am writing to express my support for the nomination of Elizabeth M. Harman to be the Assistant Administrator of the Federal Emergency Management Agency (FEMA) for Grants Programs.

Ms. Harman has both a practical knowledge of the training needs of America's first responders and a user's perspective in dealing with federal grants programs. She was a member of both the career and volunteer fire service and has years of experience in training first responders. For the past five years, Ms. Harman has worked for the International Association of Fire Fighters, where she managed a multi-million dollar program to train firefighters to respond to incidents involving weapons of mass destruction and hazardous materials. She also worked with the IAFC to make sure that America's firefighters are prepared to respond to the numerous challenges -- both natural and manmade -- that confront the modern public safety officer.

As the nation's premier fire and emergency services leadership organization, the IAFC supports Ms. Harman's nomination. We urge you to schedule her confirmation hearings expeditiously, and look forward to working with you to ensure her confirmation.

Sincerely,

Chief Jeffrey D. Johnson, EFO, CFO, MIFireE
 President and Chairman of the Board


INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS®

HAROLD A. SCHAIBERGER
General President

October 20, 2009

The Honorable Joseph I. Lieberman
Chairman
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510

The Honorable Susan M. Collins
Ranking Member
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510

Dear Senators Lieberman and Collins:

It is with great pride that I offer my full support for Elizabeth M. Harman, who has been nominated for the position of Federal Emergency Management Agency (FEMA) Assistant Administrator for the Grants Program Directorate within the Department of Homeland Security (DHS).

Elizabeth's breadth of experience as a first responder, manager of federal government grant projects, curriculum developer, trainer and her performance measurement expertise have provided her with a strong foundation of practical and intellectual experience that will ensure her success at FEMA and the success of the programs which she will oversee.

As a fire fighter and paramedic in Fairfax City, Virginia, she learned first hand what our country's first responders need to do their job protecting our homeland and its citizens.

Upon completion of her graduate degree, Elizabeth worked as the Director of Department of Defense Training for the University of Maryland, Maryland Fire and Rescue Institute, managing a staff of 10 full-time employees and approximately 500 consultants/subject matter experts from the fire, hazardous materials and emergency services field and wrote and executed federal training contracts.

Elizabeth brought that experience to the IAFF, as a Health and Safety Assistant in 2004. In that role, she was responsible for the preparation, development and implementation of various federal grants related to health and safety.

Her excellent work was rewarded when she became the Director of the IAFF Hazardous Materials and Weapons of Mass Destruction Training Department, the largest grant funded training program of its kind in the United States.

In addition to her advanced degrees, Elizabeth's current and former professional certifications include: fire fighter, hazardous materials operative, paramedic and certified fire protection specialist. She served as a member of the Department of Energy's Training Subcommittee for Transportation External Coordination and is the primary IAFF representative for all NIOSH, NIEHS, DHS, DOE and DOT projects.

1750 NEW YORK AVENUE, N.W., WASHINGTON, D.C. 20006-5395 • (202) 737-8484 • FAX (202) 737-8418 • WWW.IAFF.ORG

The Honorable Joseph J. Lieberman
The Honorable Susan M. Collins
Page 2
October 20, 2009

That background has provided Elizabeth with a particular expertise in developing, designing, coordinating and delivering a wide range of training assessments, emergency management training, technical assistance, and exercise and evaluation activities as they pertain to the Department of Homeland Security Exercise and Evaluation Program and associated DHS Grant funding. This is an expertise not shared by many in the United States, and which will help her administer the Grants Program Directorate at a very high level.

Obviously, Elizabeth's education, background and experience make her a uniquely qualified candidate for the job for which she has been nominated. In support of her nomination, I would add that her exemplary performance at every level along her professional journey leaves me no doubt that if you confirm her nomination, she will prove just as indispensable serving our nation at FEMA as she has been serving this nation's fire fighters and fire service.

I strongly urge you to confirm Elizabeth Harman as FEMA's Assistant Administrator for the Grants Program Directorate.

Respectfully,



Harold A. Schaitberger
General President



International Union of Operating Engineers

October 21, 2009

VINCENT J. GIBLIN
GENERAL PRESIDENT

CHRISTOPHER HANLEY
GENERAL VICE PRESIDENT

GENERAL VICE PRESIDENT
WILLIAM C. WAGGONER

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SECRETARY

JOHN M. HOUTDAY III
TREASURER

JOHN T. ALLEN

MICHAEL GALLAGHER

KUBA J. BROWN

GLEN D. JOHNSON

GENERAL COUNSEL

RICHARD GRIFFIN

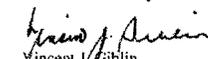
The Honorable Joseph I. Lieberman
United States Senate
522 Hart Senate Office Building
Washington, DC 20510

Dear Senator Lieberman:

On behalf of the International Union of Operating Engineers, I write in support of the nomination of Elizabeth M. Harman as the Assistant Administrator for the Grant Programs Directorate in the Federal Emergency Management Agency at the Department of Homeland Security. As the labor union which represents heavy equipment operators, skilled Operating Engineers are often some of the first responders to both natural disasters and other emergency situations. We work in close coordination with law enforcement and fire fighter personnel to remove physical materials caused by various emergencies.

We believe Ms. Harman is uniquely qualified for this important position. She has frontline experience with the emergency management community, as well as administrative experience and training in grant administration at the International Association of Fire Fighters. As a union which itself has managed several millions of dollars in hazardous waste training grants from various other federal agencies, the Operating Engineers are keenly aware of the expertise required to effectively prepare our membership in meeting the unique challenges facing FEMA in emergency preparedness. We believe Ms. Harman is imminently qualified for her nominated position and we respectfully urge your support for her nomination.

Sincerely,


Vincent J. Giblin
General President

TJ:cn



1125 SEVENTEENTH STREET, NW • WASHINGTON, DC 20036-4707 • 202-429-9100 • WWW.IUOE.ORG



NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.

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 President
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 Association

SEAN M. SMOOT
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 Association of Illinois

CHRIS COLLINS
 Sergeant-at-Arms
 Las Vegas Police
 Protective Association

KEITH DUNN
 Executive Secretary
 New Jersey State Policemen's
 Benevolent Association

NATIONAL HEADQUARTERS

WILLIAM J. JOHNSON
 Executive Director

October 22, 2009

The Honorable Joseph I. Lieberman
 Chairman
 Committee on Homeland Security
 United States Senate
 Washington, D.C. 20510

The Honorable Susan M. Collins
 Ranking Member
 Committee on Homeland Security
 United States Senate
 Washington, D.C. 20510

Dear Chairman Lieberman and Ranking Member Collins:

On behalf of the National Association of Police Organizations (NAPO), representing more than 241,000 law enforcement officers throughout the United States, I am writing to advise you of our endorsement of the nomination of Elizabeth M. Harman for Federal Emergency Management Agency (FEMA) Assistant Administrator for the Grant Programs Directorate (GPD). As Assistant Administrator, Ms. Harman will oversee the management of more than fifty grant and financial assistance programs, including vital first responder homeland security grant programs.

Ms. Harman began her career as a fire fighter and paramedic for the City of Fairfax Fire and Rescue Department. After completing her Master in Business Administration, she became the Director of Department of Defense Training for the University of Maryland, Maryland Fire and Rescue Institute, where she wrote and implemented federal training contracts and oversaw the development and delivery of numerous training courses including hazardous materials management, response and waste. In 2004, Ms. Harman joined the International Association of Fire Fighters (IAFF) as a Health and Safety Assistant before being appointed to the Director of the Hazardous Materials (HazMat) and Weapons of Mass Destruction (WMD) Training Department at the IAFF in 2005. As Director, she manages millions in federal funding to support the largest HazMat/WMD training program for fire fighters in North America.

NAPO believes Ms. Harman's years of experience and education in emergency management and program administration, as well as her career as a fire fighter, will be essential to FEMA's ability to efficiently and effectively meet our nation's security needs and the needs of the first responder community. Therefore, we urge you to confirm the nomination of Elizabeth M. Harman for FEMA Assistant Administrator for the GPD. If you have any questions, please feel free to contact me, or NAPO's Director of Governmental Affairs, Andrea Mourmighan, at (703) 549-0775.

Sincerely,

William J. Johnson
 Executive Director



NATIONAL ASSOCIATION OF STATE FIRE MARSHALS

November 9, 2009

Senator Joseph Lieberman
Senate Homeland Security and
Government Affairs Committee
340 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Lieberman:

On behalf of the National Association of State Fire Marshals, I am writing to offer our Association's strong support for the nomination of Elizabeth Harman to become the Federal Emergency Management Agency Assistant Administrator for the Grant Directorate Program (GDP).

The National Association of State Fire Marshals (NASFM) represents to most senior fire officials in the fifty states and the District of Columbia. The Association's mission is to protect human life, property and the environment from fire and fire-related hazards. As such, NASFM's membership is deeply concerned with ensuring that adequate and appropriate Federal resources are provided to local, county and State public safety agencies.

We applaud the Obama Administration's nomination of Ms. Harman. Her extensive experience in and understanding of local emergency response and management issues make Ms. Harman uniquely qualified to lead the GDP. At the International Association of Fire Fighters, Ms. Harman has brought strong and inclusive leadership to ensuring that our nation's firefighters are properly trained to handle the most challenging response scenarios.

Please contact me should you have any questions.

Sincerely,

Alan Shuman
President, and
Georgia State Fire Marshal

cc: Senator Susan Collins, Ranking Member

P.O. Box 671 • Cheyenne, WY 82003 • Tel: (307) 433-8078 • Fax: (307) 632-3554 • www.firemarshals.org



National Fire Protection Association

1 Batterymarch Park, Quincy, MA 02169-7471
 Phone: 617-770-3000 • Fax: 617-770-0700 • www.nfpa.org

October 22, 2009

The Honorable Joseph I. Lieberman
 Chairman
 Committee on Homeland Security
 and Governmental Affairs
 United States Senate
 Washington, DC 20510

The Honorable Susan M. Collins
 Ranking Member
 Committee on Homeland Security
 and Governmental Affairs
 United States Senate
 Washington, DC 20510

Dear Chairman Lieberman and Ranking Member Collins:

I am writing to express the support of the National Fire Protection Association (NFPA) for the nomination of Elizabeth M. Harman as Assistant Administrator for Grant Programs at the Federal Emergency Management Agency (FEMA).

As Director of the IAFF Hazardous Materials and Weapons of Mass Destruction Training Department, and previously as Director of Department of Defense Training for the University of Maryland, Maryland Fire and Rescue Institute, Ms. Harman was responsible for the development and delivery of numerous first responder training programs. Through these positions, she has demonstrated a particular expertise in training assessment and evaluation that will enable her to perform as a strong, effective Grants Administrator.

Throughout her professional career, Ms. Harman has also proven to be knowledgeable and a strong proponent of NFPA standards. In addition to her significant training and grants management expertise, Ms. Harman's experience as a professional and volunteer firefighter provides her with the real-world experience necessary to understand and respond to the needs of our nation's emergency responders. She is exceptionally qualified to serve as FEMA's next Assistant Administrator for Grant Programs.

Thank you for your consideration of our views and for your continued work to assure the safety and security of our nation.

Sincerely,

James M. Shannon
 President

National Institute of Environmental Health Sciences • Worker Education and Training Program
National Clearinghouse for Worker Safety and Health Training

October 23, 2009

The Honorable Joseph I. Lieberman
Chairman
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510

The Honorable Susan M. Collins
Ranking Member
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510

Dear Chairman Lieberman and Ranking Member Collins:

I am writing to express my strong support for the nomination of Elizabeth M. Harman as Assistant Administrator for Grant Programs at the Federal Emergency Management Agency.

Having worked with Ms. Harman since 2005, I know her to be a highly competent leader, with dedicated staff who respect her leadership ability. She has done an admirable job at the International Association of Fire Fighters (IAFF) running their Hazardous Materials and Weapons of Mass Destruction Training Department.

Ms. Harman understands the importance of high quality training for those involved in protecting our country and those involved in responding to various disasters that occur here. She has helped move the IAFF towards a higher level of evaluation for its training programs and understands the critical importance of verifying knowledge and skill attainment in training to demonstrate competence.

Ms. Harman is a woman of great integrity, professionalism and an ability to work with others to accomplish organizational goals. I am confident that she will continue the Directorate's work to improve measures to track funds and to ensure their efficient and effective use and will work collaboratively with stakeholders to accomplish Homeland Security priorities.

Elizabeth Harman will make an excellent Assistant Administrator of the Grant Programs Directorate at FEMA.

Thank you for your consideration and for your continued work to assure the safety and security of our nation.

Sincerely,



Deborah Weinstock
Director, NIEHS National Clearinghouse for Worker Safety and Health Training

cc: Members of the Senate Committee on Homeland Security and Governmental Affairs

National Clearinghouse for Worker Safety and Health Training
Washington, DC 20036 • (202) 331-7733 • info@wetsp.org • <http://tools.niehs.nih.gov/wetp/>
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NATIONAL SHERIFFS' ASSOCIATION

November 17, 2009

The Honorable Joseph I. Lieberman, Chair
 The Honorable Susan M. Collins, Ranking Member
 Committee on Homeland Security and Governmental Affairs
 Washington, D.C. 20510

Dear Chairman Lieberman and Ranking Member Collins:

On behalf of the National Sheriffs' Association (NSA), I am writing today to express our support for the nomination of Elizabeth Harman to become the Assistant Administrator for the Grant Programs Directorate, Federal Emergency Management Agency (FEMA), within the United States Department of Justice (DHS). We respectfully urge you to confirm her nomination without delay.

The Grant Programs Directorate was created by FEMA to provide a unified and solutions-oriented approach to managing federal grants awarded to state and local communities, as well as critical infrastructure systems, throughout the nation. These grants enable the communities and infrastructures to significantly enhance their preparedness, protection, response, recovery, and mitigation capabilities. The Grant Programs Directorate also provides on-site monitoring and technical assistance to all grantees. The Assistant Administrator would be responsible for overseeing the Directorate's critical goals, which assist state and local communities in continuing to ensure the safety and security of their citizens.

It is clear from her vast experience and qualifications that Ms. Harman is the ideal candidate to serve in this prestigious role. As the current Director of the Hazardous Materials and Weapons of Mass Destruction Training Department at the International Association of Fire Fighters (IAFF), Ms. Harman has extensive experience in the management and application of federal grants. Ms. Harman has also worked for Johns Hopkins University and the Maryland Emergency Management Agency as the Exercise and Training Administrator, responsible for coordinating efforts to support the State Agency National Capital Region (NCR) partners to develop and deliver a variety of trainings and assessments, pertaining to the DHS Exercise and Evaluation Program, and other DHS grant funding.

Furthermore, Ms. Harman also understands first-hand the crucial needs of the nation's first responders, as she has previously served as a firefighter and paramedic. NSA is confident that Ms. Harman possesses the diverse background necessary to undertake the Assistant Administrator position and ensure FEMA grants are efficiently and effectively implemented by state and local communities.

As one of the largest law enforcement associations in the United States, the National Sheriffs' Association is calling upon the United States Senate to swiftly confirm Elizabeth Harman as the Assistant Administrator for the Grant Programs Directorate, Federal Emergency Management Agency.

Sincerely,

Aaron D. Kennard
 Executive Director

1450 Duke St. • Alexandria, VA 22314 • 703.836.7827 phone • 703.683.6541 fax • www.sheriffs.org • nsamau@sheriffs.org



FIRE DEPARTMENT CITY OF NEW YORK
Hazardous Materials Operations
FDNY Training Academy
Building No. 8
Randalls Island, New York 10035

Nicholas Del Re
Chief in Charge

The Honorable Joseph I. Lieberman
Chairman
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510

The Honorable Susan M. Collins
Ranking Member
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510

Dear Chairman Lieberman and Ranking Member Collins:

I am writing to express my strong support for the nomination of Elizabeth M. Harman as Assistant Administrator for Grant Programs at the Federal Emergency Management Agency.

Ms. Harman has assisted the FDNY with its hazardous materials and weapons of mass destruction training since her arrival at the International Association of Fire Fighters (IAFF) in 2005. Her first hand knowledge and skills of firefighting and emergency response have added greatly to the level of expertise and support she has provided not only our recruits, but to our command level personnel. Even in times of budgetary constraints due to high training demand, Ms. Harman has been able to give priority to training our high risk and vulnerable department by stretching the IAFF's federal funding to ensure our need for training was met. Ms. Harman's ability to do so, while balancing the needs of other emergency responders across North America, is a testament to her drive to provide quality, effective and measurable training to all first responders.

Thank you for your consideration and for your continued work to assure the safety and security of our nation.

Sincerely,

Nicholas Del Re
Chief in Charge
FDNY Haz-Mat

cc: Members of the Senate Committee on Homeland Security and Governmental Affairs

1607 Stone Ridge Way
Bel Air, MD 21015

October 20, 2009

The Honorable Joseph I. Lieberman
Chairman
Senate Committee on Homeland Security and Governmental Affairs
United States Senate
340 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Lieberman:

I am writing to express my strong support for the nomination of Elizabeth M. Harman as Assistant Administrator for Grant Programs at the Federal Emergency Management Agency.

I have been most fortunate to be associated with Elizabeth Harman over the last 10 years as a colleague and friend. First meeting Elizabeth as new faculty member of the Maryland Fire and Rescue Institute, we watched her develop a small program focused on contract extension training to a large and worldwide recognized program of excellence. During this program development and enhancement, Elizabeth performed and supervised every step or part of the delivery program. She proved the ability to coordinate, manage, teach, and evaluate.

Elizabeth worked with us at the Maryland Emergency Management Agency in the development and coordination of our National Capital Region, as well as our state wide emergency management exercise and training program. There she lead local jurisdictions through the orientation of the national exercise program (HSEEP - Homeland Security Exercise and Evaluation Program). She developed, coordinated, facilitated, lead, and evaluated exercises.

She currently is employed with the International Association of Fire Fighters as their Director for the Hazardous Materials Training Program. This program is available to fire fighters worldwide. In this program she has successfully developed, coordinated, facilitated, lead, supervised, managed and evaluated, clearly proving her ability to provide leadership.

She started her career as a full time paramedic for the City of Fairfax, VA. From there moving to the faculty of MFRI, to MEMA, to IAFF. During all of this movement she has been involved as a instructor, teaching the first responders in all of these entities. Also, during this time period she has excelled in her own academic achievements - - earning not only her bachelor's degree, but several master's degrees. She is clearly one who has experience and has the ability to share that experience as well as provide leadership within the DHS/FEMA environment.

Thank you for your consideration and for your continued work to assure the safety and security of our nation.

Sincerely,



Russell J. Strickland
MEMA Deputy Director (Retired)
MFRI Assistant Director (Retired)
Professional Staff
Johns Hopkins University Applied Physics Laboratory



October 20, 2009

The Honorable Joseph Lieberman
 Chair
 Senate Committee on Homeland Security and Government Affairs
 340 Dirksen Senate Office Building
 Washington, D.C. 20510

The Honorable Susan Collins
 Ranking Republican Member
 Senate Committee on Homeland Security and Government Affairs
 344 Dirksen Senate Office Building
 Washington, D.C. 20510

Dear Senators Lieberman and Collins:

On behalf of the Transportation Trades Department, AFL-CIO (TTD), I urge you to confirm Ms. Elizabeth M. Harman to be the Assistant Administrator for the Grant Programs Directorate (GPD) of the Federal Emergency Management Agency (FEMA).

As part of FEMA's broad responsibilities to prepare for and respond to natural disasters, acts of terrorism and other dangerous incidents, the agency oversees several important transportation security grant programs. For transportation workers, it is imperative that the funds provided by these grant programs are distributed efficiently, in compliance with existing statutory requirements, and in a manner that will enhance the security of our transportation system. In fact, the funds provided by FEMA are critical to ensuring that front-line transportation workers receive the security training they need and that transportation providers can implement security upgrades that would otherwise be economically prohibitive. Given her training, background and unique qualifications, we feel that Ms. Harman is in an excellent position to ensure that FEMA's grant programs are implemented as Congress intended.

Ms. Harman has an extensive background in managing federal security and safety grant programs. As the Director of the International Association of Fire Fighters' (IAFF) Hazardous Materials and Weapons of Mass Destruction Training Department, she is responsible for managing grants from a variety of federal agencies, as well as ensuring compliance and implementation of these grants. This requires her to work directly with federal officials and outside academic professionals to evaluate and address the training needs of front-line workers. Additionally, as an Occupational and Safety Assistant for the IAFF, she acted as a liaison to secondary parties tied to the organization's grant responsibilities, including manufacturers, state and provincial organizations and trade associations.

Transportation Trades Department, AFL-CIO

888 16th Street, NW • Suite 650 • Washington, DC 20006 • tel: 202.628.9262 • fax: 202.628.0391 • www.ttd.org
 Edward Wytkind, President • Patricia Friend, Secretary-Treasurer



The Honorable Joseph Lieberman
The Honorable Susan Collins
October 20, 2009
Page 2

Beyond her work at the IAFF, Ms. Harman has been immersed in other aspects of the emergency responder community, from work as a front-line employee to teaching and executing homeland security training exercises. She began her career as a firefighter and medical technician, originally as a volunteer and subsequently as a career firefighter and paramedic for the city of Fairfax, Virginia. Building on her years of first-hand experience, Ms. Harman has since taught and managed homeland security issues at multiple universities.

The grant programs under FEMA's jurisdiction are essential to fulfilling the agency's mission and to protecting our nation and its citizens from harm. A strong, independent, and knowledgeable professional must lead this effort and I am confident that Ms. Harman is the right person to take on this responsibility.

For these reasons, I hope you will quickly confirm Elizabeth Harman and provide FEMA with the experience and dedication that is urgently needed in this position.

Sincerely,



Edward Wytkind
President



UNIVERSITY OF
MARYLAND

MARYLAND FIRE AND RESCUE INSTITUTE

College Park, Maryland 20742-6811
301.226.9900 TEL 301.314.0686 FAX

October 19, 2009

Senate Committee on Homeland Security and Governmental Affairs
340 Dirksen Senate Office Building
Washington, DC 20510

Dear Senators,

I am writing to express my strong support for the nomination of Elizabeth M. Harman as Assistant Administrator for Grant Programs at the Federal Emergency Management Agency. This position is critical to the success of FEMA and correspondingly the nation's emergency services as it administers more than 50 grant and financial assistance programs that disburse approximately \$4 billion in non-disaster grant funding each year. The Assistant Administrator is expected to ensure the grants process is transparent, collaborative and consistent with the department's major responsibilities and priorities.

In my position as the Director of the Maryland Fire and Rescue Institute of the University of Maryland at College Park I have had the extensive opportunity to work with Elizabeth Harman in her position as a faculty member during her tenure here. Her professional ability, integrity, and resourcefulness in successfully managing various programs toward outstanding results were very obvious. She utilized her academic background coupled with real world experience to be of great value to the University in managing programs that had national and international significance. Elizabeth's work ethic and drive to accomplish the mission regardless of obstacles was outstanding and served as a model for others. She was able to achieve significant accomplishments and at the same time promote cooperation and inclusiveness throughout the organization.

It is my strong belief that those who have substantial responsibility for managing the nation's emergency response within FEMA actually have a degree of emergency response experience. I know that Elizabeth Harman has these qualities in addition to the education and grant administration experience that are also very important. Being intimately aware of and understanding the needs of emergency responders at the national level will allow for grant programs that make sense and actually accomplish what they were intended to accomplish. This will greatly improve the efficiency as well as the effectiveness of FEMA grant programs.

I respectfully urge the Senate Committee on Homeland Security and Governmental Affairs to move swiftly on the nomination of Elizabeth M. Harman and confirm her appointment as Assistant Administrator for Grant Programs at the Federal Emergency Management Agency. Please contact me if additional information is necessary.

Sincerely,

Steven F. Edwards
Director

BENNIE G. THOMPSON, MISSISSIPPI
CHAIRMANPETER T. KING, NEW YORK
RANKING MEMBER

One Hundred Tenth Congress
 U.S. House of Representatives
 Committee on Homeland Security
 Washington, DC 20515

November 3, 2009

The Honorable Joseph I. Lieberman
 Chairman
 Committee on Homeland Security
 and Governmental Affairs
 United States Senate
 Washington, DC 20510

The Honorable Susan M. Collins
 Ranking Member
 Committee on Homeland Security
 and Governmental Affairs
 United States Senate
 Washington, DC 20510

Dear Chairman Lieberman and Ranking Member Collins:

We write to express our strong support for Elizabeth Harman as Assistant Administrator for Grant Programs at the Federal Emergency Management Agency (FEMA) at the Department of Homeland Security.

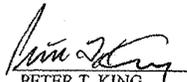
Ms. Harman has spent her career as a grants and training administrator, fire fighter, and paramedic. Her public service, grants management, and in-depth knowledge of the resource needs of first responders make her extremely well suited to direct the more than 50 grants and financial assistance programs that FEMA administers.

The evolution of the grants programs since September 11, 2001 has been critical to the growth of state and local preparedness measures. Ms. Harman's experience is exemplary and would no doubt continue this positive trend. As director of the Hazardous Materials and Weapons of Mass Destruction Training Department at the International Association of Fire Fighters, she is responsible for the management of millions of Federal dollars for the largest such training program in the nation. She is also a former fire fighter and paramedic in Fairfax City, Virginia, and her real world experience enables a deep understanding of the fundamental needs and challenges of emergency responders and local governments.

We strongly support Ms. Harman's nomination to FEMA and encourage a swift confirmation process to fill this vacant post. Thank you for your consideration of this matter and for your continued work to ensure the safety and security of our nation.

Sincerely,


 BENNIE G. THOMPSON
 Chairman


 PETER T. KING
 Ranking Member

cc: Members of the Senate Committee on Homeland Security and Governmental Affairs