

Senate Budget Committee Testimony February 20, 2007
State and Local Homeland Security Grant

Dear Senator Conrad and Distinguished Guests:

Thank you for the opportunity to provide information about Homeland Security funding and how vital this funding is to terrorism prevention, disaster preparedness and public safety from a local government perspective. My comments reflect the feelings of elected and appointed leaders, and first responders representing city, county, and tribal governments across North Dakota.

Background Information:

In Fiscal year 1999 the US Department of Justice began a “State Domestic Preparedness Equipment Program”. The purpose of the program was to enhance the ability of state and local jurisdictions to respond to terrorist incidents involving the use of weapons of mass destruction. North Dakota’s allocation for that program was \$400,000. The authorized equipment list was two pages; the program guidance was a mere booklet and the reporting requirements were three to four pages.

Since 1999 North Dakota has received over \$66 million in Homeland Security Funding to prevent respond and recover from acts of terrorism and significant natural disasters. Its scope has enabled States and communities to prepare for not only weapons of mass destruction but single acts of terrorism and natural disasters.

Today, the FY 2007 Grant application encompasses five grant programs with a series of three inch binders; an authorized equipment list so large it’s on the web and a web based reporting tool of immense detail. Current Homeland Security Funding mandates that 80% of the funding received by the state be directly obligated to local units of government.

It is significant to note where the funding has been applied and what has been accomplished.

- Cities, counties and their first responders, including firefighters, law enforcement agencies, and emergency medical personnel and public works departments have received \$22,916,983 in response and protection equipment. \$21,849,756 has been distributed for communication equipment.

- Communities and emergency management personnel have utilized \$2,187,883 for planning, fire fighters, law enforcement personnel and other first responders have spent \$3,137,758 for training and \$630,680 for exercises.
- Today, fire fighters and law enforcement agencies, emergency medical personnel, school, communities and tribes from Fargo to Beach have increased their ability to prevent, respond and recover from acts of terrorism and natural disasters through the acquisition of necessary response equipment.
- Today, 32,128 individuals have participated in Homeland Security approved training.
- Today, every county and select local community have upgraded their emergency operations plans and incorporated terrorism annexes and provisions for mass care and sheltering.
- Today, 254 schools in 34 counties have participated in emergency response training.
- Today, communication equipment has been upgraded in every county throughout North Dakota.

It is also noteworthy to point out that Homeland Security funds through the 20% allotted for state programs has enabled North Dakota to start building the necessary communication infrastructure to improve the communication systems and provide communication needs to the Highway Patrol and other state law enforcement agencies. Terrorist prevention activities are the main objective of the North Dakota Intelligence Fusion Center which houses analysts from the ND Highway Patrol, Bureau of Criminal Investigation and National Guard. Active participation in the protection of our international border in cooperation with the US Border Patrol and strengthening critical governmental infrastructure sites including the State Capitol, have received increased emphasis.

To accomplish the above North Dakota has adopted and set in place a Homeland Security strategic plan to protect the citizens of North Dakota from terrorist acts and help respond and recover from natural disasters. The plan is robust and inclusive. Its success relies on our ongoing partnerships with counties, cities,

tribes and involved citizens throughout the state. The plan outlines a key concept of anchor capabilities throughout North Dakota. It builds on North Dakota's ability to establish partnerships across multiple jurisdictions in building capabilities cooperatively. Major events in North Dakota will exceed the capacity of any single jurisdiction. It is imperative for North Dakota to take a holistic view in defining and providing the capabilities necessary to respond effectively. The state in cooperation with firefighters, law enforcement agencies and communities is building this comprehensive program for response.

The Future:

Despite our great accomplishments our needs are even greater. Our current gap analysis has determined that close to \$30 million is needed to fulfill jurisdictional communication needs. The state contains over 15,000 volunteer firefighters in need of basic and advanced training to respond to disasters and acts of terrorism. Law enforcement personnel, emergency medical personnel and community leaders are in need of comprehensive disaster and Homeland Security training. Additional response equipment is needed throughout the State of North Dakota. Emergency response plans, equipment and training must be tested through periodic exercises. Our needs are great; our prospects for future federal funding are small.

Despite our needs, our successes and the complexity of demands from the Homeland Security implementing agencies, funding levels have steadily decreased. Homeland Security funds have decreased from \$19 million in 2004 to a little over \$10 million in 2006. This approximate 50% decrease in funding has been coupled with increased mandates from the Department of Homeland Security to address a number of issues. States like North Dakota are forced to partially fund areas of greatest need to address ever increasing federal mandates.

The current budget for 2008 contains a number of troubling cuts for Homeland Security activities. The new federal funding formulas indicate that State Homeland Security grants will be cut by over \$300 million, Law Enforcement Grants will be under funded by over \$100 million. Overall the program is under funded by an estimated \$150 million from FY 2007. These cuts directly affect the ability of North Dakota to proceed on a strategic course to protect its citizens from harm. Equally troubling are provisions currently being debated to cut the minimal amount of funding in FY 2008 to .45% of the total funds appropriated for the State Homeland Security Grant Program. This additional reduction will have a significant effect on North Dakota.

Recommendations: There are a number of steps which will aid North Dakota in fulfilling our partnership in protecting the nation and its citizens.

1. First, Congress must not decrease the amount of funding to the State Homeland Security Program and the Law Enforcement Terrorism Prevention Program. These programs place the resources in the hands of those that respond on a daily basis to threats and natural disasters.
2. States should receive a minimum of .75% of the total funds appropriated for the State Homeland Security Grant Program. This baseline would ensure program stability and allow for continuity in planning, Homeland Security program and implementation. The fluctuation of the budgets over the past years is not conducive to implementation of strategic national and or state objectives.
3. Allocation of funding is based on risk and effectiveness. States have no input into the federal government calculation of “risk.” Additionally the funding allotment for this concept is based on two thirds risk and one third effectiveness. A value system weighing effectiveness on a 50% level would be more appropriate.

Local Government Perspective:

As you well know, the overwhelming majority of our local fire departments and ambulance services are community volunteers. In addition, local government law enforcement agencies are minimally staffed based on strained local budgets. These volunteers need to be provided the opportunity to have Homeland Security training courses offered locally. In addition to their respective technical skills and credential training, they cannot afford the time to attend resident schools like their fully staffed, fully paid counterparts from urban and metropolitan jurisdictions. Homeland Security funds are critical to keeping our first responders well equipped, trained and exercised for potential acts of terrorism or natural disasters. North Dakota has experienced many natural disasters whereby all city, county, tribal, and state governments responded in harmony to mitigate the results. Continued levels of Homeland Security funding are required to provide the necessary incident management training, increase the response agencies capability, integration of mutual aid response and interoperable communications on a regional basis.

Oversight and Governance: By State statute, all Homeland Security grant applications and appropriated funds are reviewed and prioritized by the Department of Emergency Service Advisory Committee (DESAC). The committee is chaired by the State Adjutant General, who also serves as the Director of Department of Emergency Services. The committee is comprised of eleven members, who represent fire, law enforcement (state and local), and emergency medical services, public health, hospitals, city and county government. This committee ensures oversight that the Homeland Security funding meets the priorities within the State's Homeland Security Strategic Plan.

Innovative Approach: In 2003 a unique partnership was created between the Department of Emergency Services, the North Dakota Association of Counties, and the North Dakota League of Cities. This partnership created the Local Government Homeland Security Training and Exercise Program (LGHSTEP). The program's mission is to provide training and exercise support to local governments in accordance with Department of Homeland Security guidelines. It was considered the best approach for delivering cost effective training for the ever increasing Department of Homeland Security mandates for training and exercise compliance by local officials and responders. This program has been instrumental in providing the mandated National Incident Management System (NIMS) and Incident Command System (ICS) compliance training throughout the state. Since 2003 the LGHSTEP has delivered over 400 training courses, 150 scenario based exercises resulting in training over 20,000 city/county/tribal/state personnel. The program consists of a staff of five personnel which is funded by contractual agreements between the program and the counties using portions of the 80% of State Homeland Security grant funds distributed to county/tribal governments.

Rural versus Metropolitan: Unfortunately North Dakota gets categorized as a sparsely populated region with little to no significant threats of terrorism and is not recognized for its potential targets of opportunity. Therefore North Dakota does not qualify for Urban Area Security Initiative (UASI) grants as do larger populated states. We must keep in mind we are a Northern border state with eight counties neighboring Canada with a vast and porous border. North Dakota has a large number of power plants, petroleum producing facilities, a major hydroelectric plant providing power to WAPA on the Missouri River (Garrison Dam) and two federal Air Force Bases that should be considered as critical infrastructure. Damage or loss to any of these facilities due to a terrorist attack would result in a significant economic impact to the United States.

Planning: Change is constant. The lessons learned from September 11, 2001, Hurricanes Katrina and Rita, as well as other disasters continue to filter down from federal agencies to all state and local governments. The need to constantly change emergency operations plans, develop Continuity of Government and Continuity of Operations plans, provide building and technology systems security, and develop all hazards vulnerability studies are just a few of the examples for the need to sustain Homeland Security planning funds.

WMD Awareness Training: Increased emphasis is needed on WMD/HazMat awareness training at the local first responder level. A DHS/ODP approved course (AWR-160-WMD Awareness) exists, but inadequate funding is provided to the rural states to conduct this training. Increased funding for this program is paramount to first responder safety and credentialing/qualification standards for fire, law enforcement and emergency medical services personnel.

Community Emergency Response Team (CERT): Federal funding to states for the CERT program is crucial to providing training and equipment to local CERT volunteers. CERT volunteers, comprised of citizens within our communities, are invaluable resources for augmenting already stretched first responder assets and personnel support to local agencies during disasters.

Our local government membership supports legislation that ensures these crucial federal resources are sustained at appropriate levels to allow state and local government leaders to invest in our homeland security strategy. We would suggest continued Congressional support for stabilizing the formula for State Homeland Security grant to facilitate a multi-year funding plan at the state level to promote better planning and implementation of North Dakota's Homeland Security strategic plan

Senator Conrad, thank you for your concern about this important federal-state-local partnership that will provide the resources to accomplish our Homeland Security strategic goals and increased public safety for the citizens of our state and nation.

Sincerely,

A handwritten signature in black ink that reads "Mark A. Johnson". The signature is written in a cursive, flowing style.

Mark A. Johnson, CAE
Executive Director
North Dakota Association of Counties