

**S. 21, The Homeland Security Grants Enhancement Act of 2005**  
**Markup Statement**  
**Senator Joe Lieberman**  
**April 13, 2005**

Thanks, Madam Chairman. I am pleased to join you today in offering this substitute to reform the primary homeland security grant programs that our first responders and preventers rely on to protect the rest of us from terrorism. You have put enormous effort into this difficult and almost inherently contentious issue, and having done so, I believe you have crafted a fair and responsive approach to meet competing needs and protect our nation maximally from terrorist attack.

This bill responds to calls that we direct more money to the places that are at the greatest risk of terrorist attack, that are the most vulnerable, and where the consequences of an attack would be most disruptive to the people, to our economic well being, and to our very way of life.

Our bill also recognizes the need to face our enemy—it is unsettling, but realistic, to say that no place in this country is safe. Terrorists have struck so-called soft targets outside what would be considered high-risk areas—in Indonesia, for example, and Russia, and Germany, where they've blown up schools, restaurants, theaters, and discoteques. We have to be on notice, and this bill strikes a balance.

Common sense requires that we continue to build basic capacity to respond and recover from terrorist attacks wherever they may occur. And to build capacity over time, there must be some predictability in the funding states are likely to receive year to year.

To start with, our bill would REDUCE the guaranteed minimum amount of money that each state receives to 0.55 percent of the total amount of money appropriated for homeland security grants. That's down from 0.75 percent and a per capita allocation. Because the largest and most densely populated states face higher preparedness costs, these states will receive a somewhat higher minimum, based on a sliding scale.

The remaining money would be distributed to areas based on the threats of, vulnerabilities to, and consequences of a terrorist attack. Our substitute ensures that a substantial majority of homeland security funds will be distributed based solely on risk, and it doubles the amount of risk-based dollars available.

We would allocate up to half of this risk-based funding for grants to metropolitan regions, recognizing, as DHS does now, that high-threat urban areas deserve specific, targeted funding. But our proposal is more equitable when it comes to metropolitan regions than the current Urban Area Security Initiative program.

First, unlike DHS= approach - where cities receive UASI grants through an opaque process, based on a changing, and uncertain, set of criteria - under our bill, metropolitan regions would apply for funding. Each would have an opportunity to make

its own case based on its specific risks, vulnerabilities, and needs, and DHS would award grants based on the merits. Only the 100 largest metropolitan areas would be eligible to apply, although others could submit applications with the consent of their Governor and the Homeland Security Secretary.

Second, we take a regional approach to the grant process. In awarding urban area funding, DHS would no longer be able to impose an arbitrary population cut-off for a core city, as it does now, regardless of the actual risks faced by that city or the broader area. We would require at least two contiguous jurisdictions to participate in a regional application, and would direct the Homeland Security Secretary to consider population, critical infrastructure, and other risk factors of the region as a whole, not just in the core city.

The Secretary would be further required to consider the extent to which local governments in the region are united in the application. In this way, the legislation specifically promotes the kind of regional approach and resource sharing that Secretary Chertoff advocated in his testimony before this Committee on March 9<sup>th</sup>.

S.21 also would require the Secretary, assisted by a task force of first responders, to establish essential capabilities<sup>o</sup> for state and local governments - that is, the personnel, planning and equipment necessary for a community to respond to terrorism or other catastrophic events. States and localities would only be permitted to use their grant funds to meet their essential capabilities. Building on the National Preparedness Goal that

DHS issued last week, these targets would not only provide a guide to states but would be a measure by which to judge their progress. They would also help officials prioritize among needs during the grant process.

Finally, Madam Chairman, this legislation authorizes \$2.9 billion for Fiscal Years 2006 and 2007 for these critical grant programs. Right now, the trend for state homeland security funding is going in exactly the wrong direction, at a time when experts tell us it is only a matter of time before what we hope and pray never happens, that is the next attack. By authorizing funding at the FY 04 level, we send the unequivocal message that Congress is prepared to fulfill its responsibility to protect Americans at home by providing consistent and reliable support to those who are on the front lines getting the job done.

Madam Chairman, this legislation is a tremendous improvement over the status quo. It strikes the right balance between the need to protect the areas we believe are likely terrorist targets and the rest of America that may yet become targets. We recognize the need to provide more homeland security funding based on risk but also acknowledge the inherent uncertainty of terrorism and, therefore, the responsibility to ensure that each state develops a minimum capability to protect its people. I urge my colleagues to support this compromise. Thank you.

