

**PRACTICING LIKE WE PLAY: EXAMINING
HOMELAND SECURITY EXERCISES**

HEARING

BEFORE THE

**SUBCOMMITTEE ON EMERGENCY
COMMUNICATIONS, PREPAREDNESS,
AND RESPONSE**

OF THE

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HOUSE OF REPRESENTATIVES**

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PRACTICING LIKE WE PLAY: EXAMINING HOMELAND SECURITY EXERCISES

Wednesday, October 3, 2007

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
SUBCOMMITTEE ON EMERGENCY COMMUNICATIONS,
PREPAREDNESS AND RESPONSE,
Washington, DC.

The subcommittee met, pursuant to call, at 10:13 a.m., in Room 311, Cannon House Office Building, Hon. Henry Cuellar [chairman of the subcommittee] presiding.

Present: Representatives Thompson, Cuellar, Dicks, Christensen, Etheridge, Dent, and Souder.

Mr. CUELLAR. [Presiding.] The Subcommittee on Emergency Communications, Preparedness and Response will be called to order.

Good morning. First of all, I want to thank all the witnesses for being here with us as we examine the Department of Homeland Security's efforts to implement a national exercise program as required by the Post-Katrina Emergency Management and Reform Act. Our mission is to perform national emergency exercises in an effective way, while at the same time fostering interagency coordination.

The federal government has specified that the Department of Homeland Security should also serve as a resource for state, local and federal agencies as they conduct and evaluate exercises at the regional, state and local levels. I look forward to hearing from Mr. Schrader as he discusses in detail how this goal is being accomplished and how long it will take to fully implement the program.

In addition, this hearing will provide us with the opportunity to examine the effectiveness of top officials or the TOPOFF exercises. This discussion will be particularly timely in light of TOPOFF 4, which will occur later this month, I believe October 15 to 24 of this year. Each TOPOFF exercise involves a 2-year cycle of seminars, timing events and exercises culminating in a full-scale assessment of the nation's capacity to prevent, prepare for, respond to and recover from terrorist attacks involving weapons of mass destruction.

I would like to hear from our witnesses on how TOPOFF exercises are coordinated across federal agencies and with the military, as well as with the state and local governments. This committee continues to be concerned about the process of evaluating previous TOPOFF exercises and the dissemination of lessons learned.

In the past, DHS has told us they have been hesitant to provide a formal evaluation of TOPOFF exercises because of the need to

protect sensitive information about efforts to thwart terrorist activities. While we clearly understand the need to protect sensitive information, after-action reports outlining lessons learned need to be circulated as widely as possible.

I am also very interested in getting the perspective from Major General Saunders from the National Guard Bureau. When it comes to exercising, nobody does it more effectively, more thoroughly than our military and National Guard. I also believe we need to continue to examine the resource constraints the National Guard is under and whether that affects their ability to participate in emergency exercises.

Finally, I look forward to hearing from Mr. Langenbach about his experience from a state perspective dealing with the Department of Homeland Security and TOPOFF 3 back in 2003.

In closing, I believe that when it comes to emergency preparedness and response, our goal shouldn't be for our federal, state and local responders to learn on the job. They should have received the proper training, have a clear response plan in place, and have exercised this plan extensively. While we are making progress, I think we still have a way to go.

I want to thank again the witnesses for their testimony.

The chair now recognizes the ranking member, Mr. Dent, of the subcommittee, the gentleman from Pennsylvania, for an opening statement.

Mr. DENT. Thank you, Mr. Chairman.

Today's hearing continues our oversight of the Department's implementation of the Post-Katrina Emergency Management Reform Act of last year. This Committee was instrumental in crafting that Act's provisions, including the establishment of a comprehensive national exercise program.

The National Exercise Program, or NEP as we refer to it, is currently being established within FEMA's National Preparedness Division. I am pleased that Dennis Schrader, who is the Deputy Administrator for National Preparedness, is here with us today to discuss the program.

The NEP aims to provide strategic direction to national-level homeland security exercises and ensure interagency coordination. It is also to provide guidance to exercises conducted at the local, State, and regional levels and assist in after-action reviews and implementation of lessons learned.

Homeland security exercises form a crucial component of the national effort to strengthen preparedness at all levels of government for acts of terrorism and natural disasters. We must not only ensure that our first responders are properly equipped and trained, but we must also ensure that they practice responding to events in realistic scenarios and test the implementation of homeland security and emergency management plans.

Today's discussion is timely, given that later this month TOPOFF 4 will occur in Oregon, Arizona, and Guam. TOPOFF exercises are congressionally mandated, full-scale exercises to test the nation's collective response to terrorist events. I did attend the TOPOFF 3 exercise that occurred in New Jersey and Connecticut. I spent some time in the Rutherford area of New Jersey during that exercise and learned a great deal from it.

So I look forward to discussing TOPOFF today and the new National Exercise Program with our witnesses. In particular, I look forward to hearing how we can better facilitate accurate after-action reporting and the timely sharing of lessons learned from these exercises.

I also look forward to discussing other ways that we can maximize the benefits of exercises for participants at all levels of government, as well as for the nonprofit and private sector partners. I also greatly appreciate the time our witnesses are taking to be with us this morning, so I look forward to receiving your testimony.

Thank you, Mr. Chairman. I yield back.

Mr. CUELLAR. Thank you, Mr. Dent.

Other members of the subcommittee are reminded that under the committee rules, opening statements may be submitted for the record.

At this time, moving on to the testimony from the witnesses, I would like to again welcome the panel of witnesses. Our first witness is Mr. Dennis Schrader, the deputy administrator for the National Preparedness Directorate in FEMA. The Directorate is charged with overseeing the coordination and the development of the capabilities and tools necessary to prepare for natural and manmade disasters.

Prior to his service at the Department of Homeland Security, Mr. Schrader was the director of the state of Maryland's Office of Homeland Security. Previously, Mr. Schrader spent 16 years at the University of Maryland Medical Center in a variety of leadership positions. Mr. Schrader began his professional career as U.S. Navy Civil Engineer Corps officer, and he retired from the Navy with the rank of captain.

Our second witness is Major General Steven Saunders. Major General Saunders is director of the Joint Doctrine Training and Force Development for the National Guard Bureau, a position he has held since October, 2004. His responsibilities include doctrine development, training and exercise programs, education and professional development, and readiness assessment for the National Guard joint units and operations. Major General Saunders's military career began as an enlisted soldier in 1972. In 1983, he joined the Army National Guard and has held a variety of distinguished assignments and received numerous awards and decorations for his service.

Our third witness is James Langenbach, operation program manager with the New Jersey Department of Health and Senior Services, where he is responsible for emergency management functions of the department. Mr. Langenbach participated in TOPOFF 3 for the state of New Jersey. Prior to his service with the department, he was deputy chief and served 29 years with the New York-New Jersey Fire Department.

Again, we are pleased to have all of you here with us. Without objection, the witnesses' full statements will be inserted in the record. Now, I ask each witness to summarize his statement for 5 minute, beginning with Mr. Schrader from the FEMA.

**STATEMENT OF DENNIS SCHRADER, DEPUTY
ADMINISTRATOR, NATIONAL PREPAREDNESS, FEDERAL
EMERGENCY MANAGEMENT AGENCY, DHS**

Mr. SCHRADER. Thank you, Mr. Chairman and Ranking Member Dent and distinguished members of the subcommittee. It is a pleasure to appear before you today to discuss FEMA's National Exercise Program, including the Top Officials 4 full-scale exercise. As you know, Mr. Chairman, exercises provide homeland security officials an opportunity to practice critical prevention and protection response and recovery functions, evaluate the adequacy of existing capabilities, plans, policies and procedures, and test coordination and working relationships before an actual incident occurs.

At the same time, exercises and the lessons learned from them allow officials at all levels of government to more effectively target their investments to continue to improve our national preparedness, including planning, training and equipping our emergency response community.

To better organize and synchronize the conduct of exercises across federal, state, local, tribal and the private sectors, the Homeland Security Council, working with the Department of Homeland Security and FEMA, developed the National Exercise Program. The National Exercise Program provides a framework and assistive tools to ensure that federal, state and local exercises lead to concrete improvements in policy, plans and performance.

The National Exercise Program unifies homeland security preparedness, exercise strategies, and links appropriate department and agency exercises to provide a single comprehensive exercise program. The National Exercise Program also uses a tiered system to differentiate the various types and sizes of exercises, ranging from tier one national-level exercises to other federal exercises under tier two and three, to tier four, which are the state, territorial, local, tribal and private exercises.

The tier one national-level exercises focus on government-wide strategies and policies such as administration transition, training, domestic and national disasters, national security and domestic terrorism. For example, in the upcoming TOPOFF 4 exercise, approximately 15,000 federal, state, territorial and local officials will participate in a full-scale response to a multi-faceted terrorist threat.

TOPOFF 4 is organized around national planning scenario 11, the use of a radiological dispersal device. TOPOFF 4 will include the participation of all appropriate cabinet-level secretaries or their deputies, and the activation of all necessary operations centers to accurately simulate a truly national response to a major terrorist incident.

All five elements of the national operations center and the FEMA Region IX and X regional response coordination centers will be activated. In addition, the FEMA emergency response teams and the federal incident response support teams will activate in each of the venues and will simulate the establishment of a joint field office in accordance with the latest national response framework guidance.

TOPOFF 4 will test the prevention, response and recovery capabilities in three venues: Guam, Arizona and Oregon, and across the federal, international and private sectors. It will allow for the synchronization of national, federal, state, local and private sector

plans. It will test a common evaluation standard, and it will incorporate lessons learned, best practices and corrective actions identified in previous TOPOFF exercises.

In addition to guiding the exercises themselves, the National Exercise Plan also includes two tools to enhance exercise planning at all levels. The Homeland Security Exercise and Evaluation Program provides a common language and concepts for designing, developing, conducting and evaluating all national-level federal, state and local exercises.

The HSEEP tapes a building-block approach with each cycle of training and exercises, escalating in complexity, scale and subject matter. Detailed guidelines, a website and mobile training courses are also provided to help exercise planners implement HSEEP.

Once the exercises are successfully planned and conducted, the Corrective Action Program provides a tool for systematically developing, prioritizing, tracking and analyzing corrective actions for improving exercises. Essentially, the CAP provides a systematic means to prevent recurring problems and identify potential corrective actions and lessons learned. Best practices and other information resulting from the Corrective Action Program are broadly shared through the lessons learned information sharing tool that is online.

The National Exercise Program, Mr. Chairman, is a work in progress. It will only succeed through an ongoing, diligent, and ever-improving contribution of all involved. Departments and agencies must continue to input exercise events into the national exercise schedule, continue to adhere to HSEEP and CAP, and be proactive in providing material for the lessons learned system and fully fund their responsibilities within the National Exercise Program.

To ensure that all partners fully understand their commitments under the program in advance, we are developing a 5-year exercise schedule. This schedule will enable participants to adequately plan and finance their National Exercise Program responsibilities.

In addition, as required under the Post-Katrina Act, we are working to more systematically integrate the regional administrators into our exercises and other preparedness efforts. Future TOPOFF exercises will focus on multiple FEMA regions, and we are working to identify other ways and available assets to enable the FEMA regions to more fully participate in exercise planning and coordination at all levels.

The National Exercise Program structure and FEMA regional involvement will greatly enhance the coordination of exercise priorities across the entire federal government. At the same time, Mr. Chairman, a fully operational National Exercise Program will bring our nation one step closer to achieving a truly organized and unified preparedness exercise strategy.

I look forward to working with you and the members of this subcommittee on these critical national preparedness issues. I would be happy now to answer any questions you or the member may have, sir.

[The statement of Mr. Schrader follows:]

INTRODUCTION

Thank you Mr. Chairman, Ranking Member Dent and distinguished members of the Committee. My name is Dennis Schrader and I serve as the Deputy Administrator for the National Preparedness Directorate (NPD) of the Federal Emergency Management Agency (FEMA). As you know, FEMA is a component of the Department of Homeland Security (DHS). On behalf of Secretary Chertoff and Administrator Paulison, it is a pleasure to appear before you today to discuss the National Exercise Program (NEP) and Top Officials 4 (TOPOFF) Full Scale Exercise.

NATIONAL EXERCISE PROGRAM: BACKGROUND

Exercises play an instrumental role in preparing the Nation to respond to natural disasters, acts of terrorism and other public emergencies. In addition to providing homeland security officials an opportunity to practice critical prevention, protection, response and recovery functions, exercises are a forum for evaluating the adequacy of existing capabilities, plans, policies and procedures. Exercises, and the lessons learned from them, allow the Nation to more effectively target investments to continue to improve the broader cycle of preparedness including planning, training, and equipping our emergency response community.

DHS, in coordination with the Homeland Security Council and in response to requirements of Homeland Security Presidential Directive 8 (HSPD-8), the Homeland Security Act of 2002, and The Federal Response to Hurricane Katrina: Lessons Learned, developed and established the NEP. The purpose of the NEP is to support, through various exercises, the mechanisms to examine and improve the Nation's ability to prevent, prepare for, respond to and recover from terrorist attacks, major disasters and other emergencies. The focus of the NEP spans Federal, State, local, Tribal, and private sector efforts to organize and conduct synchronized exercise activities. An effective NEP will strengthen delivery of Federal preparedness assistance to State and local governments as well as improved preparedness capabilities of Federal, State, and local entities.

NEP activities provide emergency responders and policymakers with the tools to plan, organize, conduct, and evaluate exercises as well as a disciplined approach to analyzing findings from exercises. The NEP not only provides opportunities to practice and test capabilities, policies, plans and procedures, but it also highlights potential shortfalls through the processes of after-action reporting and subsequent improvement activities.

Prior to the NEP, there was no formal approach to prioritizing, scheduling and improvement planning for exercises. This lack of coordination resulted in activities that competed for resources, contributed to exercise fatigue, and were based on conflicting standards for exercise design, conduct and evaluation. The NEP is designed to provide a framework for prioritizing and focusing Federal and State exercise activities to best utilize departments', agencies' and jurisdictions' limited time and resources, as well as to ensure Federal, State, and local exercises lead to significant improvements in policies, plans and performance.

The NEP is both a National and an interagency program. It serves as the principal mechanism for examining the preparation and efficiency of national leaders, their staffs, the organizations and systems they lead, as well as to examine and adopt policy changes. The NEP does not preclude or replace individual departments' and agencies' exercise programs. Rather, it is the overarching exercise program that unifies homeland security preparedness exercise strategies and links appropriate department and agency exercises to provide a single, comprehensive exercise program.

The NEP and the supporting NEP Implementation Plan (I-Plan) reflect interagency coordination and broad State and local participation. Key components of the NEP I-Plan:

- Require senior officers of the U.S. Government to participate in named exercise activities;
- Require Federal departments and agencies to properly budget exercises and resources to ensure appropriate levels of participation in exercises; and
- Require that Departments, agencies, or offices responsible for coordinating exercises adhere to the principles of the NEP.

At the State and local level, key elements of the NEP are designed to facilitate development of cooperative exercise coordination among and between Federal, State, local, and Tribal preparedness efforts. Language in preparedness grant programs specifically references and authorizes State and local activities that support development of integrated exercise activities.

NEP COMPONENTS

The NEP consists of a series of national exercises projected on a five-year calendar. These exercises occur as either National-level exercises (NLEs) or Principles-level exercises (PLEs). The NEP uses a tiered exercise system to differentiate the various types and sizes of exercises. The four tiers are:

- Tier I exercises have a U.S. Government-wide Strategy and Policy Focus requiring participation of all appropriate department and agency heads (or deputies) and all necessary operations centers;
- Tier II exercises are exercises that focus on Federal strategy and policy, and involve appropriate participation through the National Simulation Exercise Center, or as determined by the involved departments' and agencies' leadership. Tier II exercises take precedence over Tier III exercise support (in the event of resource conflicts);
- Tier III exercises are other Federal Exercises with operational, tactical or regional organizational focus. Participation is at the discretion of department or agency; and
- Tier IV exercises are exercises that have a State, Territorial, local, Tribal and/or private sector focus.

The tiered system was designed to compel better participation in exercises. Previously, exercise activities were being significantly impeded due to limited agency participation. Exercises that involve the necessary departments and agencies for a given scenario create the most realistic response environment. When one or many departments or agencies are not able to participate, due to planning or resource constraints, the goal of an exercise is only partially realized, and therefore the results are not optimal.

The NEP implements a strategic planning cycle to guide the Tier I exercises, or NLEs. Central to this cycle is the Five-Year Schedule, which will incorporate policy priorities into the strategic scheduling of NLEs, around which departments and agencies can establish supporting training and exercise activities to identify and refine issues beforehand. The Tier I NLEs will be executed on a four-year subject-specific cycle with rotating focus on:

- Administration Transition Training;
- Domestic Natural Disasters;
- National Security; and
- Domestic Terrorism.

To complement the more comprehensive NLEs defined above, the NEP calls for four annual discussion-based PLEs. The PLEs require the participation of all appropriate department and agency heads (or their deputies). One of the PLEs will serve as a preparatory event for an annual Tier 1 NLE.

In addition to guiding exercise activities, the NEP provides several components to enhance exercise planning at all implementation phases. These programs include: the Corrective Action Program (CAP), the Homeland Security Exercise and Evaluation Program (HSEEP), and the HSEEP Toolkit.

Corrective Action Program

Once exercises are successfully planned and conducted, the Corrective Action Program (CAP) provides for systematically developing, prioritizing, tracking, and analyzing corrective actions for improving exercises, and the planning, training, and equipment which drives the cycle of preparation. The CAP also provides transferability to real-world incidents and policy discussions by employing a stakeholder-driven approach to improvement planning at the Federal interagency, intra-DHS, and State/local levels. Essentially, the CAP provides a systematic means to prevent recurring problems and identify potential "corrective actions" and "lessons learned," which respectively incorporate the CAP System and the web-based Lessons Learned Information Sharing support systems (found at LLIS.gov). All lessons learned and best practices are broadly shared through the LLIS.gov on-line tool. The CAP completes the cycle of preparedness by ensuring that exercise evaluation and real-world incidents consistently yield concrete advancement toward specified preparedness goals.

Homeland Security Exercise and Evaluation Program

The HSEEP is the policy and guidance component of the NEP, and serves to standardize exercise design, development, conduct, and evaluation for all (National-level, Federal, State, and local) exercises by establishing common language and concepts to be adopted and used by various agencies and organizations. HSEEP aims to synchronize all exercises in the Nation in addition to providing tools and resources for States and local jurisdictions to establish self-sustaining exercise programs. Through its development, HSEEP operates in accordance with the goals of the National Response Plan (NRP), and the National Incident Management System

(NIMS). Exercise planners are provided numerous tools to support their efforts to design and conduct an HSEEP-compliant exercise including: the HSEEP Policy and Guidance Volumes, HSEEP website (*hseep.dhs.gov*), and the HSEEP Mobile Training Course.

The HSEEP policy and guidance provides a building-block approach to assist planners in preparations for various types of exercises. The building-block approach focuses on exposing participants to a cycle of training and exercises that escalates in complexity, with each exercise designed to build upon the last, in terms of scale and subject matter. For example, a building-block series of exercises may include a seminar, which leads to a tabletop exercise, which leads to a full-scale exercise (FSE). In many cases, this approach offers participants the opportunity to reexamine and review their plans, policies, and procedures prior to executing an exercise as well as to build working relationships essential for responding to a real world emergency. Many exercise planners have stated that the opportunity to build such relationships prior to a real world incident is invaluable and one of the major benefits to this approach. Thus, a strong planning foundation is achieved, prior to the actual exercise, which provides tremendous value to the preparedness cycle.

TOP OFFICIALS ("TOPOFF") 4 Full-Scale Exercise

Overview

This year's Tier I NLE exercise is Top Officials (or TOPOFF) 4, the National Domestic Counterterrorism Exercise Series that is the Nation's premier terrorism preparedness exercise program involving top officials at every level of government, as well as representatives from the international community and private sector. The TOPOFF 4 exercise, to be held October 15–20 of this year, is the cornerstone of the National Exercise Program (NEP) and is a Tier I National Level Exercise for FY 2008.

The TOPOFF program in general and TOPOFF 4 in particular are centered on U.S. Government-wide strategy and policy-related issues. In this sense, they are designed to address the priorities of the U.S. government in its entirety, and do not focus on individual issues at the department or agency level. To achieve this U.S. government-wide goal, TOPOFF 4 will be organized around one of the 15 national planning scenarios—Scenario 11, use of a radiological dispersal device (RDD). TOPOFF 4 will require Federal, State, local, and private sector players to respond to multiple, simultaneous RDD attacks on American soil.

The exercise will be executed with the participation of all appropriate Cabinet-level secretaries or their deputies, and will include the activation of all necessary operations centers to accurately simulate a truly national response to these major terrorist incidents. This will include the utilization of all five elements of the National Operations Center and the FEMA Region IX and X Regional Response Coordination Centers. In addition, the FEMA Emergency Response Teams and Federal Incident Response Support Teams as well as DHS Situational Awareness Teams will activate in each of the venues and will simulate the establishment of a Joint Field Office in accordance with the latest National Response Framework guidance.

For TOPOFF 4, approximately 15,000 Federal, State, territorial, and local officials will participate in a robust, full-scale response to a multi-faceted terrorist threat in three primary venues: Guam, Oregon, and Arizona. In each of these venues, exercise participants will be expected to mobilize their prevention and response capabilities, make difficult decisions, and carry out essential emergency response and recovery functions.

In addition, the TOPOFF 4 exercise will use a single, common scenario in each of the venues to test prevention, response, and recovery capabilities; it will allow for the synchronization of National, Federal, State, local, and private sector plans; it will test a common evaluation standard; and it will incorporate lessons learned, best practices, and corrective actions identified in previous TOPOFF exercises.

Partners

Our partners in this exercise include over 40 agencies, departments, and offices throughout the federal interagency community, the White House (i.e., Homeland Security Council (HSC) and National Security Council (NSC)), representatives from Oregon, Guam, and Arizona, several nongovernmental and private sector organizations, and several international partners. (Australia, Canada, and the United Kingdom have all agreed to participate in the exercise, and more than 30 other countries and international organizations will serve as exercise observers.)

Goals

The goals of TOPOFF 4 are threefold. First and foremost, to assess the Nation's capability to prevent, respond to, and recover from realistic and threat-based acts of terrorism. Second, to examine relationships between Federal, State, local, and

Tribal jurisdictions and the private sector in response to a realistic and challenging series of integrated, geographically dispersed terrorist threats and attacks. And third, to use performance-based objectives to evaluate the interaction between Federal, State, local, and private sector emergency preparedness, prevention, response, and recovery plans, policies, and procedures.

Achieving each of these goals under the umbrella of one national-level exercise, allows the U.S. government—and its State, local, private sector, and international exercise partners—to test its ability to respond to a major incident, identify gaps in performance and take concrete steps towards improvement of the Nation's ability to prevent, respond to, and recover from terrorist attacks.

NEP: THE WAY AHEAD

The NEP requires Departments and Agencies to fully fund their respective responsibilities within the NEP. Because that requirement falls after the proposed budget cycle, fiscal years 2007 and 2008 will be considered transitory and be devoted to attaining full operational capability to support the NEP Concept of Operations.

Elements of the National Exercise Program already exist and are positively contributing to achieving a more unified preparedness exercise strategy, through tools such as the Nation Exercise Schedule (NEXS), CAP, and LLIS. Still, the NEP is a work in progress. As with any program involving myriad partners, the NEP is reliant on the full participation of its participants and adherents. NEP systems can be flawlessly designed, efficient, and user friendly, but will only succeed through an ongoing, diligent, and ever-improving contribution of all involved. Departments and Agencies will need to continue to input exercise events in NEXS, continue to adhere to the CAP, and be proactive in providing material for LLIS, for the NEP to be truly successful. The NEP will be strengthened and improved upon as partners continue to develop stronger adherence to its principles.

Continued adherence to NEP principles and programs will yield constructive results for those involved, both financially and for planning purposes. For example, in the near future, exercise partners—be they interagency partners or State and local governments—will have a clearer picture of what is expected of them for future exercises through the Five-Year Schedule. Once events have been determined and placed on the Schedule, exercise partners will understand their commitments years in advance, and such commitment will be successfully clarified incrementally as the time nears for the exercise's execution. The NEP will enable participants to adequately plan and finance their responsibilities.

Over time, principles of the NEP will be universally adopted by the Federal interagency community and with State and local partners. A fully operational NEP will bring our Nation one step closer to achieving a truly organized and unified preparedness exercise strategy.

The Post Katrina Emergency Management Reform Act requirement to integrate more systematically the FEMA Regional Administrators into preparedness efforts is being accounted for in the development and implementation of the National Exercise Program. Future TOPOFF exercise activities will focus on multiple FEMA regions. A comprehensive review of NEP activities is underway to identify assets that can be directly applied to ensure the FEMA Regions have a means to participate in exercise planning and coordination, across all NEP defined Tiers, including a prominent role in coordinating with States, local and Tribal jurisdictions within their designated areas.

Going forward, we anticipate not only relying upon the regions to assist in developing future NLE activities, but to gain maximum benefit from the operational linkages the Regional Administrators and their Preparedness teams develop across the forward deployed 'Federal family' located within their respective regions. We envision the NEP structure and FEMA Regional involvement will greatly enhance 'vertical coordination' of exercise priorities across the entire Federal government.

We also envision that FEMA regional preparedness teams will play a primary role in assessing preparedness within their regions. A key component of that responsibility will derive from observations taken from exercise activities that are reported and acted upon in concert with the Corrective Action Program.

Mr. Chairman, this concludes my statement. I thank you for your attention and will be happy to answer any questions you may have.

Mr. CUELLAR. Thank you, Mr. Schrader.

As we move on to our next witness, I certainly want to recognize the committee chairman, Chairman Thompson, for being here with us.

I now recognize Major General Steven Saunders with the National Guard to summarize his statement for 5 minutes.

STATEMENT OF MAJOR GENENERAL STEVEN SAUNDERS, DIRECTOR, JOINT DOCTRINE, TRAINING AND FORCE DEVELOPMENT, NATIONAL GUARD BUREAU

General SAUNDERS. Mr. Chairman, ranking members, and distinguished members of the committee, thank you for the opportunity to discuss homeland security exercises in preparation for domestic disasters, either natural or manmade.

As you know, the National Guard has been actively participating in homeland security since the Revolutionary War. It has always been the first military responder in times of need, to natural disasters, civil disturbances, or attacks on our homeland. The National Guard's success in the performance of its historic dual mission, especially in the last several years, has increased the expectations for a sustained and coordinated National Guard response to crises at home.

Starting in 2003, the chief of the National Guard Bureau, Lieutenant General Steven Blum, has acted aggressively to meet those expectations. With the support of Congress, the National Guard has created at least one WMD civil support team in every state and territory. We have built 17 chemical biological radiological nuclear and explosive device enhanced response force packages, each designed to aid in search and rescue, extraction, decontamination, and medical care in weapons of mass destruction incidents. And we built the joint incident site communication capabilities designed to enhance interoperability between military and civilian responders.

Lieutenant General Blum also tasked my organization at the National Guard Bureau to provide education, training and exercise support for these new capabilities. The centerpiece of this effort is the Vigilant Guard Regional Exercise Program, which is designed by the National Guard Bureau to train and enhance the preparedness of our state-level Joint Force Headquarters and Joint Task Forces. Each of our Vigilant Guard exercise is designed to involve multiple states, ideally all of the states in a FEMA region.

Beginning with an August, 2005 exercise in Ohio at FEMA Region 5, we have conducted seven such exercises so far. Subsequent exercises were conducted in Kansas FEMA Region 7, Texas FEMA Region 5, Utah FEMA Region 8, and last spring's exercise in Indiana, and more recently in Washington State FEMA Region 10 and Virginia FEMA Region 3.

These exercises have grown from command post exercises concentrating on Guard information management process to robust state and local full-scale play. The exercise conducted in Indiana last May is a good example, especially notable as it was the largest homeland security exercise conducted, and we linked one of our Vigilant Guard exercises to NORTHCOM's, Northern Command's, Ardent Sentry Program, which included participation of personnel from the state of Indiana, Department of Homeland Security, FEMA Region 5, and the local responders from multiple counties.

We came together to execute the kind of multi-level, multi-jurisdictional exercise we believe is the future of homeland security exercises. For future training, the National Guard Bureau is now

building exportable exercises for the states, based on the 15 national planning scenarios. Incidentally, I have a sample of the first three of those for the members if you would like to have a copy of those.

As a companion to our exercise program, we have also built a National Guard Lessons Learned Program to capture and implement nationwide what we have learned at each of the regional exercises. As our exercise program has matured, we have made great progress in raising the level of knowledge and experience of both state National Guards and the National Incident management System, and the Incident Command Structure, as well as the national response framework. Also, we have increased integration with our partners in DHS and their Homeland Security Exercise and Evaluation Program, with U.S. Northern Command and Chairman of the Joint Chiefs of Staff Exercise Program.

We commend the Department of Homeland Security for their work in building a foundation for future exercises. My staff has been particularly been involved in actively working with DHS in developments on the Homeland Security Exercise and Evaluation Program and its supporting HSEEP online toolkits, and implementation later this year, we look forward to that, of the National Exercise Program.

I personally see some exciting opportunities and synergies for future exercises involving the National Guard where local and state civil authorities combine efforts with the federal and Title X military partners. We are especially interested in their Regional Exercise Program, which could connect civilian exercises with what we have been doing on the National Guard Bureau to increase regional cooperation and integration of supporting capabilities.

The biggest challenge that the National Guard has faced in achieving National Exercise Program to be fully integrated with the Department of Defense and interagency partners has been resourcing. Beginning with the president's budget request for fiscal year 2008, the Vigilant Guard exercise program will finally be funded in the DOD budget. This will cover only planning and design of exercises. The actual execution and state participation still comes out of different unfunded resource requirements.

The National Guard remains committed to work inside the Department of Defense and Department of Homeland Security and the states in finding training opportunities to enhance our preparedness within the capability afforded by present resources. On behalf of the Chief, National Guard Bureau, Lieutenant General H. Steven Blum, we commend your leadership and your attention on this important issue. I look forward to your questions, sir.

[The statement of General Saunderson follows:]

PREPARED STATEMENT OF MAJOR GENERAL STEVEN SAUNDERS

Chairman Cuellar, Mr. Dent and distinguished members of the committee, thank you for the opportunity to discuss homeland security exercises in preparation to domestic disasters, natural or man-made.

The National Guard has been actively participating in homeland security since the Revolutionary War. It has always been the first military responder in times of need, to natural disasters, civil disturbances, or attacks on our homeland. The National Guard's success in the performance of its historic dual mission, especially in the last several years, has increased the expectations for a sustained and coordinated National Guard response to crisis at home.

Starting in 2003 the Chief of the National Guard Bureau, Lieutenant General Steve Blum, has acted aggressively to meet those expectations. With the support of Congress, the National Guard has created at least one WMD Civil Support team in every state and territory, 17 Chemical Biological Radiological Nuclear and Explosive (CBRNE) Enhanced Response Force Packages (CERFPs), designed to aid in search and extraction, decontamination, and medical care in WMD environments and Joint Incident Site Communication Capabilities (JISCCs), designed to enhance interoperability between military and civil responders.

LTG Blum also tasked my organization, the National Guard Bureau-Joint Doctrine, Training and Force Development Directorate—to provide education, training and exercise support for these new capabilities. The centerpiece of this effort is the Vigilant Guard Regional Exercise Program, which is designed by the National Guard Bureau to train and enhance the preparedness of our state level Joint Force Headquarters and Joint Task Forces in their mission to support civilian authorities. Each Vigilant Guard exercise is designed to involve multiple States—ideally all of the States in a FEMA region. Beginning with an August 2005 exercise in Ohio, at FEMA Region 5, we have conducted seven (7) exercises thus far. Subsequent exercises were conducted in Kansas/ FEMA Region 7; Texas / FEMA Region 5; Utah / FEMA Region 8, last Spring's exercise in Indiana, associated with NORTHCOM's Ardent Sentry, and, most recently, in Washington State / FEMA Region 10, and Virginia / FEMA Region 3. These exercises have grown from command post exercises concentrating on the Guard information management tasks to robust State and local full scale play. The exercise conducted in Indiana last May is especially notable. It was the largest homeland security exercise ever conducted of its type. We linked one of our Vigilant Guard exercises to NORTHCOM's Ardent Sentry, which included participation of personnel from the State of Indiana, Department of Homeland Security (DHS), FEMA Region V, and the local responders from multiple counties. We came together to execute the kind of multi-level, multi-jurisdictional exercise we believe is the future of Homeland Security exercises. For future training, the National Guard Bureau is now building exportable exercises for the States, based on the fifteen (15) National Planning Scenarios.

As a companion to our exercise program, we have built a National Guard Lessons Learned Program to capture and implement nationwide what we have learned at each regional exercise. As our exercise program has matured we have made great progress in raising the level of knowledge and experience of each State National Guard on the National Incident Management System, the Incident Command System and the National Response Plan. Also, we have increased integration with our partners in DHS and their Homeland Security Exercise and Evaluation Program (HSEEP), NORTHCOM and Chairman of the Joint Chiefs of Staff Exercise Program.

We commend the Department of Homeland Security for their work in building a foundation for future exercises. My staff has been actively monitoring the developments in DHS's HSEEP, its supporting HSEEP online toolkit and the implementation this year of the National Exercise Program (NEP). I see some exciting opportunities and synergies for future exercises involving the National Guard where local and state civil authorities combine efforts with our federal and military partners. We are especially interested in DHS's Regional Exercise Program, which could connect the civilian exercises with what we have been doing on the National Guard side to increase regional cooperation and integration of supporting capabilities.

The biggest challenge the National Guard has faced in achieving a National Exercise Program fully integrated with the Department of Defense and inter-agency partners has been resourcing. Beginning with the President's Budget request for Fiscal Year 2008, the Vigilant Guard exercise program will finally be funded in the DoD budget. This will cover planning and design of exercises.

The National Guard remains committed to work inside the Department of Defense and with the Department of Homeland Security and States in finding training opportunities to enhance our preparedness within the capability afforded by present resources. On behalf of the Chief, National Guard Bureau, LTG H Steven Blum, we commend your leadership and attention on this important issue.

Mr. CUELLAR. Thank you, Major General Saunders for your testimony.

At this time, we recognize Mr. James Langenbach with the New Jersey Department of Health and Senior Services to summarize his statement for 5 minutes.

**STATEMENT OF JAMES LANGENBACH, PROGRAM MANAGER,
NEW JERSEY DEPARTMENT OF HEALTH AND SENIOR
SERVICES**

Mr. LANGENBACH. Thank you, Mr. Chairman, and thank you for the honor of coming her to testify in front of your committee.

I am here to discuss the TOPOFF 3 exercise and the actions taken by the state of New Jersey to improve its security and emergency preparedness and its ability to respond to bioterrorism attacks and other emergency situations.

Since T-3, New Jersey has improved its preparedness posture through a statewide reorganization designed to provide a comprehensive, all-hazards approach to emergency management. Through the establishment of the Office of Homeland Security and Preparedness by Governor Corzine in March of 2006, New Jersey has taken a new direction in homeland security which has resulted in improved cooperation with other federal, state and local agencies and a change in the way the state approaches preparedness.

Governor Corzine has also pledged significant resources to emergency preparedness, training, education and exercises, as well as studies and evaluations. Towards that end, the state is committed to supporting a robust exercise program. I would like to take the next few moments to describe how T-3 played out in the state and how we participated in the planning process, what lessons we learned, and how we plan to remediate shortfalls which were uncovered during T-3.

On April 4 through 8, 2005, New Jersey joined Connecticut, Canada and Great Britain in what was then the largest counterterrorism exercise ever conducted. Just a quick over—on Saturday, April 2, three sport utility vehicles departed a fictitious biolaboratory in New Jersey, driven by members of a terrorist organization. These vehicles were targeting New York City. Their attack plan was interrupted and they released it in a region of New Jersey.

This resulted in an outbreak of pneumonic plague, which by Friday, April 8, had spread to every corner of the state. Thirty-thousand people had been infected and over 8,000 died. As you can imagine, the ramifications of this attack were horrific. Our health care delivery system was overwhelmed. The emergency management structure struggled to maintain essential services. The large number of fatalities taxed the ability of our medical examiner's office. Besides the human toll, the state suffered huge economic losses. The recovery period continued 6 months after the attack and beyond.

At this time, Mr. Chairman, I would like to highlight some of the planning activities that went into this exercise that I just described. In February of 2004, the New Jersey Domestic Security Preparedness Task Force endorsed a proposal by the Department of Health and Senior Services to participate in T-3. The task force also approved the expenditures associated with the exercise.

The state of New Jersey, in conjunction with the U.S. Department of Homeland Security, began the planning process 14 months prior to the full-scale exercise. In this effort, we were full partners with DHS and the contractors that were hired by DHS to support the exercise. We developed 13 overarching goals. I won't take the time of the committee now to read these, but they are in my writ-

ten testimony. You can imagine, they covered the gamut of health care and emergency management.

During the planning process, we had monthly meetings with DHS, the support contractors and the state's planning team. These meetings were mirrored at the county and municipal levels. So what we did at the state and federal level, we mirrored at the county and municipal level.

Running parallel with the exercising planning effort, DHS sponsored a series of national seminars. These seminars were referred to as "building block events" and brought together nationally renowned experts in their fields, along with their state counterparts to focus on topical areas related to the exercise, such as biological terrorism, chemical terrorism, public information, and a national response plan. In addition to these national seminars, each state could, and did, opt to conduct a state-level seminar for their locals.

All the planning and the exercise itself did not come without costs. As a participant, each state was required to provide funding for its share of the exercise expenses. A memorandum of agreement was negotiated between DHS and the state of New Jersey. In New Jersey's case, the state share came from multiple sources. Our Office of Domestic Preparedness grants, UASI funding, Centers for Disease Control and Prevention, and Health Resources and Services Administration all provided funding for the exercise. Our total budget was \$964,000 and change.

Evaluation—as with any exercise, the evaluation portion is every bit as important as the conduct of the exercise itself. This is the reason we conduct exercises, to expose our shortcomings in a simulated environment as opposed to during a real event. The evaluation of all the moving parts of T-3 was a huge logistical challenge. Due to the scope of the exercise, every county, every hospital, every venue had data collectors on-site to capture the actions of the participants in response to the scenario presented to them. These observations were collected, analyzed and compared against existing plans, policies and procedures.

Again running parallel with the federal effort, New Jersey developed an after-action report and a specific improvement action plan which is being implemented at this time.

I am just about out of time here.

Some of the things that we worked on—information management—we discovered gaps in our information sharing with the federal partners during the exercise to the point where some of our emergency management planners were operating in an information vacuum and decisions were made based on incomplete information. Since that time, we have stood up a regional operations intelligence center which is staffed by state and federal partners, and designed to collect, analyze and fuse intelligence into actionable information.

Federal and state coordination—again, Governor Corzine, when he created the Office of Homeland Security and Preparedness, cast it with that specific process, to coordinate our activities with the federal government.

The last thing I would like to say, or a couple of things if I can, one of them was an extra added activity during T-3 was Operation Exodus, where we tested the ability for the National Disaster Medical System to move patients out of New Jersey hospitals to free

space up for the people that were infected with pneumonic plague. The lessons learned from this Operation Exodus were carried out during evacuations or during Katrina and Rita.

Finally, after-action reporting—reporting the results of an exercise is a tightrope that we in exercise design have to walk. If nothing else, our enemies have demonstrated their ability to learn from us, so any report that highlights shortfalls or gaps could, and most likely would, be exploited by them. That being said, there should be a way that we can take the lessons we learned from TOPOFF, and for that matter any exercise, and benefit everyone.

One method we in New Jersey have developed is the translation of the after-action and improved-action plans into best practices recommendations. We share those across the state.

Once again, Mr. Chairman, thank you very much for the opportunity to provide this testimony. And also I would like to thank you and Congressman Thompson for your commitment to ensure that our first responders are equipped to respond in times of emergency.

At this time, I would be glad to address any questions you or the committee membership may have.

[The statement of Mr. Langenbach follows:]

PREPARED STATEMENT OF JAMES ARTHUR LANGENBACH

Opening Remarks:

Congressman Cuellar I am pleased to be here today to discuss the TOPOFF 3 exercise and the actions taken by the State of New Jersey to improve its security and emergency preparedness, and its ability to respond to bio-terrorism attacks and other emergency situations.

Since T-3, NJ has improved its preparedness posture through a statewide reorganization designed to provide a comprehensive, “all-hazards” approach to emergency management.

Through the establishment of the Office of Homeland Security and Preparedness, by Governor Corzine in March 2006, NJ has taken a new direction in Homeland Security which has resulted in improving cooperation with other Federal, state, and local agencies and a change in the way the state approaches Preparedness.

Governor Corzine has also pledged significant resources to emergency preparedness training, education, and exercises, as well as to studies and evaluations.

Toward that end, the state is committed to supporting a robust exercise program.

The Office of Homeland Security and Preparedness provides funding for a State Exercise Support Team. Staffed with individuals from the New Jersey State Police, Department of Military and Veterans Affairs, Division of Fire Safety, and the Department of Health and Senior Services, this unit provides exercise support for UASI and ODP required exercises.

In addition, the Department of Health and Senior Services supports an exercise team which provides assistance to local public health agencies and healthcare facilities for with their CDC and HRSA funded exercises.

These two teams synchronize their efforts through an annual exercise strategy meeting.

Both teams were in place during TOPOFF 3 and their membership provided the core of the state's planning group.

I would like to spend the next few moments describing how T-3 played out in NJ, how we participated in the planning process, what lessons we learned, and how we plan to remediate shortfalls that were uncovered during T-3.

NJ T-3 Exercise Overview:

On April 4—8, 2005 New Jersey joined Connecticut, Canada, and Great Britain in what was then, the largest counter-terrorism exercise ever conducted.

On Saturday, April 2nd three sports utility vehicles set out from a fictional clandestine bio-laboratory in central New Jersey. Driven by members of a fictitious terrorist organization, these vehicles had been modified to disperse a biological agent, pneumonic plague, against their target, New York City. Their attack plan was interrupted, and they released the agent in New Jersey.

This resulted in an outbreak of pneumonic plague that, by Friday, April 8th, had spread to every corner of the state. In that time frame over 30,000 people had been infected and over 8,000 died.

Throughout the course of the exercise the state's emergency operations center provided command, control, and coordination of the state's response. During the week each of the state's 84 acute-care hospitals was engaged. The state received the assets of the Strategic National Stockpile consisting of pharmaceuticals which were transported to 22 locations throughout the State to facilitate public distribution through the use of points of dispensing or PODS.

As you can imagine, the ramifications of this attack were horrific. Our healthcare delivery system was overwhelmed. The emergency management structure struggled to maintain essential services. The large number of fatalities taxed the ability of our medical examiners office.

Besides the human toll, the state suffered huge economic losses. The recovery period continued 6 months after the attack and beyond.

While NJ's primary responsibility in the event of an emergency is to ensure the safety of its citizens, there were decisions to be made that had impact at the national level. The "Robert T. Stafford Disaster Relief and Emergency Assistance Act," Public Law 93-288, as amended, which was enacted to support State and local governments when the President has declared a disaster proved to be ineffective when requesting and obtaining Presidential disaster assistance during a biological event.

At this time, Congressman, I would like to highlight some of the planning activities that occurred in preparation for TOPOFF 3.

NJ T-3 Planning Effort:

In February of 2004, the New Jersey Domestic Security Preparedness Task Force, endorsed a proposal by the New Jersey Department of Health and Senior Services to participate in TOPOFF 3. The approved scenario was to test NJ's response and recovery to a terrorist biological incident. The DSPTF also approved any expenditures associated with the exercise.

The state of New Jersey, in conjunction with the US Department of Homeland Security, began the planning process 14 months prior to the exercise.

In this effort we were full partners with the Departments and Agencies of the Federal Government that were participating in the exercise, along with contractors hired by DHS.

The state presented the T-3 planners with its exercise goals and objectives. These were developed by a core state planning team composed of representatives from departments such as the Office of Emergency Management, Health and Senior Services, Environmental Protection, Attorney General and others.

This state level core planning team was augmented by planning teams at the county and municipal levels as well as facility staff, including those in the hospitals that developed discrete aspects of the exercise.

Overarching Goals

- Risk Assessment and Implementation of a Public Information Program to effectively address the consequences of the exercise scenario/hazard.
- Assess the ability of state and local government to establish, conduct, and administer effective and efficient Mass Prophylaxis
- Managing the logistics of the issuance of Quarantine and/or Isolation Orders, and/or Travel Restrictions.
- Stress and evaluate hospital Surge Capacity
- Determine the appropriate and/or necessary staffing patterns for the "comprehensive" health care system.
- Examine the sufficiency of existing Continuity of Government and Continuity of Business Operations
- Test the Case-Contact Epidemiological processes/procedures
- Engage and evaluate the in-state resources and federal support for Mortuary Care.
- Evaluate the effectiveness of the Emergency Management Assistance Compact (EMAC) among state governments.
- Exercise the Disaster Declaration Process, as related to a coordinated, multi-level, governmental response and recovery effort, in light of the on-going federal efforts to re-formulate policy regarding the National Response Plan (NRP &/or INRP) and the National Incident Management System (NIMS).
- Allow for the comprehensive assessment of existing strategies for the provision of Mental Health services for both emergency workers and the general public.
- Explore the multi-level, operational coordination of Intelligence and Investigative authorities

The state level core planning team was augmented by planning teams at the county and municipal levels as well facility staff, including those in the hospitals that developed discrete aspects of the exercise.

Select working groups were formed to work with their federal partners in developing the scenario, intelligence play, public information, volunteers, logistics, security and other aspects of the exercise.

Senior representatives from state departments and agencies provided policy oversight to the planning team. Issues such as funding, labor agreements, and public information were addressed by this group.

Monthly meeting with DHS, the support contractors and the state's planning team were conducted to coordinate the development efforts. These meeting were mirrored at the county and municipal level.

Running parallel with the exercise planning effort, DHS sponsored a series of national seminars. These seminars, referred to as building block events, brought together nationally renowned experts in their fields, along with their state counterparts, to focus on topical areas related to the exercise such as; biological terrorism, chemical terrorism, and public information. Each state as well as the District of Columbia played host to one of these seminars. In addition, each state could, and did, opt to conduct a state level seminar on topics similar to the national level events.

Equally challenging was the recruiting of a sufficient amount of volunteers as role players of patients in hospitals, individuals seeking prophylactic medications, and act as "worried well" who would flood the hospitals, clinics, and doctors offices. To achieve this goal, a separate working group was formed at the state and county/municipal level to confront and solve the challenges presented by the recruitment issues. Adding to this challenge was requirements from DHS that all exercise volunteers submit to a criminal history record check.

All of the planning, the events, and the exercise itself did not come without costs. As a participant, each state was required to provide funding for its share of the exercise expenses. A memorandum of agreement, (MOA), was negotiated between the state and DHS. This MOA outlined each party's fiscal obligations.

In New Jersey's case, the state's share came from multiple sources. The state's ODP and UASI funding streams as well as CDC and Health Resources and Services Administration grants provided the funding. The state's budget for T-3 was approximately \$964,000.00. Budget oversight was the responsibility of the senior planning group.

Evaluation

As with any exercise, the evaluation portion is every bit as important as the conduct of the exercise itself. This is the reason we conduct exercises, is to expose our short comings in a simulated environment as opposed to during a real event.

The evaluation of all of the "moving parts" of T-3 was a huge logistical challenge. Due to the scope of the exercise, every county, every hospital, every venue had "data collectors" on site to capture the actions of the participants in response to the events presented by the exercise scenario. These observations were collected, analyzed and compared against the existing plans, policies and procedures of the participants. Again, running parallel with the federal effort, New Jersey developed an after-action report and a specific improvement action plan which is being implemented at this time.

Lessons Learned

Some key lessons learned:

The following indications for needed improvement, not coincidentally related to one or several of our Exercise Goals, were revealed in our after-action reviews and are thought to be the most significant. With each I've illustrated the steps we are, or have taken to address each area:

- **Information Management**, we discovered gaps in the information sharing process especially at the federal state level. During the exercise senior New Jersey emergency management planners operated in an information vacuum and decisions were made based on incomplete information.

The remediation of this information management gap has been addressed by the development a management system that is consistent with HSPD 5.

In 2007 we dedicated a Regional Operations Intelligence Center which is staffed with state and federal personnel and is designed to collect, analyze, and fuse intelligence into actionable information.

- **Information Technology collaboration**, specifically a review of the various systems of data management / data sharing that are currently operating independent of each other due to agency and/or organizational specific purposes.

As a result of T-3 the Department of Health and Senior Services has developed an all-hazards situational awareness platform, Hippocrates, which provides the state's emergency management planners with a real time common operating picture of the state of health care and public health.

We are now taking steps to integrate each state department's information management systems into a single, interoperable, platform.

- **Federal-State coordination** in support of response/recovery operations. Specifically, under the new *National Response Plan (NRP) & the National Incident Management System (NIMS)*, and with certain regard to the Joint Field Office (JFO) operational processes, where resource requests were delayed, or seemingly not forthcoming.

In March of 2006 Governor Corzine created the Office of Homeland Security and Preparedness (OHS&P) and tasked this office with coordinating the state's emergency management planning activities, to include the interaction and interoperability with our federal partners.

OHS&P has taken the lead in integrating the new National Response Framework into the state's planning, training, and exercising activities.

- **Modifications** to the Federal Disaster and Emergency Relief Act (**The Stafford Act**), to address the issue of enabling Individual Assistance (IA) funds to be made available to states (and local governments) when contending with the consequences of a biological/public health disaster.

The State's legislative delegation is working to modify these programs to address the unique challenges presented by a biological disaster.

- **Development of policy and procedure** to govern the identification, credentialing and operational deployment of essential personnel from the public and private sector.

The Office of the Attorney General has formed a committee to develop a statewide credentialing system. The state has developed a roadmap forward but is hampered by insufficient funding.

- **Medical Surge Capacity** was demonstrated during the exercise to be critical gap. Hospital bed space particularly for alternate care (Isolation/quarantine) was at a premium.

Using UASI, and other funding sources, New Jersey has acquired three mobile alternate care facilities and is in the process of purchasing a mobile emergency care facility.

- **Conceptual and operational** modifications to the State's Mass Prophylaxis Plan.

We have initiated a 1st Responder Prophylaxis Plan to provide medications to these individuals and their families in the event of a biological agent attack or a naturally occurring event (pandemic influenza).

We are in the process of developing a similar program for the private sector.

- **Private Sector inclusion** in the event management process, to include information sharing, prioritization of essential services/essential employees, resource provisions and decision making processes directly involving the various sectors of business and industry.

Private Sector inclusion in the event management process, to include information sharing, prioritization of essential services/essential employees, resource provisions and decision making processes directly involving the various sectors of business and industry.

The private sector now occupies a position in the State Emergency Operations Center and is a full partner in our planning, training, and exercising programs.

- **Additional Activities**

During the T-3 exercise we exercised the Metropolitan Medical Response System in coordination with the US Department of Health and Human Services, the Air National Guard and the state's Emergency Medical Services Task Force.

We coordinated the forward movement of 100 hospitalized, un-infected individuals from hospitals in New Jersey to hospitals in Texas. Lessons learned from this exercise were utilized in real world operations, during hurricanes Katrina and Rita.

- **Benefits**

TOPOFF III's greatest contributions to our state were the working relationships forged through the design process. The process of developing, conducting, and evaluating the exercise "forced" the coordination of multiple state, local, and federal departments and agencies. This coordination was an exercise unto itself and in the end the state was better off for having done so.

As each state and local department and agency examined their existing plans, policies, and procedures during the exercise design phase, gaps were identified. These gaps were addressed with new policies and procedures and then they were exercised during TOPOFF. Once again the state came away better prepared.

Though we struggled, at times during the exercise, to communicate our needs and understand some of the federal government's responses, we were learning about their systems, procedures and decision-making influences. The key to all of this is learning from doing, and learning from your mistakes.

After-Action reporting

Reporting the results from an exercise is a tightrope that we in exercise design have to walk.

If nothing else, our enemies have demonstrated their ability to learn from us, so any report that highlights shortfalls or gaps could, and most likely would, be exploited by them.

That being said, there has to be a way that the lessons we learned during TOPOFF, and for that matter any exercise, can benefit everyone. One method we're developing is the translation of the after-action and improvement action plans into best practices recommendations.

Once again Congressman Cuellar, I'd like to thank you for the opportunity to provide this testimony to your committee. Also I'd like to thank you and Congressman Thompson for your commitment to insure that our 1st responders are trained and equipped to respond in times of emergency.

At this time I'd be glad to address any questions you or the committee membership may have.

Mr. CUELLAR. Thank you. I thank the witnesses for their testimony, all of them. I would like to remind each member that he or she will have 5 minutes to question the panel.

I now recognize myself for questions.

The first set of questions goes to Mr. Schrader. As you know, the stated goal of the leadership of the Department of Homeland Security was to complete a rewrite of the national response plan by June 1 of 2007. As you know, the draft of the national response framework was not released for comments until September 10 of 2007. Will the federal, state and local officials be exercising on the new national response framework during TOPOFF 4? And if not, do you believe it is somewhat counterproductive for us to be exercising on a plan that will soon be outdated?

Mr. SCHRADER. Thank you, Mr. Chairman. The intent, or the actual way we are doing this is the national response plan is in effect and continues to be in effect, and the exercise is designed based on the national response—

Mr. CUELLAR. The new one?

Mr. SCHRADER. No, the existing plan, because the framework has not been adopted because we are still in the comment period. That will go on here for another period of time. However, having said that, much of the information that is in the national response plan regarding how operations will work within the federal emergency support function annexes—all of that still exists as operational and is online in the national response framework. The framework, however, both the online documentation and the new document, are still open for comment.

Mr. CUELLAR. What is the cost to do this TOPOFF exercise, roughly?

Mr. SCHRADER. It is approximately \$25 million to design and run the various components. Of course, it is a cycle, sir, in that it has been a 2-year period, so there have been a series since 2 years ago of design meetings, seminars. There was a command post exercise. There have been tabletop exercises with the key deputies, all the deputies in the federal family. So there have been a number of activities. But that whole series of activities, and the post-exercise activities will be about \$25 million.

Mr. CUELLAR. Knowing that we are going to spend roughly \$25 million on an exercise that are on a cycle, and I understand there is a deadline, I mean, a comment period right now.

Mr. SCHRADER. Yes.

Mr. CUELLAR. What is your response on spending \$25 million, roughly \$25 million, on a plan that will soon be outdated?

Mr. SCHRADER. Well, my sense is that, from what I know having been at the state level and what is in the existing national response plan—let me back up a step. When the plan was originally released in 2004, the intent was to do an update in a year. Of course, we all know that a year later Katrina happened, and that was pushed back because we wanted to incorporate the lessons learned from Katrina. So that process has been ongoing.

But the fact of the matter is that the material that is the body of the NRP is fundamentally in the national response framework. The issues that came out of the old plan from 2004 was that it was too large in a paper binder. It was hard to read. It didn't have an executive summary framework. It didn't start with the premise that all disasters are local. So it has been rewritten for executive-level understanding of how the process actually works.

Now, there are other changes that are being debated within it, but incorporated through a work group. There were 12 work groups that generated many, many comments, and there were 17 issues. So there has been a lot of work that has gone into it. But the fact of the matter is, the existing national response plan that is in effect now does work. We are just looking to improve on it with the new framework.

Mr. CUELLAR. Okay, we are going to follow up on that question. Let me just ask the second part of this. The subcommittee just recently held a hearing to examine the capabilities of first responders in border communities. What we learned was the local and state governments are exhausting their limited resources to avoid a disaster in border communities. It is my understanding that international partners like Canada and Great Britain were involved in past TOPOFF exercises.

A two-part question, again, what were the policy reasons for participation of Canada and Great Britain? And then the second part is, given our close proximity and mutual economic interests with our friends in Mexico and the Caribbean Basin, has the department considered extending the invitation to participate in this full-scale terrorism-based scenario, especially—I know Canada was included—but especially with Mexico and the concerns that we have been facing? So it is a two-part question, part A and part B.

Mr. SCHRADER. Well, let me answer the first part, and then beg your indulgence on the second part. The first part, there was outreach and there was a lot of volunteer activity in terms of folks coming forward to participate. What I would like to ask is if we could brief you off-line, because we would have to bring some other people to the table to participate in that conversation—if I could ask your indulgence on that.

Mr. CUELLAR. We will do that, but I certainly want the members of the committee to know the policy reasons.

Mr. SCHRADER. Yes, sir.

Mr. CUELLAR. What about the second part?

Mr. SCHRADER. That was the second part. That was the answer to the second part. I am sorry.

Regarding Mexico, if we could do that off-line, I would appreciate that.

Mr. CUELLAR. We would be happy to do that, but I would like to, when you set that up, I will have the committee come, because I certainly want to have all the members of the committee that want to participate to hear the reasons why.

Mr. SCHRADER. Yes, sir. We would be delighted to do that. I just want to make sure I have the right people involved in that.

Mr. CUELLAR. But you are the person in charge of making those decisions?

Mr. SCHRADER. This is a team effort.

Mr. CUELLAR. But you are the main person?

Mr. SCHRADER. Yes, sir, and I will organize the follow up. I just want to make sure that the other team members that should be at the table from the interagency are there for that discussion.

Mr. CUELLAR. Sort of a follow on to the two questions asked.

Mr. SCHRADER. Thank you.

Mr. CUELLAR. At this time, I would like to recognize the ranking member, the gentleman from Pennsylvania, Mr. Dent, for questions.

Mr. DENT. Thank you, Mr. Chairman.

At this time, I am going to yield time to my friend and colleague, Mr. Souder.

Mr. SOUDER. I thank the distinguished ranking member.

I have an 11 o'clock meeting that I have to go to. I had few comments I wanted to make and possibly at the end a couple of questions that maybe you could send back to the written record. They are more general.

I have a number of direct interests. One, in Indiana, out in my district, we have one of the outstanding training potential facilities that the Guard uses, the former state hospital and training center, Muscatatuck, right near Camp Atterbury. Hopefully, the Department of Homeland Security will use it. The Guard has been using it. General Umbarger has been pushing it. The exercises have been occurring down there.

I have seen different training facilities around the United States, and it is one of the only places that has multiple decade type buildings of one-to-five stories, a power plant, underground tunnels, water systems. It is ideally suited for diverse types of training. Right now, the military is using it more extensively than homeland

security, but because it is a mini-city compound in a rural area, it is a great place for training exercises.

Also, in general, my home town of Fort Wayne, the state and the city, have done more kind of a mini-regional—you are going to have the Chicago-Detroit, and then the question is how are you going to train local fire and police as we get into the second-and third-tier type areas. I hope that is in the planning, even though I understand the priority has to be at the highest target areas. Eventually the terrorists are going to move around, the copycats, and we need to have all sorts of training.

The third thing that is unique to my particular area that I have an interest in and will continue to work with on emergency responses, we have become a center of much of the defense electronics command and control systems. One of the huge problems in emergency responses is people can't talk to each other. Raytheon command and control systems is a huge division that does this for interoperability of defense agencies.

ITT and SunGard are in my district, that we have worked with the Guard to develop command and control systems, as generated by a former Magnavox-Raytheon employee that is now General Dynamics center on this. The person who founded that has formed Century, who is trying to put this in for forest fires, because we have people coming in for forest fires and they can't talk to each other, and they have to go down. This happened in Katrina.

In looking at how we do command and control systems, because you can run the exercises, but if they can't talk to each other, it is not going to do a whole lot of good. I would like to know where we are at in command and control systems, how we can further that? You don't all have to have the same radio, but you have to have some mechanism for the radios to talk to each other.

Another problem that we ran into in Katrina was energy supplies for people moving in and once they get there. The Indiana Guard when they went down basically had to take several days in planning or they would have liquidated the oil and the gasoline stations all the way from Indiana to Katrina. And trying to figure out how we move large groups of people has hopefully been involved in training and preparation as well, particularly the larger the response, the type where they are coming from.

A second thing is most of the people dropped to the ground because it took regional Guard, other than those close, quite a while to get there, were volunteer organizations. One of the things they had was no energy on the ground. One of the leading people in my district who had worked with an energy company, they are looking at whether you could use corn ethanol, but he is working towards another where they could burn some of the debris and other things into self-generating energy, because it doesn't do any good to simulate exercises that require energy if there is no energy where the disaster occurred, just like the ability to do radios.

I hope that we are thinking in those terms, too. On the exercising, that you are putting those kinds of variations in that you may not have adequate energy, which leads to a challenge of, are the exercises—and I haven't seen a TOPOFF—but the minimal thing is how do you simulate real speed? This is Notre Dame's problem in practice. I mean, they can block, but they can't seem

to do it in a game right now. Are there things that we can do and incentives? Are there financial-worth individuals? Does it go into their record? Are there things that we can put an urgency on? And how do we do real-time? It is a huge challenge of feeling the same pressures.

One last thing that I raise a lot in homeland security and defense is, the younger people are farther on video-gaming and how computers work than much of our government. We ought to take advantage of this. Many of the military guys I talk to, what they are seeing, they are doing more on video games than some of the simulations. They are farther advanced than what we have in our gaming.

I mean, my son when he goes online, he is doing radio communications in effect through his ear with people all over the country who are on his team, and the other team, and they are calling to each other the strategies that they are using. I went through one simulation, and I said, "Look, my 12-year-old son is doing more advanced than what we doing in the simulation." Partly, I think some of the command structure is not as up-to-date in some of the computer simulation things as our kids are, and that is a huge challenge and an opportunity, by the way, too.

So I wanted to raise those questions today and look forward to continuing to work with you. I particularly thank the Guard because you have been leaders in Indiana, and I appreciate your leadership.

Mr. DENT. Thank you.

My time is up, I guess. I yield back. Thank you.

Mr. CUELLAR. The chair would now recognize other members for questions they may wish to ask the witnesses. In accordance with our committee rules and practice, I will recognize members who were present at the start of the hearing based on seniority in the subcommittee, alternating between the majority and the minority. Those members coming in later will be recognized in the order of their arrival.

At this time, I would recognize for 5 minutes the gentleman from Mississippi, the chairman of the committee, Mr. Thompson.

Chairman THOMPSON. Thank you very much. I came in a little late, but if I can

Mr. CUELLAR. You are the chairman. I yield to you, Mr. Chairman.

[Laughter.]

Chairman THOMPSON. Thank you. Let me thank you and the ranking member for the hearing and the witnesses.

Mr. Schrader, there is a memo from the U.S. Department of Homeland Security, FEMA, that defines the National Exercise Program. It says the National Exercise Program provides a framework for prioritizing and coordinating federal exercise activities, without replacing any individual department or agency exercise. The NEP enables thorough state and local department and agencies to align their exercise programs to U.S. government-wide priorities, issuing annual NEP exercising planning guidance. And it goes on.

We had an exercise in 2005. Have we shared that document with anybody 2 years later?

Mr. SCHRADER. Yes, sir. There was an executive summary that was put out to our partners and is available. We have just recently shared the report with committee staff.

Chairman THOMPSON. Are you talking about the complete report or a redacted report?

Mr. SCHRADER. The complete report, is my understanding, sir.

Chairman THOMPSON. When did we get it? Is there a reason why it took 2 years to get the report?

Mr. SCHRADER. Well, sir, the reality is—let me start by saying that we don't intend to make the report public by sharing it with the committee. The intention here, as was mentioned earlier, having the complete report is a very sensitive document.

Chairman THOMPSON. I won't get into that, then. How are we going to share it with our state and locals?

Mr. SCHRADER. The idea there is to take the lessons learned generically and begin to put those on systems, like we have a lessons-learned information system that is widely available to state and local government. That is available online and has been around for a couple of years.

Chairman THOMPSON. So what you are saying is, we have the exercise, and whatever results from the exercise we just put online?

Mr. SCHRADER. We put it out in a format where specific lessons learned by category can be used by state and local governments. So for example, say I am interested in a particular state and how to do contra-flow planning. The idea would be you would go online and you would be able to get the information from other exercises for best practices.

Chairman THOMPSON. How much of the information that we get from the TOPOFF in 2005 have we actually put online?

Mr. SCHRADER. My understanding is that we are in the process of putting that information online, but it is not in a format broken out as TOPOFF 5, is the way it has been explained to me.

Chairman THOMPSON. So your answer is—

Mr. SCHRADER. TOPOFF 3. I am sorry. Excuse me.

Chairman THOMPSON. So your answer is none of it.

Mr. SCHRADER. Let me think about that for a second. It is my understanding that we are putting that information online, but not in a format that is recognizable as TOPOFF 3.

Chairman THOMPSON. Well, if our witness from New Jersey, who represents state government, was interested, then it would not be available to him at this point?

Mr. SCHRADER. Well, for example, if one was interested in how to deal with response to plague, the intent would be for that to be available online.

Chairman THOMPSON. Not to cut you off.

Mr. SCHRADER. Yes, sir.

Chairman THOMPSON. I wanted to impress upon you that if we invest millions of dollars in these exercises, then if it is 2 years and beyond before the results of those exercises are available to the public, I am just wondering how much of that information that you glean is actually current enough to move forward with?

Mr. SCHRADER. If I might explain, sir. What you said was critical. The executive summary of the document all the way back, let us see, to July of 2005, was available for our federal, state and

local partners who participated. We did share that with those folks 2 months after the actual event, but it was not made available to the public.

Chairman THOMPSON. That is right.

Mr. SCHRADER. Just to differentiate, sir.

Chairman THOMPSON. So if we take the state and locals who participated—

Mr. SCHRADER. Yes, sir.

Chairman THOMPSON. —what about the state and locals who didn't?

Mr. SCHRADER. That is the purpose—the reason the National Exercise Program created this Corrective Action Plan is that it makes a lot of sense to take those lessons learned and put them in a format that is available for everybody that is a part of the state and local community that needs it. We believe that is exactly what needs to get done.

Chairman THOMPSON. Well, I guess, and I appreciate the indulgence of the chair, my real concern is that 2 years after the TOPOFF, we have not publicly shared any of the results of the TOPOFF with any stakeholders other than, according to your testimony, those who participated in the actual exercise. I would venture to say that that is less than 1 percent of the stakeholders in this country. So what we need is the ability to not only conduct the TOPOFFs, because we invest the money, but we need people like the National Guard and others who are stakeholders to share in the results of them so that if emergencies come, we would have some demonstrated action to take. I think I have made my point, and I appreciate your answers.

Mr. SCHRADER. Yes, sir. Thank you.

Mr. CUELLAR. Thank you, Mr. Chairman.

At this time, I will continue to alternate between majority and minority. I will recognize Mr. Dent. I was going to recognize Mr. Souder, but I will recognize Mr. Dent, and then we will go to Mr. Dicks from the state of Washington.

Mr. DENT. Thank you, Mr. Chairman.

In follow up to Chairman Thompson's questions, obviously this TOPOFF 3 report was released to a very limited audience. I guess the follow-up question I would have, Mr. Schrader, would be what changes are we going to make as we move forward on TOPOFF 4? Obviously, I understand the security concerns about releasing the full report that you just identified, but how are we going to make this better for TOPOFF 4 to ensure more timely reporting moving forward?

Mr. SCHRADER. Yes, sir. The intention going forward after this TOPOFF is to move this exercise process out into the regions of the country to get more benefit from the process. So for example, we have our FEMA regional administrators who are now actively involved with us in this program, given that the program is now inside FEMA. The FEMA regional administrators will be getting resources to coordinate these efforts with the state.

The intention will be, as I mentioned earlier, during this cycle of exercise planning and activities, we want those to be done—regardless of where the venue is—we want it to be more national in character. If you think about it, if you do two states every 2 years, it

will take us 50 years to get through the entire country. We need to move faster, quicker and we believe that by using the regions, as you all envisioned in the Post-Katrina Act, we are going to be able to be more effective.

There is a lot of work. I will be very candid with you. There is a lot of work to do to make that happen, but that is our intention.

Mr. DENT. Mr. Langenbach, with respect to the after-action report for TOPOFF 3, do you feel that you have received adequate feedback and information from that exercise of TOPOFF 3? I think we all realize that the beauty of these TOPOFF exercises is not just conducting the exercise, but really the need to improve and discover what we can do better. Have you felt in New Jersey that you have received adequate information from the Department?

Mr. LANGENBACH. Yes, sir, Mr. Dent. I guess one of the things I didn't read when I did my summary was that we conducted an internal exercise evaluation, so we put all the moving parts of TOPOFF in partnership with our DHS folks, and captured all that information, and we culled it out and made an after-action report for the state of New Jersey. Again, I didn't get a chance—it is in my written testimony—some of the improvement actions we made based on that.

At the ground level, at the state level, interacting with our federal partners at the state level, I think we have made some great improvements.

Mr. DENT. So you feel that you have received adequate feedback to help you improve your process based on that exercise?

Mr. LANGENBACH. Yes, sir.

Mr. DENT. That is good to hear.

I guess back to Mr. Schrader. Do you think that this report will be more broadly available to non-participating States from TOPOFF 3? I mean, obviously New Jersey and Connecticut are the two States, and it seems, at least in the case of New Jersey, that they seem to be pleased with the feedback they have received. How are we going to deal with non-participating States?

Mr. SCHRADER. Well, my sense is that we have to do two things. Based on the conversations we have been having, we want to take this executive summary and make sure that we make that more widely available to the stakeholders in the states, of course again without having public distribution. And then, of course, the intention is for this lessons-learned system to really be a tool for anybody that is in this business in the country because it will have a hierarchical access to get to the information to be able to get that information to the other stakeholders in the state and local governments.

Mr. DENT. Thank you.

To General Saunders, I understand that DOD will be conducting its own exercise called Vigilant Shield, concurrent with the TOPOFF 4 exercise. Can you tell me how these two exercises are going to be coordinated? Why would the DOD conduct its own separate exercise using the same scenario, rather than participate in TOPOFF 4?

General SAUNDERS. First of all, sir, Vigilant Shield is actually operated by Northern Command, and I don't mean to defer to somebody else, but I can't really speak to Vigilant Shield in detail. What

I can tell you is that the coordination our folks have been working with, both DHS and Northern Command, to work through the issues of coordination pre-exercise.

The other thing I would like to say is that exercises, whether you are at the local level, at the state level, the National Guard unit level, or federal level, are done for a variety of different reasons I think most of the members of the committee would understand. My understanding of how Northern Command does it is to prove some of their concepts and to do some other things. Traditionally, we do exercises to validate training that has been conducted.

So when the National Guard, when I say to you, a National Guard Vigilant Guard exercise, in conjunction with Vigilant Shield, it is entirely likely that General Renuart and his staff out at Northern Command have one set of exercise objectives that are not the same as ours, because we are exercising at different levels for different reasons, and trying to leverage the resources for both through one exercise. My guess would be that that is what they are trying to attempt to do here. I can say with certainty that is what we try to do with Guam and Arizona and Oregon and the participating states on both sides of that. I hope that made sense to you, sir, but that is kind of the response that I can give you at this stage.

Mr. DENT. Do you agree, Mr. Schrader?

Mr. SCHRADER. Yes. If I might add some flavor to that, when I was in Maryland, this is actually a terrific effort, because one of the things that was very difficult at the state level is when different federal agencies are planning exercises and they don't even know that they exist. As I said in my testimony, this is a work in progress, but now we are at least getting situational awareness of all the plans, and then folks are saying, "well, we will sign up to do that."

We actually did that in Maryland, where if we had to have a port exercise and we were having another exercise, we would combine the two to allow you to achieve the objectives, as the general would say, for the specific purpose, but only have one effort so you are conserving resources.

General SAUNDERS. Sir, if I could just piggyback one time onto that and give some credence to DHS's plan for the National Exercise Program that you all have requested and that they are attempting to execute, this is the cusp of when, as a nation, responders at all levels will understand. If we can get a stake in the sand on that national level exercise, then the exercises in tier two, three, and four that need to nest to those, we have a much better opportunity to do that as we move forward.

Mr. DENT. Thank you.

I will yield back, Mr. Chairman. I just suggest that maybe we talk to some folks at Northern Command about what they are doing with Vigilant Shield. Thank you. I yield back.

Mr. CUELLAR. Yes, sir. Thank you.

At this time, the chair recognizes for 5 minutes the gentleman from Washington, Mr. Dicks.

Mr. DICKS. Mr. Schrader, how long have you been at FEMA?

Mr. SCHRADER. About 45-plus days, sir.

Mr. DICKS. Now I understand a little bit. You seem to be referring to other people and this and that. Secretary Ridge said it in an AP article, going back to this subject, Ridge launched his own security consulting firm, and he said he is a big fan of the TOPOFF exercises, but he says it is not acceptable that the review from the 2005 exercise is still not released publicly.

Now, I still don't have in my mind a clear answer about why. You said that it is because it is so sensitive. Is it so sensitive because there was a lot of failures in this exercise? Katrina wasn't exactly a home run. I mean, there is going to be some suspicion here that if you are not putting out the report, it is because it makes the department look bad or you are trying to cover up what happened.

Now, can you explain again this sensitivity? You know, we are used to having classified reports up here and nonclassified reports. I mean, why did it take the department so long? Is that the reason they brought you in, is to try to get these reports accomplished? Or is there just a disregard for the requirement to have a report?

Mr. SCHRADER. Well, it is my understanding, sir, that going back, the TOPOFF reports themselves in the series going back to the original one have not been released as a matter of practice. So I believe that the prior TOPOFF—

Mr. DICKS. Not even to the committees of Congress?

Mr. SCHRADER. I can't speak to that.

Mr. DICKS. So there is a hearing, and then a few days before the hearing all of a sudden magically the report shows up?

Mr. SCHRADER. I can't speak to that, sir, but my point is—

Mr. DICKS. Why can't you?

Mr. SCHRADER. I am sorry, sir?

Mr. DICKS. Why can't you speak to that? Why was the decision made to send the report up on September 10?

Mr. SCHRADER. What I was going to say is I am not prepared to speak to it today, but I will be delighted to follow up.

Mr. DICKS. When are you going to be prepared to speak to it?

Mr. SCHRADER. Well, let me see if I can back up a step. The bottom line is that it is not the intent to release these reports because of their sensitivity.

Mr. DICKS. What sensitivity? What do you mean by "sensitivity"?

Mr. SCHRADER. Well, in the reports, sir, they describe the vulnerabilities that were exercised, and the lessons learned from those vulnerabilities are contained within the report. The executive summary, and as I mentioned earlier, the lessons learned are digested and shared. So the intention is to distill from the reports the information that is needed to do the improvement planning.

Mr. DICKS. Has there been a formal lessons learned on Katrina?

Mr. SCHRADER. Yes, sir, several. The Congress did one. The Homeland Security Council did one which had 125 lessons learned. Many of those lessons learned were built into the Post-Katrina Act which was passed by the Congress in October of 2006. Yes, sir.

Mr. DICKS. So you are saying there is never going to be—has there ever been a thought about having a classified version of this report?

Mr. SCHRADER. Well—

Mr. DICKS. Sent to the Congress?

Mr. SCHRADER. We would—

Mr. DICKS. That you would be able to describe these sensitivities that you are talking about? We keep things in secure rooms up here all the time.

Mr. SCHRADER. The report itself is for official use only, which is unclassified. One of the things we want to avoid is by classifying it, it then becomes more difficult to boil it down and share, which we don't want to do because our state and local partners need to have access to this information.

Mr. DICKS. General, do you do reports on your exercises?

General SAUNDERS. Yes, sir. I think maybe one of the distinctions, and we tend to use at least so far I have heard today that we are kind of using after-action review, lessons learned, and kind of the same language. We treat those as two separate things—the after-action review happening, as suggested, immediately after the event.

We do a second-level product that comes out to the participants very quickly, and then we do a more thoughtful product that is due out within about 45 days of the exercise that goes to all participants. Incidentally, most of that is also hung on the lessons-learned information system that DHS operates now.

So I guess the answer to your question would be, yes sir, we do it basically at three different levels.

Mr. DICKS. Yes. How do you do it at the state level, Mr. Langenbach?

Mr. LANGENBACH. Pretty much the same way as the general outlined. After we conduct an exercise, we do a quick look at a hot wash, where we bring the players right in and talk to them then, then we conduct an after-action review meeting and bring all the players and the participants and everybody together and go through again a more detailed look at it. We publish a report. That report is vetted through all the participants in the exercise and then after that is done, we have an improvement-action plan conference.

Mr. DICKS. Do you leave things out because of sensitivity? You have sensitivity in your reports.

Mr. LANGENBACH. Yes, sir. I guess what I was going to say is, at the tail end of everything is we come out with a best practices recommendation based on the improvement action plan. So if I could use an example, when we exercise our hospitals, we have 84 hospitals in New Jersey, and we don't exercise them all at one time. We might do an exercise series involving a regional set of hospitals, maybe five or ten hospitals at the most. But what we glean from that exercise is what, when we come down to it and distill it, is an improvement action plan and a best practices recommendation that can go across the state.

Mr. DICKS. Someone said you are short on resources. I happen to be on the Defense Subcommittee. How much are you short?

General SAUNDERS. Sir, when we execute Vigilant Guard, it is about \$7 million a year to get participation. Effective with 2008's budget year and through the fiscal budget year, through the FYDP through 2013, we have money to plan those exercises at the national level, with NORTHCOM as the executive agent for that. In fact, the National Guard Bureau is resourcing about 17 folks out

there to work the Vigilant Guard Exercise Program. That part of the resourcing is pretty well in hand now.

The problem is if we go to an adjutant general in pick-a-state, and ask them to participate, that is extra man-days for those folks that participate at the leadership level all the way down, if you do a full-scale exercise, to the responders that show up on the ground to do the exercise. They have to come up with that money somewhere, and right now that is the delta that we are struggling with.

So to give you the precise number, a rough order of magnitude would be about \$7 million if we consider that we are doing the same thing that we have been doing in the past. But depending upon the scale of the exercise, we would set the budget requirements, sir.

Mr. DICKS. I yield to the lady here. Would you like to make a comment?

Mrs. CHRISTENSEN. Thank you.

I just wanted to say that when General Blum was here, I think he gave us a pretty thorough assessment of the lack of resources to what their needs were.

Mr. DICKS. Well, we appreciate what the National Guard did at the Katrina thing. You know, that whole relationship between how the FEMA works and the National Guard is tenuous at best and needs to be re-thought, I think.

Anyway, thank you, Mr. Chairman.

Mr. CUELLAR. Yes, sir, Mr. Dicks.

At this time, the chair will recognize for 5 minutes the gentlewoman from the U.S. Virgin Islands, Ms. Christensen.

Mrs. CHRISTENSEN. Thank you, Mr. Chairman.

Mr. Schrader, two quick questions. One, I would like to understand that despite the fact it hasn't been shared publicly, the reports haven't been shared publicly or with us until recently, that the state and local agencies that participate have gotten that report and have been able to—?

Mr. SCHRADER. They haven't gotten the full report. They got a summary 2 months after the exercise.

Mrs. CHRISTENSEN. Enough information for them to address the deficiencies?

Mr. SCHRADER. Yes, it addressed the various immediate actions that were obvious going through the exercise. It was in enough detail that they could start doing corrective action improvement planning immediately.

Mrs. CHRISTENSEN. And the \$25 million that you quoted, does that include what the states put in or is that just federal?

Mr. SCHRADER. The states and territories that participated put about \$2 million each in. That was a competitive process.

Mrs. CHRISTENSEN. Is that included in the \$25 million that you quoted?

Mr. SCHRADER. No, ma'am.

Mrs. CHRISTENSEN. I am glad you said "territories," because my next question to you and to Major General Saunders was, is it your understanding that when it says "state" it also includes "territories"?

Mr. SCHRADER. Right—56 states and territories. Yes, ma'am.

Mrs. CHRISTENSEN. Okay. Because in your references before, you just said "state," and I had really wanted to have territories specifically stated in the definition, but you said to me that "state" meant "state and territories." I wanted to be sure of that.

Mr. SCHRADER. Yes.

Mrs. CHRISTENSEN. I spoke to my FEMA director earlier. They have hired a consultant to help them plan their exercises. Is that normal? Or should we expect that any of you would help us to do that and not have us to spend additional funds to hire a consultant?

Mr. SCHRADER. Exercise design is a skill. There is a skill and an art to it. Each organization or jurisdiction should have a certain number of people that are skilled and understand how to plan and manage and how exercises are designed. However, because of the episodic nature of exercise design, it is not uncommon to hire consultants, but I would never just turn it over to them. You need to have enough people of your own involved in the process so that they can guide it.

Mrs. CHRISTENSEN. You are new to the job. Would you just, when you go back to your office, would you check to see that there has been some interaction with the Virgin Islands on design and planning?

Mr. SCHRADER. Yes, ma'am. Sure.

Mrs. CHRISTENSEN. Thank you.

We had a hearing, I guess it was last week, where we were talking about the use of volunteers. The concern was that many of the volunteers that came to respond to 9/11 and Hurricane Katrina, that needed follow up, medical assessments and follow up were sort of lost. No one really had identified whose role it was, whose responsibility it was to keep track of those volunteers, to list them, to make sure that we had the contact information.

I am going to ask you and Mr. Langenbach, who is responsibility is it in a disaster? Where does that fall to receive the volunteers and keep an accurate list of those volunteers so that they can be reached for follow up?

Mr. SCHRADER. If I may mention something that would help clarify that. In my experience in Maryland, we had 200-plus people go down to Katrina and we had our medical volunteer corps. Are those the kind of folks you are talking about ma'am?

Mrs. CHRISTENSEN. Anyone. It might have been firefighters on 9/11 that came out from areas that?

Mr. SCHRADER. The way the system should work in a mutual-aid situation, and in my personal experience, what I know about the system is that there is an emergency management compact between the states. We would get a tasking from the compact that we would respond to.

Mrs. CHRISTENSEN. But this is in the region, right?

Mr. SCHRADER. No, it could be anywhere in the United States.

Mrs. CHRISTENSEN. Okay.

Mr. SCHRADER. It is all the states and territories that are part of the compact. I would have to check on the "all territories." I know all states are part of the compact. I would have to check on that.

Mrs. CHRISTENSEN. We probably are.

Mr. SCHRADER. Yes. But the point is that we sent our people as part of that request, and it was our responsibility to keep track of them. It was our responsibility to make sure they were credentialed. For example, the medical people we sent down, we actually swore them into our Maryland Defense Force so that they were covered when they went down. So the actual people themselves and the accountability for those people should be, in my experience, the responsibility of the supplying agency, which would be the state or local jurisdiction sending them.

Having said that, part of what the National Incident Management System envisions, and this is where we have got to get to, is a more capable credentialing process at the point of the situation. So it is a two-prong. I would say the states and local jurisdictions are probably doing this well, and know who they are sending and should follow up and track them, but we also need to have a better process of managing those resources when they are coming.

Mrs. CHRISTENSEN. Mr. Chairman, can Mr. Langenbach answer also? Thank you.

Mr. LANGENBACH. Just a couple of things. I guess I am going to bounce back and forth between exercise world and real world. I will start with the real world. We also sent volunteers to Louisiana for Katrina. We did it under the incident management system. So we put a team together and, as part of that team, we sent a medical team down to work with those folks. We kept track of who was down there, how long they were there, anything that they were exposed to, injuries, things like that that happened.

Yes, ma'am? And then when we got them back in-state, we kept monitoring them to make sure. Some people had developed some different things from what they were exposed to down in Mississippi. We had 700-plus volunteers.

On the exercise world side, we learned something during T-3, TOPOFF, that the federal government has this lean-forward posture. When things are happening, they lean forward and they start pushing assets to the affected state. Well, one of the things we learned was that that was going to happen, that they were going to push things to New Jersey anticipating what our needs are going to be. One of those things would be people—doctors, nurses, medical, whatever, medical facilities and things like that.

Well, we had never considered that that was going to happen. So now as part of this after-action plan and developing it, we have already laid out an area in places where when this does happen, and we anticipate it happening, one of the places for them to go and stay, and again, a method to track their whereabouts.

Thank you.

Mr. CUELLAR. Yes. At this time, I will recognize for 5 minutes the gentleman from North Carolina, Mr. Etheridge.

Mr. ETHERIDGE. Thank you, Mr. Chairman.

Thank you for being here. I apologize for being in and out. I just happen to have another hearing going on at the same time, bouncing back and forth.

I know there are many parts to an emergency exercise and tabletop, and I recognize that. I participated in one. But having been a former chief state school officer, I have been concerned about the department's failure to fully consider children and the emergency

planning needs of schools and their operations. Schools are an important part. A lot of people tend to be congregated there.

So as you know, the House passed the Homeland Security Authorization Act earlier. It called for DHS for an under secretary for policy to be responsible for considering the needs of children in departmental policy, programs and activities. Although the responsibility is not yet in statute, I would expect that FEMA is interested in taking care of all our citizens, to include children who are among the most vulnerable.

So my question is this—this month's tabletop exercise will simulate a radiation attack disaster. My question is, how are children incorporated in this exercise, and will the exercise simulate the evacuation of schools? And finally, when you utilize medical response, do you simulate the adaption of needs for children in terms of equipment and/or medication? As you know, for example, when you are talking about potassium iodide that is used in response to radiological attacks, that protect thyroid functions, you certainly can't give a child an adult pill, or at least you shouldn't. So my question is, have we done this kind of planning? And if not, why?

Mr. SCHRADER. Sir, I am not prepared to answer that question, but I can get back to you. We will have to go back and take a look at what level of detail, but that is a level of detail I don't know.

Mr. ETHERIDGE. Well, that is a very simple question. I mean, if we have done the planning we ought to. If we couldn't ask you the \$25 million question, we ought to be able ask you a \$10 question.

Mr. SCHRADER. Yes, sir.

Mr. ETHERIDGE. And that is a pretty simple one.

Mr. SCHRADER. Okay.

Mr. ETHERIDGE. If we haven't done that, the details of planning in my view—I mean, in my view, I don't mean to be overly critical, but if you haven't done that kind of planning, we are way off the map. But I would appreciate a response, not just to me, but every member of this committee ought to be getting that.

Mr. SCHRADER. Yes, sir.

Mr. ETHERIDGE. Thank you.

Does anyone else want to take a shot at that?

Mr. LANGENBACH. I guess just, sir, from the state perspective, it is something that we wrestle with all the time in our exercises. You brought up KI—potassium iodide. That is part of our radiological emergency response planning. In those exercises, that is one of the things that we talk about is these children that are in daycare centers, children that are in schools, and we are going to evacuate one of these emergency planning zones. Do we give them the KI as they are getting on the school bus to leave? Or do we give it when they get to the reception center?

We have taken steps, and I know through the NRC, National—whatever it is, I am sorry—but through the NRC to get liquid KI now for the little children. We have always had the adult size, the 130 milligrams, the 65 milligram for the adolescents. Now we have liquid KI. I know all the states have this, again, to make it easier to give people, the little children, the KI, because they are the most susceptible, and also people who can't tolerate the medicine.

So, Nuclear Regulatory Commission. I knew I would get it.

General SAUNDERS. From the National Guard perspective, I would just throw in a couple of observations, because I am also a citizen-soldier when I am not wearing a uniform.

Mr. ETHERIDGE. Sure. I understand.

General SAUNDERS. I live in Iowa, and we do a bunch of different things. But it would seem to me that if TOPOFF is oriented toward the strategic policy level, that perhaps at the local level you will see those first responders and the state level health care folks taking those aspects on as either a part of a tier two or definitely a central piece of a tier three level exercise.

We some of that in the Indiana exercise last summer because we were playing from the middle—actually the northeast corner of Indiana with a nuclear device. Schools, hospitals, people in hotels, all of those kind of special needs folks that may fall through the cracks otherwise became an issue.

So from my perspective, we do look at those, but perhaps not at the TOPOFF 4 level type of objective.

Mr. ETHERIDGE. We need a little forward response, because I think these are the kinds of things that somebody needs to have on their sheet.

Yes?

Mr. LANGENBACH. Just one more point just to amplify what the general said. The TOPOFF exercise was at one level. It was federal agency to federal agency, federal agency to state. And then when we brought it down to our level, we took the overarching goals that DHS had crafted for the TOPOFF exercise and created 13 or 14 of our own state goals. Now we are down into the weeds. Now we are down into the municipal level and even lower, the individual responder level.

So I think that is what is going to happen. I can't speak for T-4, but I am guessing that is what is happening in the venues of T-4.

Mr. ETHERIDGE. Mr. Chairman, with your indulgence, I couldn't agree more. But the bigger issue is, have we got a plan somewhere to do it, and if it should happen that we have the resources and the stuff behind it to meet the needs that are necessary at whatever level we are doing it, whether it be at federal, state or local level.

Mr. LANGENBACH. I can't speak for others, but the state of New Jersey does. Yes, sir.

Mr. ETHERIDGE. I yield back. Thank you, Mr. Chairman.

Mr. CUELLAR. At this time, we will go with a second round of questions that we might have. I will yield my time to Mr. Dicks from the state of Washington.

Mr. DICKS. Thank you, Mr. Chairman.

According to a brief summary of the 2005 exercise marked for official use only, which was obtained by the Associated Press, problems arose when officials realized the federal government's law for providing assistance does not cover biological incidents. Are you aware of this, Mr. Schrader?

Mr. SCHRADER. Am I aware of the fact that it does not?

Mr. DICKS. Yes.

Mr. SCHRADER. Yes, sir.

Mr. DICKS. Okay. What are you doing to get that changed? Has the administration asked the Congress to change the law or done anything administratively to change the law?

Mr. SCHRADER. I would have to go back and see whether there is specifically—

Mr. DICKS. Is there anybody here in your brain trust standing behind you there that can answer the question?

Mr. SCHRADER. Probably not, sir. We would have to go back. What I am not clear on, and again this is—

Mr. DICKS. Okay, let me go a little further in detail. The exercise involved a mustard gas attack from an improvised explosive device in Connecticut, and release of the pneumonic plague in New Jersey. This caused certain federal disaster programs to be unavailable to some residents suffering from the attack, according to the summary.

Now, this is in your summary.

Mr. SCHRADER. Yes.

Mr. DICKS. And you haven't done anything about it? I know you have only been here 45 days, but do you have any idea if anything has been done about this?

Mr. SCHRADER. Sir, I don't know, but I will find out.

Let me also mention that in the context—I would have to go back and look specifically at those items because the bottom line is that CDC when I was in Maryland, we had programs that we worked with HHS—

Mr. DICKS. I think they are talking about programs to help citizens who are affected by this, and apparently the federal law doesn't cover this.

Mr. SCHRADER. What I was going to say is—

Mr. DICKS. I think maybe our committee might even have jurisdiction, so we might be very interested if you don't have it, we might be able to fix this for you.

Mr. SCHRADER. All right. If we are talking about the Stafford Act, that becomes—definitely the Stafford Act does not cover this, and so that would be where the issue is.

Mr. DICKS. A 2005 Homeland Security inspector general report suggested the department start tracking the lessons learned from these exercises. Apparently, you are doing that. Is that not correct?

Mr. SCHRADER. Yes, sir.

Mr. DICKS. Okay. A 2006 White House report on Hurricane Katrina criticized the department for not having a system to address and fix the problems discovered in the TOPOFF exercises. The most recent TOPOFF exercise in 2005 revealed the federal government's lack of progress in addressing a number of preparedness deficiencies, many of which had been identified in previous exercises, according to the White House.

Now, the White House isn't your enemy here. You are part of this administration.

Mr. SCHRADER. Yes, sir.

Mr. DICKS. Previously, a more detailed version of lessons learned from TOPOFF 2 held in 2003 was not released to states for security reasons. This seems to be an ongoing problem. The whole purpose of lessons learned—I can remember General Schwarzkopf coming back from Desert Storm, Desert Shield. He came before our

committee and told us all the things that were problems. And we fixed a number of those things. We got UAVs and other things because they couldn't see over the horizon. There were a series of things in intelligence that General Schwarzkopf wanted fixed. And he came to the committee and we got them fixed for him.

I think that is the way it should work here. If you find out that the law is limiting you and you have been here 45 days, but the department should have been doing this, and apparently they are not. And that is why there is suspicion up here about, you know, is anybody in charge down there?

Mr. SCHRADER. Right. Could I offer, sir, that I would not assume because I am unaware of it at this moment that the department is not doing it, number one. Number two, the National Exercise Program actually the way it is designed now addresses many of these issues that were discussed in this article, starting with the——

Mr. DICKS. It is the way we have to change the law. The article can't change the law. Only the Congress can change the law.

Mr. SCHRADER. Yes, sir. In that particular case, yes, sir.

Mr. DICKS. Well, could you get us a report? Could you get us a piece of paper on these exercises, the things that may need legal changes and submit it to the committee? Mr. Chairman, I think that would be totally appropriate. We would like to help you.

Mr. SCHRADER. Yes, sir.

Mr. DICKS. Even though it may not sound like it today, but we are just trying to get the information out here so that we can correct some of these problems.

Mr. SCHRADER. Right.

Mr. DICKS. The sooner the better.

Thank you, Mr. Chairman.

Mr. CUELLAR. Yes, sir.

At this time, I will recognize for 5 minutes the ranking member from Pennsylvania, Mr. Dent.

Mr. DENT. To Mr. Langenbach, just a quick question. Since you participated in TOPOFF 3, what are the main changes you would suggest to the overall TOPOFF exercise program?

Mr. LANGENBACH. Well, that is a great question, sir. One of the things that we saw during the TOPOFF exercise, and I think it is exercises in general, is time. We crammed, and I am using "crammed" in the positive sense, an awful lot of activities into 5 days of exercise play, perhaps unrealistically. Some things would have flowed, and if we look at real world events, we have been telling people at the local and state level that you are going to be on your own for 36 hours or whatever.

But we in the exercise world try to accomplish as much of interaction either between the locals and the counties and the state, and then the state to the federal government. We try to accomplish all that in 4 or 5 days. It is unrealistic. I think if I could, and really I am going to get hurt when I get home for this, but I think the exercise should be longer. It should be 10 days or 2 weeks. We tried that at some extent at home, but again logistically think about it. What we went through logistically in 5 days, if you double that or even longer, it is a challenge from a number of different standpoints.

To get to play in an exercise, to get people to play in an exercise for 5 days is a challenge. We had our governor fully involved. We have our governor's cabinet fully involved. You can see at the end of the exercise play, you know, Friday afternoon people are starting to tail off. They just start to tail off. So again, it is another challenge. If I could change something, sir, that would be it.

Mr. DENT. You would just extend the exercise?

Mr. LANGENBACH. Yes, sir, and make it more—again, realistic time-wise.

Mr. DENT. Thank you. Thanks for that answer.

General Saunders, just quickly again, could you just explain the role of the National Guard in TOPOFF 4, what it will be versus that of Vigilant Shield, so I understand this better?

General SAUNDERS. Yes, sir. I am sorry I wasn't quite as perhaps responsive as I should have been on your first go around with that.

The National Guard with respect to TOPOFF 4, we have Oregon a full-scale exercise going on with National Guard work in that particular area. In fact, the National Guard Bureau will send what we call a joint enabling team, which is supporting staff officers to the state of Oregon to help them in the middle of a crisis do some work. We really started that in Katrina, and actually started it pre-Katrina, and the states need to request that kind of activity. So Oregon is a full-scale exercise for us.

Guam is a full-scale exercise and we will be sending some of our public affairs folks out there.

Do we need to hold on this?

So that is part two from a National Guard perspective.

In Arizona, we have a functional exercise that we are participating in, and then with NORTHCOM we are not exactly disconnected from that, but we are not actively involved in running the Vigilant Shield side of the program. The National Guard has between 300 and 400 people involved in TOPOFF 4 in those three states and territory that I mentioned. Then we also have our adapted battle staff back here at NGB, at the National Guard Bureau level working at the strategic federal level.

Does that answer your question, sir?

Mr. DENT. Thank you.

I yield back.

Mr. DICKS. Would the gentleman yield?

Mr. DENT. I would be happy to yield to Mr. Dicks.

Mr. DICKS. You mentioned in your statement the civil support teams. Are they used? Would the Oregon civil support team be involved in this?

General SAUNDERS. I believe they would be, sir. I can't speak to that exactly, but my guess would be they would as a full-scale exercise, and perhaps other states, because the civil support—

Mr. DICKS. Tell us again what the civil support teams do for the National Guard on a state-by-state basis.

General SAUNDERS. Okay. Understand I am not an expert on civil support teams, but they are 20 to 21 people, both Army and Air, who have capabilities to assess weapons of mass destruction, biological and chemical agents, limited decontamination to decontaminate their own folks, but to provide information about what kind of agent we are dealing with, what kind of radiological agent

we are dealing with, to the civil authorities. That is civil support to the civil authorities.

Mr. DICKS. Have you found any legal impediments? Is there anything that impedes the National Guard from doing what is necessary in these areas, like apparently FEMA has?

General SAUNDERS. Well, sir, yes. In a word, I would say flexibility in funding. One of the things that thought we were probably going to be asked today was how is the National Guard and DHS working together. What are we doing to collaborate? I can give you some examples that will be a fairly lengthy answer to your question, but not overly so.

It gets to the flexibility of funding. For example, in the critical infrastructure protection mission assurance area, we have been contacted by DHS, our J-3, the operations folks at National Guard Bureau, to field 10 teams nationwide to go out and assist in creating critical infrastructure assessment. That plan originally was to use the Economy Act to afford dollars to us. DOD says they have to go federal agency to federal agency. That is fine, so we are working out the details behind making that happen. In my judgment, it probably should have already been done.

On a similar effort, the Constellation ACAMS Program, which is DHS program, automated critical infrastructure assets management system, so that at the local level we can start capturing data about critical infrastructure. DHS has asked us, the National Guard, to help them train nationwide first responders and emergency managers across the 54 states and territories and the District. My response to that was, knowing what was going on with the critical infrastructure piece and the discussion about the Economy Act, was perhaps DHS can flow the money to three states that we help identify. In lieu of waiting for this policy and regulation change to occur, since the money comes from DHS directly to the state, those states could put soldiers and airmen on state active duty to conduct that training, using Guard facilities where necessary because we are in 3,400 communities and we would field three mobile trainings. So there are two examples.

Those are taking longer than they should to put on the ground because we have to work our way through a milieu of Title XXXII, Chapter 9, Title 32, Section 502 to be able to put folks on duty to do those operational missions. I understand that the push-back then is not breaking the bank in terms of use of Title XXXII. So the protections that have been put in place have been there for a good logic, but they are hampering us now in terms of being able to partner more effectively with DHS directly, in my opinion, sir.

Mr. DICKS. Could you give us a piece of paper that would outline this problem? Maybe we can do something about that as well.

General SAUNDERS. I can't, but I am sure legislative liaison folks will be prepared and ready with that, yes, sir.

Mr. DICKS. Thank you.

Thank you for yielding.

Mr. DENT. I yield back.

Mr. CUELLAR. Mr. Etheridge, any questions?

Mr. ETHERIDGE. Very quickly. Thank you, Mr. Chairman.

We have been talking by and large about TOPOFFs that are dealing with manmade disasters. You know, we are talking also,

the agency is all-hazard. Don't let us forget that. My home state happens to be one of those states that is in the bulls eyes for hurricanes and we are likely to have as many or more hurricanes. The greatest catastrophe we have had in recent years happened to come from one in New Orleans.

My question is this, because in the past we have seen that FEMA has reacted as well as they should when we had natural disasters, and we are still suffering from that in the Gulf area. My question is, with the departure here now, the vacancies we are seeing in DHS and the deputy leaving, I am concerned about the brain drain that we may be having now at a time when we might have real needs, and to build enough to maintain the professionalism.

Much of what we have been talking about has been terrorism. So my question is, what gives you confidence that the skills gained in these exercises will transfer to an actual disaster if it is a natural disaster? What follow up is being done to make modifications if we need to make them from lessons learned to transfer to that? Because I think that is the critical piece.

Mr. SCHRADER. Yes, sir. Let me see if I can be brief, because that is about a 1/2 hour discussion.

Mr. ETHERIDGE. See if you can give it in about 3 minutes.

Mr. SCHRADER. Yes, sir.

[Laughter.]

FEMA now is at 95 percent strength, so under Mr. Paulison's leadership, we have been rapidly ramping up. We have actually got an additional, thanks to the Congress's intervention, we have new people in addition to that that we are going to be putting out in our regions.

The other thing that we are doing is we are very focused on hiring professionals.

Mr. ETHERIDGE. You need to hire professionals.

Mr. SCHRADER. Professionals, yes, sir. And we are very conscious of hiring career people who are going to take their place. For example, just a very simple example, there is a fellow in my office who was the acting secretary. I have made him my assistant. So even when I leave, he is still there, so there is a lot of focus on continuity and making sure we have career people who are capable to lead the effort.

The other reason we are putting so much focus on the regions is we want to put quality people out in the regions to run them. I will mention one other thing. During Hurricane Dean, which Administrator Paulison has talked at great length about a lot of the changes that have occurred in the last year. We saw an incredible coordination. There was cooperation across the board. We had the National Guard Bureau of the state of Texas, the regions, and we tracked that storm 5 days out and pre-positioned resources in way that we would have been completely been prepared.

For example, Texas has about 400,000 people along the border with Mexico, and we were actively tracking the requirements for that, and had positioned resources to be able to evacuate those people. Now, fortunately it tracked south, but there was a dramatic difference in the way FEMA is leading this effort in coordination with all the interagency and state and local government. So I have a lot of confidence that we are moving in the right direction, sir.

Mr. ETHERIDGE. Thank you, Mr. Chairman. I yield back.

Mr. CUELLAR. Thank you very much.

Since we have a vote to go to, we will go ahead and close up now. I want to thank all the witnesses for their valuable testimony, and the members for their questions. The members may have additional questions for the witnesses. We will ask you to turn that back to us.

I will ask the committee clerk to sit down with your committee clerk also, your counsel, to help us set up the topic for the—we are going to have a briefing on the questions that I asked. I think Mr. Dicks had some questions, and any additional questions that the ranking member might have.

Mr. DENT. Would the gentleman yield?

Mr. CUELLAR. Yes.

Mr. DENT. Would we be able to have somebody from Northern Command there, maybe, as well to talk about their exercise?

Mr. CUELLAR. Yes. Why don't we go ahead and do that.

Now, what I would ask for our clerk is to set this meeting within 10 working days, and if you can provide us some of that information beforehand, we will do that, so the clerk will be in contact with you.

Having no further business, the hearing is now adjourned. Thank you very much.

[Whereupon, at 11:51 p.m., the subcommittee was adjourned.]

APPENDIX

ADDITIONAL QUESTIONS AND RESPONSES

QUESTIONS FROM THE HONORABLE HENRY CUELLAR, CHAIRMAN, SUBCOMMITTEE ON
EMERGENCY COMMUNICATIONS, PREPAREDNESS, AND RESPONSE

RESPONSES FROM JAMES ARTHUR LANGENBACH

Question 1: Mr. Langenbach, as a State level organizer and participant for TOPOFF 3, please describe the level and frequency of planning and coordination with your Federal and local partners?

What were your biggest challenges and success stories on the planning and coordination efforts both at the State and Federal level?

Response: Congressman Cuellar, New Jersey was an equal partner with the other venues and the Federal Departments and Agencies in the planning effort for TOPOFF 3.

From the onset, New Jersey participated in the planning working groups established by DHS and their contract support. Most notably, the State was a full partner in both the Scenario and Intelligence working groups. In both groups our input was solicited and adopted into the exercise design and conduct.

It should be noted the State's proximity to Washington facilitated our participation in weekly planning meetings. Because of this, we were able to attend regularly scheduled as well as ad hoc meetings.

In addition to the working group meetings, DHS and their contract support conducted monthly "venue support" meetings with the state's planning teams. These 2—3 day meeting provided an additional coordination opportunity for the state.

At the Federal level, one challenge we encountered was the limitation on the number of State planners that were invited to attend the larger planning conferences (Initial, Mid-Term, and Final)., By being limited to six (6) New Jersey planners we were unable to include planners from the county and local level. This limitation carried forward to the three (3) National Seminars where again we were limited six (6) participants.

We were challenged at the state level to mimic the Federal working groups, owing to the fact that we had a limited number of full-time exercise planners, with the majority of our planners balancing their time between TOPOFF and their "day jobs".

Question 2: Mr. Langenbach, in your testimony you outline the Memorandum of Agreement (MOA's) with Federal and other State partners, such as the State of Connecticut for TOPOFF 3.

What role did you play in this and what level of guidance did the Department of Homeland Security provide to you concerning MOA's?

Congressman Cuellar, as one of the State's principal planners I was involved in the MOA meetings with DHS and the State TOPOFF team. The MOA negotiations were the responsibility of the Office of the Attorney General and the State's Executive Planning Group (senior representatives from the State agencies participating in TOPOFF).

We began the MOA discussions early on in the planning process. Once again New Jersey was fortunate in having Mr. Robin, "Butch" Colvin as our DHS venue lead, as Mr. Colvin was also the TOPOFF Exercise Director. He facilitated the MOA discussions and was able to assist the state's planning team through the MOA process.

Question 3: Mr. Langenbach, based on your past participation in TOPOFF 3 and your expertise, to what degree did the Department of Homeland Security seek your input in the planning stages for TOPOFF 4?

Also, to your knowledge, has the Department contacted your State officials to discuss the new National Exercise Program?

Congressman Cuellar during the initial planning for TOPOFF 4, DHS sought to utilize T-3 planners from New Jersey and Connecticut as “mentors” to the T-4 venues. We were invited to, and participated in, the Concepts and Objectives and Initial Planning conferences.

However, due to what were explained as funding issues, our participation in subsequent planning meetings was curtailed.

From New Jersey’s standpoint we continued to assist the T-4 venues by providing planning documents, etc from our exercise. We also facilitated conference calls with the planning teams from Arizona and Portland as a means to share our experiences. With the Guam venue the information sharing was less formal but no less extensive.

In addition, the Association of State and Territorial Health Officers (ASTHO) conducted a planning seminar to assist the T-4 venues and New Jersey was invited to share lessons learned.

Individuals from the state’s exercise teams have been involved with the NEXS development and have attended planning workshops. In addition, we worked with DHS on the HSEEP Toolkit project both in development and the Beta testing.

Question 4: Mr. Langenbach, in your written testimony you state that, “the evaluation portion is every bit as important as the conduct of the exercise itself.” Your State spent a considerable amount of time and dedication to evaluation and collecting and analyzing data and the actions of the participants in response to the scenario presented. You should be commended on developing your own after-action report and improvement action plan.

• **Toward that end, did participating in TOPOFF afford the impetus to move forward on initiatives that otherwise would have been stalled due to lack of attention or resources? And were you able to learn from your Federal partners in regards to their after action report?**

Response: Congressman Cuellar, in certain regards while the state was already in the midst of planning for the mass prophylaxis of the state’s population, our inclusion in TOPOFF 3 accelerated that process. In November of 2004 we conducted a full scale exercise with the CDC to test our plans. Lessons learned from that exercise were incorporated in our T-3 exercise play.

As I discussed in my testimony, our evaluation team was given access to the data collected by the Federal evaluators. This data proved invaluable to our after-action process.

The State was provided a draft copy of the Federal after-action report and asked for comment. Each agency did so and those comments were provided to DHS for inclusion in the final report.

At this time we are assessing the Federal After-Action Report and at the same time cross walking it with our own AAR. That analysis is expected to be completed by year end.

QUESTIONS FROM THE HONORABLE CHARLES W. DENT, RANKING MEMBER,
SUBCOMMITTEE ON EMERGENCY COMMUNICATIONS, PREPAREDNESS, AND RESPONSE

Question 5: Did New Jersey use Federal resources such as Homeland Security Grant Program funding, to participate in TOPOFF 3? If so, how much? What State resources were used to participate?

Response: Congressman Dent, New Jersey funded our participation in TOPOFF 3 from multiple sources:

ODP FY 02 Exercise Allotment	\$177,373.00.
ODP FY 03 Exercise Allotment	\$408,407.00.
CDC FY 05	\$220,000.00.
HRSA FY 05	\$161,000.00.

The State’s contribution came in the form of in-kind services, particularly the salaries of the planners involved in T-3. State agencies adjusted work schedules to minimize overtime costs for participants and exercise staff during the week of full scale play.

In addition, although we provided funds to our eighty-four (84) hospitals it was a minimal amount that didn’t come close to compensating them for the expenses they incurred during the exercise, the balance coming from their own operating budgets.

Controllers and evaluators were recruited from municipal, county, state departments and agencies, as well as the private sector with the understanding that any costs would be borne by the sending agency.

After having participated in TOPOFF 3, what changes would you suggest to enhance the TOPOFF exercise program?

Congressman Dent, one of the challenges of exercise planners is the creation of a realistic environment which duplicates situations that responders would be expected to encounter in a real world event. One of the catch phrases of T-3 was "We will make this as real as possible, without getting anybody hurt".

As I discussed during my testimony, TOPOFF, as the premier National exercise should replicate, as closely as possible, the response which would be expected during an actual event. Toward that end the flow of activities should play out in real time with little or no time compression. During T-3 we attempted to "squeeze" multiple activities into a short, unrealistic, amount of time.

In addition, the ability to provide assets to requesting states should be tested and not notionalized (i.e. it is my understanding that during T-4 Guam, requested the assets of the Strategic National Stockpile and its receipt was simulated).

Finally, equally challenging for exercise planners is the engagement of senior officials for the entire course of the exercise. We understand that senior officials at all levels of government are pressed for time but if we hope to replicate the real world decision making process which would occur during an event those senior officials need to be engaged for the duration of the exercise.

QUESTIONS FROM THE HONORABLE HENRY CUELLAR, RANKING MEMBER,
SUBCOMMITTEE ON EMERGENCY COMMUNICATIONS, PREPAREDNESS, AND RESPONSE

RESPONSES FROM MAJOR GENERAL STEVEN SAUNDERS

Nation Exercise Program

Question 1: In your written testimony you stated that the biggest challenge the National Guard has faced in achieving a National Exercise Program fully integrated with the Department of Defense and other inter-agency partners has been resources.

Can you elaborate on this statement and describe how this lack of resources has affected your ability to partake in exercises?

Response: Our recent success with the Doctrine, Organization, Training, Materiel, Leadership and Education, Personnel, and Facilities (DOTMLPF) Change Recommendation (DCR) process and the resulting Joint Requirements Oversight Council Memorandum (JROC-M) provides resources for planning, exercise development and exercise delivery for Vigilant Guard and the Joint Task Force (JTF) Commander Course over the next 5 fiscal years. Unfortunately, it does not provide funding for state participation. In addition, National Guard members are precluded by current legislation from training or conducting exercises for civilians. The Country will benefit from a way to use existing National Guard funding or a separate funding stream that allows NG members to work with and strengthen relationships at the regional/state levels and, where appropriate, locally. This includes the ability for Department of Homeland Security (DHS) and other federal agencies to send money to the National Guard Bureau (NGB), not the Department of Defense (DoD), under the Economy Act when appropriate.

DHS and NORTHCOM HS Program

Question 2: Large exercises take many months, if not years to plan. Organizations need to know exercise schedules well in advance in order to make sure they are properly resourced.

In your experience, has the Department of Homeland Security and US Northern Command established a homeland security exercise program that facilitates participation by the National Guard? To what degree does the National Guard participate in the National exercises, led by FEMA? What is the level of collaboration, sharing of best practices?

In your experience, has the Department of Homeland Security and US Northern Command established a homeland security exercise program that facilitates participation by the National Guard?

Response: Yes. However, the process for involving the National Guard could be improved significantly by including the National Guard Bureau (NGB) as a full member of the Homeland Security Council Plans, Training, Exercise and Evaluation Policy Coordination Committee. In addition, the National Guard should be rep-

resented on the Department of Homeland Security (DHS) chaired National Exercise Program Executive Steering Committee.

At the state National Guard level, we have Vigilant Guard exercise series. In addition, the National Guard participates at the National level in TOPOFF, soon to be National Level Exercise, exercises and many states have been involved in United States Northern Command's (USNORTHCOMs) Ardent Sentry/Vigilant Shield exercise series.

Currently all vested agencies are working extremely hard to coordinate and integrate their training and exercise programs. After a few years of maturation by all of us, we now have fundamental agreements on how and when we synchronize our efforts. Sometimes these efforts are specifically state (or Title 32) oriented or Title 10 (federally) focused, but the majority of all our training and exercise venues are designed to bring the capabilities and talents of all parties to bear on the scenario or event that threatens the US.

To what degree does the National Guard participate in the National exercises, led by FEMA?

What is the level of collaboration, sharing of best practices?

Response: The National Guard has not participated as well as we should in Federal Emergency Management Agency (FEMA) exercises, but this is improving. For example, during the Hurricane Exercise (HUREX) last May, National Guard (NG) equities were an afterthought.

During TOPOFF 4 in October, we were more involved in the planning and embedded in a variety of venues. I expect this joint participation to continue to improve.

Each year, the NG conducts four regional or major exercises (Vigilant Guard). Two of these exercises are focused on an event that affects 2—4 states in a particular region. Although there is certainly participation from federal entities, these regional exercises are designed to test specific capabilities, selected by the Adjutants General and emergency managers of the states and their neighbors.

In the future (2009 and beyond), the other two Vigilant Guard exercises will be aligned, planned, executed and debriefed in full cooperation with USNORTHCOM, FEMA, and other Federal agencies, etc. with the primary objective of identifying any gaps that may exist when local and state resources are exhausted and federal assistance is required.

NEP and Resources

Question 3.: As we understand it, one of the biggest challenges the National Guard has faced in achieving a National Exercise Program fully integrated with the Department of Defense and other interagency partners has been resources.

Can you elaborate on how this lack of resources has affected your ability to partake in exercises?

Response: Our recent success with the Doctrine, Organization, Training, Materiel, Leadership and Education, Personnel, and Facilities (DOTMLPF) Change Recommendation (DCR) process and the resulting Joint Requirements Oversight Council Memorandum (JROC-M) provides resources for planning, exercise development and exercise delivery for Vigilant Guard and the Joint Task Force (JTF) Commander Course over the next 5 fiscal years. Unfortunately, it does not provide funding for state participation. In addition, National Guard members are precluded by current legislation from training or conducting exercises for civilians. We need a way to use existing funding or we need a separate funding stream that allows National Guard (NG) members to work with and strengthen relationships at the regional/state levels and, where appropriate, locally. This includes the ability for Department of Homeland Security (DHS) and other federal agencies to send money to the National Guard Bureau (NGB), not Department of Defense (DoD), under the Economy Act when appropriate. Your assumption is correct based on the aforementioned realities.

Independent Exercises

Question 4.: Currently, the Department of Homeland Security, the National Guard and State Guard Units, the US Northern Command, and other government entities are still running several of their own independent exercises.

Why is this? Are we duplicating efforts?

Response: To some extent, yes, but it is necessary. All organizations need opportunities to exercise their particular roles and responsibilities, in a vacuum if you will, in order to identify and correct existing or known internal limitations. This only enhances the more collaborative efforts at a later date. The reality of the situation in our homeland is that there are simply too many entities with a stake in

Homeland Defense (HD) and Consequence Management (CM) to have a coordinated effort each and every time. To forego internal or more focused exercises while waiting for the larger, national level exercises would surely be considered an opportunity missed.

If multiple government organizations each “own” their own exercise, isn’t it possible that emergency responders and other key participants might grow weary of fully participating?

Response: That is a valid concern for our awareness and consideration for future operations. However, at this point in time, there are plenty of local and state responders that need an opportunity to integrate their efforts with federal responders. If we maintain our current coordinated planning efforts, I am sure we can avoid exhausting certain low density-high demand assets of any given state.

QUESTIONS FROM THE THE HONORABLE CHARLES DENT, RANKING MEMBER,
SUBCOMMITTEE ON EMERGENCY COMMUNICATIONS, PREPAREDNESS, AND RESPONSE

Question 5: Do you believe there is currently duplication of effort between the training and exercise programs of DHS and DoD? If so, what recommendations would you make to maintain effectiveness but minimize unnecessary duplication?

Response: Yes, to a limited, but perhaps, necessary extent. We continue to mature our own organizations and grow in our understanding of each agency’s role, responsibility, and capability; we will certainly begin to minimize what little, but necessary, redundancy that exists today. This end state will most certainly be attained quicker if once those roles and responsibilities are clearly defined for all parties, each party honors them and remains “in their lane.”

All organizations need opportunities to exercise their particular roles and responsibilities, in a vacuum if you will, in order to identify and correct existing or known internal limitations. This only enhances the more collaborative efforts at a later date. The reality of the situation in our homeland is that there are simply too many entities with a stake in Homeland Defense (HD) and Consequence Management (CM) to have a coordinated effort each and every time. To forego internal or more focused exercises while waiting for the larger, national level exercises would surely be considered an opportunity missed.

NGB/NORTHCOM Interaction

Question 6.: Please explain how the National Guard Bureau interacts with U.S. Northern Command (NORTHCOM) with respect to homeland security exercises.

Response: As directed by Joint Requirements Oversight Council Memorandum 263-06 dated 21 December 2006, United States Northern Command (USNORTHCOM) in collaboration with the National Guard Bureau (NGB) and United States Joint Forces Command (USJFCOM) established a National Guard joint training and exercise program at USNORTHCOM. These programs were directed to be synchronized with existing combatant command exercises, while leveraging existing training capabilities. Four existing National Guard Programs were identified in this directive to migrate to USNORTHCOM to establish initial operational capability not later than 1 October 2007; the National Guard Vigilant Guard Exercise Program, the Joint Task Force (JTF) Commander Training Course, the JTF/Joint Force Headquarters (JFHQ) Staff Training Course and the Chemical, Biological, Radiological, Nuclear, and High Yield Explosives (CBRNE) Collective Training Program. All of these programs directly interact with USNORTHCOM, the 54 States and Territories and all local, state and federal agencies associated with Defense Support to Civil Authorities in the areas of Homeland Security and Homeland Defense. Each program is led by a team of National Guard personnel located at North American Aerospace Defense Command (NORAD)—USNORTHCOM and the National Guard Bureau (NGB.) This first of its kind integrated partnership provides training and exercises for National Guard (NG,) Active Duty and interagency personnel. The program focuses on Homeland Defense and Defense Support to Civil Authorities (DSCA) missions across the spectrum of operations to meet Joint Interagency Training Capabilities (JITC) DOTMLPF (Doctrine, Organization, Training, Materiel, Leadership and Education, Personnel, and Facilities) Change Recommendation (DCR) requirements.

QUESTION FROM THE HONORABLE BENNIE G. THOMPSON, CHAIRMAN, COMMITTEE ON
HOMELAND SECURITY

RESPONSE FROM DENNIS SCHRADER

Question 1.: Mr. Schrader, as you know, this Committee remains concerned about the Department's unwillingness to share comprehensive After Action Reports or "lessons learned"—leaving our States and localities at a disadvantage to prepare, prevent, and coordinate the necessary response to events that threaten the safety of the American people.

Going forward, how does the "new FEMA" plan to share these documented lessons learned with its State, local, and non-governmental participants?

Given that thousands of first responders use their own resources, personnel and play an integral role in TOPOFF exercises, how will the Department ensure that learned lessons, best practices, and recommendations are documented and easily shared with them?

Response: The Department remains committed to sharing exercise information with its preparedness partners. After Action Reports (AARs) often include sensitive operational details that prevent them from being shared widely. The Department of Homeland Security (DHS) has the responsibility to assure all exercise participants that issues and information provided for an AAR are safeguarded. The Department uses the *Lessons Learned Information Sharing* (LLIS.gov) system. *LLIS.gov* is the Department's primary tool for sharing lessons learned, best practices, innovative ideas, and preparedness information for homeland security and emergency response professionals. *LLIS.gov* is not only a repository for information, but also a network that enables homeland security and emergency response professionals from across the country to share their knowledge and expertise in a secure, online environment with one another. Finally, the Department will typically provide information that can be shared publicly by posting press releases to its public website.

In addition to AARs produced by the Federal government, States and Territories that participate in Top Officials (TOPOFF) exercises create their own AARs that focus on issues and objectives directly related to their respective exercise play. These documents are incorporated into the Federal TOPOFF AAR as annexes. They also give an appropriate level of focus to issues specific to State and local authorities. These documents may be posted to *LLIS.gov* for sharing with the broad responder community. For example, after TOPOFF 3, both Connecticut and New Jersey provided their after action materials to *LLIS.gov*.

Members actively participate in *LLIS.gov* by sharing their ideas, information, and knowledge. *LLIS.gov* strongly encourages members to submit plans, procedures, AARs, and other documents to be posted on the network. Members can contact *LLIS.gov* about potential lessons learned, best practices, practice notes, or useful anecdotes for inclusion on the network. Further, members can also post comments on specific *LLIS.gov* content.

LLIS.gov serves as the repository for homeland security AARs that have been approved for posting. Members can access and search hundreds of AARs from incidents and exercises. In addition, *LLIS.gov* houses a vast library of homeland security plans, procedures, templates, and tools from jurisdictions across the Nation. These documents provide *LLIS.gov* members with a valuable resource when they are developing or revising their organization's plans and procedures.

In the case of TOPOFF 4, DHS/FEMA's National Preparedness Directorate (NPD) will ensure key lessons learned and best practices from the TOPOFF 4 AAR are provided for posting to *LLIS.gov*. The TOPOFF 4 after action review process will include data collection, various analyses, strengths, and general findings identified from the exercise. The final AAR/Improvement Plan (IP) will be disseminated to exercise participants and materials will be posted to *LLIS.gov*.

The NPD will coordinate with DHS/FEMA leadership to provide briefing materials to the House Homeland Security Committee, including a letter to Chairman Thompson explaining the general and specific TOPOFF 4 issues associated with developing AARs. These materials will articulate what steps the NPD is undertaking to address the need for publicly releasable documentation.

Question 2.: How does the Department of Homeland Security determine the scenarios that are exercised?

For example, the last three TOPOFF exercises have focused on plagues, mustard gas releases and a dirty bomb release.

At what point in the planning of the exercises are the State and locals involved in formulating the scenarios and ensuring that their systems,

processes and people are exercising a probable incident to their specific region?

Response: The National Exercise Program's (NEP) National Level Exercises (NLEs) are selected in accordance with the NEP Implementation Plan and are based on the National Planning Scenarios. NLEs feature realistic, plausible scenarios; address U.S. Government strategic—and policy-level objectives; and challenge the national response system. Scenarios are approved by the Secretary of Homeland Security in coordination with the heads of other relevant departments and agencies. States that are hosting TOPOFF venues are consulted on scenario selection early in the design process to ensure their exercise objectives can be met by the candidate scenarios.

The Federal Emergency Management Agency's (FEMA) National Preparedness Directorate (NPD) will coordinate national level priorities with State priorities in developing the National Exercise Program 5-Year exercise schedule.

Through a series of regional training and exercise workshops hosted by FEMA Regional Administrators, NPD will ensure Federal as well as State and local objectives are met in selecting the focus, objectives, scenarios, participants, locations, and times for various NPD exercises. This process will take place prior to the actual planning cycle for an NPD exercise.

Question 3.: Currently, the Department of Homeland Security, the National Guard and State Guard Units, the US Northern Command, and other government entities are still running several of their own independent exercises.

Why is this? Are we duplicating efforts?

If multiple government organizations each "own" their own exercise, isn't it possible that emergency responders and other key participants might grow weary of fully participating?

Response: Exercises provide opportunities to conduct and test training, observe plans and procedures in action, and to ensure previous lessons learned and their corresponding corrective actions are adhered to. Government organizations share the common mission of ensuring the Nation is able to prevent, protect against, respond to, and recover from catastrophic events. Given this common mission, the National Exercise Program (NEP) was established to coordinate and frame exercise priorities. The NEP accomplishes this by coordinating priorities within the Federal Inter-agency and then coordinating those priorities with States and locals and the private sector thus generating an integrated national exercise effort.

The NEP Implementation Plan defines procedures intended to resolve any potential duplication of effort, and to synchronize the efforts of organizations currently competing for a limited number of jurisdictions, departments, and agencies to participate in exercises. While the NEP does not preclude or replace individual departments' and agencies' exercise programs, it does aim to align activities (where feasible) and to limit the number and scope of conflicts that occur in scheduling. Coordination of the NEP is supported by broad interagency participation through the NEP Executive Steering Committee (ESC). The NEP ESC is a forum used to prepare and coordinate annual NEP exercise planning guidance derived from a strategic review of risks (threats, hazards, vulnerabilities, and operational risks) and from a five-year schedule of NEP exercises. Because the NEP reflects U.S. government-wide priorities, the annual NEP guidance enables departments and agencies to align their exercise programs to these priorities. In other words, the NEP ensures priorities are tested through NEP-approved exercises. By requiring the participation of the various departments and agencies involved in preparedness, the NEP improves the ability to test capabilities through a more realistic exercise environment.

Departments and agencies may use internal exercises to prepare themselves for participating in an NEP exercise. Such exercises are considered "building blocks." Additionally, departments and agencies may propose an exercise for inclusion into the NEP Five-Year Schedule. Exercises proposed for inclusion into the NEP Five-Year Schedule are deliberated on by the NEP ESC and approved through the policy coordination process. The NEP process categorizes exercises into "tiers" that reflect priorities for interagency participation. A synopsis of the various tiers follows.

Tier I Exercises (Required). Tier I Exercises are centered on U.S. government-wide strategy and policy-related issues. They are executed with the participation of all appropriate department and agency heads or their deputies and all necessary operations centers. NLEs and Principal Level Exercises constitute Tier I; thus there are five NEP Tier I exercises annually.

Tier II Exercises (Recommended). Tier II Exercises are focused on strategy and policy issues supported by all appropriate departments and agencies either through the National Simulation Center or as determined by each department or agency's leadership. Tier II exercises are endorsed through the NEP process as meriting pri-

ority for interagency participation. Tier II exercises take precedence over Tier 3 exercises in the event of resource conflicts.

Tier III Exercises (Permitted). Tier III Exercises are other Federal exercises focused on operational, tactical, or organization-specific objectives and do not require broad interagency headquarters-level involvement to achieve their stated exercise or training objectives. Participation is at the discretion of each department or agency.

Tier IV Exercises. Tier IV Exercises are exercises in which State, territorial, local, and/or tribal governments, and/or private sector entities, are the primary audience or subject of evaluation.

Question 4.: To what extent do the Federal, State, local and non-governmental participants have knowledge of the scenario prior to the exercise and once the exercise begins?

Response: Both prior-notice and no-notice exercises are addressed by the National Exercise Program (NEP). The NEP Implementation Plan requires a no-notice exercise at least once within a NEP Five-Year Strategic Exercise Cycle. Details of the exercise will be developed in an appropriately classified or protected environment by a small group of planners and key leaders.

Unlike Top Officials (TOPOFF) 2000, during TOPOFFs 2, 3, and most recently 4, the general scenario threats were known to the participants. Participants did not have knowledge of the specific scenario or how it would unfold once the exercise started. This was a deliberate design decision to maximize learning over the course of building block exercises while preserving the spontaneity and realism of the final, culminating full-scale exercise.

Over the 18–24 month cycle of TOPOFF events, participants were able to review their policies, plans, and procedures as they helped design the exercise. By knowing the exercise scenario, planners were able to conduct their reviews and develop meaningful exercise objectives and evaluation guides, which can improve the eventual evaluation and exercise's results. Participants were able to learn about the proposed threat and identify gaps, shortfalls, and best practices within their own policies, plans and procedures. In these exercises, participating States and territories unanimously agreed they learned as much if not more from the planning process as they did from participating in the full-scale exercise. Allowing prior knowledge of the exercise scenario gave planners at all levels, Federal, state, and local, an opportunity to evaluate the efficacy of their department or agency's plans. In other words, departments and agencies were able to use the evaluation of their plans, policies, and procedures prior to the exercise as an opportunity to identify whether or not their respective office had the necessary plans, policies, or procedures, and, if so, whether those were going to be adequate in addressing the scenario. This evaluation gave departments and agencies an opportunity to identify gaps and, if changes were made, test such changes to their own plans, policies, and procedures.

Question 5.: Please explain how the National Exercise Program will incorporate continuity of operations (COOP) and continuity of government (COG) exercises. Will COOP and COG exercises also be planned using a five year schedule? How will the NEP ensure that participating Federal departments and agencies adequately document their participation in these exercises? Will the after-action reporting of COOP and COG exercises differ from other national security and homeland security exercises?

Response: The National Exercise Program (NEP) is the principal mechanism for examining the preparation of the U.S. Government (USG) and its officers to execute the full range of preparedness capabilities. Continuity of Operations (COOP) and Continuity of Government (COG) represent two such capabilities that can be integrated as testable objectives into NEP-sanctioned events. Using a system of tiered National Level Exercises (NLEs) and its 5-year schedule, the NEP allows the USG to integrate efforts to train and rehearse those critical capabilities in conjunction with ongoing, high-priority exercise events. Through the NEP, COOP/COG requirements directed by National Security Presidential Directive-51/Homeland Security Presidential Directive-20 (NSPD-51/HSPD-20) are therefore met.

When evaluating continuity capabilities, the performance of Federal departments and agencies will be appropriately documented and reported in accordance with the Homeland Security Exercise and Evaluation Program (HSEEP) and consistent with appropriate classification requirements for critical essential function vulnerabilities. Some HSEEP tools may be implemented in the after action reporting process for continuity capability issues. Due to the sensitivities inherent within continuity capabilities, continuity lessons learned and corrective action plans would not be posted to the Lessons Learned Information Sharing network (LLIS). However, strategic continuity capabilities issues will be elevated to the Interagency (HSC) Deputies

Committee) using the Corrective Action Program (CAP) process. Further, continuity capability issues that may be less strategic in nature but still represent an area for improvement may also use the CAP process to manage the remediation of those issues internally within the responsible department or agency.

Question 6.: The Department plans to use the Lessons Learned Information Sharing website (LLIS.gov) to help distribute lessons learned and best practices. How is the Department publicizing this website to ensure that emergency management officials and first responders across the country are aware of this resource?

Response: Since the launch of *Lessons Learned Information Sharing (LLIS.gov)* in April 2004, the Department of Homeland Security (DHS) has sought to raise awareness of the program, increase membership, and encourage usage among its desired audience of emergency response and homeland security professionals through a coordinated outreach and awareness strategy. These efforts have increased *LLIS.gov* membership to more than 40,000 professionals from all relevant disciplines, levels of government, and all 50 states and Territories. Essential components of this strategy include attending conferences and meetings, forming strategic partnerships, publishing articles, and sending regular updates to *LLIS.gov*'s membership.

LLIS.gov representatives attend numerous conferences annually to give presentations, demonstrate the system, distribute information, and network with other individuals and groups involved in homeland security throughout the country. *LLIS.gov* staff members also regularly and proactively contact and publish in homeland security and emergency management publications. *LLIS.gov* representatives form partnerships with groups, agencies, and associations to further information sharing by securing mentions in their newsletters, list-serves, and grant guidance. Further, *LLIS.gov* is developing partnerships with the DHS Centers of Excellence, the Federal Emergency Management Agency's (FEMA) Emergency Management Institute, and other homeland security training programs to better incorporate *LLIS.gov* into planning, training, and exercise activities. The use of *LLIS.gov* during and after Top Officials 4 further publicizes and encourages use of this resource.

Question 7.: Observers of previous TOPOFF exercises have noted that after action reporting may have been subject to selective editing as information moved up the chain of command. In other words, some important information may have been ignored in order to provide a better performance assessment of the exercise.

How does the Department's after action reporting process ensure the accuracy of information used in assessments and evaluations?

Response: After action reports (AARs) for exercises receive numerous reviews by participants and leadership to ensure accurate reconstruction and analysis of exercise events.

The need to develop an accurate and detailed AAR is crucial to understanding an exercise's results and, in turn, learning from what was exposed, whether it is an identified strength or an area for improvement for future exercises. TOPOFF exercises employ robust and rigorous evaluation and control processes. Every participating agency from every level of government provides evaluations, which serves as a check and balance on accuracy and comprehensiveness of reporting. Evaluations are thorough and provide a historically accurate record of performance. NPD emphasizes to exercise participants the importance of the Exercise Evaluation Guides, and the reconstruction effort. The accuracy and credibility of an AAR rests on the level of detail provided in the reconstruction materials and observations by exercise personnel (controllers, observers, and planners), from which the AAR is developed.

The NPD follows the Homeland Security Exercise and Evaluation Program methodology in developing AARs/Improvement Plans (IP) that identify the strengths of the exercise and the areas for improvement for the National Exercise Program's National-level Exercises. Additionally, these reports guide future efforts to adopt the lessons learned from an exercise. If, after a stage of review, a report's content has been compromised, the issue will be deliberated by the NPD and any issues arising from those discussions will be taken to FEMA and/or DHS leadership.

Question 8.: Are States and localities required to conduct exercises to receive Federal homeland security grant funds?

Does the Department review the performance of State and local agencies in exercises? If so, how is this information used? Will it be used in the Federal Preparedness Report required by last year's reform legislation to assess the Nation's level of preparedness?

Response: States and localities are required to conduct at least one discussion-based and one operations-based exercise per year as well as a Training and Exercise

Plan Workshop (T&EPW). The T&EPW aligns training and exercises with National Priorities and State Priorities to ensure States and localities are validating the training, equipment, and other resources necessary to improve capabilities. Further, States are also required to submit their multi-year Training and Exercise Plan to the appropriate preparedness officer within the Federal Emergency Management Agency.

DHS periodically reviews information from homeland security grant exercises and encourages exercise outputs, specifically After Action Report/Improvement Plans (AAR/IPs), be used by States to support grant justifications and enhancement plans. For example, during annual programmatic grant monitoring of each State, a review of the State's investments (from their Homeland Security Grant Program application), goals and objectives (from their Homeland Security Strategy), and responses to National Priority questions helps DHS assess each State's exercise program. Information from exercises is also reviewed for broader applicability within the homeland security community and may result in generation of lessons learned and best practices.

