

SUBCOMMITTEE ON NATIONAL SECURITY, EMERGING THREATS
AND INTERNATIONAL RELATIONS

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MEMORANDUM

To: Members of the Subcommittee on National Security, Emerging Threats
and International Relations

From: Mr. Robert A. Briggs, Professional Staff

Subject: Briefing memorandum for the hearing *Combating Terrorism: Assessing
Federal Assistance to First Responder Preparedness* scheduled for
Monday, September 15, 2003 at 11:30 a.m. – 12:30 p.m., and
2:30 p.m. – 4:00 p.m., Holiday Inn Select, 700 Main Street, Stamford,
Connecticut. Please see **Attachment 1** for hearing/exercise schedule.

PURPOSE OF THE HEARING

The hearing will examine federal training and equipment programs designed to prepare first responders to deal with the consequences of a weapon of mass destruction incident.

HEARING ISSUES

- 1. How effective are federal grant and training programs in preparing first responders for an incident involving a weapon of mass destruction?**
- 2. To what extent do federal first responder programs encourage development of equipment and performance standards, regional approaches and interoperability?**

BACKGROUND

Since the 9/11 attacks, much has been spent, and much has been done to train and equip the first responder community. But a growing body of analysis suggests that these efforts may remain unfocused. Although there is a multitude of training programs for first responders, and money is being provided, recent reports suggest much more needs to be done to achieve measurable improvements in preparedness.

Defining First Responders

As defined in the Homeland Security Act of 2002 (**Web Resource 1**), the term “emergency response providers” includes federal, state, and local emergency public safety, law enforcement, emergency response, emergency medical (including hospital emergency facilities), and related personnel agencies, and authorities. Preparedness can be defined as strengthening a state or local government’s capability to respond effectively to a terrorist attack.

In the United States, there are over 1 million firefighters, of which approximately 750,000 are volunteers. Local police departments have an estimated 556,000 full-time employees, including about 436,000 police officers. Sheriffs' offices reported over 290,000 full-time employees, including about 186,000 sheriffs. Additionally, there are over 155,000 nationally Emergency Medical Technicians (EMT). The United States first responder community consists of well over 2,000,000 people.

(Web Resource 2)

“The Homeland Security Act of 2002” reorganized the government and placed the Department of Homeland Security in charge of providing assistance to state and local governments to ensure adequate preparedness for all disasters, including terrorist attacks. A number of preparedness agencies and programs were transferred to DHS including the:

- Federal Emergency Management Agency (FEMA) in its entirety.
- National Domestic Preparedness Office and Domestic Emergency Support Teams (FBI, within the Department of Justice).
- Office of Emergency Preparedness (HHS), including the National Disaster Medical System and Metropolitan Medical Response System.
- National Strategic Stockpile (HHS).

Federal Preparedness Programs for First Responders

Federal programs to assist first responders have been largely consolidated in the Department of Homeland Security, although some are still run by the Department of Justice. Grant and training programs fall into the following categories: **(Web Resource 3)**

Emergency Management and Planning (EMP):

- State Homeland Security Grant: Program offers grants to states to develop, update, and implement state homeland security strategies.

- Emergency Management Performance Grant: Program offers grants to states to develop comprehensive emergency management plans, including plans to manage consequences of a terrorist attack.
- Emergency Management Institute Grant: Program offers training for state and local emergency response personnel in basic emergency management and terrorism preparedness.

Training:

- Enhancing the training of first responders in responding to terrorist incidents involving weapons of mass destruction.
- Programs that assist state and local jurisdictions in planning and executing exercises that simulate response to terrorist attacks using a weapon of mass destruction.
- Counter-terrorism training assistance to strengthen the abilities of first responders in managing the repercussions of a terrorist attack.
- State fire personnel training to strengthen training capabilities in responding to a terrorist incident.

Equipment:

- The purchase of specialized equipment used to respond to a terrorist attack involving a weapon of mass destruction.
- Grants and technical assistance to prepare and train responders to oil and hazardous materials incidents.
- Grants directly to fire departments to equip and train firefighters and emergency medical technicians.

- A homeland defense equipment reuse program that provides surplus radiological detection instrumentation to cities.

Law Enforcement:

- Training and technical assistance in terrorism response for state and local law enforcement personnel.
- Training and technical assistance for state and local law enforcement officials to develop professional skills.
- Formula grants to support general law enforcement improvements.

Public Health and Medical:

- Grants to health departments to upgrade state and local preparedness for responding to bioterrorism attacks and other public health threats.
- Grants to facilitate state and regional planning with local hospitals and other health care facilities, and to upgrade the preparedness of these entities to respond to bioterrorism, natural outbreaks of infectious disease, and other public health emergencies.
- Training opportunities for public health professionals through satellite broadcasts and other distance learning mechanisms.

Spending for First Responders

State and local governments receive federal assistance for terrorism training and equipment from three main sources—the Office for Domestic Preparedness, the Assistance to Firefighters Program, and the Emergency Management Planning and Assistance Account. **(Web Resource 4)**

Office for Domestic Preparedness: On March 1, 2003, the Office for Domestic Preparedness (ODP) was moved from the Department of Justice to the Border and

Transportation Security Directorate, Department of Homeland Security. The ODP's function is to award equipment grants, provide technical aid, and oversee training programs. The Homeland Security Act placed ODP in charge of "... directing and supervising terrorism preparedness grant programs of the Federal government" In FY 2003, Congress allocated \$3.23 billion for ODP in both supplemental and regular appropriations.

Assistance to Firefighters Program: The firefighter's program awards grants directly to the local fire departments, rather than awarding grants through the state. The grants are used for a variety of purposes, including firefighter safety programs, equipment, training and improvements to facilities. In FY 2003, Congress authorized \$750 million for the program.

Emergency Management Planning and Assistance Account (EMPA): Programs in this account are authorized from Title VI of the Stafford Act (42 U.S.C. 5195-5196.) This program allows DHS to carry out a number of preparedness activities, including strategic planning and major exercises. For FY2003, Congress authorized over \$440 million for EMPA programs.

Appropriations (Web Resource 4)

In FY2003, including both regular and supplemental appropriations, Congress passed a total package of \$4.42 billion for first responders. The majority of the amount, \$3.23 billion, was given to the Office for Domestic Preparedness, while the Assistance to Firefighters Program received \$750 million, and EMPA received \$443 million.

For FY2004, the Bush Administration requested \$3.588 billion for the Office for Domestic Preparedness, and received \$3.23 billion. Additionally, the Administration requested that all terrorism preparedness programs be incorporated into ODP as part of the "First Responder Initiative." These include all current ODP programs, as well as the Assistance to Firefighters Program and selected portions of EMPA.

Stamford Tabletop Exercise

The exercise offers participants an opportunity to gain an understanding of the problems they will encounter during an a terrorist attack involving a chemical weapon, and assess the impact of federal training and equipment programs on local preparedness.

The scenario will focus on a bomb going off at the Stamford train station during the beginning of a Monday afternoon rush hour. At approximately 3:55 pm, a van will pull up to the Stamford train station and explode. Subsequently it will be determined the bomb contained the nerve agent Tabun (nerve agents are the most toxic of the chemical warfare agents and are similar to pesticides).

Individuals from all first responder groups will be participating. Local fire, police, emergency medical and health personnel will all take part and respond to the terrorist event. Additionally, individuals from the federal government and the State of Connecticut, and members of the Stamford business community will take part in the exercise.

The DHS and City of Stamford will provide an exercise book (for official use only) to selected exercise observers the day of the exercise.

In March of 2000, the State Office of Emergency Management conducted a similar tabletop exercise in Bridgeport, Connecticut. A Subcommittee hearing was convened to discuss the impact of federal preparedness programs on state and local readiness. **(Attachment 2)**

City of Stamford, Connecticut

The city of Stamford is a coastal community located along the State of Connecticut's shoreline, first settled in 1641. The city is 37.3 square miles, and located 25 miles from New York City, 90 miles from Hartford, Connecticut's capital, and 40 miles from New Haven. There are approximately 117,000 residents.

The city has a diverse economic base and serves as the business center of Fairfield County. A number of companies have settled their corporate headquarters in the city including: General Electric Capital Corporation, Pitney Bowes, Clairol, Xerox Corporation, International Paper, Gartner Group, Omega Engineering, Cadbury Beverages, Circon/ACMI, General RE Corporation, Hyperion Software, Diageo/United Distillers, and UBS, a Swiss investment bank. **(Web Resource 5)**

WITNESS TESTIMONY

During the 11:30 a.m. – 12:30 p.m. session of the hearing the mayor of Stamford, representative of DHS, State and the Southwestern Area Commerce and Industry Association (SACIA) representatives will assess the impact of federal training and equipment programs on local preparedness to deal with the repercussions of a terrorist incident, particularly one involving the use of a radiological, chemical or biological weapon of mass destruction. Additionally, the witnesses were asked to comment on the role of federal agencies in supporting state and local first responders and emergency management officials in the event of a terrorist incident.

During the 2:30 p.m. – 4:00 p.m. session of the hearing, exercise participants and observers will be asked to provide observations about federal training and equipment programs, and to offer lessons learned from the exercise.

DISCUSSION OF HEARING ISSUES

1. How effective are federal grant and training programs in preparing first responders for an incident involving a weapon of mass destruction?

The new Department of Homeland Security has the mission of assisting first responders counter and deal with the consequences of a terrorist attack involving a weapon of mass destruction. While the federal government concedes there is still much to be done, it points out that preparedness is significantly better than it was before September 11, 2001. But a number of critics believe first responders are still woefully unprepared and under-funded.

In a July 28, 2003 speech, Department of Homeland Security Secretary Tom Ridge addressed the subject of first responders. He noted that since March 2003, over \$4 billion in equipment, training, and other resources have been provided to state and local first responders. He said, “This includes grants for mass transit, port security and emergency operations. And I think, as many of you know, since 9/11, our Office of Domestic Preparedness has trained thousands of state and local first responders, police, fire and emergency personnel.” **(Attachment 3)**

Additionally, Sec. Ridge explained that by the end of the year the department will ask states to offer homeland security plans in a way that allows local first responders to address issues affecting them. The goal is to develop plans for the 2005 budget cycle so that funding decisions can be based on planning that is state-coordinated, and driven by local governments.

Ridge believes DHS has already begun to address the problem of too little money reaching the local level too slowly. The Secretary set a goal is to apportion no more than 20% of federal funds to states, with the remaining 80% going directly to localities.

The problem of funding making its way to localities is addressed in a September 5, 2003 article from the New Jersey Media Group. In the article, various localities complain funding is not funneling down to the local first responders. Since September 11 2001, the state of New Jersey has received \$102 million in federal funds, but according to the localities, the state retains a large portion for its own programs. According to John Reilly, the deputy mayor of Secaucus, New Jersey, “The money is not being filtered to the local level. The state siphons some of the federal money, the county then takes their [sic] share and it never gets down to us.” **(Attachment 3)**

Recently, Massachusetts Governor Mitt Romney stated, “Massachusetts is vastly more prepared to handle a terror attack today than it was in 2001, but intelligence and information sharing with the federal government needs to be stepped up.” But according to some city leaders, budget cuts have left Massachusetts less prepared for a terrorist attack. Mayor Thomas Ambrosino said, “Rather than being more prepared for terrorist acts, the city of Revere is less prepared.... This causes me to be very concerned about our state of preparedness.” **(Attachment 3)**

2. To what extent do federal first responder programs encourage development of equipment and performance standards, regional approaches and interoperability?

Central to the discussion of funding for first responders is the question of standards. In the Subcommittee's hearing on September 9, 2003, *Combating Terrorism: Preparing and Funding First Responders*, Senator Warren B. Rudman stressed the finding of a recent Task Force Report of the Council on Foreign Relations calling for clear national equipment and performance standards to guide preparedness investments. It should be noted that before standards can be established, the study advocates the conduct of a national threat assessment that could be submitted to Congress and used to pass legislation to mandate minimum standards.

Concerning the issue of equipment standards, the InterAgency Board (IAB) for Equipment Standardization and InterOperability Working Group are designed to establish and coordinate local, state, and federal standardization, interoperability, and responder safety to prepare for, respond to, mitigate, and recover from any incident by identifying requirements for Chemical, Biological, Radiological, Nuclear or Explosives (CBRNE) incident response equipment. **(Web Resource 6)** The IAB developed the Standardized Equipment List (SEL) as a guideline and its use is voluntary. The IAB recommends first responders review the SEL when developing and acquiring their WMD response equipment. The SEL promotes interoperability and standardization among the response community at the local, state, and federal levels by presenting this standard reference. Individual government agencies dictate quantities of the items to be selected to meet the needs of their operational areas.

Governing regulations, industry standards, and other ruling bodies apply. Equipment for first responder use must be in accordance with the National Fire Protection Association (NFPA), Occupational Safety and Health Administration (OSHA), and the National Institute for Occupational Safety and Health (NIOSH). The SEL will be updated with newly fielded equipment. As a consolidated reference, government organizations can present suggested references, at any time, for consideration to be included in the next version or annual update.

The SEL is organized into categories of:

- Personal Protective Equipment
- Operational Equipment
- InterOperable Communications and Information Systems
- Detection
- Decontamination
- Medical

These standards, established by first responders from around the country, provide a basic standardized equipment list first responders could use.

WITNESSES

Panel I

11:30 a.m. – 12:30 p.m.

The Honorable Dannel P. Malloy
Mayor
City of Stamford, Connecticut

Mr. Ted Macklin
Assistant Director for
Office of Domestic Preparedness
Department of Homeland Security

and

Mr. Daniel Craig
Regional Director
Department of Homeland Security

Mr. Vincent J. DeRosa
Deputy Commissioner
Department of Public Safety
State of Connecticut

Mr. Christopher P. Bruhl
President and CEO
Southwester Area Commerce and Industry Association

Panel II

2:30 p.m. – 4:00 p.m.

Exercise participants and observers will be asked to provide observations about federal training and equipment programs, and to offer lessons learned from the exercise.

ATTACHMENTS

1. Agenda for Hearing/Exercise.
2. Fact Sheet on Bridgeport Exercise, March 2000.
3. Remarks by Department of Homeland Security Secretary Tom Ridge, to “Homeland Security Department Conference,” July 28, 2003, *Boston Herald*, “Gov: Mass. Has a lot to do on security front,” September 7, 2003, and *North New Jersey Media Group*, “First Responders,” September 5, 2003, and *Associated Press*, “Layoffs have weakened homeland security In Massachusetts,” September 8, 2003.

WEB RESOURCES

1. *People For Internet Responsibility*, Archive Document, “Homeland Security Act,” H.R. 5005, November 2002, can be found at <http://www.pfir.org/2002-hr5005>.
2. *The White House, First Responder Initiative*, can be found at <http://www.whitehouse.gov/infocus/mutualaidagreements/firstresponder>.
3. *Congressional Research Service*, “Terrorism Preparedness: Catalog of Selected Federal Programs,” RL31227, April 28, 2003 found at <http://www.congress.gov/erp/rl/pdf/RL31227>.
4. *Congressional Research Service*, “First Responder Initiative: Policy Issues and Options,” RL31475, July 8, 2003, found at <http://www.congress.gov/erp/rl/pdf/RL31475>.
5. Official website for the City of Stamford, CT, found at <http://www.cityofstamford.org>.
6. The Interagency Board, found at http://www.iab.gov/page_manager.

**Schedule for
Stamford Tabletop Exercise
Subcommittee on National Security, Emerging Threats, and
International Relations Hearing
September 15, 2003
Holiday Inn Select, 700 Main Street, Stamford, CT 06901**

8:30 am—9:00 am	Registration (Stamford Ballroom)
9:00 am—9:30 am	Welcome and Overview Exercise Background Exercise Overview
9:30 am—11:30 am	Exercise Play (Modules 1 and 2)
*11:30 am—12:30 am	<u>Congressional Hearing (Davenport Ballroom)</u> “Combating Terrorism: Assessing Federal Assistance to First Responders”
	Witnesses: The Honorable Dannel P. Malloy Mayor, City of Stamford Mr. Ted Macklin and Mr. Daniel Craig Department of Homeland Security Mr. Vincent J. De Rosa Connecticut Department of Public Safety Mr. Christopher P. Bruhl Southwestern Area Commerce and Industry Association
12:30 pm—2:30 pm	Exercise Play (Module 3) and Exercise wrap-up
*2:30 pm—4:00 pm	Congressional Hearing Reconvenes— Observers and Exercise Participants invited testify.

***Congressional hearing open to public.**

Fact Sheet: Bridgeport Tabletop Exercise

On Monday, March 27, 2000, the Subcommittee on National Security conducted a hearing that coincided with a terrorist exercise in Bridgeport, Connecticut. This hearing was held at the Stratford Armory, 63 Armory Road, Stratford, Connecticut and followed a terrorist exercise that had occurred on the previous Friday, March 24, 2000, in Bridgeport, CT. The title of the hearing was, "Domestic Preparedness Against Terrorism: How Ready are We?" The exercise was entitled, "Park City Response: A Chemical Weapon of Mass Destruction Exercise," and took place in Bridgeport, Connecticut.

The purpose of this hearing was to assess the effectiveness of federal programs to assist local and state first-responders in preparing to deal with the consequences of a terrorist incident involving a chemical, biological or radiological weapon. The exercise and subsequent hearing provided all involved with an opportunity to take part in a terrorist exercise and discuss the strengths, weaknesses, and concerns at the Subcommittee hearing on the following Monday.

This hearing addressed the questions of how do local and state first-responders view federal equipment and training programs to prepare against terrorism and in the event of a terrorism incident involving the use of a weapon of mass destruction, how would the federal departments assist local and state emergency management officials in dealing with the crisis and its ramifications.

The Subcommittee provided a number of knowledgeable witnesses for this hearing. They included: Dennis Murphy, the Chief Administrative Officer for the city of Bridgeport, Chief Hector Torres, Police Department, city of Bridgeport, Chief Michael Maglione, fire department, city of Bridgeport and Mr. Thomas Gecewicz, Director, Health Department, city of Bridgeport. Major General William Cugno, Adjutant General, Connecticut National Guard, Dr. Henry Lee, Commissioner, Department of Public Safety, State of Connecticut, Dr. Joxel Garcia, commissioner, Department of Public Health, State of Connecticut, Mr. Arthur Rocque, commissioner, Department of Environmental Protection, State of Connecticut, and Chief Wayne Sandford, Connecticut representative, New England Fire Chiefs.