

# FEMA'S ROLE IN TERRORISM RESPONSE

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## HEARING BEFORE A SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS UNITED STATES SENATE ONE HUNDRED SEVENTH CONGRESS SECOND SESSION

**SPECIAL HEARING**  
FEBRUARY 27, 2002—WASHINGTON, DC

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WEDNESDAY, FEBRUARY 27, 2002

U.S. SENATE,  
SUBCOMMITTEE ON VA, HUD, AND  
INDEPENDENT AGENCIES,  
COMMITTEE ON APPROPRIATIONS,  
*Washington, DC.*

The subcommittee met at 9:30 a.m., in room SD-124, Dirksen Senate Office Building, Hon. Barbara A. Mikulski (chairman) presiding.

Present: Senators Mikulski, Shelby, Stevens, and Domenici.

### FEDERAL EMERGENCY MANAGEMENT AGENCY

#### STATEMENT OF JOE M. ALLBAUGH, DIRECTOR

##### OPENING STATEMENT OF SENATOR BARBARA A. MIKULSKI

Senator MIKULSKI. Good morning, everybody. The VA-HUD/FEMA Appropriations Subcommittee will now come to order. This morning, we will have the benefit of the testimony of Mr. Joe Allbaugh, the head of Federal Emergency Management.

I called this hearing today to examine FEMA's role in responding to acts of terrorism. I want to acknowledge the fact that Senator Bond, my ranking member, is on the floor to manage—has been the Republican manager for election reform. He'll be joining us later. And if his staff has questions they particularly want answered, I'll be very happy to—Senator Feinstein, as well. And we're very pleased to have our colleague, Senator Shelby, here.

What a difference a year makes. About a year ago, we had Mr. Allbaugh here for his very first appearance before the committee, presenting the administration's appropriations on Federal Emergency Management. We were talking about a new fire-grant program, how to be ready, about many things. And along the way, something horrific happened to the United States of America. The aerial attack on the United States of America on September 11 was unprecedented. The subsequent impact of Anthrax was also unprecedented.

And today we want to know: What were the lessons learned from the last several months? What was FEMA's experience? What were the experiences that they gained from that? And what are their plans for dealing with this in the future?

I know that under Presidential Directive PD-39, FEMA is designated as the lead agency for consequence management, for responding to acts of terrorism. We want to listen to Mr. Allbaugh today to find out: Did the Federal response plan that FEMA is

charged with really work? How did FEMA respond to September 11, and what were those crucial lessons learned? What can we say now about FEMA Urban Search and Rescue Team? And what changes, if any, do we need to improve the program or to expand the program? What is the role of the new Office of National Preparedness that Mr. Allbaugh began to work on last year? And what is the president proposing for FEMA's future?

Mr. Allbaugh, I want you to know that I support the president's war on terrorism and his commitment to homeland security. I support the commitment of resources to our first responders, particularly our firefighters. And, like you, I want to make sure that FEMA remains an all-hazards agency.

I believe we can get double value for our investment. Whatever we put into homeland security into our first responders, they're going to be ready. In my own hometown of Baltimore, we have several chemical factories. If there is an accident or whether there is an attack, the consequence management is the same. So I believe that whatever public investments we make at the local level are going to protect our people against—whether it's a national disaster, an accidental disaster, or a malevolent hostile attack on us—we want to make sure that FEMA does stay an all-hazards agency, ready for everything from earthquakes to dealing with weapons of mass destruction.

I'm going to have several questions for you. We need to know how FEMA responded, were there problems in coordination with other agencies, how well did the Urban Search and Rescue Team respond?

I'm particularly proud by the fact that one of the FEMA Urban Search and Rescue Teams is located in Montgomery County and dashed to the Pentagon, stayed there for several days, and did, I think, an outstanding job with local fire departments filling in where they had gone. We need to know what those gaps are.

We also note that the president's proposal is talking about doubling FEMA's budget, focusing \$3.5 billion on a first-responder initiative, consolidating first-responder programs, and the Justice Program for Domestic Preparedness. I think that's a little organizationally controversial, but we need to have a better understanding of this proposal.

For example, under the president's proposal, the fire grant would be rolled into the first responder initiative. I'm concerned that our firefighters might not get the same level of support they have under a separate program. Our colleagues in Commerce, State, Justice have very serious reservations about it. Senator Hollings and our colleague, Senator Judd Gregg, who is really an authority in counter-terrorism effort, really made 3 days of hearings last year to focus on where we are, and I think their concerns should be taken seriously.

We want to know about this Office of National Preparedness and what it does and how it's going to work, and, of course, we're very interested in the president's Citizens Corps. But, most of all, we want to make sure that, not only is FEMA fit for duty, but that working with and through FEMA, that our first responders, the first people on the scene, at often the greatest risk, who literally and figuratively put themselves in the line of fire, are the best

equipped, the best trained, the best prepared that America can be able to offer, because they really are our soldiers in Homeland Security. And I look forward to taking your testimony here today.

Colleagues, I'm going to turn to you as we prepare for the vote. Senator Shelby, you were here. Of course, I—the full chairman. With your indulgence, Senator Stevens, do you want to wait your turn or—

Senator SHELBY. I'll yield to him.

Senator STEVENS. I have no prepared statement.

Senator MIKULSKI. Okay. Senator Shelby?

STATEMENT OF SENATOR RICHARD C. SHELBY

Senator SHELBY. Thank you, Madam Chairman.

Director Allbaugh, I appreciate your being here today to talk to us about FEMA's role in responding to acts of terrorism.

I'm very interested in this topic, as you know, for several reasons. First, the Center for Domestic Preparedness and the Noble Training Center located at what was Fort McClellan in Anniston, Alabama. You probably know this. Both of these facilities provide unique training capabilities of our Nation's first responders and medical personnel. In addition, the Anniston Chemical Destruction Facility on Anniston Army Depot is located in Calhoun County, nearby.

In light of the attacks on September the 11, many of my constituents have raised concerns about the safety of the facility and FEMA's role there. Over the past few years, Congress has made a significant investment there in the Center for Domestic Preparedness and Noble Training Center so that they can train thousands of first responders and medical personnel. I'm hopeful that the new emphasis on domestic terrorism will allow us to further increase our investment in these facilities.

As part of the five-member National Domestic Preparedness Consortium, the CDP has the unique distinction of housing the only live-agent training facility in the United States. At the CDP, first responders are trained with live agents to give them hands-on experience responding to, detecting, and dealing with live agents that they may encounter in the field.

But this is not just about facilities. We have an exceptional training program in place at the Department of Justice. I believe that it's extremely important to maintain the integrity and the capabilities of these training programs.

I'm troubled by the administration's proposal to transfer the Office of Emergency Preparedness from the Department of Justice to FEMA. Primarily, I'm deeply concerned that ongoing first-responder training efforts could be compromised by this proposal to switch lead agencies mid-stream. Director Allbaugh, you bear the burden to justify, I believe, the necessity for this transfer. Any disruption in training activities could result in serious consequences.

Beyond the issue of whether you could implement a successful transfer without interruption, the question still remains: Why are we doing this? Judge Gregg, Senator Gregg, that the chairwoman mentioned, and also Senator Hollings, are going to ask these same questions. Why are we taking the chance that training could be interrupted? I do not know why.

To date, I've been provided little information to convince me that this will be a valuable transfer. Furthermore, the information that I've received leads me to believe that your agency is just beginning to do their homework regarding the Nation's first-responder training programs.

Director Allbaugh, although I look forward to working with you as this process continues, and learning how this transfer will, in the end, better serve our Nation's first responders and our country, I'm troubled.

Director Allbaugh, I would also like to touch on another subject that relates to FEMA's role in responding to acts of terrorism. That subject regards the protection of the communities that are home to U.S. chemical weapons stockpiles. I'm sensitive to the concerns of the people who live in these communities. I'm encouraged by the steps the Army and the FAA have taken to increase the security of these stockpile facilities.

FEMA is responsible for all off-post emergency preparedness activities in relation to the Nation's chemical stockpile sites. Technical and bureaucratic problems have plagued the CSEPP program in Anniston, Alabama. My primary concern has and continues to be the safety of the community, of the people there. The Alabama delegation has worked diligently with the Army and FEMA for years to ensure that maximum protection is realized. The governor of Alabama has recognized problems with the CSEPP program and has exercised his option to seek a judicial remedy.

Major issues remain to be addressed within the CSEPP program in Calhoun County, and I welcome your thoughts regarding these critical safety measures and how FEMA plans to fulfill its commitment to the community.

Thank you.

Senator STEVENS. Madam Chair? Mr. Allbaugh, I probably won't be back, because we've got a Defense hearing, too, right after our 10 o'clock vote, at the Defense Appropriations Committee.

I've heard both the chairman and Senator Shelby. I want you to know, I think, to a great extent, what we face is the problem of getting prepared to really increase our security for our homeland, but without increasing the number of entities that are involved.

You know, I've still got an open mind about this concept of FEMA being the lead agency. I think it has trained people that have dealt with disasters, and we have more disasters than anyone in the country, as you know, so we know FEMA, and we trust FEMA. And I think that there are a lot of places that don't have disasters that don't know your people and don't have that same basis of trust that we do. Through earthquakes and floods and tsunamis and everything else, FEMA has been our connection with the national government.

I think that one real question we have now, in terms of the overall concept, is communication. Federal agencies are going to a LAN mobile-radio concept of total communication, but I don't see yet an integration of State and local entities in that, and I would hope that that's going to be in the forefront of our objective as we review this.

And Senator Byrd has told me he has some questions about the plans that are being made. And, you know, it's been in the public—



I told our caucus yesterday that Senator Byrd had expressed a desire that Governor Ridge come and speak to the whole committee at one time, because I think each subcommittee is going to have these questions unless we get that basic planning out in front of us and we understand the overall scheme. I hope that that will be worked out.

But right now, I do believe we all should sit back and try to understand what has been done in terms of this planning and to analyze the budget and see if it's going to be adequate to meet the national needs, particularly in this homeland-defense area.

I welcome the opportunity to work with you on it. I am certain someone has to be in charge. We're going to see a new plan now in the Department of Defense, probably this week, about who is going to be in charge of that, as far as homeland defense. So it is going to be a complicated matter that's going to take some time, and my urging to my colleagues here is for us to wait and listen and analyze and see if we can make an input that's meaningful, as far as our understanding, our background on the issues that we deal with here on this committee.

But I'm pleased to see you here, and I wish that I could stay the whole time, but I will not be back after the vote. Thank you very much.

Senator MIKULSKI. Senator?

Senator DOMENICI. Thank you very much, Madam Chairman. My situation on voting is about the same as his. I will try to come back and be here for the second round of questions.

Senator Shelby, I have the same concerns as you have. The State of New Mexico has taken the lead through one of our small technical scientific schools with Alabama, and they're doing the basic training the underpinning of the training—with science and technology that goes into that.

But let me just say this to the director. I am not at all sure that, ultimately, FEMA should have all of the authority that the president currently contemplates giving you. None of that is said in any way to indicate you do anything but the best job. You do. FEMA does an excellent job. You do a great job. But the question is going to arise as to where you're going to get the authority to do all of the detailed things that we're giving you the money to do. And will we not just transfer the money to you and then have to let the agencies in different statutorily-authorized entities spend the money?

So this leads me to three fundamental things that concern me. First, has the entire activity of first-responder training been transferred to FEMA, or does DOJ still retain some aspects of this critically important function? I think that's a very important question. Second, would the shift in first-responder training responsibility require legislative authorization by the Congress? And if not, what are the appropriate legal authorities that the administration cites as the basis for proposing and proceeding with this reorganization of national domestic preparedness and first-responder training? I think that's a very important question.

Senator MIKULSKI. I think that's the bottom—that's the launch pad here.

Senator DOMENICI. Under the leadership of Senator Gregg, who was the then-chairman of the Senate Commerce, Justice, State, and Judiciary Appropriations Subcommittee he's now ranking member—a very important initiative came into fruition. It needs to go beyond its current state, but the Department of Justice took the mission over because it was given to them.

First responders exist in America. You're aware of that. We have 126 cities, who, at the end of last fiscal year, had been trained as first-responder cities. I don't know if the committee knows that. That's New York, and that's everyone. That was authorized under the 1996 Act called Nunn-Lugar-Domenici. Now we've got to follow up and do with those cities and others—not for preparedness, but carrying it out. I assume that's the job you all have been given, but I'm not sure. I can't tell from what I've read.

I thank you very much. I'll try to get back and ask the questions myself.

Senator MIKULSKI. Senator Domenici, and to all of my colleagues, those—every point that you've raised are valid. That's the point of this hearing. And I don't think it will be the only discussion we should have. We had a very robust exchange with the Attorney General yesterday on this topic.

But we all, I think, are unified in what is our national goal, which is to have the best-trained, the best-equipped, the best-prepared first responders that America can do.

Well, Mr. Allbaugh, why don't you proceed with your testimony. By the time you've concluded, there will be a vote, and then we'll come back and—with the questions. And we hope that as many of our colleagues who can return will. Please.

Mr. ALLBAUGH. Thank you, Madam Chairwoman and members of the committee. I appreciate the opportunity to be here today. It's always a pleasure to come before this committee to discuss FEMA's response to the September 11 terrorist attacks and our ongoing involvement in Federal-homeland security efforts.

Our country learned much on September 11, and we at FEMA were no exception. We learned, as we do in every emergency situation, what works and what needs improvement. On the plus side, the Federal Response Plan, the blueprint for government response activities, worked. The proper people and resources from around the country and from all levels of government and expertise were deployed to all three disaster sites. Of the more than 3500 Federal workers deployed in New York, more than 500 are still working at the Disaster Field Office providing human services, public assistance and support.

One of the lessons we have taken from our experience on September 11 is the inequity of training, equipment, exercising, and planning in the response community. While at Ground Zero in New York City, we also saw volunteers, including first responders from around the country, turned away because of the inability of response managers to put them to proper use.

The breathing apparatus used by the fire department of New York City is different from those used by other fire departments. Even so, when extra manpower and equipment arrived and was made available, they often could not be used. The same was true of communications. Different devices were used as well as different

frequencies, thus limiting the device's usefulness and responders' abilities on the ground.

I personally witnessed, on many occasions, emergency managers and first responders passing each other handwritten notes as the most efficient way of communicating. By establishing national standards and a more robust intra-and interstate mutual aid agreements, these compatibility issues can be addressed. We are already working with States and other Federal agencies on these solutions.

The New York experience also showed the need for state-of-the-art personal protective equipment for firefighters and emergency medical personnel. In the case of a potential chemical or biological threat in the future, the on-hand availability of this equipment and the training that would go along with it would become all the more crucial. As such, we need to expand the training of FEMA's Urban Search and Rescue teams to prepare all of them for the hazards of such weapons of mass destruction. Currently, we only have six of our 28 USAR teams that are prepared for WMD.

The scope of the September 11 attacks was also a lesson. No longer can we assume an attack will include a single target. To better prepare for multi-attack targets, we must establish a single-incident command structure for the entire country. Command incompatibility in our emergency management response system will cost lives. To me, these points are not only simply public-policy debates to be engaged, but life-and-death problems to be solved.

Twenty years from now, when my kids or my grandkids ask me if I did everything I could to help prepare our Nation to respond to these threats, I want to be able to say, yes, I did—we all did. Any other answer is unacceptable.

Today we have an unprecedented opportunity to train and equip our first responders, prepare our citizens, and protect property. Missing this opportunity simply is not an option.

So given these lessons and others, how do we plan to move forward in the future? Well, to begin with, the president, as you know, submitted, in his 2003 budget, a request for FEMA with new responsibilities and authorities for homeland security, first responders, and citizen preparedness. The total appropriation the president asked for is \$6.4 billion, which would essentially double our current budget.

As we move into the appropriations process, our team at FEMA feels especially fortunate to have this subcommittee overseeing our future. We've seen how well the members and your respective staffs know the issues that we'll be dealing with in the future, and we look forward to working with you to complete this process.

Let me address two particular issues with the time that I have left. First, let me give you an idea of how we plan to account for and allocate this new money, keeping in mind that there are three types of individuals in our country—one, those who can count, and, two, those who can't. That's a bad joke. I'm sorry.

Mr. ALLBAUGH. The staff needs to make a note, no more jokes in front of committee.

Second, let me explain why I believe it's so important that the first responders and national preparedness initiatives need to be consolidated under FEMA's authority.

The First Responders Initiative would include \$3.5 billion in grants to State and local jurisdictions for specific needs in their fire, police, and emergency medical services. These grants will be designed along with long-term goals of building State and local capabilities that would initially be targeted in four areas: planning, equipment, training, and exercises. Our plan would be to take in all the facts, look at all the assessments, and get the money quickly to those communities that need it most. FEMA will work with these States to provide maximum flexibility while we develop standards to ensure accountability.

My second point, the reason I believe that this money should be folded into FEMA's responsibility, is that the target areas of this First Responder Grant program fit perfectly with the tasks that the president has given us in the Office of National Preparedness. ONP is already working closely with the Office of Homeland Security and Governor Tom Ridge to create the strategies properly to be put in place to respond to man-made disasters. We will develop national standards for State and local first responders, which will help solve compatibility issues. These standards will pertain to training, equipment, communications, mutual aid, and exercising, so that every part of our national emergency response system is on the same page.

Finally, FEMA has been asked and tasked by the president with the responsibility for coordinating a Citizen Corps, our new network of local citizen and community preparedness volunteer organizations. Some of the member programs are already established and others are being developed as we speak.

The citizencorp.gov Web site recently logged its one-millionth hit, evidence that the president's faith in the selfless spirit of the American people is well founded. We Americans realize preparedness is not a spectator sport. FEMA will provide funds to State and local jurisdictions to set up their local volunteer networks, help train volunteers, and develop comprehensive preparedness and response plans. More often than not, the first responder is a private citizen, a witness to attacks. And Citizen Corps will train volunteers to help respond to such situations.

FEMA's relationships with State and local governments, and our record of quickly and efficiently getting grant monies out the door, already makes us the primary point of contact for first responders around the Nation. This grant program, added to the established coordinating responsibilities of the ONP and Citizen Corps, will improve training, equipment, and compatibility of our first responders and citizens across the country making our communities stronger, safer, and better prepared.

I thank the committee for the opportunity to appear before you today, and I'd be happy to entertain any questions to the best of my ability.

Senator MIKULSKI. Well, thank you very much, Mr. Allbaugh. I think that—that, and then your—I believe you also had a more detailed testimony—

Mr. ALLBAUGH. I did—submitted for the record.

Senator MIKULSKI. Yes, and it's now been—

Mr. ALLBAUGH. Yes, ma'am.

Senator MIKULSKI [continuing]. Submitted to the record.

Mr. ALLBAUGH. If the committee would accept that, I would appreciate it.

Senator MIKULSKI. Yes.  
[The statement follows:]

PREPARED STATEMENT OF JOE M. ALLBAUGH

INTRODUCTION

Good morning, Madam Chairwoman and Members of the subcommittee. I am Joe Allbaugh, Director of the Federal Emergency Management Agency (FEMA). Thank you for this opportunity to update you on FEMA's response to the terrorist attacks on September 11 and FEMA's evolving role in the area of homeland security, and the status of our Office of National Preparedness.

We continue, along with our partners, to provide assistance to alleviate the suffering of those impacted by the September 11 terrorist attacks. While I can assure you that tremendous work has already been accomplished, there is much left to do, and we will continue to work hard to speed assistance to those still struggling to overcome losses from the tragic events of September 11.

The level of cooperation, dedication and professionalism exhibited by the first responders and others who have worked on the response and recovery efforts has been outstanding. We won't forget what they have done and commit to providing the continued support they need. Some 3,500 Federal workers were deployed to New York to support the response, about 1,300 from FEMA, and almost 2,000 from other Federal departments and agencies. These responders have had a single focus, to help the victims recover from this terrible National tragedy. There are still 491 people working on the recovery in New York at the Disaster Field Office.

BACKGROUND

FEMA is the Federal Agency responsible for leading the nation in preparing for, responding to and recovering from Presidentially declared major disasters. Our success depends on our ability to organize and lead a community of local, State, and Federal agencies and volunteer organizations. We know whom to bring to the table when a disaster strikes in order to ensure the most effective management of the response. We provide management expertise and financial resources to help State and local governments when they are overwhelmed by disasters.

The Federal Response Plan (FRP) forms the heart of our management framework and lays out the process by which interagency groups work together to respond as a cohesive team to all types of disasters. This team is made up of 26 Federal departments and agencies, and the American Red Cross, and is organized into interagency functions based on the authorities and expertise of the members and the needs of our counterparts at the State and local level.

Since 1992, and again in response to the terrorist events of September 11, 2001, the FRP has proven to be an effective and efficient framework for managing all phases of disasters and emergencies. The FRP is successful because it builds upon existing professional disciplines, expertise, delivery systems, and relationships among the participating agencies. FEMA has strong ties to the emergency management and fire service communities and we routinely plan, train, exercise, and operate together to remain prepared to respond to all types of disasters.

STATE AND LOCAL RELATIONSHIP

Much of our success in emergency management can be attributed to our historically strong working relationship with our State and local partners. Through our preparedness programs we provide the financial, technical, planning, training, and exercise support to give State, local and Tribal governments the capabilities they need to protect public health, safety and property both before and after disaster strikes. Our programs foster the partnerships that are so critical to creating a strong comprehensive National emergency preparedness system. Terrorism consequence management is just one component of our overall emergency management effort. For example, after September 11, Governor Ridge and I agreed that there was a need to quickly assess State capabilities to effectively respond to acts of terrorism. We assembled an interagency team with members from Department of Defense, Department of Education, Health and Human Services, Department of Justice and Environmental Protection Agency to visit the 50 States and territories to assess their readiness against 18 criteria and identify priorities and shortfalls. We examined several categories like critical infrastructure, personnel, plans, equipment and

supplies communications and related capabilities. The results were provided in a classified report to Governor Ridge right before Thanksgiving.

#### RECOVERY UPDATE

As I said, we have already provided a lot of assistance to help with the recovery. Federal funds distributed by FEMA, the U.S. Small Business Administration (SBA), the Department of Labor (DOL), and the State of New York exceeds \$1 billion.

- FEMA has registered more than 61,000 people seeking disaster assistance through our toll free registration telephone system. More than 85,000 people have visited one of the City-State-Federal Disaster Assistance Service Centers.
- We have provided more than \$30.2 million in grants to 5,500 households for temporary housing assistance to help people return their homes to a livable condition or find alternative housing.
- FEMA and the State of New York have committed more than \$4 million to the State-run Individual and Family Grant Program (IFG) to assist affected individuals and households with essential and necessary needs.
- FEMA, in coordination with the New York Department of Labor, has provided more than \$5.9 million of Disaster Unemployment Assistance to 2,500 workers and business owners who lost employment as a result of the attack and are not covered by regular unemployment programs (e.g. self-employed).
- The State of New York was awarded \$25 million from the U.S. Department of Labor under the Workforce Investment Act dislocated worker National Emergency Grant Disaster Relief Employment Assistance Program. The funds are being used to help workers, who lost their jobs as a result of 9/11, find or qualify for new jobs. The State has allocated the funds to at least fourteen local agencies to assist the workers.
- SBA has approved more than 3,300 disaster assistance loans totaling nearly \$300 million to business owners in and around lower Manhattan.
- Nearly 33,000 individuals have received \$3.8 million in United States Department of Agriculture Disaster Food Stamps.
- FEMA provided a \$22.7 million grant to New York for its crisis-counseling program, Project Liberty (administered by the NY State Office of Mental Health).
- FEMA has funded \$245 million in emergency assistance payments for recovery activities, such as activation of the Urban Search and Rescue (US&R) Task Forces. In the World Trade Center and Pentagon responses 26 of our 28 task forces were deployed and the remaining 2 placed on alert.
- More than \$428 million in Public Assistance funding has been approved to reimburse State and local government agencies for costs incurred responding to and recovering from losses associated with the attack. FEMA is funding 100 percent of the Public Assistance support, most of which has been for debris removal and emergency protective measures.
- More than 1.2 million tons of the estimated 1.4 million tons of debris have been removed from the WTC site.

#### MONITORING AIR QUALITY

The importance of air quality, emergency responder health, environmental degradation, and related issues are very important to us, in addition to responding to the needs of the victims. We have worked closely with the Environmental Protection Agency (EPA), the New York City Department of Environmental Protection and the New York State Department of Environmental Conservation to monitor and address air quality concerns. Funding was provided to EPA to conduct air sampling throughout Manhattan, Brooklyn and Staten Island and the air quality monitoring continues today with numerous monitoring sites providing data that can be used to evaluate health and safety standards.

#### ENSURING APPROPRIATE SAFETY AND PREVENTIVE MEASURES

The health and safety of emergency responders is also of paramount concern to us. Right after the attacks, numerous government agencies such as the Occupational Safety and Health Administration, National Institute for Occupational Safety and Health, Department of Health and Human Services (HHS), EPA, and State and City agencies dispatched representatives to the site to provide advice on health issues and establish appropriate safety measures and protocols. In fact, a comprehensive Health and Safety Plan was developed with input from numerous Federal, State, and New York City agencies. FEMA is a strong supporter of site safety. Our experience in disaster responses has taught us the importance of ensuring the safety of the emergency responders so that they do not also become disaster victims.

Federal personnel and teams deployed into the disaster area, such as the US&R Task Forces, U.S. Army Corps of Engineers personnel, and medical personnel from the HHS, arrived with the necessary protective gear. Based on health and safety advisories that were issued, they were able to adopt required safety protocols. In the first weeks, FEMA's Safety Officer closely coordinated with and participated daily in the New York City Interagency Health and Safety Meeting and, as a result, was able to pass on advisories and provide training from the meetings.

#### HEALTH MONITORING

We took measures to address immediate health concerns involving emergency responders through our coordination with HHS/Public Health Service. Five Disaster Medical Assistance Teams, four Disaster Mortuary Teams, one Veterinary Medical Assistance Team, and one Mental Health Assistance Team, were dispatched to New York City to provide health care and related assistance. The Naval Hospital Ship USNS Comfort and burn nurses were also deployed to support the response.

Base line medical testing was funded by FEMA for medical surveillance of 11,000 firefighters and 4,000 State emergency responders working at Ground Zero. Blood samples were drawn by local clinics coordinated by the FDNY Medical Office. These samples are being used to help establish a health baseline. Follow-up and additional testing will be completed by the Centers for Disease Control (CDC) over the next 12 months. Nine million dollars has been made available for testing, analysis and management of this effort with CDC as the lead agency.

In an effort to be cautious, we asked the US&R Task Forces that deployed to WTC to notify us of any medical problems/illnesses resulting from or related to their deployment. More than 1,300 US&R Task Force personnel and their 84 search and rescue dogs were deployed to the WTC. The Task Forces represented 14 States and did a superb job.

#### ASSISTANCE FOR CLEAN UP TO ENSURE SAFE REENTRY OF BUILDINGS

Because of the amount of dust and debris from the building collapses, clean up of residences and the surrounding area has been a major priority. We provided housing assistance grants for clean up of residences. In addition, the New York State-administered Individual and Family Grant program provided grants for items such as High Efficiency Particulate Air (HEPA) air filters, vacuum cleaners, and other eligible items to help residents with reentry into their homes. In many cases landlords and/or insurance companies funded clean up measures. I should also mention that voluntary agencies were very active and helped with clean up for special needs residents.

We also supported the New York City Department of Health Community Teams in distributing to residents flyers containing recommendations on actions needed in order to be able to re-occupy buildings and homes. FEMA's Outreach Teams also distributed the flyers. This flyer addressed clean up and safety and health concerns and was developed to facilitate individuals moving back into their homes.

Eligible government clean-up costs and monitoring activities are being funded 100 percent through FEMA's Public Assistance program. For example, the New York City Board of Education's clean up of schools near Ground Zero is an eligible expense as is the clean up of city vehicles such as fire trucks and police cars.

We will do whatever it takes to ensure recovery in New York City. Most recently I have taken additional steps to deal with emerging environmental and health issues surrounding the World Trade Center response. I have asked HHS and EPA to work with us to develop more comprehensive plans of action to address responder health issues and short-and long-term indoor and outdoor environmental issues arising from the attacks in New York.

#### LESSONS LEARNED

We learn from every disaster experience and incorporate these lessons wherever possible into our planning and processes to improve the next disaster response. For example, an assessment of the Oklahoma City bombing led to the creation of the FEMA Urban Search & Rescue teams as well as the processes for monitoring the long-term health of 1st responders. The World Trade Center and Pentagon disaster responses are no different. We have learned from both. We recognize that better personal protective equipment is needed for our first responders. More training and exercises, better communications and improved interoperability of the equipment, and enhanced medical response capabilities and mutual aid agreements are also needed. I am committed to ensuring that those needs are met.

## MEETING THE CHALLENGE AHEAD—OFFICE OF NATIONAL PREPAREDNESS

Although the challenge of meeting these needs may represent an expansion of our duties, in many respects, FEMA's role in responding to terrorist attacks was identified well before September 11. On May 8, 2001, the President tasked me with creating the Office of National Preparedness within FEMA to "coordinate all Federal programs dealing with weapons of mass destruction consequence management within the Departments of Defense, Health and Human Services, Justice, and Energy, the Environmental Protection Agency, and other Federal agencies." Additionally, the ONP was directed to "work closely with State and local governments to ensure their planning, training, and equipment needs are met."

The President's decision to create ONP was a vital solution for a problem long recognized but rarely acted upon—the need for central coordination among the myriad of Federal programs dealing with terrorism preparedness. Some forty Federal Departments and Agencies have been involved in the overall effort to build the National capability for preparedness and response to the consequences of terrorist incidents. Federal terrorism preparedness programs and activities are vested with several departments and agencies based on their statutory authorities, Presidential direction, and Congressional jurisdiction, including legislation and specific funding earmarks. Many of these activities have been primarily focused on the development or enhancement of Federal capabilities to deal with terrorist incidents, including plans, personnel and physical security upgrades, and specialized resources such as protection and detection technology and response teams.

Various independent studies and commissions have recognized the problems inherent in this uncoordinated approach. Recommendations by the Gilmore Commission, for example, stress the importance of giving States and first responders a single point of contact for Federal assistance for training, exercises and equipment.

Many first responders themselves are baffled by the maze of programs and agencies that provide preparedness assistance. In recent testimony before Congress one first responder Chief Ray Alfred, on behalf of the International Association of Fire Chiefs said, "Some of my colleagues in the fire service have . . . spoken of their concerns as to the lack of a coordinated Federal effort, both in terms of the preparedness and support programs I have discussed and the seemingly endless Federal response capabilities that appear duplicative and continue to grow."

FEMA is the natural Federal Agency to be the single point of contact to facilitate and oversee the implementation of the National effort to build preparedness capabilities. FEMA is the lead Federal agency for all-hazard emergency management activities involving preparedness, response, recovery and mitigation. As the designated lead agency for consequence management, FEMA coordinates Federal disaster and emergency assistance programs and activities to support State and local governments in their response and preparedness efforts.

## OFFICE OF HOMELAND SECURITY

Following the September 11 attacks, the President appointed Governor Ridge to head the newly established Office of Homeland Security (OHS) with the charge to "develop and coordinate the implementation of a comprehensive National strategy to secure the United States from terrorist threats or attacks." In carrying out this activity, the OHS was tasked to "coordinate the executive branch's efforts to detect, prepare for, prevent, protect against, respond to, and recover from terrorist attacks within the United States." Since that time, FEMA has been working closely with Governor Ridge and the OHS, and other agencies to identify and develop the most effective ways to quickly build and enhance the overall domestic capability to respond to terrorist attacks. In conjunction with OHS, FEMA will provide critical support for homeland security initiatives, particularly in the area of local and State capability building. FEMA will also have a significant role supporting the development of the National strategy; participating in interagency forums and working groups, including the Homeland Security Council, and Policy Coordinating Committees; and contributing to the interagency budget strategy and formulation process.

## ONP: MISSION AND ACTIVITIES IN SUPPORT OF HOMELAND

The Office of National Preparedness' (ONP) mission is to provide leadership in the coordination and facilitation of all Federal efforts to assist State and local first responders (including fire, medical and law enforcement) and emergency management organizations with planning, training, equipment and exercises necessary to build and sustain capability to respond to any emergency or disaster, including a terrorist incident involving a weapon of mass destruction and other natural or manmade hazards.



FEMA has made the following changes to support this expanded mission to support the Office of Homeland Defense:

- Realigned preparedness activities from the Readiness, Response and Recovery Directorate to ONP;
- Realigned all training activities into the U.S. Fire Administration to allow greater coordination between training for emergency managers and training for firefighters;
- Moved the authority for credentialing, training and deploying Urban Search and Rescue teams from the Readiness, Response and Recovery Directorate to the U.S. Fire Administration.

#### ORGANIZATION

The ONP is organized in FEMA Headquarters under a Director (reporting directly to the FEMA Director) and supported by a Management Services Unit and four Divisions to carry out key its functions to coordinate and implement Federal programs and activities aimed at building and sustaining the National preparedness capability. The divisions and their functional responsibilities include the following:

- Administration Division—Provide financial and support services, and management of the grant assistance activities for local and State capability building efforts.
- Program Coordination Division—Ensure development of a coordinated National capability involving Federal, State, and local governments, to include citizen participation in the overall efforts to effectively deal with the consequences of terrorist acts and other incidents within the United States.
- Technological Services Division—Improve the capabilities of communities to manage technological hazard emergencies-whether accidental or intentional-and leverage this capability to enhance the capability for dealing with terrorist attacks.
- Assessment and Exercise—Provide guidance, exercise, and assess and evaluate progress in meeting National goals for development of a domestic consequence management capability.

We continue to work with all 55 States and territories and Federally recognized Indian Tribes and Alaskan Native Villages to implement our current and other grant programs to assist State, Tribal and local government to enhance their capabilities to respond to all types of hazards and emergencies such as chemical incidents, incidents involving radiological substances, natural disasters, etc.

#### FIRST RESPONDER INITIATIVE

The President's First Responder Initiative will be led by FEMA and implemented under the Office of National Preparedness. The President's proposed fiscal year 2003 budget includes significant Federal funding to dramatically enhance the homeland security response capabilities of America's first responders with funds targeted to purchase equipment, train personnel and develop response plans.

The initiative builds on existing capabilities at the Federal, State and local level. It will include the development of standards to ensure maximum interoperability and provides incentives to develop mutually supportive programs to maximize effective response capability.

The President is proposing \$3.5 billion to train firefighters, police officers and emergency medical technicians to improve response to chemical or biological events, provide new equipment, and help local governments develop comprehensive plans to prepare for and respond to terrorist attacks. FEMA would be tasked with administering these funds.

#### FIRE GRANTS

FEMA, through the United States Fire Administration (USFA), has completed its Assistance to Firefighters Grant Program grants for fiscal year 2001. In a nine-month period, FEMA/USFA created and administered a new grant program that focused on the basic firefighting and equipment needs of our nation's local fire departments and fire service organizations.

Given their significant role as 1st responders to a disaster, as was shown by their bravery on September 11, the need of firefighters for additional training and equipment to respond to future terrorist attacks will be addressed by ONP.

#### CITIZEN CORPS INITIATIVE

Citizen Corps is part of the overall effort of Freedom Corps to assist individuals and communities with implementing Homeland Security Programs in their areas.

Since September 11, 2001, Americans are more aware than ever of the threat of terrorist acts on home soil. In the days following the attacks we saw immediate and selfless volunteering, generous monetary gifts, blood donations, and an outpouring of support and patriotism across America. Sustaining that spirit of volunteerism and unity is crucial to defending the freedoms America holds dear.

In order to help Americans strengthen their communities, President Bush tasked FEMA with overseeing Citizen Corps. This broad network of volunteer efforts will harness the power of the American people by relying on their individual skills and interests to prepare local communities to effectively prevent and respond to the threats of terrorism, crime, or any kind of disaster.

The Citizen Corps builds on existing crime prevention, natural disaster preparedness, and public health response networks. The Citizen Corps will initially consist of participants in the following five programs: the Volunteers in Police Service Program; an expanded Neighborhood Watch Program; the Medical Reserve Corps; Community Emergency Response Teams (CERT), and Operation TIPS. FEMA has the responsibility for approving additional programs to be affiliated with Citizen Corps in the future. Individuals who participate in any of the Citizen Corps programs will be members of Citizen Corps.

The Citizen Corps will bring together local government, law enforcement, educational institutions, the private sector, faith-based groups and volunteers into a cohesive community resource. The Federal role is to provide general information, to develop training standards and materials, and to identify volunteer programs and initiatives that support the goals of the Corps.

What we need to do now is break down the firewalls and allow the ONP to coordinate and facilitate all preparedness programs. As I said before we need one Agency, one place for all 1st responders to receive assistance for planning, training, equipping and exercising in preparation for future WMD or terrorism events.

Operationally, FEMA is well prepared and equipped to respond to terrorist disasters. Similar to natural disasters, following a terrorist event FEMA aims to ensure that the Federal Government and its partners provide needed support to disaster victims, first responders, and local governments.

I look forward to working with Members of the Subcommittee and Congress as a whole as we go forward in helping our nation to better prepare for the future.

Senator MIKULSKI. Yes. And I, of course, will be back after the vote. I want to turn to my colleagues as a—just in senatorial courtesy. For those who might not come back—be able to come back because of other demands, I'm very happy for you to read off the questions and be sure that they are heard. And then we can come back to me after the vote.

Mr. Chairman, did you have some questions?

Senator STEVENS. Yeah, I have just one, Mr. Allbaugh, and that is about this—it concerns what I've mentioned before—and that is, what are the plans for integrating the State and local response agencies into the LAN mobile radio system that you are proposing?

Mr. ALLBAUGH. That's one of our greatest problems across the country—the incompatibility of systems and individuals to communicate with one another. I wouldn't mind if we took \$2 billion of this additional \$3.5 [billion] and solved that problem with getting the right software in place, not to be in a position of telling a community they need to buy Ericsson or Motorola or a specific type of equipment, but establish the standards so it would allow individuals—police, fire, and emergency medical teams—to communicate with one another.

We had so many people show up in New York City. The systems were totally incompatible. We had fire trucks that would show up, pumper trucks, and they couldn't connect the hoses, for example, because New York City had a different standard.

We need to have national standards when it comes to equipment, when it comes to training, when it comes to communication. If you cannot pump, it costs lives. That is an unfortunate down side.

We're making the first steps at the national level, as you have alluded to, with the Federal agencies. It is a bold first step, and I congratulate members of Congress for forcing us to do this. We need to do this. We need to set those same standards at the State and local communities and adhere to those standards, enforce those standards, and make sure communities have the ability to talk to one another during an incident.

Senator STEVENS. Well, it's not unlike the problem we faced when we changed the radios—and the communication divides for our ships off our shore. We did change them—twice, in my time here in the Senate. And in both instances, we had to have a period in which people could adapt to these new regulations. And it was an expensive thing to change radios on—not only pleasure craft, but on the fishing boats and the marine safety boats and the Coast Guard Auxiliary. It took a lot of money to do that.

Unless there is money available for these local people to make that change, they're not going to be able to comply.

Mr. ALLBAUGH. I would agree with that, sir.

Senator STEVENS. And the difficulty is, if you change into LAN mobile radio first, your people are going to come on the scenes and be talking to each other, but the guys who are there first are going to be talking in a different language. And that bothers us considerably, particularly those of us who come from very sparsely populated areas and have enormous problems in dealing with the security of the homeland for everybody concerned. I mean, we're stuck out there, half the coastline of the United States off one State.

And if we're going to be able to follow the lead of the Federal Government, some consideration has to be given of the cost of and the time frame for compliance. All we ask is to be able to try to work together. I'd hate to see FEMA convert completely in the Federal system of communications devices that could not be used because we don't have the type of devices that are necessary to understand one another. It's the largest problem for us, and I hear you say it's the largest one for you.

Mr. ALLBAUGH. The largest problem in the Nation right now that faces us is the ability to communicate, and I don't think this is a problem that can be solved in 1 year, or 2 years. This is a multi-year problem, and it's going to require assisting State and local communities in funding by way of grants to achieve these standards we need to set in place.

Senator STEVENS. How long will it take us to devise the standards?

Mr. ALLBAUGH. We can devise the standards probably in 3 to 6 months, easily, with necessary input. We've already done a lot of groundwork in this area, and I think that emergency managers, fire and police across the country recognize the problem. They want to solve the problem as much as we do. And we can't put the entire burden on their back. This has to be something we solve shoulder to shoulder, and I'm anxious to tackle the problem.

Senator STEVENS. Thank you very much.

Senator MIKULSKI. Senator, are you coming back, or—

Senator DOMENICI. I have both appropriations and a budget hearing.

Senator MIKULSKI. Well, you have a question about the authority, again, with—

Senator DOMENICI. I'll submit four, if you will submit them for me, Senator Shelby, for him to answer. I'll just ask one question.

Senator SHELBY. I'd be glad to. You go ahead, and take your time. I'm coming back.

Senator DOMENICI. Let me just give a little bit of history and see where we are. First, I hope you know that I'm very much on the side of the president, in terms of trying to streamline a response here. The catastrophe we had has come alive on the issue. Where we had been asleep, waiting around in disbelief that this could ever happen in America, we now know we have to proceed well beyond just having first responders in our communities. That isn't the solution to the problem. That's just the beginning.

But I'll give you just a bit of history. The National Defense Authorization Act of 1996 had a provision in it. In 1996. Imagine. And we did so little about it. It was an amendment offered by Lugar, Nunn, and Domenici. It included a provision that responder training was to take place in 120 major cities to prepare for potential disaster attacks that might use weapons of mass destruction. The Department of Defense carried out most of this training, but in 1999, the Clinton administration transferred it from the Department of Defense to the Department of Justice.

Through the leadership of Chairman Judd Gregg, the Senate Commerce, Justice, State, and the Judiciary Subcommittee required the Clinton administration to prepare a 5-year counter-terrorism plan for the Federal Government. I believe this was in 1998.

As part of that initiative, the National Domestic Preparedness Consortium was established. It was headquartered in Fort McClellan, in your State of Alabama. There are four training partners spread out in the country. There are experts now in explosives, chemical, and biological weapons of mass destruction, and others.

So I understand the need for central coordination among this myriad of Federal programs dealing with terrorism. Yet at the same time, significant groundwork has already been laid in the department—that is the Department of Justice—to carry out this effort. There are many professionals already hired and on board. I think you're aware of that situation.

So preparedness within FEMA that would be designed, among other things, to work closely with State and local governments to ensure their planning, training, and equipment. Those are the words the president used to create this transfer when he created it, that we were to ensure that they would work closely with State and local governments, et cetera.

In your written testimony, you stated that FEMA is a natural Federal agency to be the single point of contact to facilitate and oversee the implementation of this national effort to build preparedness capability.

I have one question that falls on that set of facts. Given the fact that the groundwork is already there—it's been laid in other departments and agencies—and that there are very large increases requested for first-responders in the president's budget, why do you believe that your agency is such an obvious choice for this task?

Mr. ALLBAUGH. I think simply and solely because of our existing relationships with State and local community leaders. We have been training first responders for a number of years, since the inception of FEMA, back in 1979. And I would think that, based upon those relationships—and, quite frankly, maybe those individuals are the ones you should ask the question: Who do they best want to deal with?

But we are providing at the Federal Government a confusing array of options as to who local and State individuals need to go to for their training. Regardless of whether it's FEMA or Justice or DOD—all the first responder training, I would ask, be consolidated into one area so we make it as easy and as simple as possible for those individuals who need to receive the training.

We have an incredible amount of grants that we do on an annual basis to State and local communities. This year alone we'll give over \$3.1 billion to State and local communities in the way of grants to assist them with their preparedness, mitigation, and planning. This year, because of New York City and the Pentagon, we'll spend over \$7 billion in grants.

And those relationships are ongoing, they're evolving, they're thriving, and they are the basis, the sole basis, for us being able to provide the training that we do in such a wonderful job up at Emmitsburg.

Senator DOMENICI. Thank you very much.

Senator MIKULSKI. Well, thank you, Senator Domenici, for a really active engagement in these issues. This committee will stand in recess so that it can go to vote. And we'll be back—

Mr. ALLBAUGH. I promise I won't leave.

Senator MIKULSKI [continuing]. In 10 or 15 minutes, and we'll resume and follow our regular order.

The subcommittee will now resume its deliberations. And, Mr. Allbaugh, I want to thank you for coming to the committee and know that this is not the hearing on the FEMA appropriations.

Mr. ALLBAUGH. Right.

Senator MIKULSKI. This is the discussion on, really, a year's work, going back to when the president, in May, asked you to really establish the Office of National Preparedness at FEMA and then to present recommendations to him, as I recall, in the fall. And, of course, before those recommendations happened, we had the September 11, attack.

Could you tell us why, when the vice president and the president asked you to conduct that review, where were you before the attack and then how that then evolved into what you're presenting today?

Mr. ALLBAUGH. What we were leading up to was a presentation of a confusing picture at the State and local level, and especially at the Federal level, as to who was responsible for what when an occurrence takes place. Then we were sidetracked with the activities on the 11 and, at the end of last year, began aggressively reestablishing ourselves with ONP. I selected Mr. Bruce Baughman, who's been with FEMA since its inception, to head up the responsibilities of ONP. He's doing a fabulous job, has the necessary contacts throughout the Federal Government, and I'm proud he's going to be leading this effort.

But crystalizing the necessary training, equipment purchases, and crafting a plan for the country to make sure that our first responders are the best trained, best equipped, best exercised—it's great to buy the toys. It's wonderful to train on those toys. But if we don't exercise, we never know where the glitches are. And I learned over the past year, and it was brought home to me especially on the activities of the 11, the need to train and exercise more.

A sizeable portion of the president's proposal of \$3.5 billion will go to training and exercises at the State and local level. So Bruce's shop will be responsible for coordinating that entire effort with State and local communities.

Senator MIKULSKI. Well, Mr. Allbaugh, just listening to you, it's like kind of being at a hearing in NATO. When NATO first got started, there was this whole issue of who was in charge, the interoperability—were we going to speak a common language, and they were all going to speak on the same frequencies.

Mr. ALLBAUGH. Right.

Senator MIKULSKI. This whole issue of, I will call it, "inter-operability," not to have sameness in our local communities, 'cause communities are not the same, but this whole inter-operability issue, even within states—you know, over a 100 years ago, we had the great Baltimore fire, and we found, when people came to our rescue, because of even that equipment in those days, they could not help us. That established the—that led to the establishment of the national fire-plug standards.

Mr. ALLBAUGH. That is right.

Senator MIKULSKI. And, you know, I do not want to reduce it to that, but that was the technology at the time. Do you see—what you are proposing dealing with what we call the inter-operability, the communication issue, even speaking the common language, so the codes or whatever or—language all means the same.

Mr. ALLBAUGH. I believe that is the challenge ahead of us. Setting national standards so everyone will understand what is required when it comes to deployment of assets at any given incident—on a regional basis and a statewide basis—so we will not have pumper trucks show up at a site that cannot connect the hoses; so we can have and ensure that police and fire are communicating on the same frequencies and have the ability to talk to one another; so we make sure we don't put, unnecessarily, lives at risk beyond the lives that those brave men and women are trying to save.

It is a problem nationwide, and we can solve this. There are a number of entities right now at the Federal level that are trying to address this, including an interagency committee headed by Justice and DOD. We have been asked to participate. I look forward to our participation, helping solve this problem with the FCC. It is a massive problem, but it can be solved.

Senator MIKULSKI. It is a massive problem. First of all, what I am interested in both in the new proposals and the ideas that you are expressing today, whatever is the office, Is what the president's proposals, particularly for the merger with Justice or the moving over of Justice—is it a change that will make a difference?

Mr. ALLBAUGH. I believe it will.

Senator MIKULSKI. Could you elaborate?

Mr. ALLBAUGH. I believe it is—

Senator MIKULSKI. I say it in the most cordial way. We really want to work with the president—

Mr. ALLBAUGH. Sure.

Senator MIKULSKI [continuing]. Governor Ridge, you and John Ashcroft and—

Mr. ALLBAUGH. I appreciate that.

Senator MIKULSKI [continuing]. You know, we're all kind of Team America here.

Mr. ALLBAUGH. Well, let me first congratulate the members of the committee for the hard work that you put in on addressing first responders. You have the five training facilities that Senator Shelby alluded to earlier. They are assets to this country. And the goal is to make sure that we properly enhance those assets so there is no confusion among State and local first responders as to where they should go for proper training.

I believe ODP primarily focuses on fire, rescue, and HAZMAT. We're an all-hazards agency. We want to make sure first responders can address any type of incident. And now our most critical incident is one that is man-made, a catastrophic disaster that we've all seen.

We have the necessary relationships and training to coordinate this, nationwide. And I think the president is interested in simplifying a command structure, if you will, within the executive branch as to who's responsible for what. And that's the purpose and the reason behind moving ODP, and the desire to move ODP to FEMA.

Senator MIKULSKI. Well, do you think that this new arrangement, where FEMA will remain an all-terror, an all-hazards agency, because there are those in some of the local communities that are wondering are we becoming an all-homeland security agency or an all-terrorism-focused agency?

Mr. ALLBAUGH. I understand that—

Senator MIKULSKI. How would you keep the focus when it being this all-hazard response for our first responders, because that's really what we're talking about.

Mr. ALLBAUGH. Yes, ma'am. I understand their concern. I think part of the reason that there is a special added emphasis on homeland security is because the events of September 11 are 5 and a half months ago, still fresh in our mind. We're very concerned about our security, nationwide.

That is not to dismiss or take away, in any way, shape or form, at FEMA, our responsibility for disaster mitigation, after the fact and pre-disaster mitigation. That and flood protection are our core entities. We will continue, as we have in the past, making sure that communities are well educated. We will assist them, as we have in the past, with necessary grants to better improve their building-code practices, when it comes to flood protection, or any type of mitigation that the community would like to take place.

We need to be prepared for everything. We're not as prepared as we should have been on the 11. We're better prepared today than we were, and we'll get better as each day passes.

Senator MIKULSKI. Well, am I correct in assuming that what a first responder needs to do—particularly now some of the fire-

fighters—is to—whether it’s a national disaster for our emergency medical and management, et cetera—but our response and our preparedness needs to be the same. And I don’t mean that it doesn’t require different equipment for a HAZMAT situation and so on.

Do you see that the training and the exercises, which I think is really what Judd Gregg’s point was yesterday—because under the Office of Domestic Preparedness, they did a lot of training and exercises—but my point is that the exercise training would be not only for weapons of mass destruction or a terrorist attack, or a chemical incident. But it also could be another natural disaster. Would you see those exercises—

Mr. ALLBAUGH. Absolutely.

Senator MIKULSKI. I see Bill shaking his head. Did you want to—go ahead.

Mr. ALLBAUGH. Absolutely. We truly are an all-hazards agency. And many times we have individuals who focus just on floods, or they focus on tornados, or they focus on hurricanes. We need each one of those individuals in the responder community to be able to respond to literally anything. This training will be all across the board for all first responders.

Senator MIKULSKI. Senator Shelby, you’ve been very patient and very generous with your own colleagues. Please, you go right ahead.

Senator SHELBY. Thank you. Thank you Madam Chairman.

Senator MIKULSKI. And you go right ahead.

Senator SHELBY. Thank you, first of all, for holding this hearing and for your courtesy.

I’m deeply concerned that the ongoing—and I mentioned it in my opening statement—

Mr. ALLBAUGH. Yes, sir.

Senator SHELBY [continuing]. First-responder training programs could be compromised by the proposal to switch lead agencies midstream. Any disruption in training activities could result in serious consequences.

So the question remains: Why are we doing this? In my opinion, the only reason that we should switch agencies midstream is because there is overwhelming evidence that these programs can become better than they are in the current structure.

Last year, Congress provided \$35 million to the Center for Domestic Preparedness so they may train 10,000 first responders this year. In addition, thousands more will be trained by the other consortium programs. The White House describes the budget proposal as one that will allow, quote, “more than 11,000 emergency-response personnel to be equipped and trained in 2003.”

Could you tell us why a budget that professes to increase our Nation’s commitment to first responders by \$3.2 billion would actually, it seems to me, result in a decrease in the number of those individuals being trained?

Mr. ALLBAUGH. No, sir, I can’t. That logic fails me—

Senator SHELBY. Would you get back with me on that?

Mr. ALLBAUGH. I sure will. I’d be happy to research that.

Senator SHELBY. That may have just been a statement, but it was a statement.

Mr. ALLBAUGH. Would that have been a statement from OMB?



Senator SHELBY. I don't—I thought it was the White House. So it could have come from there. I don't know where it came from.

Mr. ALLBAUGH. I apologize. I'm not familiar with that.

Senator SHELBY. Would you furnish that—

Mr. ALLBAUGH. I'd be happy to do that, sir.

Senator SHELBY [continuing]. And respond back to—

Mr. ALLBAUGH. You bet I would.

Senator SHELBY [continuing]. Myself and to the Chair. FEMA is responsible—just a little background here, and then I'll get into questions—responsible for all off-post emergency-preparedness activities in relation to the Anniston Chemical Destruction Facility at the Anniston Army Depot. Technical and bureaucratic problems have plagued the CSEPP program in Anniston. Most recently, FEMA has withheld funds allocated for the Anniston CSEPP program in Calhoun County by Secretary Pete Aldridge.

You hosted a recent meeting with officials from the Army and FEMA about the CSEPP funds. And Governor Siegleman, if he hasn't, he's planning to file suit in the Federal District Court in Birmingham in an effort to stop further operations of the incineration facility until the Army and FEMA address and implement several outstanding critical safety measures in Calhoun County.

My question is this. Although I regret you were unable to attend the recent meeting in my office with Senator Sessions and others regarding the Chemical Stockpile Emergency Preparedness Program to discuss critical safety issues involving Calhoun County and surrounding communities in my State. It wasn't—Congressman Aderholt, Congressman Riley was not there, but his staff was—I correct myself.

But this is just not an Alabama issue, as Senator Stevens has made clear. I'm concerned about all the communities that are home to U.S. chemical weapons and stockpiles. I'm sure you understand and agree with the concern that many people who live in these communities have after the attack of September the 11. Many see these sites as high-risk areas and targets for terrorism.

I'm encouraged by the steps the Army and the FAA have taken to increase the security of these stockpile facilities. As the director, though, the agency responsible for all post-emergency preparedness around these sites, I'm troubled that critical safety measures are still being debated, and emergency-preparedness funding continues to be withheld by FEMA in my State.

What are you doing to see that these issues are resolved, and the sense of vulnerability that many feel in these communities is replaced with a sense of confidence that they enjoy maximum protection as required by the statute?

Mr. ALLBAUGH. Thank you, Senator, for the question. I, too, am deeply concerned about those individuals in Anniston and surrounding all eight sites. We have met with city officials. We are continuing a dialogue. I have asked David Paulison, who's the U.S. fire administrator, to take this responsibility personally for me to resolve this issue. Just recently, we disbursed \$25 million to the State, \$16 million to the State and \$9 million to Anniston. There's still \$15 million to be disbursed.

I'm anxious to solve this problem. The issue basically revolves around masks. We lack the necessary testing on masks, the appro-

ropriate recommendation. I'm deeply concerned about giving masks to individuals without proper training, Senator. I don't mind providing the training to those individuals. I am worried about giving folks a mask without the training, and then they have a false sense of security. We're meeting Friday and the beginning of next week with numerous individuals to address the remaining \$16 million, and I'm—

Senator SHELBY. What we are trying to do is work that out—

Mr. ALLBAUGH [continuing]. Anxious to resolve this.

Senator SHELBY [continuing]. But work it out to make sure that the people who live in the community there are safe if there were to be a mishap.

Mr. ALLBAUGH. I understand.

Senator SHELBY. Understand where we're coming from.

Mr. ALLBAUGH. I do understand, sir. I'm concerned with, not only that site, but the other seven sites as well.

Senator SHELBY. I would also like to explain with a short narrative why so many people are frustrated and outraged with FEMA's activity regarding funding and implementation of safety measures. You alluded to that. Let me just run through it.

One of the most pressing safety items has been an upgrade of the country's EMIS—is that what you call it—software.

Mr. ALLBAUGH. Software, yes.

Senator SHELBY. EMIS software system. This upgrade would allow the local EMA to quickly and accurately warn the thousands of people who live within a short distance of the stockpile in the event—the chemical stockpile—in the event of an accident.

Despite the existence of EMIS, the Army accepted an unsolicited bid in 1993 from Pacific Northwest National Laboratory to develop a second emergency software system for the CSEPP program, which is known as FEMIS, F-E-M-I-S. Forty million dollars and 9 years later, General Doseberg, the stockpile commander, said the Army will not use FEMIS because of test failures. Consequently, Calhoun County is using EMIS. Funding to upgrade EMIS has been requested so that the Army in Calhoun County will have the best possible software system operating their EOCs.

Last October Undersecretary of Defense Pete Aldrich got involved in the Chemical Demilitarization Program. An agreement was reached to fund the software upgrade. This software funding issue has persisted for years, and it's consistently been denied by FEMA. The Army and FEMA have studied this issue and conducted numerous tests.

In fact, another meeting was just recently held in Denver, Colorado, to further study the EMIS versus FEMIS issue. This delay has been perplexing because of the overwhelming support of the Army and the communities which are home to these sites have given to EMIS. FEMA, though, has continued to support the use of the FEMIS system.

Interesting, 2 weeks ago, the top official of FEMA responsible for this matter announced plans to leave FEMA to take a job with Battel Memorial Institute, which operates the Pacific Northwest National Laboratory, the developer of the FEMIS software. Apparently this move has been in the works for some time.

A somewhat different, yet similarly curious, situation exists within the Army, regarding personnel with strong connections to the FEMIS software. I find it very discouraging that employees at the Army and your agency who are responsible for working with my State on these critical safety issues appear to have such a conflict of interest.

I hope that you will be sensitive to situations like this in the future as we all work to ensure the safety of these stockpile communities.

Mr. ALLBAUGH. I appreciate your concern. I share that concern. I—

Senator SHELBY. Where are we on that?

Mr. ALLBAUGH. We're about to resolve the \$6 million on the automation issue. Yes, sir.

Senator SHELBY. Will it work?

Mr. ALLBAUGH. Well, I don't know. It's beyond my technical capabilities, but we will resolve this. And I probably hastened the departure of that individual from our agency.

I cannot—I will not tolerate conflicts of interest.

Senator SHELBY. Good.

Mr. ALLBAUGH. And it irritates me to learn of these things. And we're in the process of correcting this problem. I appreciate you pointing it out.

Senator SHELBY. Mr. Director, lastly—the Chairwoman has been very courteous here—I want to just mention to you and your staff that you—we have an ongoing interest in a constituent matter that your staff—Senator Sessions, Congressman Riley, and I have previously written to you about, and we'll touch base with you again on that. We hope you can resolve that.

Mr. ALLBAUGH. Is this regarding—

Senator SHELBY. Other than that—

Mr. ALLBAUGH [continuing]. Pine Bluff, Arkansas, that—

Senator SHELBY. That's right.

Mr. ALLBAUGH [continuing]. You're talking about? We have a series of investigations—

Senator SHELBY. Yeah, that's what—

Mr. ALLBAUGH [continuing]. Going on there.

Senator SHELBY. We want you to find out what needs to be done and do it.

Mr. ALLBAUGH. That's what I'm trying to find out, sir.

Senator SHELBY. Good.

Mr. ALLBAUGH. I know there are some problems, and I want to—

Senator SHELBY. We want you—

Mr. ALLBAUGH [continuing]. Correct them.

Senator SHELBY [continuing]. To do what's right.

Mr. ALLBAUGH. Thank you. I want to do what's right.

Senator SHELBY. And do it in an expeditious way. Okay?

Mr. ALLBAUGH. Yes, sir.

Senator MIKULSKI. Well, thank you, Senator. Those were really very enlightening questions. And I think your experience, not only on the Appropriations Committee, but in both chair and ranking on the Intelligence Committee, really—

Senator SHELBY. Thank you.

Senator MIKULSKI [continuing]. Serves this committee well. Senator Bond is really tied up on the floor. We're going to submit his questions for the record, but let me go to mine.

Senator Domenici really raised some very important issues, and I'd like to clarify it. First of all—this goes to the first-responder initiative—has the Justice Department's Office of Domestic Preparedness actually moved to FEMA, or is that something waiting for other actions?

Mr. ALLBAUGH. It has not moved to FEMA. We are waiting on other actions. We do have the authority, as far as I know with the Stafford Act, to receive the responsibilities that ODP has been performing.

Senator MIKULSKI. So you believe—and I'm not disputing this. I think we're all trying to parse this out.

Mr. ALLBAUGH. Sure.

Senator MIKULSKI. Now, you believe that, under the Stafford Act, you have the legislative authority to move, shall we say, inter-operably with Justice. Is that correct?

Mr. ALLBAUGH. Yes, ma'am.

Senator MIKULSKI. Well, we would appreciate from FEMA how we are moving through this—

Mr. ALLBAUGH [continuing]. We have the ability to perform the functions at ODP. We don't have the authority to move any agency or any part of an agency.

Senator MIKULSKI. And what type of authority do you need? Do you need an executive order from the president, or do you need legislative and statutory authority?

Mr. ALLBAUGH. I think we need legislative authority. I think it could be moved, as well, with an executive order from the president.

Senator MIKULSKI. I see. Well, I believe that that should require more conversation with Governor Ridge our colleagues at Commerce—at State, Justice, Commerce—

Mr. ALLBAUGH. Sure.

Senator MIKULSKI [continuing]. To see this. I think we—again, we're all united in the same goals. There are some reservations, but I believe we can—there's a spirit of goodwill to work this through. Let me, though, ask a couple of other questions along those lines.

Well, first of all, you are waiting for other actions. Who do you think is going to take those other actions, and when, or do you—this seems to be more working this through our appropriation—

Mr. ALLBAUGH. I think it's a combination of informing members on the Hill in both houses, along with the Attorney General and myself working through those necessary administrative actions that need to take place in order for this function to be moved over, as well as budgetary requirements to fully fund ONP in the future.

Senator MIKULSKI. Well, my recommendation—I really—we'd would hope that Governor Ridge could come and speak to the full Appropriations Committee, really accompanied by you and the FBI, who is crisis management and so on. But I think that there will be other conversations, and we look forward to having them.

Mr. ALLBAUGH. I'll look forward to those.

Senator MIKULSKI. Let me ask, though, the thinking—there’s—we’re talking about three different first responders: our firefighters, our police officers, and our emergency medical officers. Am I correct?

Mr. ALLBAUGH. And emergency managers.

Senator MIKULSKI. And emergency managers. They, on a day-to-day basis, perform three different kinds of functions. They have three different kinds of cultures. They have three different kinds of equipment needs or different kinds of technology needs. Absolutely, the training and the exorcizing—or exercising—exorcizing is what we have to do with Al Qaeda—but—that’s Catholic, you know, what exorcists do.

Mr. ALLBAUGH. Yes, ma’am.

Senator MIKULSKI. And—

Mr. ALLBAUGH. I hope never to experience it.

Senator MIKULSKI. Yes. And I believe, though, President Bush is doing his best in that way.

But, as you see—actually, on the ground, they need to really be working together. Do you envision—how do you envision that that’s going to work?

Mr. ALLBAUGH. Well, part of our challenge and our responsibility is to encourage a command structure nationwide, from the top down. These individuals do not follow a structure where an incident takes place and everyone’s sharing information sitting at the table at the same time or receiving information, a part of the decisions. That’s where a lot of confusion arises.

It is my hope that, using the incident command structure, we can lead the way, as we have at the Federal level—lead the way with State and local entities in challenging them to rise and meet the same standard using the command structure.

Senator MIKULSKI. Well, again, I just want to point out an example. In Montgomery County, here in Maryland—

Mr. ALLBAUGH. Right.

Senator MIKULSKI [continuing]. You have both the combination of county-paid professional firefighters and volunteer fire departments. In fact, Rescue 1 that dashed to the Pentagon was volunteer. Mr. Duncan, the county executive, pointed out that he has 19 different volunteer fire departments, and they don’t have a central command. In fact, they don’t have a central command with him, and they like being autonomous. That’s part of it. And I only use this as an example of even what’s going to need to be pulled together at a local level. I’m not saying it’s impossible, but we’re going to have a lot of work ahead of us.

Mr. ALLBAUGH. We have a lot of work ahead of us. It is a steep challenge. It is probably the second-greatest problem we face, beyond just the communications issue. Communities need to step up to the plate and enforce a command structure within their local jurisdiction.

Senator MIKULSKI. And you see that as the incident command.

Mr. ALLBAUGH. I do. I think that is something that has grown over the years out of the fire service, and it has proven to work efficiently. You’re right, there are a variety of cultures that have been resistant to a command-structure approach, but it is the only way to ensure that the job is being done, and being done correctly, and

all the tasks at hand are being addressed, as well as performing our most important function, which is saving lives and protecting property.

Senator MIKULSKI. In the First Responder Initiative, how would the money flow? Would it go to States? Would it go to the local county governing body? Would it go directly to police departments, fire departments, EMSs?

Mr. ALLBAUGH. Unlike the fire grant program that Congress was so gracious in funding last year and now the next two successive years, which are direct grants to local fire departments, we plan to use this grant money by passing it along directly to the States and ensure that 75 or 80 percent of that money is passed, then, on to local communities, who actually need the money for the training, planning, and equipment purchases—again, adhering to a set of national standards that we will set.

Senator MIKULSKI. Now, you said “going to the States.”

Mr. ALLBAUGH. First—yes, ma’am.

Senator MIKULSKI. And then the States putting it out.

Mr. ALLBAUGH. That’s correct.

Senator MIKULSKI. Well—

Mr. ALLBAUGH. They’re our partners in just about every other grant program that we administer at FEMA. We have existing relationships, existing systems in place. It is the appropriate way to disburse this money in almost a block-grant form.

Senator MIKULSKI. Well, I think this will require further conversation, because local leadership—mayors and county executives—in my case, also county commissioners—always feel that States take a lot of overhead before it gets to them.

Mr. ALLBAUGH. And that’s why—

Senator MIKULSKI. You were—

Mr. ALLBAUGH. I understand.

Senator MIKULSKI. You were governor—

Mr. ALLBAUGH. I’ve heard those same concerns, ma’am.

Senator MIKULSKI [continuing]. Then-governor Bush’s senior chief of staff—

Mr. ALLBAUGH. I understand.

Senator MIKULSKI [continuing]. So you know—

Mr. ALLBAUGH. I understand.

Senator MIKULSKI [continuing]. So you know him. And I think it has—it has validity. And yet at the same time, FEMA, through its emergency management responses, work through the States. So I also—we understand that.

The fire grant—when we had the professional fire folks here, and we had a volunteer fire department—the national head of volunteer fire departments, they really were strong in keeping the fire-grant programs separate, which you could imagine that. But you see this—the fire-grant program ending and then going the other way. Is that correct?

Mr. ALLBAUGH. No, ma’am, I don’t. I see—

Senator MIKULSKI. No?

Mr. ALLBAUGH [continuing]. Those two programs separate and—

Senator MIKULSKI. So you would continue to keep them separate?

Mr. ALLBAUGH. I would continue to have the fire-grant program do what's been done over the last year. We implemented that program in a short 5-month period and got \$100 million out the door all by September 30 last year, going to basic firefighting needs.

The First Responder Program is a more global program—\$3.5 billion, for terrorist training, weapons-of-mass-destruction training, those incidents that are really catastrophic in nature—and it's almost as if you're comparing apples and oranges when you try to combine those two programs.

Senator MIKULSKI. Well, Mr. Allbaugh, I'm happy to hear you say that, and particularly during this next year, while we're trying to really work to clarify in the best—move ahead on these organizational issues.

I would, as we move through this appropriation, just really want to stay the course on the fire-grant program. And FEMA and its fire administrator—and I want to acknowledge his presence here, as well—really get kudos in the way the program was organized. For the first time, there were bumps and potholes, but no realignments. And also the firefighting community really appreciated that it was peer-reviewed.

Mr. ALLBAUGH. Yes, it was.

Senator MIKULSKI. That those who know what they do—

Mr. ALLBAUGH. Awarded on a competitive basis and—

Senator MIKULSKI. Yes. It is peer-reviewed and competitive, and they really thought that was first class, and so do I. They also talked about the Urban Search and Rescue Teams.

Mr. ALLBAUGH. Yes, ma'am.

Senator MIKULSKI. And Senator Bond had the leadership for Missouri here, and he really outlined—yes—an outstanding plan. Because we said, "Should we expand? These are terrific."

What do you see the role of the Urban Search and Rescue Teams—will they also be put under this, or how could we concentrate, in this year's appropriation—because we'll be making down payments on where we totally want to go—on how we can improve Urban Search and Rescue Teams?

Mr. ALLBAUGH. I have a deep affinity for those men and women who are a part of our 28 teams nationwide. I personally would not increase the number of teams that we have, but rather, in years to come, improve our money that's spent in the USAR arena, in the area of equipment caches training again, and exercises and enhancing individual task force capability to respond to incidents.

We were very, very fortunate, as you've already alluded to, in having the folks at Rockville and then Fairfax County right here in the back yard, essentially, of Washington, to respond to the site at the Pentagon. They did a first-class job working closely with Arlington police, Alexandria police, Arlington fire, Alexandria fire, and, of course, the individuals at the Pentagon. We were able to dispatch eight USAR teams immediately to New York City.

There are 28 teams, two task forces on each team, 31 individuals on each task force—they are thoroughbreds, for all practical purposes, of the industry. And—

Senator MIKULSKI. Now, they refer to themselves as your special forces.

Mr. ALLBAUGH. Well, they are. They're as close to special forces as FEMA will probably ever come.

Senator MIKULSKI. Or the Marines. Depending on the point they wanted to make, they were either Marines or special—

Mr. ALLBAUGH. Right.

Senator MIKULSKI [continuing]. Forces. But whatever they were, they were terrific. And—

Mr. ALLBAUGH. They are deployable in a short, 4-hour period, and we're working on logistically shading that time to the best of our ability. We still are due reports from the incident support teams—after-action reports—after the Pentagon event and New York City, which we'll be receiving in the next month and making improvements upon that and recommendations to improve their budgets along the way.

Senator MIKULSKI. Well, again, I think we're absolutely on the same broadband—or we're inter-operable with each other. I really would commend to your attention the testimony of the Missouri leadership.

Mr. ALLBAUGH. I've read that.

Senator MIKULSKI. Yes. And I think they give us—in my mind, it gave me a very clear navigational chart. And I look forward to other conversations with you. Because as we move ahead this year, and we're in a very short appropriations—and we'll come back for your appropriations hearing, and we appreciate the generosity of your time today—but how we can really use the fire-grant program while we're working on the other issues and moving expeditiously, how we can strengthen our fire-grants program and at the same time our—this urban, just search and rescue, so that you would continue to have growing competency and better-equipped responders even within the firefighting community.

Mr. ALLBAUGH. I couldn't agree with you more, ma'am, and I appreciate your support for all of our efforts, as well as members of this committee.

Senator MIKULSKI. Well, listen, you've all—FEMA's been through a lot, and I just want to thank them. I mean, the way the national response team—the Office of Federal Response seems to work so well, when you read all the data that came out of New York, the way the 13 agencies worked together—I mean, this isn't about government. This is about health. This is about Americans helping each other. And that was the response.

And so we really want to thank everybody. We know they've worked very long hours under enormously difficult conditions, and they're still up there.

Mr. ALLBAUGH. They are.

Senator MIKULSKI. In other words, the job is not done. And in some ways, the job is only the beginning—

Mr. ALLBAUGH. Yes.

Senator MIKULSKI [continuing]. In terms of this. So, again, we look forward to further conversations. We thank everybody.

#### CONCLUSION OF HEARING

This committee stands in recess until March 6, when we will be taking the testimony of the Veterans Administration. Thank you.



[Whereupon, at 11:30 a.m., Wednesday, February 27, the hearing was concluded, and the subcommittee was recessed, to reconvene subject to the call of the Chair.]

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