9/11
Public Discourse Project

Prepared Statement of Senator Slade Gorton

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Subcommittee on Terrorism, Technology, and Homeland Security
Committee on the Judiciary
United States Senate
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Chairman Kyl, Ranking Member Feinstein, Members of the Subcommittee:

?? In the wake of Katrina, it is clear that in the area of emergency response we have not heeded the lessons of 9/11. Today I will discuss briefly what those lessons are, and what we must do to avoid having to learn them a third time through yet another inadequate response.

?? I thank the Committee for inviting me here today.

?? I specifically commend Senator Kyl and Senator Feinstein for holding this hearing and performing this oversight. Your attention, and that of other Committees of the Congress, will be a key to getting the serious problems in this area resolved.

?? As we learned on 9/11, the threats the American people face are not confined to distant battlefields—they can materialize here at home.

If terrorists strike again on American soil, it will be local emergency responders—police, firefighters, and emergency medical technicians—who will be on the front lines. Local emergency preparedness is now a matter of national security. In addition, of course, while the federal government through FEMA is not generally a first responder, its utterly inadequate response to the needs of both victims and first responders to Katrina calls for dramatic changes in its preparation for, and response to, both natural and terrorist-caused emergencies.

COMMUNICATIONS FAILURES

?? On 9/11 shortcomings in emergency communications hindered first responders and led to unnecessary loss of lives. The problem was

especially bad:

- Among firefighters, in the Twin Towers; and

- Between agencies responding to the World Trade Center site.

?? As those heroic firefighters in both towers climbed higher, their radio transmissions were disrupted by the many floors between them and their commanders. Communications with their chiefs in the lobby became weaker and more sporadic.

- Because so many people were trying to speak at once, available channels were overwhelmed. Transmissions overlapped and often became indecipherable.

- Many firefighters in the North Tower didn't hear the evacuation order issued after the South Tower collapsed. Some weren't even aware that the South Tower had come down.

?? Meanwhile, communications among agencies were extremely poor.

- In one well-known example, fire chiefs in the lobbies of the towers got no information from the police helicopters circling above.

?? Because of poor interagency communications, many redundant searches were conducted that morning. This wasted precious time and caused the deaths of many heroic first responders.

?? Hurricane Katrina reminds us that this problem has not been solved. In Katrina, poor public safety communications again delayed the response.

- New Orleans and three neighboring parishes were using different equipment and different frequencies—they couldn't talk to one another.

- Helicopter crews couldn't talk to rescuers in boats.

- National Guard commanders in Mississippi had to use human couriers to carry messages.

?? Last July the 9/11 Commission recommended that Congress turn over broadcast spectrum to first responders, to improve communication within

agencies and allow interoperability among agencies.

?? The House and Senate are finally moving forward on legislation to reclaim analog TV spectrum, currently held by broadcasters, and to designate some of it for use by emergency responders.

- But the date in the bill just released by the Commerce Committee is April 7, 2009—nearly 8 years after the 9/11 attacks. This is far too long.

- By contrast, less than four years after Pearl Harbor both Japan and Germany had been defeated. It is ridiculous that it should take eight years to implement such an obvious response to the 9/11 attacks.

- Experts say that this transition could be accomplished as early as 18 months from today and certainly within two years.

- There will surely be another terrorist attack or major disaster in the next four years. We need a sense of urgency to get this done <u>now</u>—not in four more years.

COMMAND AND CONTROL

?? On 9/11 in New York and in New Orleans, command structures for emergency response were not clearly defined. It was not clear beforehand who was in charge, or what each agency's responsibilities were. This confusion cost lives.

?? I have the impression that Mississippi's response to Katrina did not suffer from the same problems of command and control as did that of Louisiana. Command and control in response to Hurricane Rita seems to have worked somewhat better as well.

- The Committee may wish to examine the facts and circumstances of command and control in these cases, so that we can learn from them.

?? The 9/11 Commission recommended that local governments adopt the Incident Command System. This system defines who is in charge and what agencies' responsibilities are in a crisis.

- Every locality should have a clear emergency plan, with every agency's specific role laid out beforehand, in black and white.

- As we saw in Katrina, if local plans are not highly specific and are not regularly rehearsed, confusion is inevitable.

- DHS set a hard deadline of October 1, 2006 for localities to establish and exercise a command and control system to qualify for first-responder grants.

  - That deadline must not slip.

  - Localities that do not have clear, well-rehearsed incident command plans by that date should not receive federal homeland security grants.

RISK-BASED FUNDING

- Since 2001, the federal government has allocated more than $8 billion to help state and local governments prepare for terrorist attacks. Unfortunately, these funds have not been guided by any assessment of risk and vulnerability.

- To solve this problem, the Commission made a common-sense recommendation: that federal homeland security assistance be based strictly on an assessment of risks and vulnerabilities, not politics.

  - These funds are national security funds. They should not be subject to revenue sharing.

  - These funds are too important to be spent without any guarantee that they are actually reducing our vulnerabilities, or increasing our overall security from terrorism.

  - The Administration supports this reform; Chairman Kyl and Ranking Member Feinstein support this reform, as do many other Senators.

  - The House has attached an excellent bipartisan risk-based formula proposal to the PATRIOT Act reauthorization bill. We urge the Congress to adopt that proposal and solve this problem this year.

RISK ASSESSMENT

?? The Intelligence Reform Act required DHS to produce a National Strategy for Transportation Security by April 1, 2005.

- The Senate finally received that report last month.

- Unfortunately, the strategy remains classified. As such it is unavailable to the public, the transportation community, state and local governments, and first responders.

- This report will be of little practical use until it can be distributed to those responsible for its implementation.

?? DHS has still not produced the national risks and vulnerabilities assessment for critical infrastructure, which was due June 15th.

- Until this report is completed it will be impossible to allocate homeland security funds in a rational manner, based on risks and vulnerabilities.

?? Finally, this type of assessment needs to be an ongoing process, not a one-time job. DHS should be able to modify this calculus as the threat environment and our state of readiness change.

CONCLUSION

?? As Hurricane Katrina reminded us, large-scale emergency responses are bound to occur again in the future, whether from terrorist attacks or natural disasters.

?? Mr. Chairman, the question is: Are we better prepared for the next major terrorist attack? For the next natural disaster? Are we prepared for an attack with a dirty bomb, or one with chemical or biological weapons?

- Are our emergency communications good enough?
- Are our response plans updated and rehearsed?
- Are we directing federal funds where they are needed?

  ✍to protect our greatest vulnerabilities?

  ✍to meet the most catastrophic threats?

- Have we systematically assessed what our greatest vulnerabilities are?

?? Today, sadly, the answer to all of these questions is no. After 9/11, after Katrina, we are still not prepared.

?? We look forward to working with you, and with your counterparts in the House, to enact these common-sense recommendations into law this year—for the safety of our first responders, and the communities they are pledged to protect.

?? The lessons of 9/11, and again of Katrina, are too painful to be learned a third time.

?? I thank the Chairman and Ranking Member for your continuing attention to these, and other, important national security issues. I would be pleased to respond to your questions.

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