DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS FOR FISCAL YEAR 2007

TUESDAY, FEBRUARY 28, 2006

U.S. SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,
Washington, DC.

The subcommittee met at 10:30 a.m., in room SD–192, Dirksen Senate Office Building, Hon. Judd Gregg (chairman) presiding.

Present: Senators Gregg, Allard, Byrd, Leahy, Mikulski, Kohl, and Murray.

DEPARTMENT OF HOMELAND SECURITY

STATEMENT OF MICHAEL CHERTOFF, SECRETARY

OPENING STATEMENT OF SENATOR JUDD GREGG

Senator GREGG. We'll begin the hearing. I'm advised that Senator Byrd is on his way but he asked that we proceed and I appreciate Secretary Chertoff's participation in this hearing. This is obviously the subcommittee which has jurisdiction over the Department of Homeland Security, and the appropriations responsibility that goes with that. There's a lot to talk about; in fact, it's hard to know where to begin. But, obviously, the topic of the moment, and it's a very serious one, is the issue of ownership and management of American ports by the UAE and a company owned by Dubai Ports World (DPW), and the question of whether or not there's been adequate vetting of the potential that ownership may have for enhancing the threat to the ports.

The initial representation of course from the administration was that it was adequately vetted. There is now a number of different views of that. As I understand it, in the initial vetting, the Department of Homeland Security raised issues and then, in addition, the Coast Guard, which is part of the Department, raised issues. The Coast Guard, issues went to the question of whether or not there were concerns about gaps in intelligence for DPW ownership and the fact that the Coast Guard didn't feel it could adequately assess those gaps. The language being in the report that the breadth of the intelligence gaps also infer potential unknown threats against large numbers of potential vulnerabilities and the intelligence gaps include but are not limited to the following major themes; operations it lists that; personnel, it list's that; and foreign influence, it lists that.

So the Coast Guard appeared to have severe reservations, now whether they were specific to the issue of the Dubai ownership, DP

World, or whether they were just generally concerns is not clear. However, they were represented as fairly significant.

Today, however, the Coast Guard has put out a statement that says, and I'll quote it to give them fair representation, "What is being quoted is an excerpt from a broader Coast Guard intelligence analysis that was performed earlier on, as part of its due diligence process. The excerpts made public earlier today, when taken out of context do not reflect the full classified analysis performed by the Coast Guard." That analysis concludes: "That DP World acquisition of PNO in and of itself does not pose a significant threat to U.S. assets in continental United States ports." Upon subsequent and further review, the Coast Guard and the entire CFIUS panel believe that this transaction, when taking into account strong security assurances from DP World, does not compromise U.S. security.

Now that appears to be the position of the Coast Guard today, which appears to be inconsistent with the excerpt, and they're explaining that that is an excerpt, in part, of an overall intelligence analysis. And it just, I think, leads to further confusion. Because I think there's a genuine concern, and its legitimate, that turning these ports over to an Arab/operated owned-state sponsored entity is an issue which deserves significant review, especially when the country in question, although definitely friendly and supportive, has had individuals from that country who have actually, according to the 9/11 attack, been participants in the event and, therefore clearly represent—those individuals clearly intended to do us harm. And, thus, I think it's very appropriate that we pursue a pause here and review further the security issues since there is confusion, it appears to me, within even the Coast Guard's position; and get an analysis which is unquestioned and factual which we can have confidence in. I understand that sort of an agreement has been reached with the leadership of the Senate, Senator Warner specifically, and I would be interested when the Secretary gives his opening statement, if he could address that issue specifically, because it is one of major concern.

On a larger concern, or not a larger concern but a concern I have of equal significance, is the entire budget that was sent up here by the administration relative to Homeland Security. Homeland Security, as we know, has gone through a major restructuring and a period of assimilation as it has tried to get up and running. And let me begin by congratulating the Secretary, I'm not one of these folks who feels the Secretary has not done a good job. I think the Secretary has worked very hard to do a good job. And I believe that he has set out a system and he has done it from a systematic approach, and that's exactly the way we need to address the Department of Homeland Security. But that doesn't mean the job is done, as I'm sure the Secretary would be the first to acknowledge, and there are very definite gaps in the Homeland Security department, and the way it is delivering service and protecting us.

The biggest gap I believe is the way it is viewed by this administration, to be very honest. I believe it is used a stepchild of national defense. I can't think of anything more significant to national defense than protecting our border and making sure that our Homeland is secure. And yet, time and time again we see budgets being sent up here which dramatically increase the core operation of the

Defense Department independent of what's happening in Iraq and Afghanistan, which is getting money outside of the budget process. And yet the Department of Homeland Security is being starved for funds in crucial areas and this year is no different. What happened is that there's a representation that the Department got an increase in funding. But that increase in funding is tied directly to getting a fee increase which the administration knows is a non starter. The chairman of the authorizing committee in the Senate, second ranking member of the Appropriations Committee, former Chairman of Appropriations Committee Ted Stevens has said it's a non starter and he proved it last year. So when the administration sends up a budget which assumes increase in operations on the border, which I totally agree with the commitment in that, the desire to that. In fact, last year, this committee unilaterally moved in that direction after the initial presentation from the administration was flat funding of border activity. This committee unilaterally, with Senator Byrd's support and leadership, changed the entire structure of the funding stream and put in 1,500 new agents when we had finished, approximately 1,800 new beds for detention, and dramatically increased funding for Border Patrol and border enhancement activities; I thank the Secretary for his support of that. I suspect he would have supported it earlier if he hadn't maybe been stonewalled in the halls of the administration but the fact is, we had to do it unilaterally up here and then we got the support from the White House. But now, rather than continuing that effort although it's stated that it's being continued because the policies, as proposed, add another 1,500 agents and more beds, all of which needs to be done. But the actual substance behind those policies isn't there. There's no money behind those policies. This is a situation of showing a proposal and then hiding the funds. And so we end up with a budget that we've got a $1.6 billion hole in. Last year, the chairman of the full committee Senator Cochran in a very gracious act with the ranking member obviously Senator Byrd, increased the allocation of this committee by about $1.2 billion, I think, it was over what it would have been, simply to try to fill that hole. Well they don't have that flexibility this year. I asked, aggressively asked, this administration in the supplemental that they were going to send up for defense appropriations, did they consider having in that supplemental $1.2 billion of capital items to basically get the Coast Guard the planes they need, get the border patrol the cars they need, get the training facilities up to snuff in Artista, New Mexico so that we would be able to do the physical capital expenditures that are needed to have the border patrol be efficient and effective, and have the Coast Guard be efficient and effective. That seemed like a fundamental element of national defense to me. Yet the administration has stonewalled us on that. They've sent up a supplemental which doesn't have any money in it for national defense on the borders, for Homeland Security, but has a significant amount of dollars for Katrina, and a significant amount of dollars for Iraq, both of which I'm sure are necessary. But in the pecking order of national defense, protecting our borders is right up there with both those exercises.

And so this committee is being put in an extremely difficult place by the White House's proposals on Homeland Security. We're being

asked to fund an expansion of the Border Patrol which we are totally committed to and basically created, authored, and drove as a policy, but being told that the funds to do that are going to be illusory. It's a hollow budget and I can't understand it because I've watched the press conferences where the administration has said it's committed to border security and domestic defense. And yet this budget isn't going to get there. So that's a concern I have. On the operations side we've got lots of issues, whether we'll have time to get to them today, but let me just highlight a few. First, again congratulations to you Mr. Secretary for approaching this in a systematic way. That's the way it should be approached. But we still have huge operational dysfunctionality in this Department. It's not your fault, it's a function of the fact it was thrown together quickly. The agencies within this Department brought with them some systemic problems which haven't been resolved and created some problems by being thrown together that haven't been resolved. The most significant ones are computer technology capability across the department, and interfacing with other agencies, especially the US VISIT issue, which I still have deep reservations about whether that we're going to pull that off. But we've held hearings on it, so we won't pursue that here. I appreciate the fact that the Department is trying to stay on it, and stay aggressive on it. I especially appreciate the independent views that you're using to try to make sure it's done right.

But other issues are equally effecting performance. The Katrina event was a horrific, embarrassing, and a terrible event for the people down there and our country as a whole. And the problem is not only the unintended consequences of the event, but that the Department has had to refocus so much energy on trying to straighten out the problems which were shown by Katrina. I genuinely believe that for a period here we moved away from national defenses as the primary goal of this Department to solving the Katrina problems, which we have to solve. But that's just showing that this functionality in the face of a major catastrophe that's not driven by terrorists doesn't maybe work that well.

Second, we've got this whole issue which has not been resolved, of the relationship between Border and Customs and ICE. Everywhere I go I hear this and I always ask the question in a very vanilla way, how's it working? And the answer is um—well; it's not bluntly spoken but it's clearly between the lines, "It's not working," from the people on the frontline. It can't afford not to work. This is too big an issue. Then we have the issue of just immigration policy itself, which is you know obviously something you don't have full control over but you have an impact on.

So these are things that concern me, I wish it were a more pleasant story, because I have tremendous respect for you and your team. I think you've brought good people on, but the story is difficult right now to be kind. Hopefully you can shed some light on it, and give us a little more optimism. I'll yield to Senator Byrd for an opening statement, then we'll go to your statement, then we'll to do questions.

STATEMENT OF SENATOR ROBERT C. BYRD

Senator BYRD. I share the chairman's concerns. I greatly admire this Chairman he's totally dedicated to the task. He's trying to make this function a success. He is chagrinned as he makes very clear, and I totally agree with him. This Department has been off and running for 3 years I believe. I don't know how well it's running, but I don't know what to do about this. Sometimes I feel like just throwing the books down and saying to hell with it. That certainly would be the wrong attitude. But we can't seem to get this thing going Mr. Secretary. You seem to know a great deal about the problem and about what is needed to fix it. And I have a feeling that you're highly dedicated as well. But I simply cannot understand why with all this money, all this effort, all this attention, and all this dedication that we on this panel have given to this agency, why it still is not functioning properly. Why it's not doing the job. There's nothing secure about this thing. Talk about Homeland Security, what's secure about.

So I thank our able chairman, Senator Gregg for calling this hearing. Hardly a day goes by that Americans do not read about the Department of Homeland Security in their own town newspapers like the Beckley, West Virginia Register Herald, the New Hampshire Union Leader, and every other major paper in the land. This is an agency that impacts the lives of every American. And the lives of every American are to a considerable degree dependant upon this agency. I look forward to working with you Mr. Chairman as we review not just the budget for the agency, but also the policies and the operations for the Department. And I welcome you here today Mr. Secretary.

Before discussing the President's budget it is important to take a moment to thank the 182,000 employees in your Department. They serve this Nation in the heat of the desert. They serve this Nation in the cold of a northern winter. They serve this Nation in the roughest seas and winds, at our ports, our border stations, our airports. They are to be commended for their efforts to preserve our freedoms, to make this truly a Department of Homeland Security, and to secure our homeland.

IMPROVED BORDER SECURITY

I'm pleased to see that the budget includes significant resources for improving security at our borders. Last spring, Senator Craig and I offered, with Chairman Gregg's support, an amendment to begin the process of hiring and training a significant number of Border Patrol agents and immigration investigators. Despite administration opposition—now did you hear that?

Despite administration opposition, the funds were enacted into law. With the chairman's leadership we continued that effort in fiscal year 2006. Two months ago Chairman Gregg tried to secure an additional $1.1 billion for this fiscal year to provide our border security personnel with the tools they need. The tools they need to do their jobs effectively, but he ran into opposition from the other body.

Mr. Secretary, I urge you today to join in this cause and urge the White House and the House leadership to embrace this effort. Scream to the high heavens if they don't. Let the people know where the fault lies. Let the people know really who is for security. The administration continues to have a huge credibility gap when it comes to homeland security. There's a continuing drum beat that another terrorist attack is likely. The President, in his State of the Union address said to America "The enemy has not lost the desire or the capability to attack us." And yet a look at the administration's budget reveals an odd, odd, odd complacency. The administration's speech writers on the one hand and the administration's policy writers seem to be living in alternative realities. For example, in the White House disaster response report released just a few days ago, the White House calls for "integrating and synchronizing the Nation's homeland security plans across Federal, State and local governments" yet what happens? The budget proposes to cut funding for Emergency Management Performance Grants, which State and local emergency managers depend on for their survival. The White House report recommends improvements to communication's equipment used in response to a catastrophe, but the budget proposes to cut first responder grants by 25 percent. What's wrong? What is wrong Mr. Secretary? Why the disconnect? Why the disconnect? The White House report recommends improvements to communication's equipment used in response to a catastrophe, but the budget on the other hand—which is the White House's product—proposes to cut first responder grants by 25 percent. Why the disconnect? Hear me down there at the White House. Why Mr. Bush? Why? In response to the administration's decision to allow Dubai Ports World to operate terminals in six major U.S. ports, the administration has asserted that they have a robust—ha—a robust layered security system for our ports. And yet the White House proposes for the second straight year, 1 year is not enough, for the second straight year, to eliminate the port security grant program. Now why is that?

Of the $816 million that Congress has appropriated for port security, only $46 million was requested by the President. Why is that so Mr. Bush? Why is that so? Hear me. Let me say that again. Of the $816 million that Congress has appropriated—that Congress has appropriated—for port security, only $46 million was requested by the President. There's nothing robust about that. If that's robust then I'm an 810 pound giant. Take me on. Yeah. There's nothing robust about that. Five months ago, the Congress approved $173 million for port security grants, and the Department has not even seen fit to announce how ports can apply for the funds. Why is this? What's the matter Mr. Secretary? Why don't we get off the ground. I do not understand why this administration allows port security dollars to collect dust at the Treasury in Washington. How really serious—how serious is this administration about port security when it decides to allow Dubai Ports World to control six major U.S. ports and the President, Mr. Bush, and the Vice President, Mr. Cheney, the Secretary of Defense, Mr. Rumsfeld, and the Secretary of Homeland Security don't even know the decision was

made. What is happening? What's the matter with the right hand that the left hand doesn't know what's going on? How serious is the administration about port security when customs and borders protection inspects only 5 percent of the 11 million containers that come into the country each year. I believe I've been reading that for 2 or 3 years, it doesn't seem to change. How serious is the administration when the Coast Guard's Deepwater budget for replacing its ships, planes and helicopters will not even be completed until 2026. Man, I will have long since met my maker by then and I hope you folks will carry on in my stead. I don't know what good it will do you. The Coast Guard will be the FEMA of 2010 if you do not invest in it now. What about that? What's wrong? How serious is the administration about helping victims of a disaster when it has made decisions that have crippled FEMA? When the terrorists hit New York City in 2001, FEMA was immediately on the scene and FEMA helped the city to recover. Four years later when Hurricanes Katrina and Rita hit the gulf coast, FEMA was no longer up to the task. Within the bureaucracy of the Department of Homeland Security, FEMA has lacked professional leadership, lacked attention, and lacked resources. Bad management of the agency and its mission has diminished the effectiveness of the qualified professionals who serve in FEMA and who love their jobs. For example the decision to separate the FEMA preparedness function from its response and recovery function has proven to be a mistake. I was against that, I said, I was against it. I was against it then, I've been against it ever since. I'm against it now. Separating the preparedness function from response and recovery is like asking the marines to go into battle without first training at Camp Lejeune. It's absolutely essential that our emergency managers and first responders at every level of government have the resources to train and exercise together before a disaster. Whether it is a terrorist attack, or a natural disaster.

I'm concerned that the Department of Homeland Security has become the department of promises unfulfilled. The department of promises unfulfilled. This must be rectified. Mr. Secretary you have a tough job, I look forward to your testimony. Thank you Mr. Chairman.

Senator GREGG. Thank you, Senator Byrd. I want to echo something that Senator Byrd said however. There's obviously a lot of concern here. It's deep, it's significant, and it needs to be raised. But we all greatly admire the people on the frontline.

Senator BYRD. You bet.

Senator GREGG. And you've got a lot of them. And they do very good work for us, and they put their lives at risk, and they're willing to work in difficult situations and we appreciate that very much. Hopefully nothing that's said here would in anyway reflect on their professionalism and their commitment which is superb.

Senator BYRD. No.

Senator GREGG. What we want to do is make them more capable of doing their jobs well.

Senator BYRD. Heavens forbid.

Senator GREGG. Thank you. Mr. Secretary, we'd like to hear from you.

STATEMENT OF MICHAEL CHERTOFF

Secretary CHERTOFF. Thank you Mr. Chairman, I appreciate the opportunity to appear before the subcommittee before you Mr. Chairman, and before Senator Byrd as ranking member. Of course a lot has been raised in the opening statements, I suspect I'll have the opportunity to answer some specific questions about a lot of these as we go on, and I'm sure you'll appreciate my saying that I do not intend to occupy a lot of time in an opening statement addressing everything.

But I do want to talk about some of the major elements of the budget. And I want to begin also by echoing the fact that as you have both said what this Department does touches the lives of every American. In fact, I venture to say, we probably touch the lives of Americans in more individual and disparate ways than does any other department in the Government. At the same time we also have a tremendous workforce. We have 183,000 people, they serve everywhere from storm tossed seas, to very hot desert landscapes. They do a superb job. We do owe them the support that they're entitled to in order to carry out their missions. Part of what I am trying to do, and I think part of what my team is trying to do is to impose some discipline and some systematic thinking to the missions. I don't think we want to attack our budget problems by assigning money first and then thinking about what to do with it afterwards. That has sometimes been a course taken in Government. I think we want to make sure we've thoroughly thought through what we need to do and what the system and the mission is, and then apply the money in a way that makes the mission occur.

I also understand that we have a challenge with respect to the $1.6 billion amount that is allocated to be paid for by an increase in passenger fees. I view the proposed increase as being extremely modest. In fact it really evens out an anomaly between those who leave from hub cities, and those who leave from non hub cities. As I've said before, I think we're talking about the price of a soda pop, and a newspaper at the airport. I recognize from my experience last year this has engendered a lot of push back, I'd still like to believe that we can get the right thing done here. I also of course as always take back the chairman and the ranking member's concerns about the need to have capital investment back to the White House, and we will continue to discuss how we can make sure we meet these needs. Because I think we all agree at the end of the day we need to be in the same place.

MAJOR INITIATIVES AND ACCOMPLISHMENTS

Let me talk about some of the major initiatives in the budget though, which does reflect a 6 percent increase in funding if we get that fee that we should be getting over fiscal year 2006, and also a 6 percent increase in growth discretionary funds over the prior year. Let me begin by talking about port security which is on everybody's mind. You know this is an area where although there is a lot to do, a lot has been done. And I think in fairness to the American people I want to lay out a little bit what we actually

have accomplished, because we have made significant strides this year as compared to previous years which I want to talk about.

PORT SECURITY ALLOCATIONS

One of the criticisms I often hear is that we spend billions of dollars on aviation security and only a few hundred million on port security. My response to the criticism is that that is really comparing—not apples to oranges, but apples to raisins. I think when you look at the total amount of money we've spent on port security since 9/11 and you include the 2007 budget I had it calculated for this hearing. If our 2007 budget request is passed we will have spent nearly $10 billion, with a B—$10 billion on port security and that's because when I count port security I count not only the port security grants which are obviously only a few hundred million. But I count the hundreds of millions of dollars, and billions of dollars we've invested in the Coast Guard port security program, as well as the significant amounts we've invested in elements of customs and border protection, science and technology, and our new Domestic Nuclear Detection Office, which is investing millions of dollars in research on radiation portal monitors.

So I think in fairness as we look back, and we consider all of the money line itemed out for port security at these various components it is actually a fair amount of money that has been spent.

DHS' PORT SECURITY APPROACH

But I want to measure this not only in terms of money spent, because what matters is not input, it's output. Let me take a couple of minutes to talk about the way we approach port security. Port security does not begin at home, it begins overseas. It's kind of the opposite of charity. We begin by having our Container Security Initiative which is designed to put our resources in overseas ports of departure so we can begin to screen cargo at the point of which is starts to enter the supply chain, the maritime supply chain and not merely when it starts to arrive in our American ports. We have a chart here indicating where we have gone with the Container Security Initiative. And what you will see—and a copy of this in my prepared testimony for the Senators—you'll see that before 9/11 we had no elements overseas as part of a container screening initiative. In March 2002, we were at about 14 percent of the cargo was coming through ports of embarkation that were part of the initiative. This February we're up to about three-quarters, and we are on track to get up to about 85 percent by the end of fiscal year 2007. That's because most of the cargo that we are concerned about comes through a comparatively small number of ports, we have focused on the 42 ports which now are responsible for three-quarters of the containers and these are all now part of our Container Security Initiative.

What that means is we begin the process of screening well before the cargo even gets to the overseas port. We then inspect cargo overseas, before it actually gets on the ship, if it is high risk cargo. And that really pushes our security envelope way out. I'm not going to tell you the job is done, one of the things I said, I think last year, and I've continued to say earlier this year, is we need to extend our visibility into the supply chain, even further back into

the process so that we see what is entering our maritime domain, really almost at the point it leaves the factory overseas. And we also need to have better security and tracking of containers once we've got the containers stuffed and loaded onto ships. So we are continuing to do work and research into pushing that out. But it would be unfair for me not to observe how far we have come. In that regard I'm actually planning to go to Hong Kong later on in March to actually look at a system they have in place there, which at least has established a concept of doing the radiation screening and the x-ray screening for every container before it gets loaded. I want to see how that works and see whether that is a possibility for extending what we're doing. But of course the supply chain security doesn't end at the overseas port. We get the manifest of the cargo, the Coast Guard examines the manifest, examines the crew list, examines the history of the ship, even while the ship is underway to come into American ports. When necessary the Coast Guard boards ships in order to inspect cargo, or in order to examine crew members who are listed on the cruise ship.

I should say that the Coast Guard actually inspects ports overseas as part of our international initiatives on port security. And if a port overseas does not have an adequate security profile, we have the power and we have exercised the power to suspend ships from that port coming into the United States.

[The information follows:]

HOW OFTEN HAS DHS (COAST GUARD) EXERCISED THE POWER TO SUSPEND SHIPS FROM ENTERING INTO THE PORT COMING INTO THE UNITED STATES?

We have broken this data down into two separate categories, one for deficiencies related to port state control and maritime security compliance examinations; and one for failures to provide required notice of arrival.

For deficiencies related to port state control and maritime security compliance:

—In 2004, we expelled 15 vessels and denied entry to 2 vessels.

—In 2005, we expelled 5 vessels and denied entry to 2 vessels.

—Thus far in 2006, we've not expelled or denied entry to any vessel for port state control or maritime security compliance.

—We only expel or deny entry to a vessel due to extremely substandard conditions.

—The Coast Guard generally allows these vessels enter or re-enter port when they have corrected the substandard conditions.

For failures to provide appropriate notice of arrival:

—In 2005, we denied entry to 147 vessels and expelled 15 vessels.

—Thus far in 2006, we denied entry to 11 vessels and expelled 7 vessels.

—The Coast Guard generally allows the vessels to enter or re-enter port once the vessel makes proper notice of arrival and once the appropriate 24 hour or 96 hour vetting period ends.

Senator BYRD. How often is that done?

Secretary CHERTOFF. I could give you the number; we have done it on occasion. Usually what we do is if the shipping company imposes its own security guards around the ship at a port that has not met security requirements, we will allow the ship in. In other words we will allow the shipping company to do its own remediation with respect to guarding its own ship. But I can think of one occasion in the last year where we got to the point of decertifying a port, and for a short of period of time, I think the port was decertified. I can get you the details on the numbers. But this process is underway as we speak with the Coast Guard going overseas inspecting ports overseas.

Now let's continue to follow the supply chain. So we've looked at—in many instances, three-quarters of the containers we've done screening and necessary inspection before the cargo has left. We've then looked at the crew, we've looked at the ship, and Coast Guard has reviewed it while it's on route. When it comes into the United States, if we have cargo that we have screened, we've screened 100 percent, we're virtually at 100 percent of the cargo at this point using very complicated analytical tools and using information we have about the shipper, the cargo, the destination, and the method of payment. If at the time it arrives we haven't inspected high risk cargo, we then inspect it when it arrives. We put it through radiation portal monitors and just to show you where we are with this, these are large machines through which one can drive a truck carrying a container and it will detect radio active emissions from inside the container. We've gone again from February 2003, where we had only a small number of radiation portal monitors to a situation in which by the end of this year, we expect to have about two-thirds of the container cargo going through our seaports covered by radiation portal monitors. And we're on track to get to 90 plus percent by the time we get to the next fiscal year. And that's of course apart from hand held radiation monitors and things of that sort. So that's a significant amount of the containers coming through American ports that are being checked through these radiation portal monitors. In addition again if we have high risk containers that haven't been inspected, we inspect them on the spot. So it's only at the end of this very lengthy supply chain, with multiple defenses none of them perfect, but in combination a pretty effective series of defenses, only at the end of that does the container finally enter the hands of the port terminal operator which of course is the topic of conversation that we've had over the last week involving Dubai ports.

So my point here is that the port terminal operator really lies after the last line of defense and is not a critical player in the line of defense. I should tell you the port terminal operator plays no role in our selection of what cargo to examine, in our screening process, in the Coast Guard's examination of the ships that come in, in our decision of what to put through the radiation portal monitors, or in our decision about what containers to open up. The port terminal operator has zero impact on that.

Let me briefly touch on the Coast Guard analysis which I think you asked about Mr. Chairman, and then I will touch on just a few other points before I conclude. As you correctly point out, yesterday there was disclosed an unclassified portion of a much larger classified study by the Coast Guard early on in the process of reviewing this Dubai ports acquisition. This process of review by the way began in I believe October of last year, and concluded in January. So that although the formal filing may have only been less than 30 days before the conclusion of the process, the actual examination and vetting process began actually months earlier when the company first approached the CFIUS Committee.

The Coast Guard as part of its early review assessment concluded that there were intelligence gaps. I should tell you that I often see, by the way, intelligence analytic documents that have that conclusion. By its nature I think an intelligent and cautious

analyst is always very careful to identify not only what is known but what is unknown. And I think there was a response to that. The response to that was, not only continuing the process of checking with the other 12 departments involved and their intelligence elements. But more important, putting into place a significant number of assurances that would make sure that as we go forward with this. Implementing this transaction, Coast Guard and Customs would have an unprecedented ability to look into what was being done at these terminals, to insist upon the highest standard of security and if necessary to enforce those standards. I would conclude my comment on this by observing again, as you said Mr. Chairman, even at that early stage the Coast Guard concluded that "DP World's acquisition of PNO in and of itself does not pose a significant threat to U.S. assets in continental United States ports.

ADDITIONAL FUNDS FOR PREPAREDNESS AND FEMA

Let me briefly touch on a few other things before I conclude Mr. Chairman. We have put additional money into Preparedness and into FEMA, $50 million into a National Preparedness Integration Program which, even as we speak, is in the process of reviewing and validating and ultimately working with States to improve the individual evacuation and emergency plans all over the country. There are increases in targeted capability grants. Although we do not support specifically targeted port grants, we've actually put a couple of hundred million dollars extra into the TIPP, the Targeted Infrastructure Protection Program which includes port grants. We've got a budget that allocates $10 million for chemical site security. Increases in FEMA's core budget of 10 percent, $492 million including when we build on the amounts in the 2006 supplemental a total of 240 additional FTEs. As well as some very specific steps we're taking for this hurricane season. As you noted in border security we are proposing an increase in 1,500 agents, $100 million on border technology over $400 million to bring detention bed space up to 27,500 beds. And let me say Mr. Chairman we are now for the first time building and carefully tracking through metrics, exactly how we are progressing and ending catch and release, and turning it into catch and return for non-Mexicans we apprehend at the border. This is a big accomplishment, we have some additional hurdles to overcome and I'd be happy to address them if anybody asks me. But we are, for the first time, in a position to see exactly where we need to go, where we are, and we can identify exactly what we need to do to cover the distance. And that's part of this systematic thinking I'm thinking about. I've got a lot of other elements to the budget. I'm sure you have a lot of questions. I will ask that my statement—written statement be accepted for the record, and I will be delighted to answer questions.

[The statement follows:]

PREPARED STATEMENT OF MICHAEL CHERTOFF

Mr. Chairman, Senator Byrd, and Members of the Committee: Before beginning to outline our fiscal year 2007 budget request, I want to thank you for the strong support you showed for the Department in the two full budget cycles since it was fully established in March 2003. This is my first full budget cycle and I am honored and pleased to appear before the Committee to present President Bush's fiscal year 2007 budget for the Department of Homeland Security (DHS).

I would like to begin by assuring Members of this Committee and the public of the Department's efforts to secure the Nation's seaports. The Department continues to implement a multi-layered defense strategy to keep our ports safe and secure. Utilizing the expertise of our bureaus—particularly the United States Coast Guard and U.S. Customs and Border Protection—the private sector, and state and local authorities, we have made great strides since 9/11 to ensure that there are protective measures in place from one end of a sea based journey to the other. With the President's fiscal year 2007 Budget request, total DHS funding for port security activities since fiscal year 2004 total nearly $10 billion.

As the lead Federal agency for maritime security, the Coast Guard routinely inspects and assesses the security of 3,200 regulated facilities in more than 360 U.S. ports at least annually in accordance with the Maritime Transportation and Security Act (MTSA) and the Ports and Water ways Safety Act (PWSA). Every regulated U.S. port facility, regardless of owner/operator, is required to establish and implement a comprehensive Facility Security Plan (FSP) that specifically addresses the vulnerabilities identified in the facility security assessment and details measures and procedures for controlling access to the facility, including screening, designating employees with key security responsibilities, verifying credentials of port workers, inspecting cargo for tampering, designating security responsibilities, quarterly training, drills and annual exercises, and reporting of all breaches of security or suspicious activity, among other security measures.

Working closely with local port authorities and law enforcement agencies, the Coast Guard regularly reviews, approves, assesses and inspects these plans and facilities to ensure compliance.

In accordance with MTSA, the Coast Guard has completed verification of security plans for U.S. port and facilities and vessels operating in U.S. waters. Specifically:

—Port Threat Assessments for all 55 militarily or economically critical ports have been completed. The Coast Guard has developed 44 Area Maritime Security Plans covering 361 ports, the Great Lakes, the Inland and Western Rivers and the Outer Continental Shelf region.

—The Coast Guard completed initial security plan verification exams on all 6,200 U.S. flag inspected vessels on July 1, 2005.

—The Coast Guard has completed 2,400 verification examinations on uninspected vessels regulated under the MTSA, and is on track to complete all 4,800 by December 31, 2006.

—Reviewed and approved 3,200 facility security plans.

—Approved 60 offshore facility security plans.

In addition to the Coast Guard's broad authorities for ensuring the security of U.S. port facilities and operations, the Coast Guard worked through the International Maritime Organization to develop the International Ship and Port Security (ISPS) Code. Through the International Port

Security Program, the Coast Guard has partnered with other nations worldwide to ensure compliance with ISPS. The Coast Guard has assessed 44 countries, which are responsible for 80 percent of the maritime trade to the United States. Of those 44 countries, 37 have been found to be in substantial compliance with the ISPS Code. The seven countries that are not in substantial compliance have been or will soon be notified to take corrective actions or risk being placed on a Port Security Advisory and have Conditions of Entry imposed on vessels arriving from their ports. The Coast Guard is on track to assess approximately 36 countries per year.

The Coast Guard has also taken multiple steps to enhance our awareness in the maritime domain. Publication of the 96-hour Notice of Arrival regulation allows sufficient time to vet the crew, passengers, cargo and vessel information of all vessels prior to their entering the United States from foreign ports. The Coast Guard also has expansive authority to exercise positive control over a vessel intending to enter a port or place subject to the jurisdiction of the United States. Since July 2004, the Coast Guard has boarded 16,000 foreign flag vessels for security compliance with the ISPS Code and the MTSA. Out of those 16,000 boardings, the Coast Guard imposed 143 detentions, expulsions or denials of entry. In addition, the Automatic Identification System (AIS) has been fielded at 9 ports with Vessel Traffic Service systems and allows the Coast Guard to identify and track vessels in the coastal environment. Long range tracking, currently in development, will enable the Coast Guard to identify and track vessels thousands of miles at sea, well before they reach our coastal zones. Likewise, the Inland River Vessel Movement Center provides critical information about the movement of hazardous cargoes along our Nation's inland rivers.

The Coast Guard has increased its operational presence through a number of other initiatives. For example, the Coast Guard has established processes to identify, target, and have conducted 3,400 security boardings on High Interest Vessels.

These boardings included 1,500 positive control vessel escorts to ensure these vessels cannot be used as weapons of mass destruction. The Coast Guard has also established 12 Maritime Safety and Security Teams and enforced hundreds of fixed and moving security zones to protect Maritime Critical Infrastructure and Key Assets (MCI/KA) and Naval Vessel Protection Zones (NVPZ) to protect U.S. Navy and Maritime Administration vessels. Further, the Coast Guard is developing a Risk-Based Decision Making System, to be implemented this year, which will help prioritize High Capacity Passenger Vessels (HCPV) escorts. Although initially developed for high capacity ferries, its application is being expanded to enhance current security measures for other HCPVs: ferries, cruise ships, and excursion vessels carrying 500 or more passengers.

The Coast Guard is also working closely with various other agencies to implement the National Strategy for Maritime Security, and its eight supporting plans. Together, the plans provide the road map for the integration of national efforts in supporting the four primary pillars of maritime security: Awareness, Prevention, Protection, and Response and Recovery. As DHS's executive agent for implementing and updating plans related to Maritime Domain Awareness (Awareness), Global Maritime Intelligence Integration (Prevention), Maritime Transportation System Security (Protection), and Maritime Operational Threat Response (Response/Recovery), the Coast Guard, in cooperation with other stakeholders, is leading efforts to increase the coordination, effectiveness and efficiency of existing government-wide initiatives.

In close coordination with the Coast Guard, U.S. Customs and Border Protection (CBP) mission is to prevent terrorists and terrorist weapons from entering the United States by eliminating potential threats before theyContainer Security Initiative arrive at our borders and ports. For example, through a program administered by CBP, the Department has implemented the 24-Hour Advanced Manifest Rule, requiring all sea carriers, with the exception of bulk carriers and approved break bulk cargo, to provide proper cargo descriptions and valid consignee addresses 24 hours before cargo is loaded at the foreign port for shipment to the United States. Failure to meet the 24 hour advanced manifest rule results in a "do not load" message and other penalties. This program gives the Department greater awareness of what is being loaded onto ships bound for the United States and the advance information enables DHS to evaluate the terrorist risk from sea containers.

Similarly, the Container Security Initiative (CSI) and the Customs-Trade Partnership Against Terrorism (C–TPAT) initiatives bolster port security. Through CSI, CBP works with host government Customs Services to examine high-risk maritime containerized cargo at foreign seaports, before they are loaded on board vessels destined for the United States. In addition to the current 42 foreign ports participating in CSI, many more ports are in the planning stages. By the end of 2006, we expect that 50 ports, covering 82 percent of maritime containerized cargo shipped to the United States, will participate in CSI. The table above shows the Department's substantial progress in expanding the CSI program since September 11, 2001.

Through C–TPAT, CBP has created a public-private and international partnership with nearly 5,800 businesses (over 10,000 have applied), including most of the largest U.S. importers. CTPAT, CBP and partner companies are working together to improve baseline security standards for supply chain and container security. CBP reviews the security practices of not only the company shipping the goods, but also the companies that provided them with any services.

At present, the C–TPAT program has completed validations on 27 percent (1,545 validations completed) of the certified membership, up from 8 percent (403 validations completed) a year ago. Additionally, validations are in progress on another 39 percent (2,262 in progress) of certified members, and these validations will be completed throughout 2006, bringing the total percentage of certified members to 65 percent by years' end. In 2007, the C–TPAT program validations will continue. And we will have validated 100 percent by the end of CY 2007.

CBP also uses cutting-edge technology, including large-scale X-ray and gamma ray machines and radiation detection devices to screen cargo. Presently, CBP operates over 680 radiation portal monitors at our Nation's ports, including 181 radiation portal monitors at seaports. CBP also utilizes over 170 large scale non-intrusive inspection devices to examine cargo and has issued 12,400 hand-held radiation detection devices. The President's fiscal year 2007 budget requests $157 million to secure Radiation Portal Monitor (RPM) Deployments at current and next-generation detection equipment at our ports of entry through the DHS Domestic Nuclear Detection Office (DNDO). Over 600 canine detection teams, capable of identifying narcotics, bulk currency, human beings, explosives, agricultural pests, and chemical weapons, are deployed at our ports of entry. As reflected in the Radiation Portal Monitor Deployment at Seaports table, 621 RPMs will be deployed to our Nation's

top seaports, which will allow us to screen approximately 98 percent of inbound containers by December 2007.

CBP's National Targeting Center (NTC) is also a critical component of our layered port security efforts. The NTC provides tactical targeting and analytical research support for CBP antiterrorism efforts. Experts in passenger and cargo targeting at the NTC operate around the clock using tools like the Automated Targeting System (ATS) to identify tactical targets and support intra-departmental and inter-agency anti-terrorist operations. The ATS serves as the premier tool for performing transactional risk assessments and evaluating potential national security risks posed by cargo and passengers arriving by sea, air, truck, and rail. Using pre-arrival information and input from the intelligence community, this rules-based system identifies high-risk targets before they arrive in the United States. The Department's Science & Technology Directorate (S&T) is supporting the introduction of advanced intelligent algorithms to further improve these risk assessment capabilities.

A key responsibility of the NTC is the support that it provides to the field, including tactical targeting and research support for the CSI personnel stationed at critical foreign ports throughout the world. The NTC, combined with CSI, C–TPAT, the 24-hour rule, and ATS ensures that all containers on-board vessels destined for the United States are risk scored using all available information; and that all cargo determined to be of high risk are examined. The NTC, working closely with the Coast Guard, also vets and risk scores all cargo and cruise-ship passengers and crew prior to arrival. This ensures that DHS has full port security awareness for international maritime activity.

Further, DNDO's fiscal year 2007 budget request of nearly $536 million, a 70 percent increase from fiscal year 2006, includes $157 million which will allow for the acquisition and deployment of nearly 300 current and next-generation radiation detection systems at our ports of entry. These systems will be deployed and operated by CBP. In addition, DNDO's fiscal year 2007 budget also includes $30.3 million for the development of enhanced cargo radiography screening systems for our ports of entry. These enhanced screening efforts will compliment the many information based programs, such as C–TPAT, the Department already has in place for enhanced port security.

In addition to increased screening efforts at our own ports of entry for radioactive and nuclear materials, the Department fully endorses the concept of increased active and passive detection at foreign ports of departure. The systems DNDO are acquiring and developing can also be used by foreign ports with a CSI presence, as well as the Department of Energy's Megaports program. We must continue to stress the need for increased screening at foreign ports of departure, while at the same time have a robust screening effort at our own ports of entry.

In order for the Department to increase its visibility into the security of our international supply chains, S&T is developing technology solutions that can be applied across the supply chain. Part of this effort is the development of a new class of security devices that will monitor the integrity of intermodal shipping containers and enable CBP Officers, CSI personnel and the NTC to gather information on the status of a container to improve risk assessment and data collection. When coupled with the broad supply chain security architectural framework currently under development by S&T, the Department will have the capability to bridge data and information between container security devices, shippers, and the National Targeting Center (NTC).

Finally, in addition to the work of the Coast Guard, CBP, S&T and the DNDO, the Port Security Grant program has awarded over $700 million to owners and operators of ports, terminals, U.S. inspected passenger vessels and ferries, as well as port authorities and State and local agencies to improve security for operators and passengers through physical security enhancements. The mission of the Port Security Grant program is to create a sustainable, risk-based effort for the protection of ports from terrorism, especially explosives and non-conventional threats that would cause major disruption to commerce and significant loss of life.

The Preparedness Directorate will also announce the application process for an additional $168 million in port security grants in the coming weeks, bringing total funding to over $870 million since 9/11. In addition, the fiscal year 2007 President's Budget bolsters funding for infrastructure protection, including ports, through the $600 million Targeted Infrastructure Protection grant program. The fiscal year 2007 request consolidates existing infrastructure grant programs into a single program with a 55 percent increase in funding.

With all of the layered efforts already in place, and the ongoing efforts that are supported in the 2007 budget request, port security has substantially improved since 9/11, and since the creation of the Department of Homeland Security.

OTHER KEY ACCOMPLISHMENTS

I would like to now address some of our other major accomplishments to date. As DHS approaches its third anniversary on March 1, 2006, creating one national integrated strategy to fight the war on terror, through awareness, prevention, protection, response, and recovery remains the key focus of its vision and mission. Since its inception, the Department has steadily progressed in its efforts to vigorously protect America's homeland. Since 2001, the administration:

—Has increased annual spending on Government-wide non-defense homeland security by 350 percent, more than tripling spending devoted to homeland security;

—Created the Department of Homeland Security by merging 22 separate agencies and programs into a cohesive department;

—Restructured the agencies that handle immigration and border security issues. Customs and Border Protection (CBP) has Port of Entry officers and Border Patrol agents along the border. Immigration and Customs Enforcement (ICE) enforces immigration laws and detains those aliens here illegally. U.S. Citizenship and Immigration Services (USCIS) administers a wide variety of immigration benefits and services within the United States;

—Established the Transportation Security Administration (TSA) to improve aviation security and other modes of transportation security nationwide. TSA hired a screener workforce and deployed sufficient technology to electronically screen 100 percent of passenger and checked baggage;

—Created a Domestic Nuclear Detection Office (DNDO) to detect, identify, and track down the origins of nuclear and radiological materials; and

—Provided the Department nearly $18 billion for State, local, and tribal governments to enhance their preparedness for a range of hazards, including $14 billion for terrorism and other catastrophic events.

When I arrived at the Department in 2005, I initiated a Second Stage Review (2SR) to assess whether DHS' policies, operations, and organizational structure were properly aligned to maximize mission performance. The implementation of 2SR instituted a fundamental reform of policies and procedures critical to achieving the mission of the Department. The Department also conquered many unique challenges, making significant strides protecting vital infrastructure and assets; preventing security breaches; ensuring safe travel and trade across our borders; protecting privacy and civil liberties; and expanding critical partnerships at every level.

In the last year, we have made great strides in the area of prevention and preparedness. Our key accomplishments include:

Revamping the Port Security Grant Program—As part of the fiscal year 2005 Office of Grants and Training (G&T) Port Security Grant Program (PSGP), significant changes have been introduced to make the program more risk based. Changes include limiting eligibility to the Nation's most at-risk seaports and distributing funding based on risk, needs and national priorities for port security. Additional rigor was added to the evaluation process for applications and a communications strategy was implemented to ensure consistent guidance was provided throughout.

The program is being further refined in fiscal year 2006, and will soon link distribution of funds to participation in a port-wide risk management planning process. The intent of this process, which combines the USCG's Maritime Security Risk Assessment Methodology (MSRAM) with the Office of Grant's and Training's own Special Needs Jurisdiction Toolkit, is to allow port areas to develop risk management strategies that will assist them in identifying the most cost effective projects—essentially allowing them to "buy down" the risk in their areas. This program, known as the Maritime Assessment and Strategy Toolkit (MAST), is an essential step in prioritizing risks and facilitating a port-wide risk management planning process. Ultimately, MAST will serve to further enhance the existing Area Maritime Security Plans and also allow for ports to better integrate their security efforts into the broader planning construct that forms the core of the Urban Areas Security Initiative (UASI).

TSA Moves to a Risk-Based, Threat-Managed Security Approach.—Employing TSA-certified explosives detection canine teams, piloting behavioral pattern recognition analysis at 10 airports, and through a Nation-wide modification of the prohibited items list, TSA has increased its ability to identify and prevent terrorist threats to the Nation and enhance aviation security.

Over $3 Billion Awarded to State and Local Governments.—DHS awarded more than $3 billion in grants, training, and technical assistance to State and local governments to support various prevention, protection and response initiatives.

Standard First Responder Training Developed.—DHS established a National Incident Management System (NIMS) standard curriculum to ensure first responder

training is widely available and consistent among all training providers. More than 725,000 first responders completed NIMS training nationwide.

Counterterrorism Training.—DHS provided counterterrorism training to more than 1.2 million emergency response personnel from across the country on a range of incident response issues, including incident management, unified command, and public works protection/response, and training on weapons of mass destruction.

Sharing Intelligence Information.—The Office of Intelligence and Analysis provided State and local governments and the private sector with more than 1,260 intelligence information products on threat information and suggested protective measures.

Secret Service Operation Taps Network to Arrest 28 Globally.—U.S. Secret Service conducted "Operation Firewall," in which the Secret Service became the first agency ever to execute a Title III wire tap on an entire computer network. This global operation resulted in 28 arrests in eight States and six foreign countries. These suspects stole nearly 1.7 million credit card numbers.

The hurricanes last fall stretched our Nation's resources and forced us to reexamine our processes. We still however, saw our first responders and relief personnel do remarkable things to assist our fellow citizens.

Over 40,000 Rescued by U.S. Coast Guard and FEMA.—In the wake of Hurricanes Katrina and Rita, the Coast Guard and FEMA rescued over 40,000 people in search and rescue operations. Coast Guard men and women employed their Continuity of Operations Plans and demonstrated deep commitment to the missions of search and rescue, protection of natural resources, and restoration of a safe, efficient marine transportation system.

More than 23,000 Victims Airlifted from New Orleans Airport.—More than 700 transportation security officers and Federal air marshals helped evacuate more than 23,000 victims at Louis Armstrong New Orleans International Airport.

$5.7 Billion in Federal Aid Distributed.—FEMA distributed over $5.7 billion in Federal aid to more than 1.4 million households to help pay for housing assistance, food, clothing, home repair and other essentials.

$12 Billion in Claims Distributed.—FEMA's National Flood Insurance program paid over $12 billion in claims from Hurricanes Katrina, Rita, and Wilma, with an estimated $10 billion in additional claims to be paid over the next few months.

In the past year, we have also strengthened our borders and interior enforcement of our immigration laws, expanded partnerships with our neighbors, and increased our use of emerging technologies to assist our efforts.

Secure Border Initiative Success.—In support of a comprehensive strategy to control the border and enforce immigration laws, DHS adopted a policy to replace the practice of catching and releasing aliens with a "Catch and Return" policy. Expedited Removal (ER) has been expanded along our entire land border as well as the number of countries with nationals subject to ER. DHS adopted a goal to cut ER detention time in half to speed alien removals, and the frequency of deportation flights has increased. Litigation barriers preventing San Diego fence completion have been removed. A process is also well underway to seek and select a contract integrator to implement a comprehensive border protection program plan using technology, staff, and other assets.

Successful Counter Drug Operations.—Efforts by CBP, USCG and ICE to secure the Nation's borders have yielded significant positive results in stopping the flow of illegal drugs into the United States. In the most recently completed fiscal year, CBP reported seizing nearly 42,800 lbs of cocaine and more than 531,700 pounds of marijuana. In addition, United States Coast Guard and CBP Air and Marine Operations' counter drug operations exceeded results from previous years by removing over 338,000 lbs of cocaine from the Caribbean Sea and Eastern Pacific Ocean transit zones.

Arizona Border Control Initiative Bolstered Resources in Tucson Corridor.—The second phase of this successful initiative included an additional 534 Border Patrol agents permanently assigned to the Arizona border, a 25 percent increase. These agents were supplemented by 200 agents and 23 aircraft temporarily assigned to the Tucson sector. The initiative coupled with Operation ICE Storm, a human smuggling initiative, resulted in more than 350 smugglers prosecuted in total, millions in illicit profits seized and a significant decrease in homicides according to local authorities.

Security and Prosperity Partnership Creates Common Security Approach.—The United States, Canada and Mexico entered into this trilateral partnership to establish common approaches to emergency response, improving aviation, maritime, and border security, enhancing intelligence sharing, and facilitating the legitimate flow of people and cargo at our shared borders.

Immigration Processing Backlog Cut by 2.8 million.—USCIS reduced the backlog of applications for immigration services and benefits from 3.8 million cases in January 2004 to fewer than one million in December 2005.

US VISIT Biometric Entry System Expanded.—US VISIT implemented the biometric entry portion of the US VISIT system at 115 airports, 14 seaports and 154 land ports of entry. As of December 31, 2005, US VISIT processed more than 44 million foreign visitors and detected 950 individuals with a criminal history or immigration violations.

Passport Requirements Strengthened.—As part of a multi-layered approach to increasing the security of our citizens and visitors by helping to ensure the integrity of their travel documents, DHS imposed requirements establishing that all Visa Waiver Program travelers must have a machine-readable passport to enter the United States. Visa Waiver Program countries are now also required to produce new passports with digital photographs.

Implemented Coast Guard Sectors.—The Coast Guard has reorganized its field infrastructure by unifying previous Groups and Marine Safety Offices into "Sector" commands. Within the new Sector construct, the inclusion of Field Intelligence Support Teams to support port-level commanders, as well as the establishment of Maritime Intelligence Fusion Centers, serves to enhance Maritime Domain Awareness at all levels of the chain of command. This restructuring unifies effort and command, strengthens maritime border security, and improves information sharing by providing a single point of Coast Guard service at the port level. The largest Coast Guard reorganization in a decade, the establishment of Sectors will be complete in 2006, significantly improving maritime preparedness and response without requiring any additional resources.

FISCAL YEAR 2007 BUDGET REQUEST

In accordance with the premise of 2SR and to build on the Department's accomplishments, the fiscal year 2007 budget proposal for the Department is driven by a mission and risk-based approach to allocating the Department's resources, requesting $42.7 billion in funding, an increase of 6 percent over fiscal year 2006. The Department's fiscal year 2007 gross discretionary budget is $35.4 billion, also an increase of 6 percent over fiscal year 2006. Gross discretionary funding includes appropriated budget authority and discretionary fee collections such as funding for the Federal Protective Service; aviation security passenger and carrier fees; and premium collections. It does not include funding such as Coast Guard's retirement pay accounts and fees paid for immigration benefits. The Department's fiscal year 2007 net discretionary budget is $30.9 billion, an increase of 1 percent over fiscal year 2006.

Central to the Department's budget are five themes to ensure that all resource allocations correspond with its integral mission and vision. Key enhancements in the Budget for these five areas will allow the Department to execute the initiatives of the administration and effectively secure our Nation.

Increase Overall Preparedness, Particularly for Catastrophic Events Either Natural or Manmade and Strengthen FEMA

Preparedness addresses the Department's full range of responsibilities to prevent, protect against, and respond to acts of terror or other disasters.

The Budget includes an increase of $294.6 million for the Targeted Capability Grants, for a total of $1.4 billion. This builds upon the $5.5 billion already in the grant pipeline to assist our States and localities in increasing their preparedness and furthers the Department's National Preparedness Goals. This funding includes an $80.65 million increase for Urban Area Security Initiative (UASI) to provide a second layer of protection for urban areas based on risk. It also includes a $213.9 million increase over comparable programs, for a total of $600 million, for the Targeted Infrastructure Protection Program (TIPP). This will provide States with maximum flexibility to target resources to protect our Nation's ports, transit facilities, chemical facilities, and other critical infrastructure.

The Budget also includes $50 million National Preparedness Integration Program (NPIP) as a new initiative in the Preparedness Directorate. NPIP will improve preparedness by executing Medical Preparedness Coordination, Catastrophic Planning, Emergency Communications Improvements, and Command and Control Alignment.

This budget enhances our ability to respond to and recover from disasters. Indeed, last year's Gulf Coast hurricanes demonstrated the need to strengthen FEMA's planning and response capabilities. While funding was increased for these core activities in 2005 and 2006, the fiscal year 2007 budget proposes a more significant investment to further strengthen FEMA. FEMA's budget represents a 10 percent increase over the 2006 fiscal year, including $44.7 million to strengthen support func-

tions. We will add resources to critical areas such as procurement, information technology, and planning and amounts.

The Budget includes a $29 million increase and 92 FTE to support FEMA's Strengthen Operational Capability initiative and reinforce its essential support functions within its programs of Readiness, Mitigation, Response, Recovery, and National Security, This program increase will allow FEMA to fill critical positions, and upgrade capital infrastructure and information technology support services.

A $5 million increase in the FEMA Procurement Staff supports the Department's initiative to strengthen procurement capability across the board. These additional 41 FTE will enhance FEMA's ability to effectively deliver disaster response and recovery services by efficiently and properly processing procurement requests during both routine and extraordinary operating periods.

An additional 40 FTE and $10.7 million is requested for FEMA financial and acquisition management. The funding requested will build on the positions provided in the fiscal year 2006 supplemental appropriation to operate the Gulf Region Acquisition Center to support the billions of dollars in contracts necessary to meet the unprecedented recovery needs of Hurricane Katrina and to bolster the FEMA's financial management capabilities to meet the demands of current and future catastrophic disasters.

An additional $5.3 million is requested for National Response Plan (NRP) Support to help FEMA coordinate the response to all types and magnitudes of threats or hazards. It will allow FEMA to support shortened response times and provide more effective assistance during incidents of national significance.

The fiscal year 2007 Budget seeks an increase of $100 million and 40 FTE for the pre-disaster mitigation grant program. This program is designed to reduce the risk to populations, structures, and critical infrastructure from natural disasters. These funds will provide for the protection of: over 600 additional properties from flood damage through acquisition, elevation, relocation, and/or flood proofing; 250 additional critical facilities from flood damage through drainage, infrastructure, and utilities projects; 240 additional properties from hurricane wind damage; 92 additional storm shelters to save lives from tornadoes; and 154 additional critical public facilities against seismic damage.

Finally, an additional $5 million is proposed for upgrade of the Emergency Alert System (EAS). The EAS, which uses commercial radio and television broadcast services to send Presidential messages, provides a readily available and reliable means of emergency communications with the American people when catastrophic events occur and other national communications resources have been damaged or compromised. Building on the supplemental funding provided in fiscal year 2006, this funding will be used to improve system coverage, reliability, survivability, and security by providing a two-way, national-level EAS satellite backbone/path that will effectively link all Federal, State, and U.S. Territory Emergency Operations Centers (EOCs).

The budget also proposes:

—A total of $62.4 million in funding for the Coast Guard's National Capital Region Air Defense (NCRAD) program. This funding is needed to provide an air intercept response to potential threats in the National Capital Region airspace, helping to protect Washington, DC, from airborne attack.

—A total of $17.7 million in funding to support the Radiological and Nuclear Attribution and Forensics initiative. The request will enable the Department to combine information on potential capabilities of terrorist organizations to develop and deploy threat agents with laboratory-based forensics techniques that determine the source of any nuclear and radiological materials or devices.

—An increase of $3 million for the Office of the Chief Medical Officer to further strengthen cutting-edge science, technology, and intelligence within the Department's policy-making process. This request, more than doubling resources for this office, will be used to develop policy driven initiatives to ensure that the Nation and its critical infrastructures are medically prepared for catastrophic events.

An increase of $10 million to establish an office to oversee chemical site security. DHS will classify facilities into risk-based tiers, establish security standards for each tier, and ensure strong safeguards are in place to protect the public disclosure of any sensitive information gathered by the office.

Strengthen Border Security and Interior Enforcement and Reform Immigration Processes

Securing our Borders

One of the key elements in fulfilling the Department's mission is securing the border, both land and maritime, from terrorist threats and the flow of illegal migration

and drugs. Under the Secure Border Initiative (SBI) DHS will focus on controlling the border, building a robust interior enforcement program, and establishing a Temporary Worker Program. SBI, a performance-driven, department-wide enterprise will make dramatic changes in the border security system. It will cover every facet of how we sanction, manage, adjudicate, and remove persons caught crossing the border; deter illegal migration overall; manage immigration violators currently in the country; and interact with States and localities at the front lines of immigration and drug trafficking problems.

Funding dedicated to SBI efforts facilitates a complete program encompassing many administrative, legal, and regulatory actions. Substantial resource enhancements provided in 2005 and 2006 will pave the way for an effective SBI program, and 2007 will be a turning point towards meeting long-term border security objectives.

Among the key investments in the President's Budget for SBI is $458.9 million to increase the Border Patrol Agent workforce by 1,500 agents, bringing the total of new agents added since 2005 to 3,000 and the overall total number of agents to nearly 14,000. This increases the size of our Border Patrol Agent workforce to 42 percent above the level prior to the September 11 attacks.

To enhance our ability to protect the Nation's borders, the Budget includes $100 million for border technology to improve electronic surveillance and operational response. In 2006, DHS will solicit and award a contract to complete the transition from the current, limited-scope technology plan to one that addresses the Department's comprehensive and integrated technological needs to secure our borders. Funding requested in the 2007 President's Budget will provide significant procurement investments needed to begin an aggressive deployment plan.

To fund the continued construction of the San Diego Border Infrastructure System (BIS), we are requesting $30 million. The project includes multiple fences and patrol roads enabling quick enforcement response and will give the United States full operational control of the most urbanized corridor of our border with Mexico.

The Tactical Infrastructure Western Arizona (TIWAZ) is a critical multi-year project that will deploy approximately 84 miles of vehicle barriers and improve 150 miles of access and maintenance roads. The Budget includes $51 million for the deployment of this tactical infrastructure in Arizona which will enable the construction of 39 miles of permanent vehicle barriers.

To support the detention and removal of at least another 100,000 apprehended persons annually, the budget includes over $400 million for an additional 6,700 detention beds and associated staffing and other expenses. This would bring the total number of beds to 27,500 in 2007. A key element of SBI is replacing a "catch and release" protocol for captured aliens with a "catch and return" process, requiring a substantial expansion of bed space. In addition, new bed space will be used to return criminal aliens upon release from State and local prisons, and address the problem of alien absconders defying orders of removal.

The budget also includes $41.7 million for ICE worksite enforcement, to add 206 agents and support staff for this effort. A strong worksite enforcement program that continues to expand will send a strong deterrence message to employers who knowingly hire illegal workers; reduce economic incentive for illegal immigration; and help restore the integrity of employment laws.

An additional $60 million is requested for ICE Fugitive Operations apprehension teams, adding a total of 18 teams, to a planned level of 70 teams nationwide. In addition to shoring up our borders and improving workplace oversight, the Department will continue to increase efforts to catch the estimated 450,000 absconders around the country—a level that is growing every year.

Outside of core SBI programs, the request level includes funding for other vital border security programs to include:

—An increase of $62.9 million over fiscal year 2006 for total funding of $399.5 million is requested for US VISIT, a critical element in the screening and border security system towards ensuring better border security in a post-September 11 environment. Included in the US VISIT initiative is $60 million in new resources to improve connection of information between DHS IDENT system and DOJ IAFIS fingerprint system.

—CSI & C–TPAT. The request continues to support the Container Security Initiative (CSI) and the Customs Trade Partnership Against Terrorism (C–TPAT), which are critical in the prevention and deterrence of Weapons of Mass Destruction (WMD) and other dangerous or illegal material importation. The Budget requests $139 million for CSI to pre-screen inbound cargo at over forty foreign ports and $55 million for C–TPAT to review and improve the security of partner organizations throughout the cargo supply-chain.

Reform and Modernization of Immigration Management

As Congress and the Administration collaborate to reform the immigration system in addition to improving border security, it is critical that the Department is ready to effectively manage any reform and implement a sustainable immigration management system.

Among other things, the Budget includes resource initiatives for worksite enforcement, fugitive operations, employment verification, and U.S. Citizenship and Immigration Services (USCIS) business transformation efforts.

The request includes $135 million for the operation and expansion of the USCIS Systematic Verification for Entitlements (SAVE) program which provides immigration verification services to State Departments of Motor Vehicles and other Federal and State agencies, and to expand and enhance the current Basic Pilot program to be ready to support a mandatory national electronic employment authorization verification system. The current Basic Pilot program is a voluntary electronic verification program enabling an employer to confirm the employment eligibility of newly hired employees.

The President's Budget seeks a total of $112 million in fee and discretionary resources within USCIS to accelerate comprehensive reform and automation of existing business processes, including the modernization of critically needed information technology and actions to sustain improvements achieved in reducing the immigration processing backlog.

Finally, as USCIS transforms its business processes, redesigns its forms, and improves service delivery and value to its customers, the agency will reform its fee structure to ensure the recovery of operational costs in line with Federal fee guidelines. Currently, application fees are not optimally aligned with the cost of each application, and improvements must be made for the long term to more effectively link regular and premium fees to specific service levels. This effort becomes even more important as USCIS operations are automated, forms are reduced and simplified, and USCIS prepares to take on substantial new activities including a Temporary Worker Program. The Department will continue to assess business model options for implementation of the TWP as consideration of the proposal moves forward in the Congress.

IMPROVE MARITIME SECURITY AND CREATE BETTER TRANSPORTATION SECURITY SYSTEMS TO MOVE PEOPLE AND CARGO MORE SECURELY AND EFFICIENTLY

A core objective in establishing the Department was to strengthen the overall security capability of the Nation's transit systems and maritime security. Terrorist attacks on international transit and national maritime systems have driven the Department to implement rigorous security measures for the Nation's systems. The 2007 President's Budget request includes initiatives that continue to support the objectives of the Aviation and Transportation Security Act, which was enacted to strengthen the transportation system and ensure the freedom of movement for people and commerce, by securing America's transit system from terrorists, criminal threats and attack; and the Maritime Transportation Security Act (MTSA) of 2002, which was enacted to secure U.S. ports and waterways from a terrorist attack.

A total of $4.7 billion is requested to support TSA's Aviation Security efforts. Of this amount, $692 million will continue support the deployment and maintenance of Explosive Detection and Electronic Trace Detection Systems which provide a higher probability to detect a wider range of explosives, and are critical to finding threats in transportation venues and eliminating their destructiveness.

The President's 2007 Budget also proposes to replace the two-tiered aviation passenger fee with a single, flat security fee of $5.00 for a one-way trip with no change in the overall fee that may be charged on a one-way ticket. This is consistent with the screening process whereby you only pass through security once. The Budget also proposes to collect $644 million in air carrier fees ($448 million for fiscal year 2007 plus $196 million owed from fiscal years 2005 and 2006). This is based on a General Accountability Office (GAO) estimate of what is reasonable.

The Budget also seeks resources for the Domestic Nuclear Detection Office (DNDO) to support next generation technology to secure our transportation system. For example, a total of $30.3 million is requested to fund the Cargo Advanced Automated Radiography Systems (CAARS) Development initiative. The DNDO will execute the program developing advanced active-imaging radiography systems for cargo inspection at the Nation's ports of entry. The CAARS program will significantly improve throughput rates of imaging systems specifically designed to identify concealed nuclear materials threats.

Funding of $157 million for the Radiation Portal Monitor Acquisition initiative will secure next-generation passive detection portals for deployment at official ports-

of-entry to expose attempts to import, assemble, or transport a nuclear explosive device, fissile material, or radiological material concealed within cargo or conveyances and intended for illicit use. Consistent with the global nuclear detection architecture, the deployment strategy will be mutually developed by the DNDO and CBP.

The Budget also seeks an increase of $12 million to support staffing needed by CBP to support the deployment of weapons of mass destruction systems deployed through DHS procurement programs. This increase will fund 106 positions and ensure CBP will have dedicated personal to resolve alarms from RPMs to conduct radiological examinations at our Nation's busiest seaports.

For the U.S. Coast Guard, the President's fiscal year 2007 Budget requests a total of $934.4 million for the Coast Guard's Integrated Deepwater System (IDS), which is $10.7 million above the fiscal year 2006 funding level. The Deepwater funding will continue the IDS acquisition of: the fourth national security Cutter (High Endurance Cutter replacement); the first Fast Response Cutter (Patrol Boat replacement); and additional Maritime Patrol Aircraft (MPA). In addition, it will establish a second MPA-equipped air station; complete the re-engineering of the HH–65 helicopter, and significantly enhance legacy fixed and rotary wing aircraft capabilities. IDS Command, Control, Communications, Computers, Intelligence, Surveillance and Reconnaissance (C4ISR) upgrades to the USCG cutters, boats and aircraft will enhance maritime domain awareness and are critical to the achievement of an integrated, interoperable border and port security system.

In addition to the C4ISR upgrades as part of IDS, $6.4 million is requested to support a number of initiatives to enhance Maritime Domain Awareness, including the necessary field infrastructure to expand SIPRNET capability support, which will protect Coast Guard systems from exploitation, and also provide prototype Sector Command Centers (SCC) and Joint Harbor Operation Center (JHOC) operations support. $11.2 million is requested to continue implementation of Nationwide AIS to significantly enhance the ability to identify, track and exchange information with vessels. The fiscal year 2007 budget requests $10.6 million to build off prior years' efforts to improve MDA, including operation and maintenance of the Maritime Awareness Global Network, as well as the deployment of 80 Nationwide AIS receivers and transmitters. Additionally, the $39.6 million requested for Rescue 21 will continue deployment throughout the country, providing a State of the art distress and response communications system.

Finally, the Department seeks a total of $4.8 million for the Coast Guard's Maritime Security Response Teams (MSRT). Established to deter, protect against and rapidly respond to threats of maritime terrorism, the MSRT initiative expands upon the prototype Enhanced Maritime Safety and Security Team that was established by re-allocating base resources in fiscal year 2006. The unit will be capable of maintaining response readiness in the event of domestic maritime terrorism incidents.

Enhance Information Sharing with our Partners

The ability to share information with State and local partners, the private sector, law enforcement, and first responders is critical to the Department's success, and promotes greater situational awareness. DHS is prepared to enhance and maintain interoperability for information sharing purposes to ensure a seamless capacity to share information during national emergencies and to execute its daily mission of detecting and preventing potential terrorist activity.

In support of this effort the Budget includes an increase of $45.7 million, 18.1 percent over fiscal year 2006 funding, for activities of the Analysis and Operations Account to fund the Office of Intelligence and Analysis (I&A) and the Directorate of Operations. I&A leads the Department's intelligence and information gathering and sharing capabilities by ensuring that information is collected from relevant field operations and critical participants in the intelligence community; analyzed with a mission-oriented focus; and disseminated to the appropriate Federal, State, local, and private sector partners.

The Directorate of Operations distributes threat information ensuring operational coordination Department wide; coordinates incident management activities; uses all resources within the Department to translate intelligence and policy into immediate action; and provides oversight of the Homeland Security Operations Center, the Nation's nerve center for information sharing and domestic incident management on a 24/7/365 basis.

To support the Infrastructure Transformation Program (ITP), the Budget proposes an increase of $36.3 million. This increase will provide a highly reliable, secure, and survivable network infrastructure and data center environment to improve information sharing, more effectively securing the homeland while reducing redundant investments. ITP will integrate the IT infrastructures of the 22 legacy components of the Department into "One Infrastructure" which includes the creation of one secure

network; the establishment of common and reliable email communication; the restructuring of helpdesks and related services; the reduction in number and transformation of the data centers; the standardization and modernization of the desktop workstation and site services environment; and voice, video and wireless infrastructure modernization.

The Budget also includes an increase of $9 million for Data Center Development. The Department will continue the integration of its IT infrastructure "Dual Active/Active Data Centers" that provide a foundation for information sharing and agile responses to threats against the homeland. The Data Center Development activity plays a central role within the ITP, supporting the Department's strategic planning priority of "Stronger Information Sharing and Infrastructure Protection."

Strengthen the DHS Organization to Maximize Mission Performance

Sound financial management of the Nation's resources is critical to maximizing mission performance for the Department. The President's Budget aligns the Department's request according to a risk-based allocation method, channeling the Nation's resources into the areas that will most effectively accomplish the mission of the Department. Successful mission performance is driven by developing human capital, executing efficient procurement operations, and possessing state-of-the-art information technology resources.

A key enhancement to the Budget includes an increase of $12.6 million to improve financial management department-wide. This includes funding to improve DHS' internal controls over financial reporting, as required by Public Law 108–330, the Department of Homeland Security Financial Accountability Act; analyze opportunities for further functional consolidation of segments of Departmental financial management; support the Department's plan to achieve an unqualified audit opinion with no material weaknesses; produce financial data that is timely, reliable, and useful for decision-makers in their mission to properly allocate resources to protect the Nation; and help protect against waste, fraud, and abuse.

A total of $18 million is requested for the eMerge2 (electronically Managing enterprise resources for government efficiency and effectiveness) program. eMerge2 will continue to consolidate accounting providers and systems in the Department by matching components positioned to become service providers with those in need of new systems. eMerge2 will invest in system enhancements, integrate systems, and build tools to consolidate financial data, ensure accountability, and provide timely, reliable information for decision making.

In addition, we propose an increase of $41.8 million for the Office of the Chief Human Capital Officer to continue implementation of the Human Resources System Initiative—MAXHR, a market and performance-based compensation system that rewards employees for their contributions to the mission of the Department, not longevity.

The Department has identified organizational performance deficiencies in the current procurement process and will implement comprehensive modifications to prevent fraud and misuse; and ensure effective delivery of services and proper procurement and contracting procedures. For this effort, we propose an increase of $27 million throughout the Department to improve acquisition operations.

Finally, the Office of Policy requests an increase of $8.1 million to provide funding to support DHS participation on the Committee on Foreign Owned Investments in the United States under the Policy office; expand duties of the International Affairs office; enhance capabilities of the Homeland Security Advisory Committee (HSAC) to work with private sector stakeholders; and increase efforts to oversee immigration and border security related initiatives.

CONCLUSION

The fiscal year 2007 budget proposal reflects this administration's ongoing commitment to protecting the homeland and the American people while ensuring the Department has the resources we need to achieve our critical mission. The budget builds upon past success and accomplishments, reflects risk-based, outcome-driven priorities, and supports the key imperatives under our Second Stage Review.

We will continue to work with Congress to ensure that our short and long term priorities are adequately funded—including border security, preparedness, strengthening FEMA, and enhancing chemical security. I look forward to continuing our partnership with you to ensure funding priorities are met so that we can continue to protect the homeland and the American people.

Thank you for inviting me to appear before you today. I look forward to answering your questions and to working with you on the fiscal year 2007 budget and other issues.

REPORTED DHS RESERVATIONS ABOUT THE DUBAI PORT DEAL

Senator GREGG. Thank you Mr. Secretary and obviously your statement will be put in the record, and I appreciate the background on the ports because it's a sophisticated system you're trying to put in place. However just to clarify the record here, there's been reports that when the initial review of the Dubai situation came through that the dissenting agency immediate approval was the Homeland Security Department. Then there have also been reports as we have read, that the Coast Guard had specific concerns which may have been applied generally to other issues but in this area was particularly in response to Dubai? Is that correct? Did the Homeland Security Department initially object or raise opposition in any way to the immediate approval, or the approval of this—

Secretary CHERTOFF. I think the way that gets reported reflects a misunderstanding of the process. First of all the Department of Homeland Security and all the departments generally in this process, there's an ongoing discussion. It doesn't—it's not like a formal vote to start the process. It's more like a jury ballot; you know it takes a lot of votes. As I think Assistant Secretary Baker has indicated previously DHS raised certain concerns and the agreement by everybody was those concerns ought to be addressed through assurances and safeguards which the company agreed to. Those assurances and safeguards satisfied us and everybody else on the committee that any concerns that were on the table about the impact of this on port security would be adequately—more than adequately addressed. Because it gave us total visibility into who the people were who were going to be over here; a total ability to insist upon adherence to the highest security standards we impose anywhere; and an ongoing ability for us to monitor compliance. So I think with these elements in place and I don't think there was any substantial disagreement about going forward and getting these elements. But with these elements in place, we were certainly satisfied that we had everything that we needed, the Coast Guard was satisfied that there was nothing more that they wanted to get in terms of assurances. As I say, we did get the benefit not only of use of our own intelligence component, but the community takes a position, and, of course, each department has its own intelligence element. And the final thing I would say is, this was not an unknown company to us. Customs and Border Protection has worked with this company for several years, including overseas and that obviously was a significant comfort level in terms of our assessment of the transaction.

Senator GREGG. That being said why is the administration's position now that they're willing to delay further. It sounds like you have all the information you think you need.

Secretary CHERTOFF. Well again, I want to make sure we're accurate. It's been announced publicly, although I haven't seen that the letter has come in yet, that the company has indicated the intent to send a letter asking us to begin a 45 day investigation. I don't know that that's ever happened before. Whether it has or it hasn't, if we were to receive such a letter and I haven't seen it yet, I anticipate we would honor the company's wishes. I understand that there's clearly an issue of being transparent, of assuring Congress

and the public that what we've done is a thorough vetting. It's not only that we have to do the right thing; we have to be seen to have done the right thing. So if the company wants us to pause and undertake this review I see no reason why we wouldn't do that. But I don't think that's in any sense a concession that somehow we think we did something inadequately before.

Senator GREGG. I don't know how much time I have left, let me turn to Senator Byrd, and I'll come back if there's time.

CLASSIFIED BRIEFING ON THE DUBAI PORT DEAL

Senator BYRD. For over a week Chairman Gregg's request and my request, my staff's request for a classified briefing have been rebuffed. The decision to allow Dubai Ports World to operate terminals in six of our major ports was done without consultation with the Congress. It was done without consultation with the State and local governments near the ports. It was done without notifying the Congress. Would you commit to provide the subcommittee with a classified briefing this week?

Secretary CHERTOFF. Yes.

Senator BYRD. Including providing the community intelligence analysis that was used to make the decision?

Secretary CHERTOFF. Well whatever—I don't know the exact elements of the briefing that we do, but as far as I'm concerned we will—in the context of a classified briefing give you whatever—the reason I hesitate is I don't own that document. And I can't commit to provide a document that I don't own. Certainly my Department will provide a briefing and whatever classified documents, our Department documents can be part of that briefing.

DHS REQUESTED TO GARNER ADMINISTRATIVE SUPPORT OF THE CONGRESSIONAL BORDER SECURITY INFRASTRUCTURE INITIATIVE

Senator BYRD. The budget that you are presenting today finally gets the administration and your Department fully behind the bipartisan congressional desire to secure our borders. This effort started with the amendment that Senator Craig and I offered through the Iraq war supplemental with the support of our Chairman, Senator Gregg. Congress has taken the lead in hiring more border patrol agents and immigration enforcement officers and in providing more detention capacity. I'm hopeful that this budget request is the first year of a multi year effort at gaining true security of our borders.

To continue that effort, 2 months ago, Chairman Gregg attempted to secure an additional $1.1 billion for border security infrastructure. I supported his effort at that time, to make sure that the agents and investigators that we're hiring have the tools to do their jobs. I continue to support him. I see no reason to wait another 7 months for the fiscal year 2007 budget. Now will you commit to us today to reach out to the White House and the House Republican leadership, to get their support for Chairman Gregg's efforts?

Secretary CHERTOFF. Well I am always more than happy to commit to taking back to my colleagues in the administration and anywhere else advice from this committee about how we ought to proceed. I mean we are strongly committed to a comprehensive strat-

egy at the border which includes not only additional personnel, and we have 1,500 thanks to Congress' action last year. We're in the process of getting them trained and deployed, we have 1,500 in this budget we are working on a comprehensive technology package through our secure border initiative which would allow us to actually start acquisition later this fiscal year of an integrated approach to using technology as a tool at the border.

Senator BYRD. Does that mean that you will commit to reach out to the White House and to the House Republican leadership to get their support for Chairman Gregg's efforts?

Secretary CHERTOFF. It means I will be always happy to reach out and discuss with great seriousness the—this committee's effort to make sure we have adequate funding at the border. I think it's consistent with this budget. I think it's consistent with our strategy, and I look forward to working with this committee in doing that.

Senator BYRD. So the answer is yes?

Secretary CHERTOFF. I've been about as clear as is in my capability to be. I will certainly carry this committee's message back and have a very serious discussion about what this committee thinks is appropriate which I think is consistent with what our views are.

Senator BYRD. So it's yes, maybe.

STRENGTHENING MARITIME SECURITY

Your budget embraces the bipartisan congressional effort begun in the fiscal year 2005 emergency supplemental for security at our land borders. The administration is promoting what it is calling the Secure Borders Initiative. But the initiative makes no mention of securing our wide open waterways and coastlines from illegal migration. When you strengthen security at the land borders those who wish to enter this country illegally will pursue other entry points. The administration's own national strategy for maritime security States, that, and I quote, "as security in our ports entry at land border crossings, at airports continue to tighten, criminals and terrorists will likely consider our relatively undefended coastlines to be less risky alternatives for unlawful entry into the United States." Unfortunately your budget fails to address the future weakness. The Coast Guard's Deepwater budget is flat as far as the eye can see. The Coast Guard needs a 21 century fleet of ships and planes. Unfortunately they have a fleet fit for the last century. The Coast Guard's fleet of cutters is currently the 37th oldest of world's 39 like size naval fleets. The Coast Guard Commandant has testified that Coast Guard ships and planes are in a declining readiness spiral. Under your Deepwater budget, the acquisition of new planes, helicopters and ships won't be completed until 2026. Twenty years from now, so the rest of you will have to look after that. Given these concerns, how can it be that you are satisfied with the Deepwater budget?

Secretary CHERTOFF. Well Senator, first let me say that we fully agree, in fact, part of our operational planning in terms of border security reflects an understanding that we're going to get more pressure at our coastal borders as we tighten up on our land borders.

Senator BYRD. Are you satisfied with the Deepwater budget?

Secretary CHERTOFF. I am. We've got almost $1 billion in this year's budget. And a significant amount of money in Coast Guard's budget directed at re-engineering assets so that we take helicopters that may be old, but we really outfit them with brand new engines and brand new avionics. I also want to point out that the budget this year includes a 15, 1–5 percent increase over last years levels for Coast Guard's supports, waterways, and coastal security program. That's an additional $274,000 million for this kind of coastal security.

Senator BYRD. I believe I've overrun my time.

Secretary CHERTOFF. So we are actually putting increased money precisely into Coastal security area of Coast Guard.

PASSCARD TECHNOLOGICAL INFRASTRUCTURE

Senator BYRD. I'll wait my turn.

Senator GREGG. Senator Allard.

Senator LEAHY. Mr. Chairman? I wonder if Senator Allard would be willing to let me go first. And I realize that normally you'd go next, but I've just been told that I have to Judiciary, and I wouldn't get a chance to question otherwise.

Senator ALLARD. I'd be glad to yield to the chairman from Vermont, and I would assume that I would be called on next.

Senator LEAHY. I thank my friend showing his usual courtesy and Mr. Secretary, I mentioned this briefly when you came in. A lot of people asked you about ports, we don't have ports in Vermont we do border with a great and good friend of the United States, Canada. And we're like many border States we're highly skeptical about the development of the border crossing card. The so called "Passcard." I understand that you have some legislation you've paged. But I would suggest that we—to be looking for different legislation and you should be leading that charge.

Aside from whether it's good policy or not, we've got an economic and cultural train wreck on the horizon, these cards are threatening all kinds of bottlenecks along the most efficient, safest, and longest border in the world certainly, the longest unguarded border. And I'm concerned about it. DHS and the State Department are promoting two different technological infrastructures for the card. DHS is promoting an open UHF design, that's what we do to track freight pallets. If it's open—if this open standard is adopted and is not secure, it may actually reduce safety on the border, not only is it less secure, it's completely different than what Custom and Border Patrol is installing now to read information off of chips with the new E-Passport. So it looks like they have to have one set of technology for that, a separate technology for less secure items, and they could be easily stolen. It's become very, very confusing but it also ignores something else. The northern border is not our southern border. Our situation with Canada, our largest trading partner is much, much different than it is with our southern border. It disregards our Canadian friends and neighbors. I think it's counterproductive. I think along in our State people have families on both sides of the border. The difficulty is going to be in crossing, I think it's going to create certainly in my State, it will create enormous costs but I don't see where it does anything for our security.

So my question is, why are you supporting this ultra high frequency standard, the same thing we do on commercially tracking pallets on a truck? Why not support the standard that is being used on E-Passports? It seems like everybody's going off in different directions, it was probably a dumb idea in the first place, but it just gets worse.

Secretary CHERTOFF. Well let me answer Senator by saying first of all I don't think a decision's been made, in fact what I've said, and I've talked to Secretary Rice about this, I think we've both agreed and I think we've announced it, is that we actually ought to migrate to a common standard. I would be very surprised and dismayed——

Senator LEAHY. Well you're sure not going in that direction now, you're going in an entirely different one.

Secretary CHERTOFF. Well, I mean if there are people who think they're going in a different direction, maybe the final decision hasn't been made. I'm pretty committed to going in a single direction. Meaning, I want to have a chip, some kind of an RFID chip that is compatible. Whether we do it in a passport, or an border crossing card, or in some other kind of card.

Senator LEAHY. Well, but Canada is not moving on something like this. I mean you're talking about doing this by January 1, 2008. Is that even realistic? If you don't have a common technology now, I mean how realistic. Have you even asked for money to get a common technology? I mean I can just see a complete screw up on the border come January 1, 2008. Certainly our closest friend in this hemisphere is going to be like what happened? Are we pariahs?

Secretary CHERTOFF. Well first of all, you know we're facing a legislative deadline, and I think we have an obligation to make the deadline. We have money for——

Senator LEAHY. But you haven't reached a common technology yet, how are you going to do that?

Secretary CHERTOFF. We've actually been in discussion with the State Department. And I think we announced a few weeks ago that we actually do have—we are working toward a common technology, so I will take back certainly your concern, if people are sending you a different signal.

Senator LEAHY. Well take back this concern too Mr. Secretary, frankly as a life long Vermonter I live an hour's drive from the Canadian border, as one who actually has relatives in Canada, who understands the economics of dealing with Canada, this is a cockamamie idea. I can show you dozens of places where if a terrorist wanted to get through they could get through with or without this. But I can show you where law abiding people in the United States and Canada will be shut off from visiting out of this country. It seems like almost doing something for the sake of doing something, not really to protect us.

Secretary CHERTOFF. Well, I do need to push back on that a little bit. Right now, what we use for identification crossing the borders is not particularly as useful. I mean, we get all kinds of documentation. We do ask for documentation, unless were to waive all identification requirements, and just let people come and go willy-nilly. It seems we owe the American public at least the kind of identifica-

tion document that is biometric and that is secure. It doesn't have to be—

Senator LEAHY. I've crossed that border without being asked for identification.

Secretary CHERTOFF. But I have to tell you with respect Senator, so did Ahmed Ressam, he crossed the border, but for the—

Senator LEAHY. And he got caught.

Secretary CHERTOFF. Well he did, but you know if it hadn't been for an alert Customs and Border Protection person, he would have blown up Los Angeles Airport, and then we would have had a 9/11 Commission to talk about why we didn't have identification cards.

Senator LEAHY. Why not work on something with the Canadians. You can't even come together with our own State Department, can you get together with the Canadians?

Secretary CHERTOFF. Well we are more than happy—first of all we are getting together with the State Department, we are more than happy to work with the Canadians. Look, let me tell you what our end State vision here is. Essentially a driver's license type of card. With an RFID chip that works the way proximity readers work all over office buildings in this city that is inexpensive, that is compatible whether it's issued out of Canada, or Mexico, or the United States. I believe we can do this. We've got a prototype in the works, I completely endorse the idea of a common technology and—or at least a compatible technology and not going off in two separate directions. If there are people in the Department who think they're going to proceed in a different direction, I will certainly address that. I think it's doable. I think we're legally obliged to it. And I think it actually is a good thing to do.

Senator LEAHY. Well thank you Mr. Chairman. And I thank Senator Allard, and I will obviously submit some questions for the record, and I hope they don't go into a deep dark hole. I hope somebody well actually answer them. It would be nice I mean. This is always unprecedented, but nice. Thank you.

PORT SECURITY

Senator GREGG. Senator Allard.

Senator ALLARD. Thank you Mr. Chairman. I want to thank you for holding this important hearing. And likewise I'd like to thank the Secretary for taking time to appear before the committee. I'd also recognize that the Department of Homeland Security, a new department was called to duty in important, challenging and unprecedented ways last year. And I think I want to recognize in a public way that there were a lot of employees of the Department, you have over a 180,000 who did their job, and they did it well, and I want to commend them for that.

Now during the course of the year we learned that there are some areas where the Department excels and we learned that there are some areas where it needs improvement. That's why I think this hearing is so very important, so we can pursue some of those. I want to follow up a little bit on the port question. I have some security concerns. Not so much in the short term, but in the long term. You know that part of the world, all those countries together, have not proven to be sterling examples of how you recognize ter-

rorists and how you control them from getting into your operation. Are you comfortable with how—there's going to be turnover in that company, and are you comfortable with how new personnel may come into that company, the kind of background checks and everything that they may be required to do, and whether there is going to be something that, over time, could assure the American people that this may not convert over to where you have a terrorist or two infiltrate the organization?

Secretary CHERTOFF. I am, Senator. And let me explain why for a moment. The change that is being envisioned here, is the change in the port terminal operator in the United States of America. Obviously foreign ports are always operated by foreigners, because they're in foreign countries. In terms of the workforce, first of all we will know any change in management, or any change in personnel. We'll have the opportunity to check them against our watch lists, or even require a more in depth background check. With respect to the longshoreman force that actually is generally handled by a hiring hall. Those are not regular employees of the port terminal operator, they are hired everyday based on the way the union, or if it's not a union, the non union halls send people. So those aren't going to be regular employees of the company, many of them are background checked according to the ports. We're actually going to take some steps in the near future to increase the level of background checking.

And finally, if there is a desire on the part of the company, and this is not just this company, any overseas company. If any overseas company wants to send people into the United States to manage operations here, they've got to get a visa. Which means we're going to check them, we're going to determine that we're comfortable with them. We're going to run them against our watch lists. We're going to do what we would do anytime somebody wants to come and work in the country. So contrary to some of the reporting, the company, no foreign company has the ability on its own to decide they're going to send somebody to the United States to work in a port without our knowing about it and approving it as part of the visa process.

FISCAL ACCOUNTABILITY MECHANISMS TO MINIMIZE SPENDING, WASTE AND FRAUD

Senator ALLARD. I'd like to move on, I think we've covered that issue, perhaps enough. But we've provided, meaning the Congress, has provide $87 billion, and dollars already allocated in addition to that. The Department's requesting additional $19.8 billion to meet what they described as emergency needs. Anytime you have a large outflow of dollars there's bound to be some waste. I'm interested in knowing what kinds of mechanisms you put in place to try and keep the waste down to a minimum, try to keep fraud down to a minimum, so that we have some accountability, as we move forward in the spending.

Secretary CHERTOFF. We have an oversight board in place a Katrina Oversight board, in place to look in general at the gulf and how we're spending money. From the very beginning of this post Katrina effort, really the first week, we got the IG involved right up front in terms of helping us try to design programs that we

thought would minimize the amount of fraud and waste. We recognized that particularly in the initial weeks when there was a real sense of emergency and crisis, we might have to bend some of the normal rules, because people were literally thrown out of their houses with barely the clothing on their back. But we've got an oversight board in place now. The IG, I think, has established a separate Assistant I.G., Inspector General, simply for the purpose of dealing with the Katrina—

Senator ALLARD. And have they been submitting reports to you on a regular basis?

Secretary CHERTOFF. They submit reports to the Inspector General, and I will get from the Inspector General, reports about what the status of this is. And of course Congress will as well.

Senator ALLARD. So you've been getting those?

Secretary CHERTOFF. I don't know if I recall personally seeing one, I know the Inspector General has been getting them, and I've been getting oral reports, and reports about particular problems that have been arising.

Senator ALLARD. Has he pointed out some flaws and perhaps maybe some corrections that needed to be made?

Secretary CHERTOFF. The Inspector General has; some of the flaws he's pointed out have been publicly revealed. We are taking steps trying to correct those, frankly some of the steps require us to address in advance of this hurricane season, contracting so we get some of the things in place before we actually get into the emergency situation. And you know, I consider the Inspector General a part of our management team, in a sense, that we take very seriously his suggestions. And in particular the Deputy Director of FEMA who is responsible for the gulf, is really tasked to work very closely with the oversight board and the Inspector General for the gulf in terms of making sure we are constantly monitoring these things.

Senator ALLARD. I know my time has expired, if I could just—I want to follow up this. Who do we have on that oversight board?

Secretary CHERTOFF. You know as I sit here I can't tell you the names of the people, let me get you that list.

Senator ALLARD. Yeah, a list and backgrounds, if you would please. Thank you Mr. Chairman.

[The information follows:]

KATRINA OVERSIGHT BOARD

UNDER SECRETARY FOR MANAGEMENT: JANET HALE

Janet Hale was confirmed on March 6, 2003, as Under Secretary for Management. Prior to her nomination and confirmation as Under Secretary, Ms. Hale served as the Assistant Secretary for Budget, Technology and Finance for the U.S. Department of Health and Human Services (HHS), and as chief financial officer and chief information officer.

Prior to HHS, she was the Associate Administrator for Finance for the House of Representatives and the Associate Director for Economics and Government at the Office of Management and Budget, responsible for budget and policy development, regulatory reform, and financial management for the departments of Treasury, Transportation, Commerce, Justice, and 25 smaller agencies. Ms. Hale has also served as the Assistant Secretary for Budget and Programs at the Department of Transportation, Acting Assistant Secretary of Housing at the Department of Housing and Urban Development, Vice President with the U.S. Telephone Association, and Executive Vice President for the University of Pennsylvania.

She graduated from Miami University in Oxford, Ohio, with a Bachelor of Science in Education and received a Master in Public Administration from the Harvard University, John F. Kennedy School of Government.

ACTING CHIEF FINANCIAL OFFICER: EUGENE H. SCHIED

Eugene H. Schied is the acting Chief Financial Officer of the Department of Homeland Security. His permanent position is that of Deputy CFO. Mr. Schied became the Department of Homeland Security's first deputy chief financial officer in December 2004. In this capacity, he supports the CFO in the day-to-day management of DHS' budget, financial reporting, working capital fund, resource management transformation, performance and planning, and investment review operations. He is helping to lead the transformation of independent legacy financial management operations and systems in DHS into a cohesive corporate entity capable of achieving and sustaining the highest financial management standards. Mr. Schied also served as DHS' budget director from May 2003 until March 2004.

In between his positions at DHS, he was the budget director at the Administrative Office of the United States Courts, which provides budget and financial support to the Federal Judicial System.

Prior to joining DHS, Mr. Schied was the deputy chief financial officer of the Department of Justice, where he served in the position of deputy assistant attorney general/controller from March 2001 until May 2003. He first joined the Department of Justice in 1992 as a Presidential Management Intern, and held various positions of increasing responsibility within the Department of Justice, including holding the position of chief financial officer of the Drug Enforcement Administration.

Mr. Schied holds a Master of Public Administration degree from the Ohio State University School of Public Policy and Management and a Bachelors of Arts in political science from the University of Iowa (Phi Beta Kappa). Prior to moving to the Washington, DC area, Mr. Schied worked for the City of Peoria, Illinois, City Manager's Office.

CHIEF PROCUREMENT OFFICER: ELAINE C. DUKE

Elaine C. Duke is the Chief Procurement Officer for the Department of Homeland Security. She provides leadership over the department's over $11 billion in contracts and $12 billion in financial assistance programs. Ms. Duke was the department's Deputy Chief Procurement Officer from October 2005 to December 2005, when she assumed duties as the acting Chief Procurement Officer. In January 2006, Ms. Duke took over the full responsibilities as the department's second procurement chief. Before coming to the headquarters, she served for two years as the Deputy Assistant Administrator for the Transportation Security Administration.

Ms. Duke spent the majority of her career in acquisition with the U.S. Navy. She completed her final tour with the Navy at the Naval Sea Systems Command in Washington, DC. She was Director, Office of Contract Policy as well as the Deputy Director, Hull, Mechanical, and Electrical Division in the Contracts Directorate. Prior to her tour with Naval Sea Systems Command, Ms. Duke served on the staff of the Assistant Secretary of the Navy (Installations & Environment), working the base closure and realignment program.

Ms. Duke also held various positions with the Naval Facilities Engineering Command. She began her career as a contracting officer for the U.S. Air Force. In addition to her work in the Department of Defense, Ms. Duke served as the Deputy Director of Contracting and Property Management for the Smithsonian Institution and Director of Acquisition and Grant Services for the Federal Railroad Administration.

Ms. Duke has a Bachelor of Science degree in business management and a Master's degree in business administration.

ACTING DIRECTOR OF OPERATIONS: ROBERT F. SHEA

Mr. Shea was named Acting Director of Operations for FEMA in support of Acting Director Robert David Paulison in February 2006. In this position, Mr. Shea is responsible for implementing policies and procedures on behalf of the FEMA Director and overseeing the day-to-day response, recovery, mitigation and preparedness activities of FEMA, part of the Department of Homeland Security.

Mr. Shea's 29-year career in public service has touched on all phases of FEMA's emergency management roles including preparedness, response, recovery and mitigation along with all areas of functional responsibility including operations, planning, logistics and administration. Beginning as a FEMA Disaster Assistance Employee, Mr. Shea has taken successively more challenging roles from program analyst to branch chief in the former State and Local Programs and Support Direc-

torate, to division director and then deputy administrator and finally acting Administrator of the Federal Insurance and Mitigation Administration in FEMA.

In 2004 Mr. Shea was detailed to the Office of the Secretary, Department of Homeland Security where he confronted the new challenges of the post September 11 environment by supporting the issuance of the National Response Plan, the initial formation of the Principal Federal Official program, and the implementation Special Events Program. These responsibilities brought him into contact with each of the 22 components of DHS.

Mr. Shea resides in Alexandria, VA where he and his wife, Mary Hope, have raised four daughters, Sofia, Michele, Hope, and Victoria.

INSPECTOR GENERAL: RICHARD L. SKINNER

Mr. Skinner was confirmed as the Department of Homeland Security Inspector General on July 28, 2005. Between December 9, 2004—July 27, 2005, he served as Acting Inspector General. He held the position of Deputy Inspector General Department of Homeland Security (DHS) since March 1, 2003, the date that the Office of Inspector General was established.

Prior to his arrival at DHS, Mr. Skinner was with the Federal Emergency Management Agency (FEMA), where he served as the Acting Inspector General (October 2002—February 2003) and Deputy Inspector General (1996—2002). From 1991 to 1996, Mr. Skinner served at FEMA OIG as the Assistant Inspector General for Audits. In 1998, he received the President's Meritorious Executive Rank Award for sustained superior accomplishment in management of programs of the United States Government and for noteworthy achievement of quality and efficiency in the public service.

From 1988 to 1991, Mr. Skinner worked at the U.S. Department of State (DOS) OIG. During his tenure at DOS OIG, Mr. Skinner served as a senior inspector on more than a dozen foreign and domestic inspections and in 1991, Mr. Skinner was appointed by the Inspector General to serve as the "de facto" Inspector General for the Arms Controls and Disarmament Agency (ACDA).

From 1972 to 1988, Mr. Skinner held a variety of audit management positions with the U.S. Department of Justice and the U.S. Department of Commerce (DOC). He began his Federal career in 1969 with the OIG of the U.S. Department of Agriculture.

Mr. Skinner holds a B.S. degree in Business Administration from Fairmont State College and an MPA degree from George Washington University.

DEPUTY INSPECTOR GENERAL: JAMES L. TAYLOR

James L. Taylor was selected as Deputy Inspector General effective October 16, 2005. He previously served as the Deputy Chief Financial Officer (CFO) and Director for Financial Management at the Department of Commerce. In this role, he also acted as Chair of the CFO Council Policies and Practices Committee. Under his direction, the Department of Commerce obtained the first of six clean financial statement audit opinions and reduced material weaknesses from 11 to 0. Mr. Taylor led the Department's successful effort to obtain a "green" rating on the Financial Management Initiative of the President's Management Agenda.

Prior to his work at Commerce, Mr. Taylor held the position of Deputy Chief Financial Officer at the Federal Emergency Management Agency (FEMA), where he was directly responsible for all financial operations, with expenditures of over $4–10 billion annually.

Immediately prior to joining FEMA, Mr. Taylor served as Assistant Administrator for the Federal Insurance Administration, a self-funded activity charged with managing the National Flood Insurance Program, where he was responsible for all financial, personnel, facilities, strategic planning and other administrative operations and policy.

Mr. Taylor has been the recipient of numerous awards for outstanding accomplishments, including the Presidential Rank Award for Distinguished Executive in 2004; the Donald T. Scantlebury Memorial Award for Excellence in Financial Management in 2005; the Gold Medal for Outstanding Achievement in Financial Management in 2003; and the Director's Award for Outstanding Achievement in 2000.

Mr. Taylor holds a bachelor's degree in Political Science/Economics from Old Dominion University and an MPA in Finance from the University of Delaware.

SPECIAL INSPECTOR GENERAL: MATTHEW (MATT) A. JADACKI, CPA, CGFM

Mr. Matthew "Matt" Jadacki is the Special Inspector General for Gulf Coast Hurricane Recovery, under the Office of Inspector General, U.S. Department of Homeland Security (DHS/OIG). He joined DHS/OIG in October 2005. The Gulf Coast Hur-

ricane Recovery Office focuses on preventing problems through a proactive program of internal control reviews and contract audits to ensure disaster assistance funds are being spent wisely

He is also responsible for coordinating the audit activities of other Federal Inspectors General who have an oversight responsibility for the funds transferred to their respective departments and agencies by the Federal Emergency Management Agency (FEMA) to assist in the disaster relief efforts.

Prior to joining DHS, Mr. Jadacki was the Chief Financial Officer/Chief Administrative Officer (CFO/CAO) of the National Weather Service, a component of the National Oceanic and Atmospheric Administration (NOAA) of the U.S. Department of Commerce (DOC). Before the National Weather Service, Mr. Jadacki was the Acting CFO of FEMA, managing eleven branches with over 200 employees and a $12 billion budget. Prior to FEMA, he worked in the U.S. Department of State from 1987 to 1991 as an Audit Manager and in DOC as an Operating Accountant/Auditor from 1981 to 1987.

Mr. Jadacki holds a B.S. in Business Management from the University of Maryland, College Park, Maryland, and is both a Certified Public Accountant and Certified Government Financial Manager. He holds memberships in a number of societies, including the Association of Government Accountants, the American Institute of Certified Public Accountants, and the Virginia Society of Certified Public Accountants.

PASS CARDS

Senator GREGG. Senator Murray.

Senator MURRAY. Thank you Mr. Chairman, and I echo the comments of the chairman and ranking member, we welcome you here. You've got great people but, Mr. Secretary I'm not very happy today. I joined Senator Leahy in his deep concern about our borders. The confusion is incredible. He mentioned a 2008 deadline. It's 2007 for ferries. We have people who cross our border on land, don't need a passport, get back on a ferry and come back and they can't get back in the country because they don't have a passport. We're told about these one day passes. This is a whole topic of conversation. It isn't working. And I'm going to be submitting some questions on that. I want to talk about port security today.

PORT SECURITY FUNDING

You came before our committee last year, we gave you a pass, you were new on board, but you've got tremendous influence on this budget that we've been given. And I was curious that your presentation on sea port and cargo security was fairly long today, but in your testimony that you provide us last week you didn't mention port and cargo security, and that's been my concern about the administration since September 11. We hear rhetoric, we do not see any action. I've been calling for a port and cargo security initiatives for almost 4 years now, and in a comprehensive plan.

There's 360 ports in our Nation today. I don't go to bed at night thinking that we're secure in our port system despite the rhetoric and the nice talk you gave about we look at things overseas. I don't feel we're very secure. And I look at your budget today where you're cutting back major programs, killing major programs. Port security program, formula base grants to States, training and exercise, port security grants, I mean I look through this and I say where's the money? And I hear you say you take the information back. Who are you taking it back to? You're the Secretary, and it should be you standing in front of all of us saying we have to do this. I just feel like maybe the DP World has kind of brought this to Nation's attention. But we have not done enough on port secu-

rity. Senator Collins has been fantastic, she and I have worked together to produce a Green Lane Maritime Cargo Security Act, that is a comprehensive cargo secure regime. We would like to get your input back on that we've been working with everybody. But it has been very hard to get this administration to put their money behind their talk on Homeland Security. And I for one, again, do not feel that this Nation is secure when it comes to our ports, our cargo, and the millions of containers that come in here everyday.

So my first question to you is when are we going to see a comprehensive port security plan. Are you going to get behind Senator Collins and I, are you going to ask for the resources that we need? We hear the White House say don't worry about this deal about UAE DP World because security is being done by our Nation. Yet, I've had Secretary Ridge before you come before our committee and others who say Federal Government has done their part on port security, it's now up to the private companies who run these ports. So I hear a really mixed message.

Secretary CHERTOFF. And I think the answer is, I'd like to try to unpack the different elements of this, because there are several different elements. I certainly do not believe that the Federal Government is finished with port security and something which I said last summer, and I think I said it in January, is one of our major initiatives has to be to push out the security envelope in the supply chain.

Senator MURRAY. Right, and you outlined that in your testimony and I know that you say the words. But are you going to get behind the Green Lane Maritime Cargo Security Act that Senator Collins and I have written and have worked hard to make sure that we have a secure regime in place?

Secretary CHERTOFF. I don't know that I'm in a position right now to take a definitive position on a particular act. But what I can tell you is, we're committed, first of all, to continuing what we're doing in the overseas, finishing the overseas container security initiative, but beyond that, moving further down the supply chain. Just a few weeks ago, I was in conversations with the major shippers to talk about how we can take advantage of the architecture to get better security as we push further down, even to the point where things are initially manufactured overseas and start their way up the supply chain.

Senator MURRAY. I've been hearing that rhetoric for years.

Secretary CHERTOFF. But I have to say, I mean that's why I went through the exercise of putting the charts up. I don't think it's fair to say we haven't made progress. I mean——

Senator MURRAY. Well I agree with you we have made some progress, we have the radiation port monitors; we've got some things in place. We are looking at some of the containers overseas today. But we don't have the authority overseas today to stop one of those containers from being loaded onto one of our cargo container ships. We have a lot of work ahead, wouldn't you agree with that?

Secretary CHERTOFF. I agree we have work ahead. And I agree in particular we've got some——

Senator MURRAY. Well and I guess my—and I only have a few seconds left. My concern is this budget doesn't reflect the need to

really focus on cargo and container security and that's why the red flags on this whole issue. That's what really concerns many of us. I am out of time. I want to have this conversation with you; I would like to sit down with you. I know Senator Collins would as well. We need to do more.

Secretary CHERTOFF. I would be happy to do that.

Senator MURRAY. And I would say this, I know my great friend from Maryland is going to talk about the Coast Guard budget too, but I'll you what, under this proposal 63 percent of the Coast Guard budget is directed to Homeland Security. They need the money. They're doing a fantastic job out there. I don't think any of that should be disregarded. But I look at your budget and I see that the Coast Guard's budget on search and rescue is cut $31 million, on natural resource protection cut $56 million a total cut from traditional missions of $87 million. In my home State of Washington, we count on the Coast Guard for search and rescue, fisheries protection, making sure that they are watching our very, very complex coast line and when all they hear is their only mission is Homeland Security that doesn't make our country very strong when we see 63 percent of their budget now go to Homeland Security and they're losing out on their critical missions, their life saving missions that are important to State's like mine and other coastal States.

Secretary CHERTOFF. I would welcome the opportunity to talk to you about this. Let me just make a couple of observations. This year our total amount of port security related funding in the 2007 budget request will be over $3 billion, about $500 million more than was enacted for 2006. As far as the percentage of Coast Guard that's considered Homeland Security funding, I have to say, in some ways, I mean I always look at all of it as Homeland Security funding. But one measure of how Coast Guard has performed, and the fact that we haven't compromised its other missions, is the magnificent performance down in New Orleans last summer where we got more rescues than in several of the previous years, 33,000 rescues and I think that shows——

Senator MURRAY. The Coast Guard does a fantastic job.

Secretary CHERTOFF [continuing]. The capabilities are there.

Senator MURRAY. But they are getting burned out. And that is a deep concern to many of us in the coastal States. And just so you know, much of the funds you're talking about in terms of ports are legacy funds. You're not asking for new funding and the Commandant of the Coast Guard said it was going to cost $7.3 billion over 10 years for our ports just to comply with the Maritime Transportation Security Act. The administration has only asked for $46 million, a tiny part of that. I don't see how we can continue to do this, and continue to put the costs on the private companies that operate our ports and feel secure.

Secretary CHERTOFF. If I can respond to that, I know that everyone's out of time. I would simply say this: I mean the private port owners actually do have to step up to the plate and do some of the funding, I will tell you for example——

Senator MURRAY. But Mr. Secretary that's exactly what the President said last week, was that we don't need to worry we are

in charge of security. Yet you just said that the private companies need to step up and do it.

Secretary CHERTOFF. Well in terms of some of the funding support for example. I don't see why——

Senator MURRAY. But if it is their funds, then they're in charge of it.

Senator GREGG. Senator, we're going to have to move on.

Secretary CHERTOFF. Let me just give you a concrete example. I think that we are clearly responsible for the security. On the other hand, I don't think we should pay for the fencing for a private company to build fencing and lighting. I think we ought to make them pay for it. Now if they don't pay for it, we ought to penalize them. There ought to be a mandate, and we do mandate it. We mandate a lot of businesses have to take certain kinds of precautions to protect themselves. I think that's completely consistent with what the President said, which is we have the responsibility for security, we have to check it. But that doesn't mean we're going to pay private companies to do what they ought to be doing to protect their own assets.

PREPARED STATEMENT

Senator GREGG. Senator Mikulski.

Senator MIKULSKI. Thank you very much Mr. Chairman, and you're the right person to be chairing this committee. I recall you were the first subcommittee on Appropriations along with the help of Senator Byrd and Senator Stevens, to hold hearings on terrorism. Well before 9/11 and your keen interest is very much appreciated. Mr. Chairman, I ask unanimous consent that my opening statement be in the record.

[The statement follows:]

PREPARED STATEMENT OF SENATOR BARBARA A. MIKULSKI

Thank you Mr. Chairman. I wanted to start off by saying that Mr. Chairman you are the right person to be chairing this committee. I recall that you were the first subcommittee chairman on the appropriations committee along with the help of Senator Byrd and Senator Stevens to hold hearings on terrorism. You held these hearings well before the tragedy of September 11. Your keen interest in securing our homeland and protecting this country from terrorism is very much appreciated.

Good morning Secretary Chertoff. I want to thank you, the Department of Homeland Security (DHS) and all of the staff at DHS, as well as all of our security agencies, who work so hard to keep this country safe. It's good to be here with you today to discuss the President's fiscal year 2007 budget request for the Department of Homeland Security.

Last year at this time you had just been sworn in as the new Secretary of DHS. This past year has certainly been a busy year for the Department. It has been full of major challenges such as Hurricanes Katrina and Rita, and has been ridden with major failures. At the top of that list was the failure of the Department and a failure of our Nation's emergency response and preparedness to the hurricanes and the people who were in desperate need of help.

The President's budget for next fiscal year claims to provide $35.7 billion to the Department of Homeland Security, which is a 6 percent increase over last year. But if you take away the President's proposal to double the airline security tax from $2.50 to $5, the budget is only a 1 percent increase over last year's level. This concerns me.

I am pleased that there are small increases to two important grant programs: the State Homeland Security Grant Program which has been increased by $88.1 million and the Urban Area Security Initiative Grants which has been increased by $82.5 million. These are important programs and I am happy to see that both have been increased.

However, I am very concerned about the cuts to key first responder grant programs. The SAFER Act or firefighter staffing grants have been completely eliminated, the Emergency Management Performance Grants was cut by nearly $12 million and the Law Enforcement Terrorism Prevention Grants have been totally eliminated.

But I want to address three issues specifically with you today about the Department of Homeland Security fiscal year 2007 budget: The P&O/UAE Deal and Port Security, immigration application backlogs for military service members and fire grants.

First of all, the P&O/UAE Deal and Port Security Grants. I have worked for many years on the Port of Baltimore, from dredging to port security. So you can imagine my concern when I learned of a foreign government-owned company taking over the Port's operations. I got really angry when no one in the administration seemed to know about the deal not the President, not the Secretaries of Treasury or Defense not you.

After further inquiry, I learned that the deal was approved quickly and secretly. The decision was made behind closed doors by the Committee on Foreign Investment in the United States, an entity that most Americans don't even know exists. The Committee on Foreign Investment in the United States has 12 members: the Secretaries of State, Defense, Commerce and Homeland Security, the Attorney General, the Secretary of Treasury, and six officials from the White House. The six White House officials are: the Director of Office of Management and Budget, the U.S. Trade Representative, the Chairman on the Council of Economic Advisors, the Director of the Office of Science and Technology Policy, the Assistant to the President for National Security Affairs and the Assistant to the President for Economic Policy.

The decision to outsource our ports was made in only 30 days and I am left with many questions about the decision. At what level did this Committee meet? Did Secretary Rice, Secretary Rumsfeld, Attorney General Gonzales and Secretary Snow sit around and decide this? Or was it delegated to the coordinator of the coordinator? Was the FBI consulted? What about the Director of National Intelligence?

This decision is about national security. The national security threats facing our ports are real. I have said before that our ports continue to be vulnerable to the infiltration of terrorists, the use of commercial cargo containers to smuggle chemical or biological weapons or even a dirty bomb, the intentional sinking of large commercial cargo ships that could result in loss of life and block access to major shipping channels, and the use of land around the port to stage attacks on bridges, or our waterfront chemical and oil refineries.

Port operators play a vital role in insuring that these threats do not become realities. The President tells us not to worry the Coast Guard will continue to protect our ports. Yet, the Coast Guard is already stretched too thin. They have increased responsibilities with only slight increase in their budget. The Coast Guard is charged with protecting 300 ports, more than 3,700 cargo and passenger terminals, more than 1,000 harbor channels, all of which are spread along thousands of miles of coastlines.

Our Coast Guard is one of the most efficient and effective of all Federal agencies weren't we proud of them following Hurricane Katrina? The Coast was there when we called on them. We need to ensure that we are there for them and that the Coast Guard has the assets it needs to been these challenges. The Coast Guard estimates that more than $5 million is needed for port security improvements. Yet, the President's budget eliminates funding for the Port Security Grant Program a $175 million cut from last year. Our ports are essential to national security and border security. I look forward to working with you to ensure the security and viability of the Port of Baltimore for now and in the future.

Now I want to turn to the issue of immigration application backlogs for men and women serving in the U.S. military. This is an issue that is close to my heart. Currently there are over 40,000 non-U.S. citizens serving in the U.S. military today. Many of them want to be come U.S. citizens but are caught up in red tape and paperwork and immigration backlogs. Today there are about 3,000 applications pending at DHS for service members applying for U.S. citizenship Spc. Kendell Frederick, an Army reservist from Randallstown, Maryland got caught up in this immigration backlog. His mother. Mrs. Michelle Murphy tried to help him but she got the run around from immigration about what her son needed to do to complete his citizenship application. He ended up being killed in Iraq before he could become a U.S. citizen.

This should not have happened. Mr. Secretary, I want to ensure that the men and women who have put themselves on the line, fighting for this country are treated with the respect and professionalism they deserve, including when they are applying

to become U.S. citizens. DHS should be working to ensure that resources are used to eliminate the backlogs and improve the information these members receive.

It is crucial that service members and their families receive accurate information when they call customer service at immigration and that immigration forms reflect the current state of the law.

That has not always happened and this is why I introduced the "Kendell Frederick Citizenship Assistance Act." This bill is meant to improve the process for those men and women fighting for this country to become U.S. citizens. I hope that you will join me and support this important legislation.

Finally, I want to address another important issue fire grants. We all know that when tragic events occur in our community, firefighters are always the first on the scene. The Fire Grant Program offers double value for American taxpayers firefighters get the training and equipment they need to do their jobs safely whether they are responding to a terrorist attack or a tornado.

FEMA and the National Fire protection Association found that an estimated 57,000 firefighters lack personal protective clothing one-third of firefighters per shift are not equipped with self-contained breathing apparatus. The Fire Grant Program supports our firefighters by giving them the equipment and training they desperately need. But this is not about new fire trucks and protective gear. It's about protecting the protectors and saving lives. So I look forward to working with Members of the Committee in addressing this funding shortfall.

Thank you Mr. Secretary and look forward to your testimony today.

Senator MIKULSKI. Mr. Chairman and colleagues, I'm going to focus on three issues. The Dubai ports, second the issue of immigration where our military who have green cards and how they're treated in a terrible backlog and number three, the short sighted funding of our first responders.

DUBAI PORTS

On the reports, Baltimore is one of the six ports affected in this Dubai deal, so we're pretty much on the edge of our chair wondering what it means in terms of port security. Here is my question Mr. Secretary, you're a member of the committee that's—the CFIUS that's supposed to do this. Do you personally attend the meetings or do you delegate that authority?

Secretary CHERTOFF. The general procedure, which was also, by the way, the procedure that was followed when I was at the Department of Justice, and as far as I know is the procedure in every department is that the—I know the committee does a lot—

Senator MIKULSKI. Do you go or do you delegate?

Secretary CHERTOFF. Well I have to—you've got to give me an opportunity to answer the question.

Senator MIKULSKI. Well, I've got 5 minutes.

Secretary CHERTOFF. I want to answer the question accurately. The practice of all departments is, first of all, there aren't a lot of meetings where everybody sits around. There's a lot of telephone and email. An Assistant Secretary is the level that generally conducts activities. If there is an issue that is raised, it comes up to the Deputy and to the Secretary. So I have on individual cases been involved sometimes very deeply——

Senator MIKULSKI. Were you involved in the Dubai port?

Secretary CHERTOFF. I was not involved in the Dubai port deal prior to its—the no objection, going from our department to the committee.

Senator MIKULSKI. Were you aware of the Coast Guard yellow flashing lights that they raised?

Secretary CHERTOFF. Well I've read the Coast Guard memo, including the classified.

Senator MIKULSKI. When did you read it?

Secretary CHERTOFF. I read it about a week ago. And I will tell you I must respectfully disagree with your characterization. I don't see it as a flashing light. I have seen countless intelligence reports, you've got to let me finish. I've seen countless intelligence reports that quite properly conclude by analyzing what is known, and then indicating that there are things that are not known. The piece of this report which was not widely reported yesterday, but was finally declassified is the Coast Guard's conclusion in this report. Which was an early report that DP World's acquisition of PNO in and of itself does not pose a significant threat to U.S. assets in U.S. ports.

Senator MIKULSKI. Mr. Secretary, I read intelligence reports too, I'm on the intelligence committee. Moving right along here, are you now going to be personally involved in this 45 day——

Secretary CHERTOFF. I strongly suspect I will be.

Senator MIKULSKI. No, I didn't ask if you suspect, sir.

Secretary CHERTOFF. Of course I will be involved in it.

Senator MIKULSKI. Directly and hands on. Will there actually be a meeting of this committee where you, Rumsfeld, Secretary Snow, Attorney General Gonzales, in other words those named will actually do this. Because it has enormous impact in terms of security, public confidence, and also relationships with people abroad.

Secretary CHERTOFF. Well I agree with you it's very important. I will be personally involved. I'm not going to speak for other Secretaries; you'll have to ask them what their degree of involvement is going to be. I have actually been personally involved in this since the last couple of weeks when it became clear to me this was going to become a matter of some controversy. I can't say that I looked at every scrap of paper, but I certainly intend to be involved——

Senator MIKULSKI. What criteria will be used to determine if there is a national security——

Secretary CHERTOFF. The same criteria I would use with any company, any foreign company, or any foreign country. I would judge the risk, I will look at the assurances that we have obtained and the guarantees from the company and I will satisfy myself that these put us in a position to eliminate any material risk with respect to foreign ownership. And in doing that I will certainly consult with the chief intelligence officer in my department, the experts in Customs and Border Protection and the experts at the Coast Guard.

Senator MIKULSKI. And will you be coordinating with Mr. Negroponte, our Director of National Intelligence?

Secretary CHERTOFF. Yes. I will speak to him too.

Senator MIKULSKI. And we'll look forward to the classified briefing. Is my time up?

Senator GREGG. No Senator, as I said we'll extend your time. We wanted to make sure you got the questions in, so why don't you go on to your next question there, and then Senator Kohl's next.

MILITARY IMMIGRANT BACKLOG

Senator MIKULSKI. Thank you very much. Mr. Chairman and Colleagues, I don't know if you're aware but there are members serving in our United States military who are not American citi-

zen's but possess green cards. They fight bravely, they fight valiantly and they're doing a good job. I had a constituent Kendal Frederick who actually was in the high school ROTC before the military. Anyway he was jerked around by immigration services, as was his mother, saying that his fingerprints didn't count that he had given to the military to become a citizen. Well the military took pity on him, and in Baghdad arranged for him to go get his fingerprints after Immigration told him he had to return to Baltimore. You with me? From Baghdad, he would have loved to come back. He died on his way to getting his fingerprints. So I've looked into this situation, I've got legislation pending and now this goes to my question, even though other things have been rebuffed.

Mr. Secretary there are 3,000 men and women fighting who have green cards that have a back log with your Department. What are you doing about the backlog?

Secretary CHERTOFF. We discussed this, and first of all I completely agree with you that we ought to make a special effort with respect to making sure our service personnel are not held up with green cards. I wasn't aware the backlog was 3,000. I'm certainly prepared to tell you that we should move heaven and earth to put these soldiers to the front of the line and figure out a way to cut through the red tape. I've conveyed that direction to Citizen and Immigration Services, I will certainly be pleased——

Senator MIKULSKI. I really need you to insist upon it, and look at it.

Secretary CHERTOFF. I agree. I'm onboard with that.

DHS ACTIVE DUTY FINGERPRINT VETTING POLICY

Senator MIKULSKI. Number two, the issue of fingerprints. In other words when you join our military, you're fingerprinted and you're vetted. We understand that there is now a bottleneck with your agency accepting the vetting process and fingerprints of DOD. What is your plan to correct that?

Secretary CHERTOFF. Well I have not heard that there was a problem with it. If there is an issue with respect to the quality of the prints, I mean that's, I guess, an issue we have to address with DOD going forward. If the prints are of sufficient quality and it's just a question of getting them compatible with our databases, we ought to be able to sold that, particularly because the numbers aren't that large.

Senator MIKULSKI. But nothing's happened.

Secretary CHERTOFF. As I say, I was not personally aware there was a fingerprint backlog, but I will find out about it.

Senator MIKULSKI. It's not a fingerprint backlog; it is a policy that is what's good enough for the Department Defense to accept someone to serve our country is not good enough for you.

Secretary CHERTOFF. I mean that doesn't make any sense to me, so I agree with you in principle, now as often is the case, when I go back I get——

Senator MIKULSKI. You get a buzz and I'm tired of the buzz.

Secretary CHERTOFF. Well——

Senator MIKULSKI. We've been buzzed.

Secretary CHERTOFF. All I can tell you is, I believe you are correct. We should be able to use DOD fingerprints. If there is some-

how a problem with the way the prints are taken, we have to figure out how to correct that. And we'll get back to you.

[The information follows:]

DHS' ACTIVE DUTY MILITARY FINGERPRINT VETTING POLICY

CIS agrees with the Ombudsman's concept and intent to improve the fingerprint process for military naturalization applicants, but CIS does not concur with waiving the fingerprint-based criminal history check at this time.

CIS recently initiated efforts with the U.S. Military and the Federal Bureau of Investigation (FBI) to reengineer the fingerprint process specifically for active duty military customers. Several meetings and numerous discussions have occurred exploring the possibility of waiving the CIS fingerprint requirement by relying on background checks performed by the military at the time of enlistment as well as post-enlistment background checks. Unfortunately, each of the four branches of the military employ independent enlistment processes and, even though a fingerprint check is conducted at the time of enlistment, post-enlistment background checks are not routine. Further, the military has confirmed that post-enlistment arrests and charges are not necessarily known by the military. Therefore, because no measures are in place with the military to ensure naturalization ineligibility issues of criminality are identified, CIS cannot concur with waiving the fingerprint requirement.

Though CIS does not concur with waiving the fingerprint check, CIS does recognize of the importance of military service and the special needs of military personnel. CIS, in conjunction with the military, FBI and Office of Personnel Management (OPM), is developing a fingerprint process that will eliminate the need for a soldier to appear anywhere for another fingerprint appointment. Under this process, when an application for naturalization is filed, the fingerprints previously collected by the military at time of enlistment will be forwarded to CIS and resubmitted to the FBI for an updated check. The details of the process are as follows:

—At time of enlistment fingerprints are collected by the military and forwarded to the FBI through the OPM

—The FBI performs a criminal history check, forwards results back to OPM, and the FBI retains the fingerprints in a history file

—Upon receipt of a naturalization application submitted by an active duty military member to the Nebraska Service Center (NSC), the NSC will notify CIS staff at the FBI to request the fingerprints from the FBI for resubmission

—Once retrieved by the FBI, the fingerprints are forwarded to the NSC in hard-copy format

—NSC converts the fingerprints into an electronic format and resubmits the prints to the FBI through CIS' electronic fingerprint system. The fingerprint images are also electronically stored at CIS

—Fingerprint transaction data and the FBI's search results are posted in CIS' fingerprint system and viewable globally

The process improvement described above is only a first step. CIS envisions additional enhancements as the Biometrics Storage System (BSS) becomes available and the military considers possible changes at the enlistment stage to automatically provide fingerprints to CIS. Additionally, CIS is discussing with the military the concept of the military establishing a background check infrastructure to certify their personnel as having "good moral character," along with other less significant fingerprint process changes.

Senator MIKULSKI. This is the functional equivalent of March 1. Could we look at this before April 1?

Secretary CHERTOFF. Yes.

Senator GREGG. I'm going to move on to Senator Kohl.

Senator MIKULSKI. Thank you.

Senator GREGG. And by the way Senator, I'm sure you're going to be able to straighten this out, because you're on the same wave length. But if you can't, I'm sure we can figure out how to do something in the bill.

Senator MIKULSKI. I'd like to discuss this with you further Mr. Chairman. And thank you, I hope I haven't run into your time.

Senator GREGG. Senator Kohl.

Senator KOHL. Thank you Mr. Chairman. Mr. Secretary, to return to the issue that's been discussed once or twice here today. This deal failed to pass the smell test with the American people as you know, which is why we're here discussing it today in such great detail. And as you know, top administration officials, including the President, Secretary Snow and yourself, were unaware of the deal until after it was approved and announced. And so now, we're talking about a 45 day delay while it goes through a review process. But the President has already said that the deal is a proper deal, and I think you're more or less saying it today. So why would any of us have great confidence in any chance that you're going to come back in 45 days and say, guess what it's not a good deal. It's not the right deal, you think many people really believe that's going to happen?

Secretary CHERTOFF. First of all let me make it clear. I don't care whether its 30 days, or 45 days, if new facts were to come to light, obviously we would act on the new facts. And you know no one has yet asked us to do a 45 day review. There's been press accounts, but I haven't seen a letter yet. So I'm not going to anticipate a letter that hasn't come yet. But look, the bottom line is the facts speak for themselves. We're going to give classified briefings, you had 12 or 14 agencies looking at this, nobody—once we had the assurances in place and they're very, very substantial assurances nobody raised an objection to this deal going forward.

And let me spend just a moment talking about the assurances, because I think maybe this is an item that escapes public attention. The whole point of the assurances is, it makes it clear that it's not like we're done with the process of vetting the company. The assurances give us the authority and obligation to continue vetting the company for the next months and years. And it gives us an unprecedented ability to do that. So it was always contemplated, once these assurances were signed that we would have the Coast Guard and Customs and Border Protection on a port by port basis, deeply engaged in the process of reviewing what is going on in those terminal operations, who the personnel are, what the security situation is. So I basically reject the premise of the criticism that somehow once we completed the review and allowed the transaction to go forward, we somehow then are done. The assurances were in fact designed to make sure we have a continuing involvement in the process of security, just as we do by virtue of the Coast Guard's inherent authority of Captains of the Ports. This happens to be one of those few areas where we have agencies that are so deeply involved on an ongoing basis, that we have much greater ability to assure security than in most sectors of the economy.

Senator KOHL. I appreciate that, and again what you're saying leads me to conclude that in fact this deal is intended to go forward by the administration. And I think you're making that very clear right now with all the assurances and so on, and the President has said that he would veto any attempt by the Congress to override that decision. So I'll leave the issue, but I think the impression has

been made clear that you all are intending to go forward with this, in a way which gets by the furor that is immediately surrounding it, to a time when it could be done—so you know, that's the impression I have, you may disagree with that. But I'd like to leave it. I want to ask you a question——

Secretary CHERTOFF. Well I'm sorry Mr. Chairman, I wouldn't like to leave a hearing, a public hearing, and have my silence be taken as acquiescence. If we were to be asked to undertake a 45 day review, we would do it honestly. At the end of the day though, the facts are the facts. We will see what the facts are. And that means the facts about what the intelligence is, what our current security authorities are, what the security posture is and what the company undertakes.

Senator KOHL. Okay.

Secretary CHERTOFF. So we'll deal with the facts as they are.

Senator KOHL. In connection with that, I'd like to talk about foreign ownership of ports, not ownership in fact but ownership of the operation of the ports. Many people are arguing that our ports should never have been turned over to foreign governments in terms of operations. Legislation, as you know, has already been introduced to ban any such deals. And we're living in a post 9/11 world. Having been repeatedly warned about the vulnerability in our ports I think that this legislation deserves serious consideration. How do you feel about the principle of having foreign owned companies, deeply involved in the operation of our ports?

Secretary CHERTOFF. I think in evaluating this proposed legislation Congress ought to consider the fact that obviously many of our port terminals are operated by foreign countries including for example China, which I think acquired a port in the late 1990s. PNO itself is a foreign owned company. Almost all of our shipping companies are foreign owned and obviously if you're going to start to talk about foreign ownership you need to talk about the shipping companies, and of course most importantly the foreign ports which is where the cargo gets loaded therefore where the greatest vulnerability exists. By definition, foreign ports are foreign owned because they're in foreign countries. So, I guess what I would say from a risk management standpoint is, I always caution against the idea of focusing very hard in a particular anecdotal issue that arises, without stepping back and looking at the whole framework and asking where the highest risk is.

To be honest I think the highest risk in our maritime system is what happens overseas, because there's where cargo gets loaded. And a lot of our emphasis has to be, without suggesting domestic ports aren't important, a lot of what we've got to do in terms of further work is extend our security overseas. But I have to acknowledge that foreign ports will always be operated by foreign companies because they're in foreign countries. So we're going to have to live in a global world, and I think we need to make sure as we do so, we're fair, we have a level playing field, we don't treat, you know countries that are friendly are treated in like fashion. We should be able to distinguish between our friends and our foes. I think it would be a very bad message if people in the Middle East for example were to walk away with the feeling that even when they're friendly we treat them dismissively. I think all foreign com-

panies raise concerns. I think we ought to treat those concerns in a manner that's even handed, focuses on the facts, and make sure that we treat our friends well and our foes not so well.

Senator KOHL. Well you're right, and this legislation that's been introduced is not directed against any part of the world as you know, its legislation that says all of our port security in this country should be handled by operations owned in this country. So it's not in anyway an aspersion on the Middle East.

NECESSITY OF SENIOR LEADERSHIP LONGEVITY AND POTENTIAL INEFFICIENCIES DUE TO DHS' ENORMITY

One final question if I may take just a minute. DHS is an enormously complicated operation as I'm sure you would attest. In terms of it's budget, in terms of its mission, in terms of it's number of personnel. I would ask you whether or not, if it's going to be operated effectively, somebody needs to be in a position of authority like yourself for a long, long, long time. And pursuant to that, do you think that DHS is too big to be operated effectively for example, with respect to FEMA and what happened in Katrina, whether or not FEMA deserves to be an independent agency; some of the things that FEMA controls deserves to be broken away from DHS. How can DHS be as diligent as it must be, and needs to be, if it's such a gargantuan organization?

Secretary CHERTOFF. I've given that obviously a considerable amount of thought in the year that I've been on the job. And let me give you two answers, first of all I think emphatically, there is value in having this as a single organization. It doesn't mean it's easy to integrate. I mean it's not easy to integrate and DOD took 40 years. But you know in the end DOD produced a product, a combined joint services approach to military operations which by all accounts is much better than the way it operated when we had three separate departments. If you look at what happened in Katrina, the best results occurred when we operated in an integrated fashion, using the whole department. When Admiral Allen came onboard he really was committed to using all the assets of the department as PFO and he did so, and he did so effectively.

When we stepped in as a department and we were able to apply our resources at TSA to help manage evacuations, or Coast Guard to do rescues. That was when the Department did best. When the Department failed is when people decided to go it alone. And I am strongly convinced if we were to set—if we were to reverse course, separate FEMA out, we'd now create a fissure or a fault line between two of the critical elements of response. And it would make coordination that much more difficult, it would make the ability to build FEMA into what it deserves to be that much more difficult. I think that we were on course to do the right thing with integrating. I will tell you we didn't get there, we weren't there when I arrived, and I think I was pretty honest in saying to people we needed to do a lot more work. I said it in July, and I draw no comfort from the fact that it was proven to be right in August. I think though the original design makes a lot of sense. These are all prevention, protection, and response, and all a spectrum of things we have to use for all hazards whether they be natural, whether they be terrorists. We will often not know when we could have a out-

break of disease, we wouldn't know if it was a terrorist attack, or a natural attack, you know anthrax, for example, occurs in nature, but it also can be weaponized. So I think that having an integrated approach that learns to use all of the tools anytime we have a hazard or a challenge actually makes a lot of sense.

I do though recognize you know, we're 3 years into this. It took DOD 40 years to do Goldwater-Nichols, Senator Bennett says it took 5 years to get the Department of Transportation right. I'm committed to doing the job in less time, but I would be less than honest if I didn't tell you that it's not going to be done in a week, and I don't think anybody thought it was going to be done in record time. So we've got a lot of work to do. We've accomplished a lot. I'd be the first to tell you we've got a lot of areas where we got to do a lot more work in. But I think the course we have now is the right course.

Senator KOHL. Thank you, Mr. Chairman.

DHS' ORGANIZATIONAL STRUCTURE AND FEMA'S CAPABILITIES

Senator GREGG. Thank you Senator. And we want to let you get to the work of which you have a lot to do, but I just want to make a couple of comments and then ask a couple of specific questions. On this concept of organization, I'm not so sure I subscribe to your view. You know, I was here a little bit before you got here in this fight; and in fact before 9/11 we tried to address this issue and we ended up with a tug of war between FEMA and what was then called National Domestic Preparedness Office which was in the Justice Department as to who would control first responders, and whether FEMA was the right agency to deal with first responders in a terrorist event. And FEMA came in and co-opted the NDPO and then you split it off now, and moved it up to a Secretary level, and so there's real issues here of management. And it seems to me that it really gets to the capacity of an agency to handle an event. That should be the way we should look at it. I think the White House has done the right thing, and this Townsend report, I don't know what the official title is, but just reading it I haven't talked to her. But it seems to me that you've got to grade the catastrophe. The event's level of impact and if you have a flood in New Hampshire on a major river like we had, FEMA does a great job and it should be the response agency. If you have a middle level catastrophe but it's contained, such as 9/11, FEMA again may be the right agency to come in, in coordination with a lot of other agencies. But when you get to one of these catastrophic events, where you're essentially wiping out—what happened was it wiped out a city and a region, FEMA is not capable of handling it period. And nor probably is the Department of Homeland Security, you just do not have that capacity and you're probably going to have to use the Department of Defense capability. And so I think there's got to be some structure which grades the event before the integration occurs as to who is in charge. And then gets those people on the ground that should be in charge fast, which was the problem in Katrina. We didn't have the right people there. If the Department of Defense had charge of New Orleans, those people wouldn't have been left at the Super Dome. They would have been out of there

because we would have had helicopters, and we would have had what was needed.

And so I think the White House is on the right track, I know you're very integrated in that process, but this idea that FEMA should have responsibility for every major catastrophe in this country is I think a huge mistake. I mean there are some things they simply aren't going to be able to handle. Also whether or not domestic God-driven strategies should be within the organization called the Homeland Security Department. And when you're time is 50, or 60, or 70 percent, and I suspect it was at least that high during the peak of the Katrina event, maybe 100 percent of your time is focused on a domestic catastrophe because your agency is not functioning well in that catastrophe, that's drawing off resources. It's drawing off attention from what is the threat, which is the terrorists are coming across the border with something that's going to harm us, or they're here and they're going to harm us. And so I'm just not sure that we shouldn't have some sort of quasi independent effort here on the issue of domestic God driven events. And I guess we shouldn't blame God for these events, but events that have nothing to do with human input. So I don't accept necessarily the thesis of your position yet, and I think it needs to be looked at in a much more aggressive way, and I respect and congratulate the leadership you and the White House have given with this Townsend initiative.

TSA HIRING FREEZE

A couple of specific questions, TSA is under a hiring freeze, it's been under a hiring freeze for 2 years, I supported that freeze the first year, I've supported it the second year, you can't continue it. It's clear they're having huge attrition; they're using massive overhead dollars, I think, to get through the day; there are morale issues, I believe, that are developing that are very serious within that agency. We're bringing online technology which should reduce the need for personnel, but it's not there, it's not working yet. In fact these puff machines I understand they take more time wiping them down than they save time putting people through them. This budget because of the way it's been structured basically continues that freeze.

First question, can this agency continue to function effectively and maintain the respect of the public if it is under this type of a personnel freeze. Second, if we lose this $1.6 billion that has been put in here as a "here today, gone tomorrow" budget number, a plug, how does your Department function?

Secretary CHERTOFF. With respect to the first question, I think you know, ultimately over time we need to migrate to a more efficient, more technologically driven system. But that's not going to happen over night as you say Senator. One thing that we are trying to do though is change our protocols to begin to move to a more efficient use of screeners. One of the things that Assistant Secretary Hawley has done for example, he's started to retrain them not to focus on the nail and scissors, but to focus on detonators and detonators pieces, behavioral pattern recognition, this of that sort. Putting more of our screening personnel into—and other security

personnel out into the area of the airport in general rather than having them clustered at the area where we do the magnetometer.

So I think he is actually working very hard to find a way to leverage the resources that we have to make them more efficient.

TSA PASSENGER FEE INCREASE

I guess we come back to the fee, and look I have a very simple position, I think it's the right thing to do. Let's put aside whether I'm being a Don Quixote here, but if I didn't think it was the right thing to do that would be a different story. I think it's a fair price to ask passengers to pay, and rather than——

Senator GREGG. Let me ask you to pause there. Even assuming that's true. Under the budget that you sent up here, the fee doesn't go to passengers. It goes to border security. So you're asking the airline passengers to pick up this cost, now you can argue that it's all the same pot, its fungible. But there's no increase in TSA personnel even though the fee goes up.

Secretary CHERTOFF. Well there is, I mean I guess my answer is, it is all the same pot, and it does fund research into new technologies, deployment of replacement machines in order to deal with other machines. I mean at the end of the day, if we didn't—if we had a gap of $1.6 million, I have no doubt some of the impact of that gap would be felt in TSA operations. And you know at the end of the day, you have to say to the industry, a world in which we had to plug a gap and it wound up giving us longer lines at the airports and more inconvenient airport situations; it would not be a happy situation for the airlines. I mean maybe the answer is if we look—you know if we don't—if we did have a gap to plug, maybe the answer is we should look to plug the gap at least in part where the beneficiaries who should be paying the money are located. So that at least the cost is visited upon those who don't want to pay the fees. I am hopeful that we can figure out a way to come up with an appropriate fee. We retooled it this year; we came up with a different approach, if someone has a better, fairer way to do it, I'm open to hear about a better, fairer way to do it. But at the end of the day this was Congress' original vision, that this expense ought to be borne by those who benefit from it, and I think we ought to insist on that.

Senator GREGG. Well under that logic there should be a border crossing fee.

Secretary CHERTOFF. You know you could—I tell you for example with respect to immigration services. We charge——

Senator GREGG. I'm not talking immigration, I'm talking about the person who drives across the border from well there aren't too many who drive across the border from New Hampshire, but you know from Vermont to Canada or from Brownsville to——

Secretary CHERTOFF. I think Congress recognized when it passed the original transportation security plan; that the extraordinary expense of transportation security; keeping that system safe was an extraordinary burden and should be borne at least in part, because it's not entirely borne by the fee, but it should be borne at least in part by the fee. Coast Guard charges fees for certain kinds of activities. It's not unknown for the——

Senator GREGG. Well should there be toll booths at the borders so that you're actually tying the fee to border security and not to airline security.

Secretary CHERTOFF. And I think there though, the benefit you can argue about border security is distributed so widely across the country that everybody benefits and everybody ought to pay. Airline security and I think this was Congress' position when the legislation was passed, you know people who never got on an airplane don't really benefit. The benefit really goes to the passengers. And therefore, while we shouldn't require them to pay the entirety of it having them bear a share doesn't seem unreasonable. You know some people disagree obviously. I actually think though that there's a lot of merit to that position, and we're talking about a comparatively small increase. I mean if we were talking about a huge amount of money, I think that would be different. But at the end of the day, a net raise of $2.50 for you know, if you have to wait at the airport for an hour you spend that in soft drinks and newspapers. And now they charge you for the headsets on the planes, that's $4, or $5. I mean it just—I have to say, in the nature of things, it doesn't seem an unreasonable thing.

Senator GREGG. Thank you Senator Byrd do you have any additional questions?

TEMPORARY WORKER PROGRAM

Senator BYRD. The President has submitted to Congress the outline of his proposal for what he calls a Temporary Worker Program. The proposal would legalize the status of millions of illegal aliens to work in the United States. How many legal aliens, individuals who cross the border illegally, or over stayed their visas would be allowed to legalize their status under the President's guest worker program?

Secretary CHERTOFF. Well this is, as you know Senator there are a number of different proposals. The President has outlined general principles. I don't think he submitted a specific proposal yet. I think the estimates are, somewhere between 8 and 11 million illegal migrants in the country. Now some of those are probably children who you know would be—if there were a TWP a Temporary Worker Program they would be in the country under the umbrella of their parents. But my, again rough, really rough estimates are it could be around 7 million workers who would ultimately have to be eligible under a temporary worker program.

Senator BYRD. So that's amnesty isn't it?

Secretary CHERTOFF. It's not amnesty. I mean the President has been very clear that this would be a program that would not put people to the head of the line, or reward them for doing something that they hadn't done. What it is, is a recognition of an economic reality. There are millions of jobs now in this country that are being performed by undocumented workers. I was talking to a mayor whose name I will not mention, who estimated that much of the home health system in the country is run with the help of undocumented workers. The lettuce growers out west complain without undocumented workers or workers coming in from South America, all the lettuce would wilt. I think if you go around and you look at grounds keeping, what people do on lawns, you find an

awful lot of undocumented workers. These workers are here because American employers are paying them to come here, or paying them to work here. And if we don't admit that fact and the incredible economic demand and pull that that is, we are not really addressing the problem honestly. I am four square behind you increasing enforcement, more border control, more satellites, more this, more that. But if you expect that to do the job 100 percent, I think there's an unfair demand being placed on our Border Patrol. I think in the end, you have to address, and find some way to regularize and bring into a legally regulated channel all of this economic demand for temporary workers, so that we can really focus on the people I think the country wants us to focus on most, which are people who are coming in not to simply do work that nobody else wants to do, but to commit crimes or to commit anti-social acts or even to be terrorists.

Senator BYRD. Now why would such a program not encourage other illegal aliens to break the law, in the hope of being similarly rewarded with legalized status?

Secretary CHERTOFF. I think the answer is two reasons. First of all, of course we could in fact make part of the law requirement that this would only apply to people who could demonstrate they had been in the country prior to the time that the program was announced or the time it was passed. But second because I think that much of the focus of this has to be on the employers. It seems to me right now we're in a situation where we're in a twilight zone.

Senator BYRD. You're what?

Secretary CHERTOFF. We're in a twilight zone. We basically say to the employers don't hire illegal migrants, but we also say we're not going to really check very hard. And I think that's the worst of all worlds. What we ought to do is——

Senator BYRD. Why do we say that?

Secretary CHERTOFF. Well we do it, because we have not been vigorous enough in enforcing worksite enforcement.

Senator BYRD. Why is that?

Secretary CHERTOFF. Well that's what we're in the process of changing. One of the things the budget has ——

Senator BYRD. How long is it going to take to change it?

Secretary CHERTOFF. Let me try to lay out what our plan is. We have the basic pilot which allows employers to verify the status of their employees. The budget contains I think $135 million to expand that program. That would give us the ability—for the first time—to say to employers, all employers, not just a small group—now you have a tool that will allow you to check the status of your employees. At the same time we are taking steps now to increase our worksite enforcement capability. The budget contemplates adding several hundred new enforcement agents to enforce worksites. We've got some legislative proposals up on the Hill that would give us better tools in terms of worksite enforcement. We have to consider increased penalties for worksite enforcement; it seems to me you've got to do both of these things. You've either got to give people a legal channel to check the status of their employees; but then at the same time if you give them that channel and you give them a temporary worker program, you have to have a real sanction if

they chose not to use the course that the law has set out in front of them.

Senator BYRD. So you don't think that illegal aliens are encouraged to break the law in the hope of being rewarded with legalized status?

Secretary CHERTOFF. I think if we properly design a temporary worker program it will recognize the reality that we have, millions of undocumented workers in the country, but will encourage people to come in using a documented and legal form of temporary worker as opposed to an illegal form?

Senator BYRD. When are we going to do that?

Secretary CHERTOFF. Well, the President's budget has money in here for the verification. There are a number of proposals now for Temporary Worker Program; Chairman Specter I guess has issued the chairman's mark on this. We are looking at the various proposals, and I think it's our expectation and our hope that we will see action on a Temporary Worker Program bill this year.

Senator BYRD. What's he waiting on?

Secretary CHERTOFF. Well right now, we've just gotten the chairman's mark, Chairman Specter has issued a mark. We've got—we're analyzing that. It's just a matter—we've just had it for a few days. We have the proposal by Senator McCain and Senator Kennedy, we have a proposal by Senator Kyl and Senator Cornyn, there's a lot of discussion about these issues. They are complicated issues, but at least I think we are now underway to tackling this very serious issue.

Senator BYRD. Once these illegal aliens have been legalized, how do you ensure that they'll leave when their temporary work visas expire?

Secretary CHERTOFF. Well one of the critical elements of the process is temporary worker status. It would have to involve a background check, would have to involve a biometric identification card, so that we would be able to, for the first time, have real ability to identify people in this country who are temporary workers, and who are working on a temporary basis. And then that would be the tool that we would use to track people and make sure they're complying with the law. If people's visas ran out, at that point, an employer who hired that person to continue to work, after their visa had expired would face a pretty serious sanction; and we could hold them to a pretty serious obligation to check the status of their worker to make sure they don't hire somebody who is here, having over stayed their visa.

Senator BYRD. Is it impractical to detain and remove these aliens now?

Secretary CHERTOFF. It would cost—I had it estimated, if we this year were able to round up every single undocumented worker, and if you accept the estimate of 8 to 11 million we would have to build three times as many jail cells as currently exist in the entire United States at some astronomical cost. We would have to pay to have all these people removed. I don't know that there are enough airplanes, commercial airplanes that we could lease to put all of these millions of people on airplanes and send them back.

Senator BYRD. So it's impractical then?

Secretary CHERTOFF. I would say it's virtually impossible.

Senator BYRD. And why is it any less impractical to assume that they'll be detained and removed 6 years from now?

Secretary CHERTOFF. Because in 6 years if we devise this program correctly, and we create a proper incentive structure to have employers no longer employ people who are illegal, because employers can find sufficient legal temporary workers to do the jobs, economics will do the job for us. What will happen is after the visa period, the demand for this kind of illegal worker will be dried up, this will be satisfied by legal workers and by temporary workers. And I think everybody agrees that the principal reason people come to this country illegally to work, is because they want to make money. If there's no work for them, then the incentive is for them to go back home.

And there are some further things we can do. I mean they may accumulate benefits for example over 6 years, and we could make the receipt of those benefits contingent upon their returning back to their home countries. That would create a financial incentive. I mean, I don't want to suggest this is easy; we have wrestled with this question for 20 years. I remember when I was U.S. Attorney in the early 1990s we were talking about this.

The bottom line is, if we don't harness the economics of the market place, if we don't build a set of incentive structures, we will never solve this problem. I do not believe there is a way, simply by using enforcement and border security that we can ever address the issue of all these undocumented workers.

Senator BYRD. Well, how do we ensure that our immigration system is not overwhelmed by the millions of aliens who would qualify for this program?

Secretary CHERTOFF. Well, part of what we are beginning to do now is to plan the kind of information technology architecture we would need to process people if we had a temporary worker program. And if a temporary worker program were passed, we'd have to deal with two sets of people. People overseas who want to get in the program who would have to presumably come to our consulates and register, and people in this country. And I think one of the issues we are wrestling with now, is what is the most efficient architecture to register people, capture their fingerprints, run their fingerprints against databases, interview them as we do with visas, and then get them an inexpensive biometric card. I suspect probably we would, you know the employers would have to play a very significant role in the process because they are the beneficiaries and so there might be fees involved. But I don't want to get too far ahead of myself. You've identified the complicated and important questions that have to be addressed, and that we are currently addressing, and we are currently planning in the event that we do get a Temporary Worker Program that Congress passes. This is a very challenging task. And immigration reform has been tried before. It was tried in the mid 1980s, in many ways you know, you really have to hesitate to take the challenge on. The problem is there's no choice. If we don't address the challenge, we will continue to be mired in what is an unacceptable situation in this country.

Senator BYRD. What have we learned from the implementation of the 1986 amnesty?

Secretary CHERTOFF. Well I think we've learned amnesty is not a good idea. And it's not a good idea to build a program that is focused only on one element of the spectrum. In other words, you've got to have serious border enforcement, serious internal enforcement, and a serious Temporary Worker Program. And only if all of these elements come into play can we expect success.

CHEMICAL PLANT SECURITY LEGISLATION

Senator BYRD. Mr. Secretary, it has been 4½ years since the terrorists struck the homeland. While the administration has been focusing a large portion of its resources on aviation security and the border, chemical plants remain vulnerable. In my State of West Virginia there are 73 chemical manufacturing plants, and 100 chemical distribution plants. If there were an attack on one or more of these facilities, the potential loss of human life and damage to the local and the national economy would be devastating. Despite the multitude of warnings that the chemical sector is vulnerable to attack, the administration has shown a great reluctance to make security at chemical facilities a priority. I have pressed this issue with you, and I have pressed it with former Secretary Ridge. Repeatedly I've done this and to very little avail. I'm told that the private sector is taking care of it.

Last year the Government Accountability Office concluded that for 93 percent of the chemical industry it is uncertain whether facilities are improving security at all. Only 1,100 of the 15,000 chemical facilities identified by the Department of Homeland Security are known to adhere to voluntary industry security procedures. I was encouraged last summer when the DHS Assistant Secretary for Infrastructure Protection, and Information Security testified before Congress that a system to enforce and audit security standards must be put in place for the chemical sector. Unfortunately no action has been taken since his testimony.

Your fiscal year 2007 budget proposes $10 million for a chemical security office, which will evaluate the risk of chemical facilities and establish security standards for them, but this funding would not be available until fiscal year 2007, which would further delay the effort to secure chemical facilities. Why are you kicking this can down the road and not pursuing enforceable standards for the chemical facilities now?

Secretary CHERTOFF. Well Senator, I'm pleased to say we actually are. As Assistant Secretary Stephen said last year we do believe that it is appropriate to have some mandatory standards in the industry. I think we've dealt with a number of Members of Congress, there's a proposed legislation that Chairperson Collins and Senator Lieberman have proposed. We are working with them on the legislation. I think we've sketched out what principles we believe we need to have in chemical plant security legislation, which is to have tiers of risk, focused the most on the highest risk in chemical plants, and require certain kinds of performance standards. Require audits, and verification. We don't have the authority at this point, in general, to do this. Although we do under the MTSC have authority for chemical plants on waterways and rivers. We're really looking to Congress to work with Congress in coming up with an appropriate piece of legislation that would give us the

authority to do, for the chemical sector at large, the kind of regulation that we think is appropriate. Now obviously the devil is in the details, but we are supportive and working with Congress now on some legislation that is working its way through the process that would address this issue.

CHEMICAL SECTOR NATIONAL STRATEGY

Senator BYRD. Congress required you to complete a national strategy for the chemical sector by February 10, 2006. That strategy has not been submitted. Why? And can you tell the committee when that strategy will be submitted to Congress?

Secretary CHERTOFF. I believe the strategy is in the final stages of being reviewed, I think it went through several rounds of comments from stakeholders in the private sector. I believe that the comment period is now done, and I'm anticipating this spring that we will have the National Infrastructure Protection Plan, and the specific chemical sector plan published.

Senator BYRD. When?

Secretary CHERTOFF. This spring.

CHEMICAL PLANT SECURITY LEGISLATION

Senator BYRD. This spring. Yesterday, the Government Accountability Office concluded that legislation is necessary to give the Department the authority to require the chemical industry to address plant security. It's been 3 years since the Department of Homeland Security was created, why hasn't the administration proposed legislation for Congress to consider?

Secretary CHERTOFF. Well we actually have in the last few months sat down with a number of Members of Congress. We have outlined the essential parameters of what we think legislation should be. So we have submitted a proposal, not a—not a detailed bill, but actually kind of a set of general principles and we're actually——

Senator BYRD. What Members of Congress?

Secretary CHERTOFF. We sat down with—I sat down myself with Chairperson Collins, and Senator Lieberman who are—I think have got a bill that they've been working on, and the Homeland Security Committee. I've dealt with a number of Members of the House to get their views on a bill, so there is actual legislation. Now I don't want to suggest that we support the legislation in all respects. There are elements of this Collins-Lieberman bill that we support, elements we don't support. But we are engaged in the process with Congress as we speak in trying to fashion what we think would be a good piece of legislation.

Senator BYRD. How long is that process going to be?

Secretary CHERTOFF. I'm afraid that now you're asking me a question that lies more in the area of Congress competence than mine. I think it's before the committee, I don't know that there's been a markup yet. But I may be wrong about that.

Senator BYRD. But the administration hasn't proposed legislation for Congress to consider, has it?

Secretary CHERTOFF. We've laid out general guidelines, and we've agreed to work with Chairperson Collins and Senator

Lieberman and their bill recognizing that there maybe some areas of disagreement, as well as some areas of agreement.

ADDITIONAL COMMITTEE QUESTIONS

Senator GREGG. Well we thank you very much Mr. Secretary for the time you've given us this morning. And again I know on behalf of myself and Senator Byrd and other members, we want to thank your staff, and people who work for your agency for their dedication to this country. And we hope that the criticism that you've heard today is taken as constructive, because it was meant to be constructive. And our job is to give you the resources you need and make it possible for you to do your job, and the people who work for you do their job better; and we're very committed to that. And this committee has not been on the cheap side on resources, that we've been able to round up for you and we intend to continue to go in that direction, but we obviously have reservations about what was sent up relative to the budget. Thank you.

Secretary CHERTOFF. Thank you, Mr Chairman.

[The following questions were not asked at the hearing, but were submitted to the Department for response subsequent to the hearing:]

QUESTIONS SUBMITTED BY SENATOR JUDD GREGG

ENDING CATCH AND RELEASE

Question. Mr. Secretary, you have made a commitment to end catch and release of detained illegal aliens. Drastically reducing catch and release, even if not ending it completely, is an important commitment. We need to understand the cost implications. Can you make good on this commitment with the resources available to ICE for fiscal year 2006? If not, what additional funds are required?

Answer. The Department has made ending "catch and release" on the Southwest Border a priority and the Department has already made significant progress in achieving this goal. The Department has:

—Increased efficiencies in the detention and removal system to allow for faster turnover and greater utilization of detention capacity;
—Expanded the use of expedited removal across the Southwest Border; and
—Worked with foreign governments to ensure that they accept back their citizens who have violated our immigration laws on a timely basis.

The recently enacted supplemental provides sufficient funding for an additional 4,000 detention beds in fiscal year 2006 as well as associated removal and transportation costs. This additional funding will allow DHS to detain nationals of El Salvador apprehended in the Rio Grande Valley (RGV) Border Patrol Sector. Nationals of El Salvador comprise one of the few populations still subject to "catch and release" on the southwest border due to the 17 year old court injunction. As a result of the supplemental, DHS plans to expand detention capacity by approximately 3,000 beds in the Rio Grande Valley with the remaining 1,000 beds distributed along the border in response to apprehensions.

Question. Is this commitment only for the southwest border?

Answer. After implementing the Secure Border Initiative (SBI), the department pledged to end the practice of "catch and release" along the Southwest border, where 92 percent of the "Other Than Mexican" (OTM) apprehensions have taken place for the fiscal year to date. Eventually, however, we hope to end this practice altogether. Key elements of SBI that are aimed at ending "catch and release" include:

—Increasing the number of agents to patrol our borders, secure our ports of entry and enforce our immigration laws; and
—Expanding and creating more efficient detention and removal capabilities.

The detention and removal process is being re-engineered to create an efficient system that will always have available detention capacity by streamlining the process for removal and minimizing an alien's time in detention. To date, we have achieved significant efficiencies in the process through increased cooperation with foreign governments, increasing detention capacity, and expanding expedited re-

moval, as well as streamlining our internal removal process. We will continue to focus on these objectives and increase efficiencies as we work to achieve our goal.

Question. When will this be implemented for the northern border and along the coasts as the Department has committed to do?

Answer. DHS is committed to protecting all borders, including the northern and coastal borders. On January 30, 2006 DHS took an important step by authorizing the use of expedited removal on the northern and coastal borders. This was preceded by Border Patrol personnel from these sectors being trained in the use of Expedited Removal. Coastal and northern border sectors are currently engaged in performing expedited removals of aliens who meet the defined criteria for placement in this removal process and where detention assets are available.

Question. What is the plan to address the problems presented by family detention and placing El Salvadorans in expedited removal?

Answer. In support of the Secretary's goal to end "catch and release" of Other than Mexicans (OTMs) along the Southwest Border, ICE DRO will begin detaining family units.

Holding families together within the same facility will maintain family unity, allow family members the opportunity to make informed decisions together, and reduce anxiety that may be caused by separating family members for detention purposes. Families will remain united throughout the immigration process, protecting parental rights and allowing parents to maintain responsibility for their children.

The Department's implementation of expedited removal for Salvadorans is substantially hindered by a 17 year old injunction in *Orantes* v. *Gonzalez*. The United States asked the Court to lift or modify its injunction more than 6 months ago. Discovery is still continuing with respect to that motion so that no decision is anticipated in the immediate future. This matter and other old injunctions have led the Department to ask Congress to reform the immigration injunction process so that the Department may obtain prompt relief from old injunctions and will be protected from overbroad future injunctions.

BORDER INFRASTRUCTURE SUPPLEMENTAL

Question. I believe that taking control of our borders is equally important to fighting terrorism in Iraq. Wouldn't you agree Secretary Chertoff that fighting the war on terror should start with protecting the homeland?

Answer. Taking control of our borders is paramount to homeland security. Since its inception, DHS has undertaken a host of steps to enhance border security.

We began with a number of steps to increase border security at our ports of entry. These included significant new initiatives to screen individuals entering our country, including deployment of US VISIT and revised terrorist watch list screening procedures. We have put in place advance data requirements so that detailed information is transmitted before a passenger arrives from overseas. We have also deployed a number of new border security initiatives directed at cross-border threats posed by the transportation of cargo. Amongst these were innovative programs, including the Container Security Initiative (CSI) and the Customs-Trade Partnership Against Terrorism (C–TPAT).

We have also taken a number of steps to enhance border security between the ports of entry. Most recently, DHS has developed the Secure Border Initiative which is an integrated systems approach to immigration enforcement. SBI focuses broadly on two major enforcement themes, controlling the border and immigration enforcement within the United States. Through SBInet, DHS is seeking an integrator to provide a full range of solutions that will include integrating technologies, infrastructure, response capabilities, people, and processes into a comprehensive border protection system. DHS anticipates the award of the integrator contract by September 2006. Securing our Nation's borders remains one of the top priorities of DHS.

Question. In order for our country to take control of the border we need not only to increase the personnel and technology available to Customs and Border Protection, and Immigration and Customs Enforcement, but we need to invest in the infrastructure that will allow them to do their jobs effectively. We need cars, planes, buildings, cameras and other things.

Do you agree we need to invest in our enforcement infrastructure?

Answer. Yes. It is absolutely essential that we invest in and maintain our enforcement infrastructure to ensure that our employees not only have a safe and secure work environment, but also the tools to allow them to perform their duties in the most effective manner possible.

Our enforcement infrastructure acquisition and maintenance processes must also be planned and managed in an integrated and systematic fashion that ensures that

mission performance is optimized to the fullest extent by eliminating redundancy and incorporating innovativeness and state-of-the-art technology—while also taking care to ensure accountability and fiscal responsibility so that the American public gets what they paid for.

To that end, a critical component of the Secure Border Initiative is SBInet, which will serve to integrate multiple state-of-the-art systems and security infrastructure into a single comprehensive border security suite for the Department.

Question. We know that CBP needs to replace its air fleet, which includes some airframes with an average age of 40 years, why haven't you requested those dollars in the fiscal year 2007 budget request?

Answer. We have requested funding in this area. The Budget requests $61 million in base Air and Marine procurement funding to be utilized to purchase up to 30 new helicopters.

The fiscal year 2007 budget request was developed as CBP Air and Marine was in transition and the requirements for air fleet recapitalization were still evolving. Over the last few months, CBP has been integrating the former aviation programs of the Offices of Air and Marine Operations and Border Patrol under the newly established Office of CBP Air and Marine. As part of this integration, CBP has been working to develop a detailed plan to meet the threat to our borders while maintaining our traditional missions. The plan reflects the newly integrated aviation organization and includes requirements for the acquisition of new aircraft, the retirement of obsolete assets, the introduction of upgrades to aircraft, ground sensors, and communications capabilities, the consolidation of maintenance and training capabilities, the extension of the P–3 fleet service life, and the realignment of air sites to most effectively support mission and operational needs. The Department will keep the Committee apprised of the plan's status.

US VISIT EXIT TRACKING CAPABILITY

Question. When does the Department expect to make a decision about deploying biometric exit tracking at airports?

Answer. DHS is examining the results of the current exit pilots at 14 airports and seaports. DHS will then determine the best approach for capturing exit data using biometrics and biographic information. We continue to rely on our existing exit process, which is now enhanced by implementation of the Advance Passenger Information System (APIS) rule. APIS collects electronic arrival and departure records from the electronic manifest information sent to Customs and Border Protection by carriers. The relevant portions of the arrival/departure records transmitted through APIS are then recorded in Arrival/Departure Information System (ADIS). ADIS then serves as a repository for entry, exit, and status change information.

Question. When will a plan be submitted to the Committee to implement that decision?

Answer. The Department is currently evaluating the results of these pilots, as well as considering land-border exit screening options, and will brief the committee at the conclusion of this review.

Question. The fiscal year 2007 budget requests a $60 million increase for US VISIT. What specifically will be accomplished in fiscal year 2007 with the increased funding requested for the program?

Answer. The $60 million increase for the US VISIT program will fund the transition to 10-print and IDENT/IAFIS Interoperability. These resources will be used to deploy 10 print readers to ports of entry, improve IDENT technical capabilities, and improve interoperability with IAFIS.

PANDEMIC INFLUENZA

Question. What is the Department's role in preparing for and responding to pandemic influenza?

Answer. Consistent with the DHS Strategic Plan, National Response Plan, and the Interim National Infrastructure Protection Plan, DHS will develop a plan to implement its roles and responsibilities under the Pandemic Strategy. In addition to its incident management coordination roles and responsibilities, DHS is responsible for ensuring integrity of the Nation's infrastructure, domestic security, entry and exit screening for influenza at the borders, facilitating coordination for the overall response to a pandemic, and the provision of a common operating picture for all departments and agencies of the Federal Government

During a pandemic, DHS is the lead for overall domestic incident management and will coordinate the Federal response. Specifically, the Secretary, DHS:

—Retains responsibility for overall domestic incident management;

—Possesses the authority to declare an Incident of National Significance and activate the Biological Incident Annex to the National Response Plan (NRP);
—Coordinates non-medical Federal response actions for an Incident of National Significance;
—As requested by HHS, directs the activation and deployment of National Disaster Medical System (NDMS) health/medical personnel, equipment, and supplies, in a phased regional approach, and coordinates the provision of hospital care and outpatient services, veterinary services, and mortuary services through NDMS;
—Coordinates with other Federal agencies to develop a public communications plan through ESF #15—External Affairs and the Public Affairs Annex to the NRP;
—Provides logistics support, as appropriate;
—Through ESF #1—Transportation identifies and arranges for use of U.S. Coast Guard aircraft and other assets in providing urgent airlift and other transportation support
—DHS components work with HHS to identify and isolate people and cargo entering in the United States that may be contaminated; and
—Develops plans and facilitates coordinated incident response planning with the private sector at the strategic, operational and tactical levels.

Question. A total of $47 million in emergency supplemental funding was provided to DHS to plan and prepare for a pandemic event in the fiscal year 2006 supplemental appropriations bill signed into law in December of 2005. What is the status of the Department's plans for the use of this funding?

Answer. Currently, staff and senior management have finished a spending plan that programs the $47 million into various DHS components where most immediate and critical needs have been identified. This money will allow DHS to expand the Department's role in addressing the avian flu issues. The funds will be allocated before the end of the fiscal year 2006.

IMPROVING NATIONWIDE CATASTROPHIC PLANNING

Question. Mr. Secretary, in your speech on February 14, 2006, a reference was made to some of the findings of the Nationwide Plan Review Phase I—the effort to find out the status of catastrophic planning across the country. I understand folks are hard at work, digging into this information to understand it and make recommendations to improve things. However, the report contains some very provocative findings in terms of the level of confidence that many States and urban areas have in the adequacy of their catastrophic plans. What conclusions has the Department reached so far?

Answer. The February 10, 2006 Report to Congress was a compilation of the first phase of the Nationwide Plan Review, which involved a self-assessment of plans by States, territories and urban areas/major cities using guidance and criteria provided by DHS. The Department has not reached any conclusions as we are conducting the second phase currently. The second phase involves visits by Peer Review Teams comprised of former state and local emergency management and homeland security officials to 131 States, territories, and urban areas to jointly validate self-assessments, determine requirements for planning assistance, collect best practices, and recommend corrective actions. A Final Report, including recommendations will be provided to Congress by June 2006. The purpose of the two-phase approach is to ensure DHS and the participants can jointly review the Phase 1 written submission with each participating entity's planning team, as well as provide immediate feedback with specific recommendations and observations. The combination of self-assessments and peer review will provide us with the most accurate assessment of plan status.

FIRST RESPONDER GRANTS—RISK AND THREAT FACTORS

Question. Some people advocate all grants should be devoted to terrorism prevention and preparedness; others that grants should be used for all-hazards. Which do you advocate?

Answer. Fundamental to the mission of the Department is the mitigation of threats, vulnerabilities, and consequences that stem from acts of terrorism and natural disasters. Taken as a whole, Departmental assistance to States and localities supports the broad mission by building capabilities that are applicable to either acts of terrorism or natural disasters. Most states and localities have a hard-won appreciation for their risks and vulnerabilities to various natural disasters, and have already structured their response capabilities to address these known risk. In contrast, catastrophic terrorism is more recent threat that is not well understood, hard

to predict, and for which most states and localities are not adequately prepared. Further, the Federal Government has a unique role in helping States and localities prepare for a threat that has significant roots overseas.

That said, a number of DHS grant programs—including the Emergency Management Performance Grant Program, Citizen Corps Program, and the Metropolitan Medical Response System Program—are all-hazard in nature. These programs are targeted to particular constituencies such as emergency management, community preparedness, or public health and medical communities but support preparedness activities across the full range of natural and manmade hazards.

Several other programs—including the State Homeland Security Program, the Urban Areas Security Initiative, and the Law Enforcement Terrorism Prevention Program—focus on terrorism preparedness in accordance with statutory intent. However, in fiscal year 2006, the scope of allowable activities for several of these programs has been expanded to include catastrophic events, provided that these activities also build capabilities that relate to terrorism. This broadened scope of program implementation activities recognizes and supports ongoing preparedness initiatives addressing such issues as pandemic influenza and the aftermath of Hurricanes Katrina and Rita that are of critical national importance, and recognizes the regional and national impacts that such events can have.

Almost all of the capabilities included in the Target Capabilities List and the overall framework of the National Preparedness Goal are dual-use in nature, in that they can apply to both terrorism preparedness as well as other hazards. Thus, even if a program is technically focused on terrorism preparedness, the capabilities built and sustained through those programs support a much broader range of hazards than terrorism alone.

Question. How mature is the methodology being used to determine where the risks and threats are today?

Answer. In fiscal year 2006, DHS has taken a major step forward in its risk analysis, developing a robust model which evaluates both risks to assets as well as risks to populations and geographic areas. By its nature, this type of analysis will continually evolve and mature.

The DHS formula for determining eligible urban areas for its Urban Areas Security Initiative (UASI) program has progressed from a simple count of "high" and "low" criticality and numbers of threat reports in fiscal year 2003 to a fully risk-based computation that is attack-scenario based and uses infrastructure-specific vulnerability and consequence estimates. At the same time, DHS has gone from considering 14 infrastructure types in the analysis in fiscal year 2003 to more than 40 in fiscal year 2006; the fiscal year 2006 approach evaluates risk to well over 100,000 specific infrastructures, and incorporates strategic threat analysis from the Intelligence Community along with law enforcement investigations, credible and less-credible threat reports, and suspicious incident reporting received from local, State and other Federal agencies.

The levels of complexity of the formula and data calculations have increased markedly from fiscal year 2003 to fiscal year 2006. For example, in fiscal year 2003, three equations were used to formulate the city prioritization; in fiscal year 2006, over 4,000 equations were used. For fiscal year 2003, approximately 1,500 calculations were made, in contrast to more than 3 billion calculations in fiscal year 2006. Fiscal year 2005 UASI formulations were represented within a spreadsheet of 42,000 cells. If the fiscal year 2006 UASI calculations could be included in a spreadsheet, it would contain more than 20 million cells.

Question. How confident are you in a process which determined the sixth largest U.S. city, San Diego, faces lessened risk?

Answer. The fiscal year 2006 risk formula consists of making two complementary risk calculations: asset-based risk and geographically-based risk.

—Asset-based risk utilizes threat values derived from the Intelligence Community assessments of the intent and capabilities of adversaries to accomplish a set of baseline attack modes. These threats and attack types are mapped against certain infrastructure types, such as bridges, dams, and power plants.

—Geographically-based risk takes into account values that are based on the inherent attributes of the geographic State or Urban Area. This analysis considers factors such as terrorism-related reporting and investigations, and population density. To arrive at the total relative risk of terrorism, the geographically-based risk score is weighted two times the asset risk score.

San Diego is on the list of eligible jurisdictions for full participation in the fiscal year 2006 Urban Area Security Initiative (UASI) grant program. In previous years, the risk score directly converted to a dollar amount and allocation to the jurisdiction. This is not the case for 2006 funding. Each of the 42 cities, including San Diego has equal status in competing for the UASI grant funds. The fiscal year 2006

Congressional Appropriations language instructed the Secretary to award funds based on both risk and need. While San Diego's relative risk values are lower in 2006 than they were in 2005, their need has yet to be determined, and hence no decisions can yet be made as to how much the city will receive. The Office of Grants and Training will be making the funding determinations in May 2006.

Additionally, DHS anticipates that continued experience with the annual risk analysis process will further improve the collective understanding of the impacts of attacks on systems, improving the ability of the process to recognize that, in some cases, a system provides resilience, and in other instances the critical nodes within a system provide the potential for significantly greater consequences. DHS remains committed to continually improving its risk analysis process, and looks forward to further refinement of the current methodology.

STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) ACT GRANTS

Question. The National Fire Protection Association found potentially two-thirds of the Nation's fire departments are understaffed. What is DHS evaluating to determine that no funding should be requested for SAFER Act grants?

Answer. The Department believes that preparedness is a shared responsibility between the Federal Government and State and local jurisdictions. Further, the dedication of Federal funds to a hiring program such as the Staffing for Adequate Fire and Emergency Response (SAFER) program, is not the most effective use of limited homeland security funds to enhance existing local preparedness capabilities. The Department has requested significant funds over several years to support public safety preparedness at the State and local levels of government. Congress has appropriated and the Department has granted billions of dollars to support training, exercising, and equipping public safety personnel, including firefighters, across the Nation. Homeland security funds should enhance existing local preparedness capabilities rather than support a hiring program such as SAFER. Ultimately, local governments have the responsibility to support firefighter staffing levels commensurate with their local fire threat.

EMERGENCY MANAGEMENT PERFORMANCE GRANTS (EMPG)

Question. If Katrina has shown us anything, it is the importance of local preparedness and planning. The Emergency Management Performance Grant program is important to State and local preparedness.

What justification is there in the face of the recent catastrophic disasters to propose a reduction in funding available for EMPGs?

Answer. The fiscal year 2007 EMPG request is consistent with the Administration's $170 million budget request in fiscal year 2006. The Department continues to support the EMPG program, which helps States and Urban Areas achieve target levels of capability to enhance the effectiveness of their emergency management programs. The EMPG funding request for fiscal year 2007 is sufficient for States to continue to develop intra- and interstate emergency management systems that encourage partnerships among government, business, volunteer, and community organizations based on identified needs and priorities for strengthening their emergency management and catastrophic planning capabilities. In addition, programs such as the State Homeland Security Program and Urban Areas Security Initiative—while focused primarily on terrorism preparedness, also include catastrophic events, recognizing that the capabilities built support a much broader range of hazards than terrorism alone.

PORT SECURITY—AUTOMATED TARGETING SYSTEMS

Question. Today, our systems for capturing trade data used in targeting incoming cargo is focused on the data available from the manifest, i.e. cargo/shipping information versus the people who handle the cargo. I understand that CBP has an initiative which started some time ago to look at expanded data elements to more fully assess risks of cargo, particularly seagoing cargo.

Is the feasibility and usefulness of capturing information on the owners and operators of foreign and United States-based terminals being looked at? Where are you with this effort?

Answer. CBP has been conducting an extensive evaluation of expanded data elements that will enhance cargo targeting. In this analysis, we have determined that the people who handle the cargo and particularly those involved in the loading process are an important informational element. The terminal operator has little to no control over the security of the container and is therefore not deemed a useful data element for cargo targeting. Data elements that we are looking at are entities that initiate the movement and the physical handling of the cargo.

CBP has conducted an extensive analysis and proposes that the collection of a limited number of additional trade data elements at manifest will effectively enhance cargo security and CBP's targeting capabilities. New sources and types of data can be gathered during other phases of supply chain operations and used to enhance and strengthen the effectiveness of CBP screening and targeting efforts. Data can be gathered during the purchase order process, staging and shipment, and cargo transportation and includes such documents as purchase orders, booking confirmations, bills of lading, terminal receipts, status reports and proofs of delivery. By collecting more and different information throughout the supply chain, greater visibility and transparency can be achieved and true risk better understood within the international supply chain.

CBP is working with its trade partners to find ways to obtain better information, new information, and to find ways to get the information we already have, but earlier in the supply chain so we can interdict a known risk or intervene in connection with an unknown risk at the earliest point possible. A supply chain security committee has been set up within the Trade Support Network as a forum that works with the trade community to identify and leverage advance information early in the supply chain. This advance information will build upon existing CBP security measures to add value to ongoing targeting initiatives in order to secure our nations borders, as well as our efforts to facilitate legitimate trade. The committee's goal is to identify, discuss, document, and submit the trade communities' supply chain security requirement recommendations for ACE—which in partnership with CBP should result in an information requirements plan for the best data set available to CBP.

Through partnering with the carriers, portals, importers, shippers and terminal operators, CBP is gathering supply chain data, studying what it means, discovering where it can be most effectively obtained in the supply chain, who has it, how the pieces fit together and determining how it can improve our targeting programs. All of this data will assist us to zero in on suspect movements and perform any necessary security inspections at the earliest point possible in the supply chain. CBP has evaluated entry-level data time frames and believes that submission of this data 24 hours prior to arrival may be valuable as a final validation of carrier manifest data.

AVIATION SECURITY PASSENGER FEES

Question. If Congress does not accept the Administration's $1.3 billion proposal to increase passenger security fees, what specific funding in the fiscal year 2007 budget request for programs or activities do you propose for reduction or elimination to make up for this difference?

Answer. The Transportation Security Administration (TSA) continues to seek Congressional support for the President's request to restructure the air passenger fee as part of the TSA budget. TSA believes that the adjustment addresses prior congressional concerns with a fee based upon emplanements rather than one-way travel. We also believe the restructured fee more equitably assigns the costs of aviation security to the direct beneficiaries, the air travelers, as envisioned in the Aviation and Transportation Security Act (ATSA).

Aviation passengers currently pay an aviation security user fee of $2.50 per emplanement, with a maximum of $5.00 per one-way trip. This fee has not increased since it was originally imposed in early 2002, following the 9/11 terrorist attacks. The President's budget proposal aligns the collection of the fee with the point at which the screening is done—upon entry into the aviation system. The proposed change in the aviation security fee structure would establish a flat fee of $5.00 per one-way trip. This would have the effect of equalizing the amounts paid by travelers between major cities and travelers who must take connecting flights on a round-trip basis. Restructuring the fee would also generate an additional $1.3 billion in revenue and bring the percentage of aviation security expenses covered by passenger user fees to approximately 72 percent. Currently, user fees cover only 42 percent of the costs of aviation security.

OFFICE OF SCREENING COORDINATION AND OPERATIONS

Question. Where is the Department with regard to establishing the Screening Coordination and Operations (SCO) office?

Answer. DHS is developing a plan to set up the SCO.

Question. Five and half months of this fiscal year have expired and it is my understanding that not a single employee has been hired for this office. In fact, there currently is no SCO office. Is that true?

Answer. DHS is committed to the SCO and is developing a plan to set up the office and to develop coordinated screening policies.

Question. What is the Department's schedule to stand up this office?

Answer. The department plans to have the office completely operational and functioning by the end of fiscal year 2006.

Question. Given that the office will be operational for less than half a year, I expect a significant proportion of the $4 million in appropriated funds will not be spent this year. Is that a reasonable expectation?

Answer. The $4 million is necessary for SCO operations in fiscal year 2007.

Question. Given the lags in establishing SCO and the likelihood of unspent funds for this office in fiscal year 2006, is the fiscal year 2007 budget request ($4 million) realistic or optimistic?

Answer. The fiscal year 2007 budget request of $4 million is necessary for fiscal year 2007 operations.

NATIONAL PREPAREDNESS INTEGRATION PROGRAM

Question. The fiscal year 2007 budget proposes a new preparedness program called the National Preparedness Integration Program (NPIP). Why is this new program needed?

Answer. Purpose of the NPIP:

The purpose of the National Preparedness Integration Program (NPIP) is to improve the Nation's preparedness posture—a national safety and security imperative. The NPIP does that by organizing, monitoring, and enabling national preparedness activities—with key focus on high-impact preparedness priorities.

The basic premise of the NPIP is that effective national preparedness requires an integrated and synchronized approach among Federal, State, local, tribal and private-sector partners to share information and to plan, train, and exercise consistently. The current Federal level approach to information sharing, planning, training and exercising is inconsistent across departments and agencies, leading to non-integrated preparedness.

As the preparedness enabling element of the Directorate for Preparedness, the NPIP will integrate national preparedness system and doctrine, and provide field-based preparedness coordination. Additionally, NPIP will develop, foster and instill a national preparedness culture—an imperative established by the White House and the Congress, and an expectation of the American citizens.

The Scope of the NPIP:

The NPIP fuses together the core elements of Preparedness—including strategic risk assessments, contingency planning, doctrine development, and training and exercises—and allows for the synchronization of these elements to create a functional organizational alignment towards common preparedness activities across DHS organizations.

In doing so, the NPIP will enhance strategic tools, including the National Incident Management System, National Response Plan, National Infrastructure Plan and the National Preparedness Goal. It will ensure development of preparedness processes that foster harmonized day-to-day routine interaction of disciplines, organizations, levels of government and our citizens.

Because national preparedness is a top priority and DHS is responsible for a proactive leadership role in encouraging national preparedness, the NPIP will drive specific efforts to reach a robust level of national preparedness. It will foster a "culture of preparedness," starting within DHS and extending to preparedness partnerships beyond the Department.

The NPIP will play a major outreach role in leveraging and encouraging existing efforts, and filling gaps among the connections between programs, activities, and doctrine that are integral to achieving robust national preparedness. To that extent, the NPIP will:

—Report directly to the Under Secretary for Preparedness;
—Focus on identifying and aggressively remedying national preparedness gaps;
—Improve the Nation's ability to prepare, respond and mitigate natural or other disasters;
—Examine national preparedness activities and programs and seek ways to integrate and synchronize efforts;
—Provide a preparedness analysis capability and promote innovative solutions with broad stakeholder input;
—Focus on addressing critical gaps in coordination among entities responsible for preparedness;
—Promote proven preparedness practices, and leverage external resources through strategic partnerships;
—Measure national preparedness using standardized metrics and institutionalize preparedness improvements;

—Identify (and eliminate where possible) redundant preparedness efforts/activities involving low return on investment; and
—Provide important incentives for organizations to coalesce and leverage and supplement their efforts to enhance national preparedness.

As laid out above, the NPIP will be responsive to emerging needs in homeland security preparedness including lessons learned from real-world incidents and exercises. As such, the NPIP will be an essential resource for the Under Secretary for Preparedness to use to respond to identified needs and capability gaps. Initial efforts will include addressing shortcomings associated with the after action analysis of the Hurricane Katrina response and the National Planning Scenarios: the need to strengthen nationwide planning for catastrophic events; synchronization of Federal and selected State and local plans by region; incident command and control alignment; evacuation plans; all-hazard planning for special need populations; and communication system improvements. As the Under Secretary's vision continues to evolve and further preparedness enhancements are identified, the NPIP will be qualified accordingly.

Question. How will this new program be more effective in this mission?

Answer. One of the fundamental concepts of the NPIP is that homeland security preparedness is not just a Federal activity but is, in fact, a national activity. The basic premise of the NPIP is that effective national preparedness requires an integrated and synchronized approach for Federal, State, local and private-sector partners to share information and plan, train, and exercise as they work in unison to prepare for disasters. Currently, preparedness efforts are largely focused but separated at the Federal level, the State and local level, or among the private sector, but not necessarily an integration of all these levels.

This was exemplified in almost every aspect of the preparedness, response, and recovery activities associated with Hurricane Katrina. While many elements performed well within the parameters of their understood mission areas, the system struggled because of disconnects in the overall effort. These fractures among major organizations and missions had not been adequately recognized and addressed prior to this catastrophic event.

The NPIP will change that by:

Providing an integrated approach to Federal efforts to support National Preparedness. Current preparedness efforts reside in different parts of the Department of Homeland Security (DHS)—such as Federal Emergency Management Agency (FEMA), the U.S. Coast Guard (USCG), and the Office of Grants and Training—as well as other parts of the Federal Government. Building a truly national preparedness capability will require substantial DHS coordination with other Federal Departments. For example, the NPIP will ensure appropriate interface with NORTHCOM and other Department of Defense (DOD) entities as to ensure key participation in building a more secure homeland. Accordingly, the NPIP will ensure DHS alignment with Health and Human Services (HHS), Department of Energy (DOE), Environmental Protection Agency (EPA), Department of Transportation (DOT), U.S. Department of Agriculture (USDA) and the Department of Justice (DOJ).

The NPIP is intended to synchronize and integrate the preparedness efforts of all parts of DHS and the Federal family. It will do so by:

—Providing a standardized approach to catastrophic planning.
—Developing integrated preparedness doctrine to share with partner agencies.
—Enhancing coordination of national exercises and preparedness training.
—Coordinating DHS medical planning with HHS, among other activities.

The NPIP will accomplish this through promoting proven preparedness practices and leveraging external resources through strategic partnerships, both within and outside of DHS, while avoiding redundant efforts or activities involving low return on investment.

This will be a significant change from current practice where there is no overarching entity focused on coordinating Federal preparedness. For example, FEMA's preparedness function is heavily focused on preparing for natural disasters and is not fully integrated with the law enforcement or border control communities. Nor does FEMA's preparedness effort run the gamut of necessary preparedness activities to respond to a catastrophic incident, which include improving communication systems.

Linking Federal efforts to locally-based preparedness efforts. A vital part of the NPIP will be the placement of 11 Federal Preparedness Coordinators (FPCs) across the country, with ten of the 11 FPCs being collocated at the FEMA regional offices. FPCs will be locally-based senior DHS officials responsible for coordinating a wide spectrum of Federal, State, and local domestic incident planning and preparedness. FPCs will provide DHS with an important and functional field presence to collabo-

rate and build partnerships with State and local government, and private sector homeland security stakeholders within the FPC's assigned geographic areas of responsibility and to ensure that these stakeholders are working together and are thoroughly prepared. Currently, such field level coordination is done on an ad hoc basis and DHS does not have always have visibility into how high-risk areas are prepared to deal with homeland security incidents.

In addition, the NPIP will be a means to provide the Nation's leaders with the confidence that its local communities are prepared should an incident happen. By integrating with the National Preparedness Goal and by implementing a common set of preparedness metrics, the NPIP will provide the Secretary of Homeland Security, the White House, and others with an assessment of local-based preparedness levels. Currently, that assessment does not exist. An initial nationwide emergency plan review is underway, and the NPIP will be the mechanism to strengthen nationwide planning for catastrophic events and evacuation. The FPCs will be the implementing agents in the field charged with synchronizing Federal, State and local plans by region to include special need populations.

Promoting command-and-control alignment among all levels of government involved in incident management and response. As Hurricane Katrina indicated, successful incident management depends on effective command and control alignment. The NPIP will promote such alignment by ensuring that needed revisions to the National Response Plan (NRP) are made, based on lessons learned from incidents and exercises—such as TOPOFF 3—and stakeholder feedback.

In addition, the NPIP will integrate National Response Plan (NRP) and National Incident Management System (NIMS) training and technical assistance to improve the likelihood that the command and control structure functions effectively and efficiently during incident response. The Homeland Security Council's Hurricane Katrina report noted the importance of a formal training program on the NIMS and NRP for all personnel with incident management responsibilities. As part of FEMA's implementation of NIMS, all FEMA full-time employees and reservists were required to complete 4 independent study (IS) courses: IS–100, Introduction to Incident Command System; IS–200, Basic Incident Command System for Federal Disaster Workers; IS–700, National Incident Management System: An Introduction; and IS–800, National Response Plan: An Introduction. All new hires post-Katrina are also required to complete this mandatory training. In preparation for the upcoming hurricane 2006 season, FEMA will train a minimum of 1,500 "disaster generalists" (Stafford Act Employees) by June 1, 2006. In addition to the mandatory training above, these generalists will be required to complete an additional 40 hours of classroom training on such topics as disaster operations, safety and wellness, customer service, managing change, disaster assistance procedures, and monitoring of debris removal.

A final key aspect of command and control alignment is the ability to communicate during an incident response. The NPIP will enhance that ability through better system assessment and operational guidance development.

The above are but a few of the examples of how the NPIP will be more effective. Through its five major activities in fiscal year 2007—catastrophic planning, command and control alignment, communication system improvements, medical preparedness coordination, innovation and best practices—and the implementation of the FPC concept, the NPIP will significantly increase the integration of our Nation's preparedness activities, including at the Federal level and between the Federal Government and State, local and private sector officials. The result of such integration will be seamless processes, established preparedness doctrine, interconnected/interagency relationships, and leveraged and synchronized resources during incident response.

Question. Is there an overlap with FEMA's efforts on response and recovery?

Answer. No, the responsibility for response and recovery is charged to FEMA, while the Preparedness Directorate is responsible for preparedness. The fiscal year 2007 Budget Request for FEMA and Preparedness' NPIP may appear to have some overlap; however, the difference is in the scope and delineation of responsibilities.

NPIP addresses national integration and synchronization of Federal, State, local, tribal and private preparedness activities to strengthen regional abilities to respond and recover. Catastrophic events—chemical, biological, nuclear, radiological, and national disasters—require preparedness to be scalable and adaptable to an event. Preparedness establishes the doctrine and standards that allow national preparedness and hence response and recovery to effectively work together.

Taking into account the disaster cycle, Planning—Response—Recovery—Mitigation, there are necessary relationships between preparedness, response and recovery that would be strengthened by greater collaboration. Each disaster brings lessons

learned and hence necessary adjustments that feed into preparedness; likewise, response and recovery readiness is a function of preparedness efforts.

FEMA's mission is to lead the Nation's efforts to respond to, recover from and mitigate disasters of all types. This includes coordinating and ensuring the readiness of disaster response teams and assets; sharing emergency management technical knowledge, training, and assistance with State and local governments; deploying response teams, commodities and supplies, and recovery assets, abilities, and funding; and finally mitigating potential disasters through actions that will prevent additional loss. FEMA's mission addresses the logistical and technical aspects of response and recovery.

For, example FEMA's Response Division manages the Mobile Emergency Response System (MERS), which among other things provides emergency communication capabilities in a disaster event. In a catastrophic event, such as Katrina, the region's communications infrastructure was destroyed, and while the MERS performed as designed, the catastrophe overwhelmed capabilities. The Federal Government, DOD, private organizations, local governments, and commercial interests have communication assets for emergency events; however, there needs to be greater standardization of these assets. NPIP proposes to strengthen national preparedness by cataloging emergency communication assets, pre-coordinating their use, and developing communications plans for catastrophic event scenarios. NPIP leads, coordinates, and synchronizes Federal preparedness capabilities and assets, and in concert with other partners addresses catastrophic scenarios that require the merging of Federal, State, and local preparedness and response capabilities for responses equal to the magnitude of a catastrophic event.

SCIENCE AND TECHNOLOGY MANAGEMENT

Question. Science & Technology is still working with the components in deciding fiscal year 2006 funding levels for its research and development portfolios. Please explain the process in which each DHS components' mission research and development are being addressed and adequately funded by Science & Technology.

Answer. The S&T Directorate has worked to identify and refine the research, development, testing and evaluation (RDT&E) requirements of the Department's components over the last 3 years. For example, the S&T Directorate worked closely with the Transportation Security Agency regarding the direction of the research and development program at the Transportation Security Laboratory. This has resulted in a more customer-focused research and development program in the S&T Directorate's Explosives Countermeasures Portfolio. The Science and Technology Requirements Council (SRC) validates and prioritizes RDT&E requirements with components. To further ensure that the S&T Directorate is addressing our customers' highest priority needs, the DHS Joint Requirements Council (JRC) is discussing the development of a process to facilitate further refinement and prioritization of RDT&E priorities by senior managers within each component.

Question. Were cuts made to one component's research and development budget to pay for another component's?

Answer. Research and development funding requirements change year-to-year. As such, in any given budget, S&T makes downwards or upwards adjustments in order to fund the highest priority projects.

Question. I am concerned with the many changes in leadership at the Department. The head of Science & Technology just announced his resignation which will occur in March. How long will it be before a permanent replacement will be named?

Answer. In June, the President announced his intention to nominate Admiral Jay Cohen to be the Under Secretary for Science and Technology. Admiral Cohen is currently a Retired Rear Admiral of the United States Navy. He has served the United States Navy for over 35 years. He most recently served as Chief of Naval Research at the Department of the Navy.

Question. How will you ensure the new head of Science & Technology will continue the priorities outlined for fiscal year 2006 and proposed for fiscal year 2007?

Answer. The Department has established a transition office within the S&T Directorate to work with present and incoming leadership. This office will help to ensure follow-through on the science and technology priorities identified to date.

DOMESTIC NUCLEAR DETECTION OFFICE (DNDO)

Question. What expertise does DNDO have for developing, acquiring and supporting a global architecture designed to detect the nuclear or radiological material?

Answer. As an office staffed largely with representatives from across the United States Government (USG) (including the Departments of Defense (DOD), Energy (DOE), and State (DOS), the Federal Bureau of Investigation (FBI), and the Nuclear

Regulatory Commission (NRC), as well as DHS components such as Customs and Border Protection (CBP), the Office of Grants and Training (G&T), the U.S. Coast Guard (USCG), the Transportation Security Administration (TSA), and the Science and Technology Directorate (S&T)), the DNDO has been able, in a very short time, to assemble a staff which draws from the inherent expertise of each of these agencies. By combining the scientific expertise of DHS S&T and DOE with the operational experience of CBP, USCG, and FBI (to name a few) and the disciplined systems engineering, large-scale acquisition, and logistics approaches of the DOD, the DNDO is well suited for carrying out its mission of developing, acquiring, and supporting the global nuclear detection architecture.

Question. Does DNDO have the necessary authorities to have this global architecture implemented by other Federal agencies?

Answer. The DNDO has been given the mission of "centralized planning with decentralized execution." As such, the DNDO has been given the responsibility, within the Federal Government, to develop the global nuclear detection architecture. This will then be implemented across multiple agencies, depending on prior missions and jurisdictions. While the DNDO will not have oversight over the actions of other agencies responsible for implementing their respective portions of the global architecture, it will continue to advocate beneficial programs to the Administration, as well as the Congress, and to identify duplicative or ineffectual programs when necessary, with proposed improvements.

RISKS AND THREATS

Question. I believe that you would agree that a biological or nuclear event is among the highest catastrophic threats to our Nation's security. What funds, by appropriations account, program, project, and activity are devoted to preparing to prevent or respond to these in fiscal year 2006 and in the fiscal year 2007 budget request.

Answer. There are many programs across the Federal Government committed to preventing or responding to biological or nuclear attacks. Specifically within the S&T Directorate and the DNDO, funds in fiscal year 2006 and in the fiscal year 2007 budget request are as follows:

For the biological threat:

[In millions of dollars]

	Fiscal year 2006	Fiscal year 2007
S&T Research, Development, Acq. & Ops: Biological Countermeasures	376.2	377.2

For the nuclear threat:

[In millions of dollars]

	Fiscal year 2006	Fiscal year 2007
S&T Management and Administration	2.6	.....
S&T Research, Development, Acq. & Ops	333.7	.....
Domestic Nuclear Detection Office	314.8	.....
Radiological and Nuclear Countermeasures	18.9	.....
Domestic Nuclear Detection Office	([1])	535.8
Management and Administration	([1])	30.5
Research, Development, and Operations	([1])	327.3
Systems Acquisition	([1])	178.0

[1] n/a.

QUESTIONS SUBMITTED BY SENATOR THAD COCHRAN

AGRODEFENSE

Question. In fiscal year 2006, the Department of Homeland Security provided $23 million for site selection and other pre-construction activities for the National Bio and Agrodefense Facility. What is the current progress of the Department of Homeland Security's efforts to utilize this funding for site selection and pre-construction activities?

Answer. The S&T Directorate initiated an Expression of Interest (EOI) to explore potential sites for the National Bio and Agrodefense Facility (NBAF). The EOI was issued on January 19, 2006 in the Federal Register. Site criteria and requirements

were developed by an interagency technical working group (including DHS, the United States Department of Agriculture, and the Department of Human Health and Services) to evaluate sites that would best support research in high consequence animal and zoonotic diseases in support of Homeland Security Presidential Directives, HSPD–9 and HSPD–10. The results of the EOI will be evaluated in an environmental impact statement (EIS) in the fall of 2006, at which time the public will have the opportunity to comment on the scope of the analysis. In addition, ORD plans to issue a solicitation in March 2006 to procure architect-engineer services to conduct conceptual design studies and initial cost estimates for the NBAF. The conceptual design will be completed in 2007. Under the present schedule construction could begin in 2009 and be operational by the end of 2012.

Question. How much longer will the current aging Plum Island Foreign Animal Disease facilities in New York State be able to sustain the Department's agroterrorism and animal-based terrorism research needs?

Answer. The Department is committed to operating the Plum Island Animal Disease Center (PIADC) in a safe and secure manner until its capability may be recapitalized through the National Bio and Agrodefense Facility (NBAF), expected to be operational in 2012. The Department will maintain the current facility to foster ongoing scientific programs in accordance with the expanding missions of the departments of Agriculture and Homeland Security.

Question. Does the Department anticipate constructing one facility to carry out the Department's agroterrorism and animal-based terrorism research and development research, or does the Department anticipate utilizing multiple sites?

Answer. It is presently envisioned that the National Bio-Agrodefense Facility (NBAF) will be a single facility (with necessary support facilities) within an approximate 30-acre site.

DEEPWATER RECAPITALIZATION

Question. In fiscal year 2006, Congress provided $933.1 million for the Coast Guard's Deepwater recapitalization program. The President's fiscal year 2007 Budget Request proposes $934.4 million for the Deepwater program. How important is full funding of the President's Request to the continuation of this recapitalization program?

Answer. It is very important that full funding for the Deepwater recapitalization program be provided. Any reduction will cause a delay in the delivery of one or more assets or systems that the Coast Guard needs to execute its post-9/11 mission responsibilities reduced funding will result in reduced readiness. The Coast Guard requests funding each year based on what is planned to be obligated in the year the funds are appropriated. Full funding in accordance with the President's fiscal year 2007 Budget Request allows the Coast Guard to continue its recapitalization program in alignment with the Post 9/11 Revised Deepwater Implementation Plan.

Question. What affect would a decrease in funding from the President's Budget Request of $934.4 million have on the continuation of this recapitalization program?

Answer. The following Deepwater projects are categories in the fiscal year 2007 President's Budget request that require full funding to ensure success of the Coast Guard recapitalization program. Key to success is the synchronization of asset acquisitions to produce "force packages" connected by a common network that enables a synergy of operational performance from the totality of the system as depicted in the enclosed graphic. If the planned synchronization is delayed due to less than full funding in fiscal year 2007, then the planned capabilities will be more costly to acquire in the future and the operational performance improvements planned for that period are lost. In simple terms, the Coast Guard recapitalization program schedule for delivery of assets will be affected and the Coast Guard will not be ready to accomplish their DHS assigned missions; please see the table below.

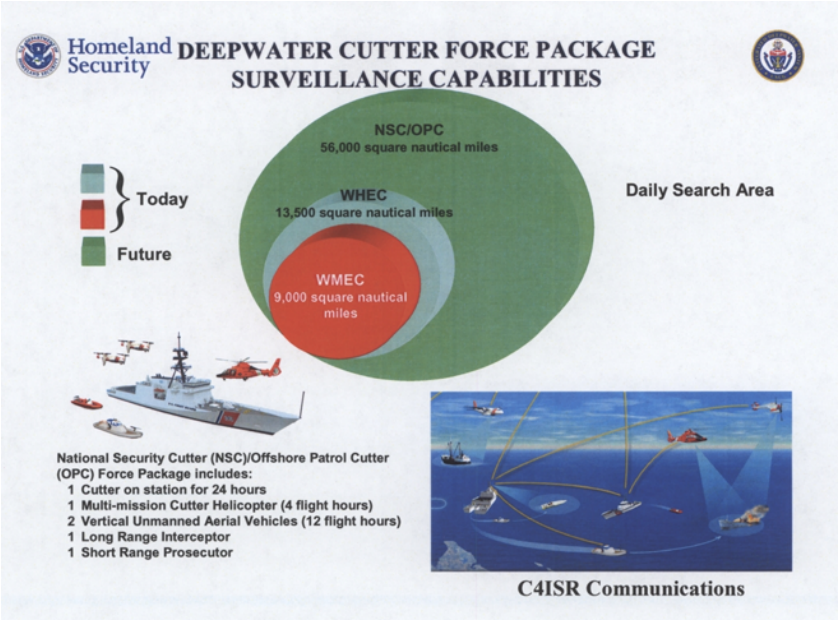
Additionally, the graphic illustrates the synergistic linkages between assets in the Deepwater system highlighting how reduced funding in any one area reduces overall system performance outcomes.

In summary, the full success of the major AC&I projects is dependent on the assets in these budget categories to be fully funded as requested in the President's fiscal year 2007 budget.

Budget category	Inadequate funding impacts
AIR:	
CASA MPA	Would delay ''mission ready'' status of aircraft's 4 & 5, delays delivery and missionization of MPA #6; and further delays two air stations from receiving post 9/11 capabilities.
VUAV and MCH (HH–65C)	Will delay delivery of assets, limit major cutter ''force package'' capabilities, limiting surveillance capability to that achieved by legacy surface assets.
HH–60 projects	Any project under funded or out of sequence delays the entire upgrade and conversion sequence of the HH–60; this medium range helicopter is larger and more capable than the CG HH–65s.
AUF projects	Delayed funding for Airborne Use of Force upgrades means that Homeland security patrols will continue to be conducted largely by unarmed aircraft that lack the capability to take appropriate response on ''actionable intelligence.''
C–130H Conversion projects	The C–130H will continue to operate with aging and obsolete avionics and a troublesome radar that has provided degraded reliability for several years.
C–130J Fleet Introduction	Will delay delivery of asset(s) or prevent ''mission ready'' status—that will continue the shortage of maritime patrol aircraft operating hours.
SURFACE:	
NSC	Each day of delay means NSC has an opportunity cost of not surveilling 42,500 square nautical miles compared to legacy 378;[1]
FRC	Delay/loss of enhanced operational capabilities of the patrol boat fleet required by the post 9/11 requirements.
Mission Effectiveness Project for Legacy 210 foot and 270 foot	The legacy 210 foot and 270 foot cutters are the youngest in the Coast Guard fleet, but must be properly maintained and upgraded to provide on-going operational service until the replacement OPC is delivered.
Cutter Small Boats (Long Range Interceptor and Short Range Prosecutor).	Small boats are part of the Cutter ''force package'' providing intercept and boarding capability from the parent cutter. Delayed funding decreases ''force package'' operating area.
C4ISR	Will delay delivery of assets—some components are essential to asset operation. C4ISR is the key to being AWARE in the maritime region. Lacking awareness increases our Nation's risk for possible attacks from terrorists and more criminal activities.
Logistics	Unable to operate as designed. Readiness will be lower. Suboptimal ''homeports'' due to lack of shore facilities—forcing use of ''Ports of Convenience.''

Budget category	Inadequate funding impacts
Systems Engineering & Integration	Higher risk for lack of synchronization of Deepwater assets—will not operate together. These funds are required to review all interoperability connections which is a labor intensive effort. If these connections are not properly developed and tested, there will be a higher probably of failure during operational use.
Program Management	Unable to accomplish inherently government work necessary for success, which includes the oversight of the prime contractor, the ability to get other expert opinions from sources outside the government and/or prime contractor, as well as track those unique responsibilities that belong to the government such as tracking program progress and managing the acquisition program baseline. Increased risk of failure during operation and delay in deploying due to insufficient planning.

[1] All flight deck capable cutters will benefit from VUAV/MCH force package surveillance capabilities.



Question. How will the Department and the Coast Guard address Congress' frustration with the Coast Guard's poor responsiveness to congressional direction?

Answer. Although the Coast Guard delivered several reports to the Appropriations Committees late in fiscal year 2005, fiscal year 2006 has seen marked improvement. As a result of implementation of a series of strategy meetings immediately following release of House, Senate, and Conference Marks, report drafting and clearance times have decreased. As of March 1, 2006, the Coast Guard has delivered all but three of its fiscal year 2006 appropriations reports to Congress on or before the due date, as demonstrated in the table below.

Appropriations report	Date delivered	Date due to Congress
(Bi Annual) Port Security Terrorism Exercises Results February 2006.	2/14/2006	Update of Oct 2005 report
Coast Guard Housing Report [1]	2/13/2006	2/10/2006
Fisheries Enforcement (fiscal year 2006 Appropriations)	2/9/2006	2/10/2006
Patrol Boat Availability Report	2/6/2006	2/10/2006
Deepwater Implementation Plan Review	2/6/2006	2/6/2006
MSST Policy Report	2/6/2006	2/6/2006
Operational Gap Analysis	2/6/2006	2/6/2006
Fiscal year 2006 1st QTR Acquisition Report [1]	1/13/2006	1/15/2006
Fiscal year 2006 1st QTR Abstract of Operations Report	1/17/2006	1/15/2006
Occupational Safety and Health Risks Report [1]	1/4/2006	12/18/2005
(Bi Annual) Port Security Terrorism Exercises Results October 2005.	10/28/2005	2/1/2006
Schedule of Port Security Exercises	10/24/2005	11/18/2005
Fiscal year 2005 4th QTR Acquisition Report	10/13/2005	10/15/2005
Fiscal year 2005 4th QTR Abstract of Operations Report	10/13/2005	10/15/2005

[1] Delivered late.

EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) PROGRAM

Question. After Hurricane Katrina demonstrated the need for strong emergency management programs at the Federal, State, and local level, emergency managers across the country anticipated an increase in the President's Budget Request for the all-hazards Emergency Management Performance Grant (EMPG) program. However, the President's Budget Request proposed $170 million for the upcoming fiscal year, the same as the previous year's request.

What role do you see for State and local emergency management programs in national disaster preparedness?

Answer. The Department continues to fully support the EMPG program, which helps States and Urban Areas achieve target levels of capability to enhance the effectiveness of their emergency management programs. The EMPG funding request for fiscal year 2007 is sufficient for States to continue to develop intra- and interstate emergency management systems that encourage partnerships among government, business, volunteer, and community organizations based on identified needs and priorities for strengthening their emergency management and catastrophic planning capabilities. Further, homeland security is a shared mission and thus a shared responsibility between the Federal Government and our State and local partners. The Federal Government should not be expected to bear all emergency planning costs. Instead, the Department expects that States and localities will devote significant funds to enhance their planing based on local conditions and thereby help to improve the Nation's level of preparedness.

In addition, the Department's fiscal year 2007 budget request expands the Urban Areas Security Initiative (UASI) and the State Homeland Security Program (SHSP), which will significantly enhance State and local preparedness capabilities. In fiscal year 2007 the Department has requested to expand the UASI program by $80.65 million. The fiscal year 2007 UASI funding request will continue to help establish a metropolitan area-wide approach to homeland security. Allocating UASI funds based on risk and need will continue to reflect a results-based planning process that supports achievement of minimum baseline capability levels in our Nation's high threat urban areas. The fiscal year 2007 budget request also includes an $83 million increase in SHSP funding. These SHSP funds will continue to build capabilities at the State and local levels through planning, equipment, training, and exercise activities and to implement the goals and objectives included in the Homelands Security Strategies.

Question. What role do you see for the EMPG program in the Department of Homeland Security's national disaster planning for both terrorism and natural disasters?

Answer. The National Preparedness Goal provides a common framework for a systems-based approach to build, sustain, and improve national preparedness for a broad range of threats and hazards, regardless of origin. Achieving the National Preparedness Goal requires that the emergency management discipline play a vital role in support of the Goal, as well as the implementation of National Priorities and achievement of the target levels of capability described in the TCL. As the coordinator for disaster response operations, the emergency management discipline is essential to the prevention, protection, response, and recovery efforts necessary when

disasters or other incidents of national significance occur at the State and local level, and when Federal assistance is needed.

Therefore, to sustain and enhance emergency management capabilities in support of the Goal, the EMPG funds may assist States and urban areas achieve the target levels of capability to sustain and enhance the effectiveness of their emergency management program. As part of this effort, the Administration has proposed to expand the scope of EMPG activities to address homeland security planning. Further, the program's current emphasis on funding staff costs limits our ability to assess and measure results.

QUESTIONS SUBMITTED BY SENATOR ARLEN SPECTER

FEMA CONTRACT AWARDS

Question. In the wake of Hurricane Katrina, there was concern about the contracting processes used by FEMA to procure goods and services and concern about the awarding of "no-bid" contracts. Are the guidelines that direct contracting, especially during times of emergency clear?

Answer. The guidelines contained in both the Federal Acquisition Regulation (FAR) and the Homeland Security Acquisition Regulation (HSAR) are clear as it relates to contracting during an emergency. However, while the guidance is clear, it is spread among several parts of the FAR. Therefore, to improve the responsiveness of the acquisition community, the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council are amending the FAR to provide a consolidated reference to acquisition flexibilities that may be used during emergency situations. Specifically, the information will be consolidated into a previously reserved FAR part. This initiative, however, makes no change to existing contracting policy.

Question. Is there anything Congress can do to make them clearer?

Answer. Additional legislation on this topic is unnecessary at this time.

Question. What does FEMA need to do to improve disclosure of contract awards?

Answer. FEMA is making every effort to operate with openness and transparency with regard to contracts awarded to support the relief and recovery efforts of Hurricane Katrina. In addition to complying with the requirements of FAR 5.303, which requires notification to Congress of contract awards exceeding $3 million, and FAR 4.6, which requires the reporting of contracting data in to the Federal Procurement Data System, DHS also posts, at http://www.dhs.gov/interweb/assetlibrary/CPO-KatrinaContracts.pdf, all contract actions awarded by FEMA in support of the relief and recovery effort. This list is updated weekly, FEMA also posts, as required by FAR 4.6, the award of its contracting actions into the Federal Procurement Data System. Recognizing the importance of contract reporting, FEMA will provide implementing guidance to all contracting personnel on the importance of timely posting of contract awards.

Question. Does this budget proposal adequately fund those needs?

Answer. Yes. The President's Budget proposal adequately funds those needs.

CARGO CONTAINER SECURITY

Question. In recent weeks, port security and cargo container security in general have come to national attention. What statistics do you have regarding the percent of all shipments entering the United States that are inspected for compliance with United States and international shipping regulations?

Answer. CBP targets incoming containerized cargo by automated review of advance manifest and other information through its automated targeting systems to assess the risk of incoming cargo shipments. CBP examines all of the cargo that is identified as "high-risk" from this initial targeting through either non-intrusive detection technology, or, as needed, physical inspection.

CBP defines an examination as a physical inspection of a conveyance and/or the imaging of a conveyance using large-scale Non-Intrusive Inspection (NII) technology, for the presence of contraband. CPB defines screening as a passive means of scanning a conveyance, baggage or cargo. CBP screens conveyances, baggage, and cargoes with radiation portal monitors and other radiation detection equipment for the presence of radiological emissions.

From fiscal year 2002 through fiscal year 2005, the percentage of total containers inspected has increased at a rate of 4.2 percent per year. In fiscal year 2005, a total of 25,324,327 cargo conveyances arrived in the United States from foreign sources and a total of 5,301,872 cargo conveyances were inspected.

In fiscal year 2005, approximately 21 percent of all cargo conveyances (i.e., truck, rail and vessel) were examined for the presence of contraband, and approximately

67 percent of arriving containerized cargo was screened for radiation. Additionally, in fiscal year 2005, CBP examined 569,308 or approximately 5 percent of all arriving sea-borne containers.

Question. What sort of tools do inspection agents have to assist them in screening containers in a timely, yet responsible manner?

Answer. Over the last several years, Non-Intrusive Inspection (NII) technology has been the cornerstone of our layered enforcement strategy. Technologies deployed to our Nation's air, sea, and land border ports of entry include large-scale X-ray and Gamma-ray imaging systems as well as a variety of portable and hand-held technologies to include our recent focus on radiation detection technology. All CSI ports are also required to have NII technology available to assist in the inspection of identified high-risk containerized cargo bound for the United States.

Large-scale systems include the Vehicle and Cargo Inspection System (VACIS), Mobile VACIS, Rail VACIS, Portal VACIS, Truck X-ray, Mobile Truck X-ray, Mobile Sea Container System, Pallet Gamma-ray System and Mobile GaRDs unit. Nuclear and radiological detection equipment includes Personal Radiation Detectors, Radiation Portal Monitors and Radiation Isotope Identifier Devices.

NII technologies are viewed as force multipliers that enable CBP to examine or screen a larger portion of the stream of commercial traffic while facilitating the flow of legitimate trade, cargo and passengers.

Question. Secretary Chertoff mentioned in his statement for the record that the Science and Technology (S&T) Directorate is developing technology solutions that can be applied across the supply chain. How is S&T working with the private sector to procure technology?

Answer. In support of the Department's layered supply-chain-security strategy, the S&T Directorate interacts with the private sector in two main ways: (1) through an ongoing dialog with industry and (2) through technology procurements.

Maintaining an ongoing dialogue with private industry helps the S&T Directorate understand the present state of technology in the marketplace, enabling sound investment decisions that reflect current and future capabilities and meet operational and industry user requirements. This dialogue takes place with technology providers, supply chain consultants, the shipping industry (including carriers, terminal operators, and port authorities) and international partners.

The S&T Directorate is currently procuring security solution technologies from both large and small companies, including university laboratories. Technology procurements result from several contracting vehicles, which include solicitations under Broad Agency Announcements (BAA) and our Small Business Innovative Research (SBIR) program. The S&T Directorate presently has private-sector procurements underway for the design and/or development of the following technologies:

—*Advanced Container Security Device.*—A system to detect intrusion on any six sides of a container as well as to sense a human presence and report alarms;
—*Advanced Material Container.*—A proof-of-concept container constructed of composite materials that will incorporate embedded security sensors and communications systems;
—*Marine Asset Tag Tracking System.*—A system to provide remote communications capability for an ACSD or CSD to send an alarm or status information;
—*Secure Carton.*—Alternative concepts to today's shipping cartons that will enable monitoring to detect and report breaches at the carton level; and
—*Intelligent Anomaly Detection Tools for the Automated Commercial Environment and Automated Targeting System.*—Advanced technologies to enable improved capabilities to predict suspect or threat containers bound for the United States. This is in support of the Customs and Border Protection Automated Commercial Environment and Automated Targeting System (ACE/ATS).

The S&T Directorate is also evaluating developmental Container Security Devices (CSD) that can monitor container doors and report alarms, which are currently being marketed by vendors. The S&T Directorate is purchasing sample devices from qualified vendors to conduct bench tests and vulnerability assessments to determine the suitability of these devices to meet the Department's requirements.

With these technologies, the S&T Directorate is developing a Supply Chain Security Architecture, a technology framework that ensures the integration of non-regulated supply chain information and container security device data to securely and efficiently transmit it to governmental and private-sector stakeholders. In line with the Department's emphasis on private sector involvement in supply chain security, the S&T Directorate is currently working with two supply chain industry experts to ensure supply chain interactions and processes are accurately reflected. As this architecture defines the standards and protocols for security and information exchange, the Department can leverage private-sector supply chain information man-

agement systems to enhance risk assessments, while providing for business efficiencies to the commercial and shipping industry.

Additionally, the S&T Directorate is committed to ensuring interagency coordination with other Federal stakeholders involved in supply chain security and to leverage existing capabilities and lessons learned.

Question. What specific types of technology is the Department looking for?

Answer. The Department is seeking technologies and processes to improve visibility and security across international supply chains. The S&T Directorate is developing and evaluating many of these technologies. They include security devices with the ability to monitor the integrity of intermodal shipping containers in transit and communicate status and alarm information about those containers to the National Targeting Center (NTC). Critical to enabling these capabilities are underlying technologies that can: operate in the harsh intermodal shipping environment; provide close to 100-percent assurance that sensors can detect authorized or unauthorized door openings and closings, holes or false doors created on any side of a container; and interface with other sensors currently under development to detect human cargo, explosives, chemical, biological, or radiological material, or breaches to the containers' contents at carton level. In that containers transit unattended through the supply chain, these container security sensors also require the ability to not be easily compromised by either an insider attack or an outside adversary along the supply chain.

The Advanced Container Security Device (ACSD), currently under development in the S&T Directorate will utilize advanced sensors and fusion systems to detect intrusion on any of the six sides of the container and detect human cargo. The ACSD will be able to interface with next generation advanced sensors currently under development within the S&T Directorate that detect chemical or biological agents. In addition, these systems require remote communications capabilities to allow reachback to the NTC to communicate alerts from any point along the supply chain, as well as local communications systems for CBP officers in the field. Other sensor suites which will be integrated with the ACSD will include systems currently under development by the Domestic Nuclear Detection Office (DNDO) to detect and report radiological or nuclear agents.

As part of an effort to identify near term deployable security systems for intermodal shipping containers, the S&T Directorate is currently in the process of evaluating a variety of existing developmental vendor Container Security Device (CSD) technologies that claim to have the ability to monitor and report intrusion of the container doors. Key to these evaluations is verification of claimed system performance and reliable sensor performance. The end goal of this survey is to accelerate a near term capability in advance of ACSD development to monitor and report container door breaches to the NTC.

Other technologies under development and critical to container security are communications systems that can transmit information from containers intermodally and globally, while penetrating the high metal environment of container stacks at ports and on ships or while in transit on ship, rail and truck.

Beyond CSD and ACSD, the S&T Directorate is also evaluating a next generation container constructed of advanced, light-weight materials (versus steel) that will allow security sensors and communications technologies to be built into the container's walls, doors and floors. It is believed lighter weight containers will also increase business efficiencies.

Lastly, the S&T Directorate is assisting DHS components in the development of an architectural framework to enable integration of supply chain data beyond that currently regulated by Customs and Border Protection (CBP). This data combined with container integrity information, when fused in a secure and efficient manner, will enhance risk assessment benefiting security, while providing business efficiencies to the commercial and shipping industry. Part of this effort also involves the development of advanced intelligent algorithms for use by CBP's targeting system to further improve anomaly detection capabilities to improve assessment and targeting of high risk cargo.

QUESTIONS SUBMITTED BY SENATOR ROBERT C. BYRD

DEPARTMENTAL MANAGEMENT

BUSINESS TRANSFORMATION OFFICE

Question. Provide a list of accomplishments from the beginning of fiscal year 2005 to date for the Business Transformation Office.

Answer.

Fiscal Year 2005

The BTO was responsible for several major projects during fiscal year 2005, such as creating the functional integration Management Directives, creating a comprehensive set of functional integration milestones for each of the Management Lines of Business, establishing functional integration support contracts, and tracking functional integration priorities for the Management Directorate. The BTO reviewed and tracked Management Directorate programs/initiatives for schedule compliance based on identified milestones: eMerge, the Infrastructure Transformation Program (ITP), MaxHR, HSPD–12 and IT Cost Avoidance. The BTO also coordinated: On-boarding/Exit process, Senior Executive Service process, Administrative Analysis project, and streamlining the hiring process. Additional detail on the above projects is provided in the paragraphs that follow.

In accordance with direction established in the Functional Integration management Directives, the BTO instituted an annual reporting process for establishing, measuring and reporting on Component functional performance for business processes that are the responsibility of the C_XOs. The BTO also established a process for evaluating and reporting on the performance of Component C_XOs and other Key Functional Officials to Component Heads.

Strategic Plan.—The BTO was responsible for the creation of a multi-year Strategic Plan for the Management Directorate. The BTO began constructing templates and defining content for Line of Business annual reports and for business cases supporting functional integration initiatives.

Management Directives.—The BTO was also responsible for creating the Functional Integration Management Directives, which provided direction on the leadership, integration, and management of the support services through each Line of Business Chief (Chief Administrative Officer, Chief Financial Officer, Chief Information Officer, Chief Human Capital Officer, Chief Procurement Officer and Chief Security Officer).

Since its creation, DHS has achieved many of its objectives toward integrating the management functions. From the many systems and programs that DHS inherited, the Department has consolidated the following:

—18 financial management centers down to 8 centers;
—27 bank card programs down to 3 programs;
—22 Human Resource Servicing offices down to 7 offices;
—8 payroll providers down to 1 payroll provider;
—22 Personal Property Management systems down to 3 systems;
—Acquisition Support for 22 agencies has been consolidated to 8 major procurement programs;
—1,100 Administrative Services agreements with other Federal Departments to 39 agreements;
—52 percent of workforce through the Tri-Bureau initiative (Organized shared services and resources needed to more efficiently and jointly support our immigration, customs and border protection activities (Customs and Border Protection/U.S. Citizenship and Immigration Services/Immigration and Customs Enforcement);
—Consolidated over 35,000 express package service contracts into 1 contract;
—129 commercial information content subscription services to 8 services; and
—Numerous copier maintenance and service contracts into 1 centrally managed departmental contract.

In addition, the Department has published uniform DHS acquisition regulations that apply across the enterprise and has established the first Department-wide real property asset management plan which will govern the consistent and efficient use and development of DHS land, buildings and structures for mission accomplishment.

C_XO Councils.—Each Line of Business Chief established a Department-wide council to serve as a governance board which would monitor and measure the performance of centers of excellence, shared services providers, managed partner providers, and self-supporting component providers for the various activities of their function.

Tri-Bureau Governance Board.—The Tri-Bureau Governance Board was created in 2003 to oversee shared services and to serve as a decision maker in regard to service consolidation across the Tri-Bureau components.

MOUs/MOAs.—In fiscal year 2005, the BTO ensured that Memorandum's of Agreement (MOA) and Memorandum's Understanding (MOU) between the Department, DHS components and other government agencies were established that would enable the Department to work more effectively and efficiently with other Government entities. The BTO was responsible for the execution of critical MOU's during the stand-up of the Department of Homeland Security with DOJ, DOT, GSA, DOC, DOE, and Treasury.

Fiscal Year 2006

In fiscal year 2006, the BTO completed the multi-year Strategic Plan for the Management Directorate, the first in a series of six Business Cases for implementing functional integration (Chief of Administrative Services), and detailed annual reports for the Management Directorate Lines of Business.

Functional Integration Milestones and Budget: The BTO continues to build on the management integration work from fiscal year 2005 by creating a comprehensive set of functional integration milestones for each of the Management Directorate Lines of Business. The functional integration milestones are critical deliverables and/or capabilities with due dates that must be met by the Management Directorate Lines of Business.

The BTO is developing a consolidated financial budget focused on synchronizing the functional integration budgets of the Lines of Business with their relevant components' budgets. This consolidated functional integration budget will allow an accurate insight into where money is being spent and how much is being spent in each of the Lines of Business. This will enable the Department to set a baseline from which we can begin to explore organizational transformation across the Department and to develop an overall integration strategy for the Management Directorate.

The BTO also continues to prioritize and track functional integration priorities for the Management Directorate. The BTO will continue to drive the integration of legacy support systems, maximizing common platforms and leveraging the "economies of scale" that exist. Another priority is to conduct a review of operations in the Management Directorate on a macro level and look for additional opportunities to improve the efficiency and effectiveness of the Directorate.

Question. What are the pros and cons of combining this office with the Immediate Office of the Under Secretary of Management?

Answer. There are benefits to having the Business Transformation Office (BTO) as a separate staff element reporting to the Under Secretary for Management. The BTO initiative requires specific skills in planning, organizational development, program & management analysis, project management and budget/finance which are different from those required in the Immediate Office of the Under Secretary.

The BTO staff members generally have in-depth experience with the business processes of one or more of the functional Lines of Business. As a direct report to the Under Secretary, the BTO has access and exposure to the full spectrum of initiatives across all management functions (administrative services, enterprise architecture, financial management, information technology, human capital management, procurement, and security). Consequently, the BTO staff members are appropriately qualified and in the proper position to identify initiatives and interdependencies among the Lines of Business as the Functional Integration efforts continue.

Combining the BTO with the immediate office of the Under Secretary could be done as well, but there are few benefits to doing so. One advantage would be that the staff members of the BTO could provide program management skills and analysis for other more narrowly-defined initiatives within the Management Directorate and among DHS components.

A disadvantage of this combination, however, would be that the long term planning and functional integration roles of the BTO would most likely be overcome by the day to day events that require immediate attention within the Management Directorate and among the DHS components.

EXECUTIVE SEDAN SERVICE

Question. Provide an analysis of the pros and cons of performing the duties of the executive sedan service in house (i.e. leasing/procuring the needed vehicles and hiring the needed drivers) as opposed to contracting out for this service?

Answer. The following analysis shows pros, cons and not only cost, but also organizational flexibility and administrative burdens as well to provide executive sedan service for DHS executives and senior officials.

Completely In-house

DHS EXECUTIVE SEDAN SERVICE—IN-HOUSE

Owned Vehicles (10 @ $23,000/vehicle—cost averaged over 5 years)	$46,000
Maintenance	9,000
18 Drivers (12 hour shift—average 21 days/mo.)	1,720,232
3 Dispatchers	186,390
2 Driver Foremen	136,031

DHS EXECUTIVE SEDAN SERVICE—IN-HOUSE—Continued

Supervisor	118,346
Total	2,215,999

Vehicles would be used over a 5 year period. Maintenance and operational costs would be expected to increase over the life of the vehicle. Disposal costs would be necessary at the end of the period.

Vehicles are DHS assets and are available for use in a COOP or emergent situation.

Additional vehicle(s) necessary as ready back up in case of accident or other failure, and for rotation during scheduled maintenance.

Staff may be assigned to other transportation related duties as need and workload dictate in unusual situations.

A significant addition to on-board FTE is required to assure sufficient drivers and support for a 12 hour per day operation, while also providing coverage for holidays, annual leave and sick leave.

This also adds some administrative burden to other administrative functions such as human capital and finance.

Completely Contracted Out

DHS EXECUTIVE SEDAN SERVICE—FULLY CONTRACTED

Vehicles (9 vehicles @ $40,000—averaged over 5 years)	$72,000
Drivers	952,560
Dispatchers	219,135
Total	1,243,695

Contractor is responsible for assuring an adequate number of cleared staff to provide the required support.

Contractor is also responsible for assuring an adequate number of vehicles are available to meet the requirements of the contract.

Only pay for vehicles used, but with maintenance, replacement, standby and mark up costs included. Costs would be higher if vehicles are replaced on preferred 2-year cycle. Maintenance and down time would be reduced and reliability increased.

Vehicles are assets owned by the contractor, and availability in a COOP or emergent situations would not be expected.

Administrative burden is minimized as human capital support in recruitment and processing as Federal employees is not required.

Contractor personnel may not be asked to perform tasks not specifically covered by the scope of the contract.

Current Arrangement is a Hybrid

The Department currently contracts for vehicles (leases a competitive procurement) and driving services separately in order to take advantage of the lower costs and flexibilities that each has to offer, while limiting overhead. The Department is paying $799 per month ($9,588 annually) per vehicle for a fully serviced lease which includes maintenance and full insurance coverage. Cars are replaced every 2 years, which keeps reliability high and the leasing company can sell the vehicle which keeps lease costs lower. If the contractor were to acquire the vehicles, the Government would pay a higher price along with a markup by the vendor. If a vehicle is out of service due to other than routine maintenance, a loaner is often available, eliminating the need to maintain another vehicle as a backup.

By contracting for the drivers and dispatchers, the contractor bears responsibility for assuring that a sufficient number of cleared personnel are available to provide the required level of service. Contracting for the drivers and dispatchers also reduces administrative burden on DHS.

—Although using contractor personnel, the vehicles remain DHS assets and are available for use in a COOP or emergent situation.
—Administrative burden is less than the other options.
—No disposal costs

—Through use of an executive lease program, maintenance and insurance are included and loaners are often available thus minimizing the need for a backup vehicle.

MAXHR

Question. How many of the 29 new positions requested in the budget for the MAXHR program could be negatively affected by a ruling against the Department in it MAXHR court case?

Answer. Of the 29 new positions requested for the MAXHR program, only six—those additional positions that would be used to support the Homeland Security Labor Relations Board (HSLRB)—could potentially be impacted by the court case.

Question. How much of $38.9 million increase to the "Advisory and Assistance Services" component of the MaxHR program could be negatively affected by a ruling against the Department in the MAXHR court case?

Answer. With respect to the $71,749,000 requested in fiscal year 2007 for human resource management, the only funding that could be foregone if the outcome of the court case is not in the Department's favor would be the $7.450 million allocated for the Homeland Security Labor Relations Board.

Question. In the event of a court ruling against the Department, what are the Department's contingency plans with respect to the new positions and support funding?

Answer. Regardless of the outcome of the litigation pending before the Court of Appeals, the implementation of MAXHR will continue at DHS. The process for implementation may be significantly more difficult, however, if the outcome is not favorable to the Department. The flexibilities in the legislation and the MAXHR regulations were intended to allow the Department to construct a uniform, performance based personnel system that would span the various components and occupational categories across the Department. If those flexibilities are not sustained by the court, the Department still intends to implement a uniform personnel system but may have to invest considerably more time and energy in negotiations and consultations with the unions that represent employees in more than fifty bargaining units across the organization. In addition, the Department may also need to maintain multiple pay and performance management systems for a longer time, pending the implementation of a single, unified MAXHR system.

DHS HEADQUARTERS

Question. Will the $8.2 million requested in the fiscal year 2007 budget complete the build-out of the NAC? If so, when will the build-out be finished?

Answer. The requested $8.2 million requested in the fiscal year 2007 budget will complete the build out of the NAC. We expect there may be a need for some minimal funds in the out years to manage any minor rearrangements and reconfigurations as missions changes require.

Question. When the build-out is complete, how much additional capacity for growth (in terms of office space available) will the Department have at the NAC?

Answer. After the NAC build-out is complete the NAC will be at full capacity with approximately 300,000 usable square feet of space for about 1,700 people, and there will be no additional office space available.

PROCUREMENT REPORT

Question. As directed by the fiscal year 2006 Homeland Security Appropriations Act, provide a report on the number of procurement officers for each Departmental component and include an assessment of the adequacy of the number and training of these personnel.

Answer. The CPO continues to work with components and the DHS CFO to budget for increased contracting staff. Based on fiscal year 2005 staffing levels, increases have been realized in both fiscal year 2006 (11 percent) and are projected fiscal year 2007 (47 percent) based on the President's proposed budget. The CPO will work to continue this trend until optimum staffing levels are attained. The following chart shows the staffing numbers and the percentage of trained and certified contracting officers.

Org Element	Authorized FTE Fiscal Year 2005	Authorized FTE Fiscal Year 2006	President's Budget FTE Fiscal Year 2007	Percent of Certified Contracting Officers on Board
CBP	92	119	179	79
OPO	127	127	227	79

Org Element	Authorized FTE Fiscal Year 2005	Authorized FTE Fiscal Year 2006	President's Budget FTE Fiscal Year 2007	Percent of Certified Contracting Officers on Board
TSA	67	105	165	74
ICE	81	64	96	32
USCG	336	339	339	89
FEMA	55	85	127	79
FLETC	31	36	36	100
USSS	25	25	25	96

COMPETITIVE SOURCING PERSONNEL

Question. How many of the 50 positions requested in the Office of Procurement's fiscal year 2007 budget request are to be used for competitive sourcing activities?

Answer. Currently one position will be added to competitive sourcing. Once the Director of Acquisition Programs is on board we will leverage the staffing of the OCPO programs to offset peaks and valleys in work load requirements.

Question. How many positions in the Office of Procurement are currently used for competitive sourcing activities?

Answer. Two positions.

CONTRACTING OUT REPORT

Question. The fiscal year 2004 Appropriation Omnibus (H.R. 2673) Division F—Departments of Transportation and Treasury, and Independent Agencies, Title VI Section 647(b), contained the following reporting requirement: "Not later than 120 days following the enactment of this Act and not later than December 31 of each year thereafter, the head of each executive agency shall submit to Congress a report on the competitive sourcing activities on the list required under the Federal Activities Inventory Reform Act of 1998 (Public Law 105–270; 31 U.S.C. 501 note) that were performed for such executive agency during the previous fiscal year by Federal Government sources."

The Committee has not yet received this year's report. Please provide this information as well as any plans for public-private competitions in fiscal year 2007.

Answer. The DHS fiscal year 2005 Section 647 report is being prepared for submission to the Congress and posting on the DHS web site.

Question. For fiscal year 2005 (actual), fiscal year 2006 (estimate), and fiscal year 2007 (request), how many positions in the Department (broken down by agency) were competed and how much did the competitions cost.

Answer. As noted in the Department of Homeland Security's Section 647 Report to Congress, DHS completed Competitive Sourcing (OMB Circular A–76) competitions involving a total of 137 FTE in fiscal year 2005, at a one time cost of $787,000. All of these competitions were retained in house.

For fiscal year 2006, DHS has completed competitions involving 150 FTE to date—all retained in-house—and is currently preparing for the completion of additional competitions involving 235 FTE.

DHS is currently planning to announce in fiscal year 2006 several competitions for completion in fiscal year 2007 involving 4,153 FTE.

Question. How many positions were subsequently contracted out as a result of the competition?

Answer. No positions were contracted out in fiscal year 2005 and no positions have been converted to contract performance as a result of our fiscal year 2006 efforts to date.

DETAILEES TO THE WHITE HOUSE

Question. How many DHS employees (including the component agencies) are currently detailed to the White House (including all Executive Office of the President agencies)? Provide the committee a list containing the originating agency; the office they are detailed to; salary grade/step; length of detail (including beginning and end dates); purpose of the detail; and indicate if the agency is reimbursed.

Answer. Our most recent quarterly report shows 13 detailees to the White House as of 12/31/05. See attached report entitled White House Detailees.

FISCAL YEAR 2006 1ST QUARTER—DHS DETAILEES TO THE WHITE HOUSE

Reporting agency	Detailed to which NON-DHS agency	Detailed from which NON-DHS agency	Detailed from which DHS component	Originating agency	Grade/step or salary	Detail start date	Detail end date	Purpose of detail	Reimb. Y/N
USCG	WHITE HOUSE			USCG	O–5	Oct-2005	Mar-2006	Comprehensive Review Working Group/Katrina Lessons Learned Team.	N
USCG/PHS	WHITE HOUSE		DHS/USCG/PHS.	USCG/PHS	MILITARY	6/13/2005	7/1/2008	White House Physician Assistant	N
USCG	WHITE HOUSE/HSC		DHS/USCG	DHS/USCG	MILITARY	6/14/2004	7/1/2006	Director for Cargo and Port Security, HSC.	N
USCG	WHITE HOUSE/HSC		DHS/USCG	DHS/USCG	MILITARY	9/20/2004	11/1/2005	Senior Director, Border and Transportation Security, HSC.	N
USCG	WHITE HOUSE/NSC		DHS/USCG	DHS/USCG	MILITARY	5/28/2004	7/1/2006	Duty Officer, White House Situation Room.	N
USCG	WHITE HOUSE/NSC		DHS/USCG	DHS/USCG	MILITARY	6/27/2005	7/1/2007	Duty Officer, White House Situation Room.	N
USCG	WHITE HOUSE/NSC		DHS/US CG	DHS/USCG	MILITARY	11/17/2005	7/1/2007	Director for Drugs and Latin America, NSC.	N
USCG	WHITE HOUSE/ONDCP		DHS/USCG	DHS/USCG	MILITARY	7/15/2004	7/1/2006	Office of Supply Reduction as the Acting Staff Director and the Coast Guard Liaison.	N
USCG	WHITE HOUSE/OVP		DHS/USCG	DHS/USCG	MILITARY	5/17/2005	7/1/2007	Military Aide to the VP	N
USCG	WHITE HOUSE/OVP		DHS/USCG	DHS/USCG	MILITARY	6/22/2005	7/1/2007	Special Assistant to the VP	N
USCG	WHITE HOUSE/OVP		DHS/USCG	DHS/USCG	MILITARY	3/21/2005	7/1/2007	Military Aide to the President	N
USCG	WHITE HOUSE/WHCA		DHS/USCG	DHS/USCG	MILITARY	5/5/2003	7/1/2006	Chief of Engineering, WHCA	N
USSS	WHITE HOUSE/WHO			USSS	$94,260	Jul-2005	Jul-2006	COOP Policy	Y

Total White House Detailees 13.

DETAILEES TO THE DEPARTMENT

Question. How many employees of DHS component agencies are currently detailed to the Department? Provide the committee a list containing the originating agency; the office they are detailed to; salary grade/step; length of detail (including beginning and end dates); purpose of the detail; and indicate if this agency is reimbursed.

Answer. Our most recent report (as of 12/31/05) shows 244 staff detailed to DHS Headquarters offices. Slightly over half are detailed to Operations. See attached report entitled QFR detailees.

FISCAL YEAR 2006 1ST QUARTER—DHS DETAILEES TO THE HEADQUARTERS

Reporting agency	Detailed from which DHS component	Originating agency	Grade/step or salary	Detail start date	Detail end date	Purpose of detail	Reimb. Y/N
CRCL	TSA	TSA	TSA Band H	11/1/2005	2/28/2006	Serve as Control Officer, Complaint Adjudication Program, CRCL.	N
DNDO	S&T	S&T	$86,103 (1101)	04/15/05	Indefinite	Providing Technical Expertise to DNDO Sys Architecture.	N
DNDO	S&T	S&T	$97,734 (IPA)	04/15/05	Indefinite	Providing Technical Expertise to DNDO Assessments	N
DNDO	USCG	USCG	$65,000 (O–4)	12/05/05	06/04/06	Providing Technical Expertise to DNDO Sys Dev & Acq.	N
DNDO	S&T	S&T	$200,000 (IPA)	04/15/05	Indefinite	Providing Technical Expertise to DNDO Director	N
DNDO	S&T	S&T	GS–13/1	04/18/05	Indefinite	Providing Technical Expertise to DNDO Ops Support	N
DNDO	SLGCP	SLGCP	GS–15/1	10/03/05	Indefinite	Providing Technical Expertise to DNDO Sys Dev & Acq.	N
DNDO	USCG	USCG	$120,000 (O–6)	01/09/06	Indefinite	Providing Technical Expertise to DNDO Policy	N
DNDO	S&T	S&T	$151,156 (1101)	04/15/05	Indefinite	Providing Technical Expertise to DNDO Trans. R&D	N
DNDO	S&T	S&T	GS–15/2	03/01/05	Indefinite	Providing Technical Expertise to DNDO Ops Support	N
DNDO	CBP	CBP	$122,000 (IPA)	06/09/05	Indefinite	Providing Technical Expertise to DNDO Sys Engineering.	N
DNDO	SLGCP	SLGCP	GS–15/3	02/14/05	Indefinite	Providing Technical Expertise to DNDO Policy S&L	N
DNDO	CBP	CBP	GS–14/8	07/26/05	Indefinite	Providing Technical Expertise to DNDO Sys Dev & Acq.	N
DNDO	USCG	USCG	$95,000 (O–4)	12/05/05	06/04/06	Providing Technical Expertise to DNDO Ops Support	N
DNDO	SLGCP	SLGCP	GS–15/6	10/03/05	Indefinite	Providing Technical Expertise to DNDO Sys Dev & Acq.	N
DNDO	TSA	TSA	$128,000 (K Band)	02/05/05	Indefinite	Providing Technical Expertise to DNDO Chief of Staff	N
DNDO	S&T	S&T	$173,186 (IPA)	06/04/05	Indefinite	Providing Technical Expertise to DNDO Assessments	N
DNDO	S&T	S&T	GS–14/1	04/18/05	Indefinite	Providing Technical Expertise to DNDO Ops Support	N
DNDO	CBP	CBP	GS–15/1	02/19/06	02/19/07	Providing Technical Expertise to DNDO Ops Support	N
DNDO	USCG	USCG	$95,000 (O–4)	01/09/06	01/09/08	Providing Technical Expertise to DNDO Systems Engineering.	N
DNDO	SLGCP	SLGCP	GS–12/1	08/15/05	Indefinite	Providing Technical Expertise to DNDO Ops Support	N
DNDO	CBP	CBP	GS–14/5	07/31/05	Indefinite	Providing Technical Expertise to DNDO Ops Support	N
I&A IA–H/AS	OGC	DHS/OGC	GS 15	7/12/04	Indefinite	Support to I&A mission as attorney	N
I&A IA–H/AS	OGC	OGC	GS–15	12/15/03	Indefinite	Support to I&A mission as attorney	N
I&A IA–C/CA	ICE	ICE	GS–14	4/13/04	Indefinite	Support to I&A mission	N
I&A IA–C/CA	TSA	TSA	GS–14	5/24/04	Indefinite	Support to I&A mission & TSA REP	N
I&A IA–D/TA	USCG	USCG	LT	1/24/05	Indefinite	Support to I&A mission & USCG Rep	Y

FISCAL YEAR 2006 1ST QUARTER—DHS DETAILEES TO THE HEADQUARTERS—Continued

Reporting agency	Detailed from which DHS component	Originating agency	Grade/step or salary	Detail start date	Detail end date	Purpose of detail	Reimb. Y/N
I&A IA–D/TA	USCG	USCG		8/10/05	Indefinite	Support to I&A mission & USCG Rep	Y
I&A IA–D/TA	CBP	CBP	GS–14	11/3/2003	Indefinite	Support to I&A mission & CBP Rep	N
I&A IA–H/IM	CIA	CIA	SIS	10/20/05	Indefinite	DIRECTOR INFO MGT	Y
I&A IA–L P&I	NSA	NSA	GS–15		Indefinite	Support to I&A mission & NSA rep	N
I&A IA–P/P&I	USCG	USCG	Lt. Cdr.	11/28/05	Indefinite	USCG LIAISON TO ASIA	N
L&IA	CIS	CIS	84,751	1/1/2004	Indefinite	LEG AFFAIRS LIAISON TO IMMIGRATION	N
L&IA	TSA	TSA	57,925	7/11/2005	9/1/2005	LEG AFFAIRS LIAISON TO TSA	N
L&IA	COAST GUARD	COAST GUARD	MILITARY	6/23/2005	Indefinite	LEG AFFAIRS LIAISON TO COAST GUARD	N
OGC	USCG	USCG	82,937	3/1/2005	3/1/2007	Assist with international issues and with Team Telecom/CFIUS legal issues.	Y
OGC	USCG	USCG	82,937	3/1/2005	3/31/2006	Provide legal advice concerning issues as they involve the USCG.	N
OGC	USCIS	CIS	110,878	3/1/2005	12/31/2006	Provide substantive immigration expertise to DHS OGC, focusing on issues relating to immigration benefits and related USCIS issues.	N
OGC	ICE	ICE	135,136	7/1/2005	12/31/2006	Provide substantive immigration expertise to DHS OGC, focusing on issues relating to immigration enforcement and related ICE issues.	N
OGC	HSLRB	DHS	107,521	12/1/2005	12/31/2006	Assist with implementation of MaxHR	N
OGC	HSLRB	DHS	107,521	12/1/2005	12/31/2006	Assist with OGC's Katrina Task Force	N
OGC	UCSIS	USCIS	118,272	12/1/2005	12/1/2006	Assist with promulgation of regulations that impact on USCIS mission.	N
OPS Dir	ICE	ICE	GS–14	Jul 2003	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	IA	SIA	GS–14	Aug 2004	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	Prep Dir	IP–NICC	Cont	Oct 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	TSA	TSA	J	May 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	S&T	S&T	Cont	May 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	CBP	CBP	GS–12	Dec 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N

OPS Dir	CIS	CIS	GS–13	Sep 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	Prep Dir	IP–NICC	GS–14	Jan 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	TSA	TSA	H	Apr 2004	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	TSA	TSA	J	Oct 2004	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	S&T	S&T	CDR	Jul 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	FEMA	FEMA	GS–14	May 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	Prep Dir	RMD	Cont	Jan 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	S&L	S&L	Cont	Dec 2004	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	CBP	CBP	GS–12	Oct 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	USSS	USSS	GS–12	Oct 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	DOI	DOI	GS–13	Dec 2004	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	S&T	S&T	Cont	Oct 2004	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	S&T	DNDO	Cont	Nov 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	PAO	PAO	E–7	Jan 2004	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	USCG	USCG	Lt	May 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	ICE	ICE	GS–12	Aug 2003	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	Prep Dir	RMD	Cont	Jul 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	IA	HSOMB	Cont	Aug 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	TSA	TSA	GS–13	Oct 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	USCG	USCG	O–3	Aug 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N

FISCAL YEAR 2006 1ST QUARTER—DHS DETAILEES TO THE HEADQUARTERS—Continued

Reporting agency	Detailed from which DHS component	Originating agency	Grade/step or salary	Detail start date	Detail end date	Purpose of detail	Reimb. Y/N
OPS Dir	Prep Dir	SIA	GS–13	Jan 2004	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	IA	HSOMB	Cont	Aug 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	DOI	FPS /DOI	GS–14	Jan 2006	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	Prep Dir	RMD	Cont	Jun 2004	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	USCG	USCG	O–3	Jun 2004	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	CIS	CIS	GS–13	Aug 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	IA	SIA	GS–14	Dec 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	CBP	CBP	GS–12	May 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	USCG	USCG	E–6	Oct 2004	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	IA	SIA	GS–11	Jan 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	FEMA	FEMA	GS–14	Apr 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	IA	IA	Cont	Jan 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	S&T	S&T	Cont	Mar 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	S&T	S&T	Cont	Aug 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	S&T	S&T	Cont	Dec 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	IA	IA–R	GS–14	Jan 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	S&L	S&L	Cont	Aug 2004	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N

OPS Dir	IA	SIA	GS–13	Oct 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	DHS Security	Security	Cont	Apr 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	USCG	SWO	O–6	Jun 2003	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	FEMA	FEMA	GS–14	Jan 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	S&L	S&L	Cont	May 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	IA	IA–R	GS–12	Sep 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	IA	IA	Cont	Aug 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	IA	IA–R	GS–13	Jul 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	Prep Dir	Fusion	Cont	Oct 2004	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	TSA	FAM	GS–12	Oct 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	Prep Dir	RMD	Cont	May 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	CIS	CIS	GS–13	Sep 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	IA	IA–T	Cont	Jan 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	IA	IA	Cont	Feb 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	S&T	S&T	Cont	May 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	IA	IA	GS–14	Mar 2004	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	CBP	CBP	GS–12	Jun 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	Prep Dir	NBSG	Cont	Feb 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	IA	IA–T	Cont	Jan 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	TSA	TSA	J	Mar 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N

FISCAL YEAR 2006 1ST QUARTER—DHS DETAILEES TO THE HEADQUARTERS—Continued

Reporting agency	Detailed from which DHS component	Originating agency	Grade/step or salary	Detail start date	Detail end date	Purpose of detail	Reimb. Y/N
OPS Dir	Prep Dir	IP–NICC	Cont	Sep 2004	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	CBP	CBP	GS–12	May 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	IA	IA	GS–11	Oct 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	USCG	USCG	Lt	May 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	DHS Security	Security	Cont	Sep 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	CIS	CIS	GS–13	Sep 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	IA	SIA	GS–13	Nov 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	ICE	ICE	GS–14	Jul 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	Prep Dir	NBSG	Cont	Sep 2003	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	CIS	CIS	GS–13	Sep 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	S&T	S&T	Cont	Jan 2006	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	IA	IA–T	GS–11	May 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	FEMA	FEMA	GS–14	May 2003	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	ICE	Future Ops	GS–15	Mar 2003	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	IA	IA	Cont	Aug 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	IA	IA	Cont	May 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	Prep Dir	IP–NICC	Cont	Aug 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N

OPS Dir	S&T	S&T	Cont	Aug 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	DHS Security	Internal Security	Cont	Oct 2004	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	Prep Dir	IP–NICC	Cont	Jan 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	FEMA	FEMA	GS–11	Aug 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	Prep Dir	IP–NICC	GS–15	Jan 2004	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	ICE	ICE	GS–13	Sep 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	S&L	S&L	Cont	Nov 2003	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	DHS Security	Security	Cont	Oct 2004	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	IA	IA–R	Cont	Oct 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	FPS	FPS	CMDR	Nov 2003	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	CIS	CIS	GS–12	Aug 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	IA	SIA	GS–15	Aug 2004	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	IA	IA–T	Cont	Jan 2004	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	IA	SIA	Cont	Aug 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	USCG	USCG	O–2	Jan 2004	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	S&L	S&L	Cont	Jan 2004	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	IA	SIA	GS–13	Aug 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	DHS PAO	PAO	GS–13	Apr 2004	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	DHS Security	Security	GS–14	Jan 2004	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	IA	IA	Cont	Jul 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N

FISCAL YEAR 2006 1ST QUARTER—DHS DETAILEES TO THE HEADQUARTERS—Continued

Reporting agency	Detailed from which DHS component	Originating agency	Grade/step or salary	Detail start date	Detail end date	Purpose of detail	Reimb. Y/N
OPS Dir	ICE	ICE	GS–14	Sep 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	TSA	TSA	K	Sep 2004	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	FEMA	FEMA	GS–15	Mar 2003	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	S&T	DNDO	Cont	Jan 2006	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	CBP	CBP	GS–11	Jan 2006	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	Prep Dir	RMD	Cont	Jan 2006	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	CBP	CBP	GS–12	Jun 2003	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	IA	HSOMB	Cont	Aug 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	USCG	USCG	E–7	Oct 2004	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	S&T	S&T	LCRD	Jan 2004	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	S&T	NBSG	Cont	Oct 2004	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	IA	IA–R	Cont	Aug 2004	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	IA	IA–T	Cont	Jan 2006	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	IA	SIA	GS–13	May 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	Prep Dir	RMD	Cont	Jan 2006	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	CIS	CIS	GS–14	Sep 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	S&T	S&T	Cont	Aug 2004	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N

OPS Dir	USSS	USSS	GS–13	Oct 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	Prep Dir	PSA	Cont	Jul 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	IA	IA	GS–12	Aug 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	CIS	CIS	GS–12	Sep 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	USCG	Executive Staff	CDR	Jun 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	S&T	NBSG	Cont	Dec 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	S&T	S&T	LCDR	May 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Dir	Prep Dir	RMD	Cont	Aug 2004	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
OPS Directorate	Prep Dir	RMD	Cont	Mar 2005	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
PREPAREDNESS	USCG	USCG	LT Commander	9/1/03	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	ICE	NCSD	GS–14	1/12/05	1/12/06	Support law enforcement and Intelligence	N
PREPAREDNESS	INS	INS	SES	6/1/03	Indefinite	Support to Preparedness mission	Y
PREPAREDNESS	USSS	USSS	GS 14/	1/1/03	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	USSS	USSS	GS 13/	12/1/02	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	USSS	USSS	GS 7/	1/1/04	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	FEMA	FEMA	GS–12	5/10/06	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	USSS	USSS	UND—Off	1/1/04	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	ICE	ICE	GS–1811–14	11/1/03	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	USSS	USSS	GS 15/	1/1/03	1/1/04	Support to Preparedness mission	N
PREPAREDNESS	FEMA	FEMA	GS–14	9/13/05	5/6/06	Support to Preparedness mission	N
PREPAREDNESS	ICE	ICE	GS–14	12/1/03	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
PREPAREDNESS	S&T	S&T Augmentee	Detailed Contractor	4/1/03	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	USSS	USSS	GS 15/	11/1/03	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	EP&R	EP&R	GS–14	9/10/03	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	USSS	USSS	GS 13/	5/1/03	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	USSS	USSS	GS 13/	12/1/02	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	USCG	USCG	LT	4/1/05	6/1/06	Support to Preparedness mission	Y
PREPAREDNESS	USSS	USSS	GS–14	7/1/04	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	CBP	CBP	GS–14	10/1/05	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	USSS	USSS	GS–15	8/2/05	Indefinite	Support to Preparedness mission	N

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Reporting agency	Detailed from which DHS component	Originating agency	Grade/step or salary	Detail start date	Detail end date	Purpose of detail	Reimb. Y/N
PREPAREDNESS	CBP	CBP	GS–11	11/17/03	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	USSS	NCSD	GS–14	1/4/05	Indefinite	Support Law Enforcement and Intelligence	N
PREPAREDNESS	TSA	TSA	SES	9/1/05	Indefinite	Support to Preparedness mission	Y
PREPAREDNESS	ICE	ICE	GS–0132–13	1/1/04	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	ICE	ICE	GS–14	4/13/04	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	ICE	ICE	GS–1811–14	1/1/03	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	USCG	USCG	LT Commander	4/1/04	6/1/06	Support to Preparedness mission	Y
PREPAREDNESS	ICE	ICE	SES	6/1/03	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	USSS	USSS	GS 13/	12/1/02	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	FEMA	FEMA	SES	9/13/05	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	CBP	CBP	GS–13	11/3/03	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	TSA	TSA	J	3/1/03	Indefinite	Provide real-time situational awareness and monitoring of the Homeland.	N
PREPAREDNESS	USSS	USSS	GS 6/	1/1/04	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	ICE	ICE	GS–0132–14	3/1/03	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	FEMA	FEMA	GS–13	9/13/05	5/10/06	Support to Preparedness mission	N
PREPAREDNESS	TSA	TSA	H	12/23/03	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	FEMA	FEMA	GS–13	3/1/03	Indefinite	Assist State and Local officials during DHS stand up	N
PREPAREDNESS	FEMA	FEMA	SES	10/1/05	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	TSA	TSA	H	10/1/03	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	USSS	USSS	GS–15	10/01/05	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	ICE	ICE	GS–14	4/1/04	Indefinite	Support to Preparedness mission	Y
PREPAREDNESS	USSS	USSS	GS 15/	12/1/03	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	ICE	ICE	GS–1801–14	1/1/03	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	NGB	NGB	LTC	9/1/03	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	USSS	USSS	GS 13/	1/1/04	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	USCG	USCG	12/3/03	9/4/04	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	USSS	USSS	GS 15/	1/1/03	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	TSA	TSA	GS–14	9/1/04	Indefinite	Support to Preparedness mission	Y
PREPAREDNESS	TSA	TSA	I	10/1/03	Indefinite	Support to Preparedness mission	N
PREPAREDNESS	CBP	CBP	GS–14	11/3/03	Indefinite	Support to Preparedness mission	N
PREPAREDNESS DIRECTORATE	USSS	USSS	GS–0301–15	12/1/02	Indefinite	Support to Preparedness mission	N
S&T	USCG	DHS	GS–14	01/09/04	Indefinite	Providing technical expertise to S&T	N
S&T	CBP	DHS	GS–14	09/12/05	9/13/2006	Providing technical expertise to S&T	N
S&T	USCG	DHS	CDR	09/30/04	7/30/2007	Providing technical expertise to S&T	N

USM/CIO	TSA		149,200	4/3/2005	10/28/2005	Support Solutions Engineering COE	Y
USM/CIO	USCG		130,155	4/4/2005	4/4/2006	Providing support to the HSDN program office	Y
USM/CIO	TSA		141,844	7/13/2003	Indefinite	DHS/BTS Integration	N
USM/CIO	ICE		100,152	12/1/2003	1/23/05 ended	Program management and acquisition support	N
USM/CIO	USCG		102,885	4/4/2005	4/4/2006	Providing support to the HSDN program office	Y
USM/CIO	CIS		89,736	3/1/2003	Indefinite	Support DHS' Infrastructure Transformation Office	N
USM/CIO	TSA		110,278	4/3/2005	10/28/2005 ended.	Information Technology	Y
USM/CIO	TSA		145,482	10/27/2004	Indefinite	TSA representative to the Information Transformation Office.	N
USM/CIO	TSA		138,093	4/3/2005	10/28/2005 ended.	Information Technology	Y
USM/CIO	TSA		141,454	7/13/2003	10/19/2005 ended.	INFRASTRUCTURE program support	Y
USM/CIO	USCG		156,886	5/1/2004	Indefinite	Support DHS' Infrastructure Transformation Office	Y
USM/CIO	CBP		149,200	12/1/2004	Indefinite	CIO, Wireless Management Office	N
USM/CIO	USCG		120,139	5/16/2005	4/4/2006	Providing support to the HSDN program office	Y
USM/CIO	USCG		130,155	4/4/2005	4/4/2006	Providing support to the HSDN program office	Y
USM/CIO	CBP		52,468	9/19/2005	2/19/2006	Supporting the DHS Deputy CIO	N
USM/CIO	OSLGCP		97,206	2/7/2005	9/30/2006	Assistant Metadata Program Manager to help manage DHS Metadata Center of Excellence (MCOE) program.	N
USM/CIO	USCG		130,155	4/4/05	4/4/2006	Providing support to the HSDN program office	Y
USM/CIO	ICE		100,152	12/1/2003	Indefinite	ACIO acquisition support	N
USM–CAO	CBP	CBP	GS 15	9/12/2005	9/11/2006	Specialization in Portfolio Management and coordination of cross-agency requirements..	N
USM–CHCO	CBP	CBP	GS 14/$100,152	4/28/2004	Indefinite	New MAX HR System—Communications Team	N

OFFICE OF SCREENING COORDINATION AND OPERATIONS

Question. In a brief the Committee received in December 2005, the briefing materials stated that the Office of Policy was tasked with, "Centralized policy development and coordination" as well as, "Ensuring consistency of policy and regulatory developments across components." In light of this, what are the pros and cons of the Office of Screening Coordination and Operations being a component within the Office of Policy?

Answer. After conducting a Second Stage Review of the Department, I announced and implemented organizational changes in order to enhance the coordination of policy, operations, and intelligence across the DHS spectrum. These changes resulted in the creation of a department-wide Office of Policy, Office of Operations Coordination and Office of Intelligence and Analysis. This new organizational structure became effective in November 2005. These offices have been charged with utilizing the tools of all of DHS's components to address the Department's critical homeland security mission. Indeed, these new offices interface on a daily basis with their counterparts in the DHS component agencies. This coordinated effort has vastly improved the Department's ability to develop strong regulatory and legislative proposals.

The Office of Screening Coordination and Operations (SCO) will work with each of these offices to improve security screening by creating screening standards and polices for the Department of Homeland Security, by providing a single redress office for travelers, and by setting common standards for registered traveler programs. The functions of the SCO include: (1) development of a unified business vision and strategy for the coordinated screening of people; (2) development of operational standards and coordination of policies; (3) oversight of unified program management processes across the various screening programs, and management of screening and credential acquisitions; and (4) establishment of a portfolio of common screening services that include unified standards concerning enrollments; biometrics management; credentialing operations; and central redress practices and policies.

The SCO will implement an effective and efficient screening capability that integrates policies, business strategies and processes, data and information systems, and technology to enhance security and immigration, trade, travel, and credentialing experiences.

OFFICE OF GENERAL COUNSEL

Question. The President's fiscal year 2007 budget for the Office of Procurement Operations in the Working Capital Fund requests an increase of 93 FTE. The Office of Procurement in the Under Secretary for Management account requests an increase of 25 FTE. Given these large increases in FTE for procurement contracting and policy, is a sufficient number of lawyers with expertise in procurement law being requested for the Office of General Counsel (an increase of four attorneys is requested)?

Answer. The procurement law function within the OGC was originally staffed to provide legal support to a small operational procurement function serving the departmental offices (the Office of Procurement Operations), a departmental grants activity, and the departmental policy and executive function for the immediate offices Chief Procurement Officer (ICPO). As of September 2004, the procurement law function had three full-time procurement attorneys serving approximately 60 staff at OPO and ICPO. With limited exceptions, the contracts being written at the time by OPO were interagency agreements (i.e., agreements to obtain goods and services from preexisting contracts with other agencies or contracts to be let by those agencies) and orders under blanket purchase arrangements under GSA schedule contracts.

Currently, OGC has five procurement attorneys. Two of the procurement attorneys have substantial collateral duties (one attorney provides other general law guidance and counsel coordination activities for US VISIT, and the other is providing legal advice on operational security matters to the Chief Security Officers and his staff). This staff is expected to provide: (i) solicitation and award reviews; (ii) day-to-day advice on intermediate actions, such as vendor questions and answers, discussion issues, competitive range determinations, and source selection issues; (iii) legal advice on procurement policy for the matters impacting the entire Department; (iv) oral and written advocacy on protests and appeals before contract fora, such as the Government Accountability Office, the Department of Transportation Board of Contract Appeals, and other specialized fora at the Department of Labor and Small Business Administration; and (v) litigation support to the Department of Justice for procurement matters before the U.S. Court of Federal Claims.

Currently, there are 87 staff assigned to OPO (from the 1102 series, an actual contract writing series). OPO has the authority and intention to hire 40 additional

staff members this fiscal year. ICPO has approximately another 35 personnel on-board (from the 1102 series and several administrative personnel from the 301 and 343 series). CPO advises that in fiscal year 2007, under the President's budget proposal, ICPO would increase staff by another 27 positions (1102), and OPO would add another 108 personnel (1102). At the conclusion of fiscal year 2007, OPO will have 228 staff on-board, and ICPO will have 62 staff on-board—for a total of 290 staff in CPO.

LOCAL CIS OMBUDSMAN

Question. The fiscal year 2006 Homeland Security Appropriations Act provided funding for an internal pilot program for local ombudsman staffing, training, and coordination. Provide an update on the status of this program.

Answer. The Local Ombudsman Pilot Program was completed on November 15, 2005. The program met all its goals, to establish personnel and support requirements, determine liaison responsibilities and limitations and create quality assurance standards and program objectives.

The pilot program created a model of operations for Local Ombudsman Offices or field offices. The pilot program ensures uniform operating procedures and processes, and provides a consistent and standardized model of operation. Personnel and support requirements were identified; liaison responsibilities and limitations were determined; and quality assurance standards and program objectives were scoped. The pilot program also developed cost models to identify personnel, facilitation and operating costs for Local Ombudsman Office's in various locations across the country.

Question. Will additional local ombudsman programs be established in fiscal year 2007? If so, when will they be stood up and in what locations?

Answer. There are no current plans for the creation of any Local Ombudsman's offices in fiscal year 2007.

Rather, the CIS Ombudsman is developing a "Virtual Access Ombudsman Office." This will make Ombudsman services accessible where computer access is available. The President's fiscal year 2007 Budget requests $5,927,000 for this office, including the annualization and adjustment's to base, and provides funding for travel to enable personal contact by representatives based in Washington, DC, visiting various locations on a "circuit-ride" basis. This will enable the Ombudsman to objectively identify areas to visit based on problems presented by individuals and employers in dealing with USCIS. It will provide an efficient method of providing government services which incorporate new advancements in communication.

BRAC REPORT

Question. As directed by the fiscal year 2006 Homeland Security Appropriations Act, provide a report describing the impact of the closure or realignment of any Department of Defense base resulting from the Base Realignment and Closure law on Department of Homeland Security facilities and activities.

Answer. BRAC properties offer DHS the opportunity to acquire assets for current and future mission performance requirements that will benefit operation effectiveness and efficiencies. The complex analysis of the full extent and timing of operational and financial impacts, including cost estimates from fiscal year 2006 to fiscal year 2010, are being completed. We anticipate submitting a full report by January 2007.

SENIOR LEADERSHIP TRAVEL INITIATIVE

Question. It is the Committee's understanding that the Secretary and the Deputy Secretary do not travel by plane together. The fiscal year 2007 budget indicates that only the Secretary's travel has been designated as "required use." Given this, why is the Deputy Secretary requesting $500,000?

Answer. The use of a government aircraft is sometimes necessary and the request for additional funding is based upon the cost per flight hour of a government aircraft, which can cost up to $8,936 per flight hour.

Question. Why couldn't the Deputy Secretary fly commercial aircraft at a greatly reduced cost?

Answer. In most cases, the Deputy Secretary does fly commercial aircraft in order to minimize the use of taxpayer dollars for travel. Nonetheless, in some circumstances—such as during periods of higher alert status, in order to accommodate travel to multiple or remote locations in a short period of time, or when the traveling party is large—it may be more cost effective or otherwise advisable for the Deputy Secretary to fly on a government aircraft.

Question. Provide information on the travel done by the Secretary, Deputy Secretary, and Chief of Staff for fiscal year 2004, fiscal year 2005, and fiscal year 2006 including the number of trips and the charges per hour and per trip.

Answer. The information requested for specific travel costs is listed below in the following charts. The rate per flight hour in the chart below is the total rate per hour for the entire aircraft (i.e. not prorated per passenger). The cost per flight hour therefore includes the costs for all staff accompanying the Secretary. The Chief of Staff is not included in the chart because the Chief of Staff does not travel on government aircraft except when accompanying the Secretary.

	FAA		USCG		Mil Air	
	Number of trips	Rate per flight hour [1]	Number of trips	Rate per flight hour	Number of trips	Rate per flight hour
Fiscal Year 2004						
Secretary	6	$675	26	$6,192	9	$2,829–$7,319
	3	875	.....	.....	.....	.....
	4	1,937	.....	.....	.....	.....
	4	2,214	.....	.....	.....	.....
Total, Secretary	17	.....	26	.....	9	.....
Deputy Secretary	2	875	.....	.....	.....	.....
	2	2,214	.....	.....	.....	.....
Total, Dep. Sec.	4	.....	.....	.....	.....	.....
Fiscal Year 2005						
Secretary	1	$790	26	$6,192	3	$2,829
	12	875	14	8,936	3	8,495
	1	1,937	.....	.....	.....	.....
	2	2,214	.....	.....	.....	.....
	1	2,590	.....	.....	.....	.....
	3	2,829	.....	.....	.....	.....
Total, Secretary	20	.....	40	.....	6	
Deputy Secretary	1	875	1	6,192	.....	.....
Total, Dep. Sec.	1	.....	1	.....	.....	.....
Fiscal Year 2006 (thru January 31, 2006)						
Secretary	1	$2,590	6	$8,936	1	$4,332
Total, Secretary	1	.....	6	.....	1	.....
Deputy Secretary	.....	.....	.....	.....	.....	.....
Total, Dep. Sec.	.....	.....	.....	.....	.....	.....

[1] FAA rates per flight hour do not include the 17 percent administrative fee charged on all flights.

OPERATIONS CENTERS

Question. You recently stated before the Homeland Security and Governmental Affairs Committee that part of the problem in the Hurricane Katrina response was lack of real time information being shared among the Department's operations centers to ensure that all the decision makers were informed on issues that needed action. You indicated the problem was lack of integration of the operations centers and cultural information hoarding which leads to stove piping.

There at least 19 Operations and Intelligence Centers at the Department. Please list all DHS operations centers.

Answer. Below are the DHS Operations Centers for the DHS Headquarters and the Component's Headquarters:

DHS Headquarters, Operations Directorate: Homeland Security Operations Center (HSOC)

FEMA: National Response Coordination Center (NRCC)

U.S. Coast Guard: Coast Guard Command Center (CGCC)

U.S. Secret Service: USSS Headquarters Operations Center

Customs & Border Patrol (CBP): Situation Room (Sit Room)

Transportation Security Administration (TSA): Transportation Security Operations Center (TSOC)

Immigration & Customs Enforcement (ICE): ICE Operations Center (IOC)

The previous list of 19 submitted in response to other questions included intelligence centers are below:

DHS HSOC & COMPONENT-LEVEL OPS AND INTEL CENTERS

Responsible agency	Official name and acronym	Street address
Department of Homeland Security (DHS): Headquarters/Operations Directorate.	Homeland Security Operations Center (HSOC)	3801 Nebraska Ave, NW, Washington, DC
	Note: Office of Intelligence & Analysis (OI&A) (Watch & Warning Branch) integrated into HSOC.	
Federal Emergency Management Agency (FEMA)	National Response Coordination Center (NRCC)	500 C Street SW, Washington, DC
	FEMA Operations Center (FOC)	19844 Blueridge Mountain Rd, State Route 601, Bluemont, VA 20132
United States Coast Guard (USCG)	Coast Guard Command Center (CGCC)	2100 2nd St SW, Washington, DC 20593
	National Response Center (NRC): Note: Chair EPA; Co-chair USCG	2100 2nd St SW, Washington, DC 20593
	National Strike Force Coordination Center (NSFCC)	1461 North Road Street, Elizabeth City, NC 27909
United States Secret Service (USSS)	USSS Headquarters Operations Center	Classified
	Intelligence Division Duty Desk: IA Duty Desk	950 H Street NW, 9th Floor, Washington, DC 20223
Customs and Border Protection (CBP)	Situation Room—''Sit Room''	1300 Pennsylvania Ave N.W., Washington, DC 20229
	National Targeting Center (NTC)	12379 Sunrise Valley Drive, Reston, VA 20191
	Air and Marine Operations Center (AMOC)	1355 Customs Way, March AFRB, CA 92555
	National Communications Center (NCC)	1900 Lakemont Ave, Orlando, FL 32803
	Intel Watch	1300 Pennsylvania Ave. N.W., Washington, DC 20229
Transportation Security Administration (TSA)	Transportation Security Operations Center (TSOC)	13555 Eds Drive, Herndon, VA
	Transportation Security Intelligence Services (TSIS)	601 South 12th Street, Arlington, Virginia 22202
Immigration and Customs Enforcement (ICE)	ICE Operations Center (IOC)	425 I St. N.W., Washington, DC
	Federal Air Marshalls (FAM) System Operation Control Division (SOCD)	FAMS Cabot Tech, 13555 EDS Drive, Herndon, VA 20171
	Federal Protective Service (FPS) National Capital Region	Southeast Federal Center, Bldg 74, Rm 1, 3rd & M St., SE, Washington, DC 20407
	ICE Intelligence Watch	425 I St. N.W., Washington, DC

Question. What is your plan to finally integrate the centers?

Answer. The plan is to integrate the DHS Operations Centers as follows:

Short Term

DHS Operations Directorate acts as the Operations Advocate for DHS and produces a cascading effect for a single operations function and 24/7 operations center within each component. The 2SR identified the need for an integrated DHS/Department-level operations function and an integrated DHS/Department-wide operations architecture/structure. In particular, "structure" includes Department-wide organizing (and resourcing) to provide operations functions at the Component level. The newly formed DHS Operations Directorate provides "one stop shopping" and unity of effort for overall Department-level (strategic/national) operations. The formation and implementation of the DHS Operations Directorate will cascade the need/requirement for a consolidated operations function within each DHS Component. The cascading effect is similar to a "forcing function" that will ripple from the strategic level through the operational and tactical level so that operations are unified across the spectrum of threats and characterized by rapid planning and execution.

As the operations advocate, the DHS Operations Directorate is forcing a cultural change throughout DHS that focuses on critical elements of "command and staff actions" including rapid and accurate operational reporting, standardization, verification/quality control, and real time situational awareness. The DHS Operations Directorate is the senior (strategic/national level) operations entity and has staff cognizance over operational matters within the strategic, operational and tactical framework. Thus, the advocate "looks out" for and promotes unified operations throughout DHS and with other partner agencies. The advocacy includes helping Components develop an operations function to promoting organizational and process changes to supporting resource requirements. The DHS operations advocate keeps critical operating issues in front of the senior DHS leaders.

The DHS Operations Directorate is providing integrated connectivity and increased situational awareness through a Common Operating Network and a Common Operating Picture. The common operating network is the Homeland Security Information Network (HSIN). It is used for operational reporting that will be fed into a Common Operating Database (COD) that feeds the Common Operating Picture (COP). Using the HSIN and the COP as two tools to coordinate or blend the DHS operation centers (strategic, operational, tactical levels) into a functioning whole (unity of effort). The COP will then be provided to the components for their use and for updating. The integration of the DHS Operations Centers via HSIN and the COP/COD provides information sharing and situational awareness, both vertically and horizontally, for increased unity of effort.

Long Term

When considering long term options, DHS is exploring solutions that will lead to the consolidation as well as integration of its various operations centers. Among the options being considered is the National Operations Center. A National Operations Center facility would provide the protections of subterranean, positive pressure CBRNE survivability features common to modern Department of Defense Operations Centers would ensure that mission critical collaboration and coordination activities throughout all phases of national incident management activities.

Question. Is there money in the fiscal year 2007 President's Budget to get that done?

Answer. The 2007 President's budget request fully funds capability milestones planned for HSIN and the Common Operating Picture necessary to integrate operations across the department in the short-term.

I STAFF

Question. What is the status of the I staff?

Answer. The Operational Integration Staff (I-STAFF) no longer exists. As part of the DHS reorganization following the Second Stage Review, the Secretary incorporated I-STAFF functions into the Operations and Preparedness Directorates.

Question. How many of the detailees to the I staff have returned to their agencies and how many are detailed to the Operations Directorate?

Answer. There are no former I-Staff personnel detailed to the Operations Directorate. All of the personnel previously detailed to the I-Staff have either returned to their previous organizations or been placed in permanent FTE positions elsewhere in the Department, with the exception of 2 detailees who are transitioning into permanent positions and 4 Coast Guard Officers who have been assigned on detail to the Preparedness Directorate.

Question. Are detailees to the Operations Directorate reimbursed?

Answer. As a general rule, the Operations Directorate does not reimburse parent organizations for the interagency support that is provided to the Operations Directorate. However, Operations does have reimbursable agreements with a few agencies to cover the cost of support provided to the HSOC. Currently, agreements are in place with the CIA, the National Geospatial Mapping Agency (NGA) and Immigration and Customs Enforcement (ICE).

MORALE PROBLEMS AT DHS

Question. From August to December of 2004, the Office of Personnel Management sent out surveys to 276,424 Federal employees at 30 cabinet departments. The purpose of this survey was to allow managers to measure, "employees' perceptions of whether, and to what extent, conditions characterizing successful organizations are present in their agencies." In June of 2005 the results of the survey were made public.

According to the survey, Department of Homeland Security employees rated their Department the lowest in terms of performance and job satisfaction. Of the 78 questions on the survey, the Department of Homeland Security was in the bottom 10 percent of all departments and agencies more than 96 percent of the time. In fact, the Department ranked dead last on exactly half of the questions asked. Here are some of the survey results:

Only 12 percent said they felt strongly that they were, "encouraged to come up with new and better ways of doing thing."

Only 4.6 percent strongly agree that, "Employees are rewarded for providing high quality products and services to customers."

Only 3.3 percent strongly agreed with the following statement, "Personnel decisions are based on merit."

Mr. Secretary, that survey was taken before you came on board. This past summer, you reorganized the Department. Then Hurricane Katrina hit. Do you believe that morale and performance are improving at DHS?

Answer. The results of the Federal Human Capital (HC) Survey were received shortly prior to my arrival at DHS. While the employees' responses demonstrated a strong commitment to the DHS mission and how their work efforts relate to our important tasks at hand, I was less pleased with DHS' overall standing in the survey and responses to specific areas such as establishment of a performance culture and trust in top organizational leaders. Since receiving the survey results, I have taken several actions to ensure that we maintain a focus on improving the quality of work life for employees of the Department. Upon receiving the survey results, I immediately took action to address the findings, including correspondence to Departmental leaders and establishment of an employee-led team to address the findings and opportunities for improvement. Additionally, a "culture and communications" team was charted under my Second Stage Review for the express purpose of identifying opportunities to improving morale and communications within DHS. The 2SR team identified a number of findings, including an increased emphasis on leadership development, creating a continuous learning environment, and establishing a performance-based culture.

I believe that the action steps that are being undertaken as a result of our response to the HC Survey as well as the 2SR team finding are having, and will continue to have, a positive impact on the organization. Our continued emphasis on implementing the Department's new human resources system, MAXHR, will also have a tremendous impact on our continued development of organizational leaders and movement towards a more performance-based organization.

Question. What specific steps are you taking to improve morale at the Department?

Answer. Today, the HC Survey response team within DHS, the I-team, continues to work employee issues at a grass roots level, including sponsoring employee focus groups to identify specific action plans for improving DHS morale. A Chief Learning Officer position has been established to increase our focus on training and development opportunities, and MAXHR performance leadership training has been initiated and completed for over 3,000 DHS managers to heighten their skills and awareness of employee issues and creating a stronger performance culture—with 9,000 more managers scheduled for training this year. All SES members of the Department received specific training in August of last year that included how to improve communications and coaching skills within the workforce and how to create a better alignment between organizational priorities and individual performance expectations. Additionally, I have recently taken steps to improve communications between senior leadership and all DHS employees, through a Secretarial webcast, through which answers to frequently asked employee questions were provided. I plan to continue

this and other efforts aimed at bettering communications with our leaders and our workforce.

CIVIL RIGHTS

Question. How many civil rights complaints/investigations were there in fiscal year 2004, fiscal year 2005, and fiscal year 2006 to date (listed by agency)?

Answer. The Office for Civil Rights and Civil Liberties (CRCL) categorizes "Civil Rights Complaints" in two ways: (1) external complaints are allegations that employees or officials of the Department have violated the civil rights or civil liberties of members of the public, organizations, or non-DHS employees; and (2) for internal complaints, the Secretary has delegated the authority to direct processing of Equal Employment Opportunity (EEO) complaints. The response to this QFR is divided into these two categories.

External.—For external complaints, there are multiple entry points into the Department. The Office for CRCL receives complaints from the public and categorizes them by component. The Office retains these complaints for investigation or refers them to the appropriate office for investigation. In addition, we have provided separate information for complaints filed directly with a component Civil Rights Office of professional responsibility. Complaints filed with the DHS Office of Inspector General are not included in these QFR responses.

DHS Office for Civil Rights and Civil Liberties

The number of complaints received by fiscal year and component in the Office for Civil Rights and Civil Liberties complaint management system is as follows:

Fiscal year	Total	CBP	DHS [1]	EPR/ FEMA	IAIP/ PREP	ICE	TSA	USCG	USCIS	USSS
2004	88	35	.....	2	.....	25	20	.....	5	1
2005	88	36	3	.....	1	30	5	4	7	2
2006 (to date)	46	17	.....	1	.....	24	3	1	.....	.....

[1] Indicates a multiple-component complaint.

Information for complaints filed directly with DHS component offices is listed below:

Customs and Border Protection

Fiscal year 2004—218
Fiscal year 2005—255
Fiscal year 2006—111 (to date)

Federal Emergency Management Agency Office of Equal Rights

Fiscal year 2004—1
Fiscal year 2005—2
Fiscal year 2006—13 (to date)

Immigration and Customs Enforcement

Fiscal year 2004—42
Fiscal year 2005—97
Fiscal year 2006—38 (to date)

Transportation Security Administration Office of Civil Rights

Fiscal year 2004—167
Fiscal year 2005—564
Fiscal year 2006—57 (to date)

Internal (EEO)

For internal complaints the aggrieved individual contacts a component EEO Office, completes the informal process for discrimination complaints and if the issue is not resolved to his or her satisfaction may file a complaint with that component. Upon acceptance of the complaint, the component EEO Office arranges for an impartial investigation of the complaint. If the issue remains unresolved after the investigation, the complainant has the right to a final agency decision with a hearing conducted by an EEOC Administrative Judge or on the record. The Office for Civil Rights and Civil Liberties issues final agency decisions for the Department.

Fiscal year	CIS	CBP	FEMA	FLETC	HSHQ	CE	SA	SCG	SSS
2004	90	208	34	9	.....	271	594	34	14
2005	126	242	64	15	3	274	393	35	16

Fiscal year	CIS	CBP	FEMA	FLETC	HSHQ	CE	SA	SCG	SSS
2006 (1st Qtr)	24	77	18	4	3	45	63	5	3

Question. On average, how long does it take to investigate and resolve a claim?

Answer. The amount of time to investigate and resolve a claim depends on various factors, which are listed below:

External

DHS Office for Civil Rights and Civil Liberties:

—The average length of time for investigation and resolution of the closed referred and retained complaints in the Office for Civil Rights and Civil Liberties complaint management system is 284 days.

Information for complaints filed directly with DHS component offices is listed below:

Customs and Border Protection & Immigration and Customs Enforcement:

—CBP and ICE use a joint database to track civil rights complaints; the average is 6 months.

Federal Emergency Management Agency Office of Equal Rights:

—The average is 160 days.

Transportation Security Administration Office of Civil Rights:

—The average is 110 days out of an allotted 180 days.

Internal (EEO)

The numbers in the following chart refer to the average number of days to investigate a complaint per component.

Fiscal year	IS	CBP	FEMA	FLETC	DHSHQ	ICE	TSA	USCG	USSS
2004	267	211	270	329	.....	227	314	168	181
2005	161	253	293	164	.....	216	414	211	327
2006 (1st Qtr)	N/A	N/A	N/A	N/A	N/A	N/A	391	143	N/A

Question. What is the current backlog?

Answer. The backlog is listed below:

External

DHS Office for Civil Rights and Civil Liberties

The Office defines "backlog" as complaints that have been open in the Office for Civil Rights and Civil Liberties complaint management system for over 180 days. The current backlog is 57 complaints, of which 30 are retained within the Office and 27 are referred to components for investigation, out of total number of 223 complaints received to date.

Information for complaints filed directly with DHS component offices is listed below:

Customs and Border Protection & Immigration and Customs Enforcement

CBP and ICE use a joint database to track civil rights complaints. From fiscal year 2004 through fiscal year 2006 YTD 761 Civil Rights Complaints were received at the CBP/ICE Joint Intake Center (JIC). Of the 761 complaints 621 have been completed and closed out. 140 Civil Rights Complaints remain open and under investigation.

Federal Emergency Management Agency Office of Equal Rights

The current backlog is 15 pending investigation, 2 from fiscal year 2005 and 13 from fiscal year 2006. The increased activity as a result of Hurricane Katrina created a backlog in processing fiscal year 2005 cases.

Transportation Security Administration Office of Civil Rights

The current backlog is 13 complaints from fiscal year 2005.

Internal (EEO)

For internal complaints "backlog" is defined as all open complaints.

As of	CIS	CBP	FEMA	FLETC	HQ	ICE	TSA	USCG	USSS
2006 (1st Qtr)	140	535	103	12	6	397	995	57	19

US VISIT

IDENT—IAFIS

Question. I was very pleased that you announced last summer that you planned to migrate the US VISIT program from the current two fingerprint enrollment for visitors entering this country to ten fingerprint enrollment. As you know, I have been pressing for this since the Department was created. And I am also pleased that your budget requests $60 million for achieving interoperability between the FBI and Homeland Security biometric databases as part of this effort.

What is your estimated timeline for achieving a 10 fingerprint process for US VISIT?

Answer. In order to realize the full benefits of collecting 10 fingerprints, US VISIT must undertake two initiatives: deploy electronic readers capable of scanning 10 fingerprints accurately and quickly; and develop interoperability between the FBI's Integrated Automated Fingerprint Identification System (IAFIS) and DHS's Automated Biometric Identity System (IDENT). US VISIT has already made progress towards IDENT/IAFIS interoperability and is exploring 10-print readers for deployment to multiple environments.

DHS, along with the Departments of State, Justice, and Defense, as well as the National Institute of Standards and Technology, hosted an industry day to challenge the private sector to make a smaller, faster, and more accurate 10-print capture device. We are working with industry to help design new capture devices that meet DHS's basic operational requirements at primary inspection. Advances in technology will allow DHS and State to routinely collect 10 slap prints, without negatively impacting the thousands of international visitors that pass though our ports and visa issuing posts every day.

Question. What specific elements could be expedited in fiscal year 2006 if funding were available?

Answer. The Department has sufficient resources for IDENT/IAFIS interoperability in fiscal year 2006.

EXIT

Question. Provide an update on funding estimates necessary to implement exit and the status of the exit pilots.

Answer. The Department will submit to Congress plans on implementation of exit screening once the review of the exit pilots is complete.

VISA WAIVER PROGRAM (WVP)

Question. Please explain the DHS role in reviewing any new expansion of VWP applications.

Answer. The Secretary of Homeland Security, in consultation with the Secretary of State, may designate a country meeting the statutory criteria for participation in the program. The DHS has established the Office of International Enforcement to oversee the Department's role in VWP; conduct the statutorily required reviews of currently participating countries; and, working with Department of State, evaluate whether any additional countries are eligible to participate in the program.

Question. What are the criteria required for a country to become a VWP participant?

Answer. The Visa Waiver Program (VWP) was established as a pilot program in 1988. Under the program, nationals of designated countries who are in possession of valid passports may visit the United States for business or pleasure for 90 days or less without first obtaining a nonimmigrant visa. Such visitors must sign a waiver of certain rights and affirm, in writing, their admissibility and understanding of program conditions prior to application for admission. A visitor under the program may not extend his stay or change or adjust status with minor exceptions (adjustment through an immediate relative petition or an application for asylum).

The Visa Waiver Permanent Program (VWPP) Act of 2000 made the Visa Waiver Pilot Program permanent. The statutory requirements for the VWP are found at Section 217 of the Immigration and Nationality Act (INA). Currently, 27 countries participate: Andorra, Australia, Austria, Belgium, Brunei, Denmark, Finland, France, Germany, Iceland, Ireland, Italy, Japan, Liechtenstein, Luxembourg, Monaco, the Netherlands, New Zealand, Norway, Portugal, San Marino, Singapore, Slovenia, Spain, Sweden, Switzerland, and the United Kingdom. The last expansion took place in 1999 with the addition of Singapore and Portugal. In fiscal year 2004, according to the Office of Immigration Statistics, approximately 15.9 million visitors (over 50 percent of all controlled entries) entered the United States under the VWP. Most, but not all, EU countries participate in the VWP.

The VWPP Act of 2000 and The Enhanced Border Security and Visa Entry Reform Act of 2002 modified Section 217 to impose new conditions on VWP countries. Current statutory requirements are that the country:

—has reciprocal visa-free travel extended to citizens of the United States for 90 days or less (tourism and business);
—has a low nonimmigrant visa refusal rate;
—has a low immigration violations rate (overstays, etc.);
—certifies that it reports to the United States on a timely basis the theft of blank passports issued by that country;
—has a program to issue Machine Readable Passports (MRP) that are tamper-resistant and incorporate biometric and document authentication identifiers that comply with standards established by the International Civil Aviation Organization (ICAO) by October 26, 2006; and
—through its designation does not compromise U.S. law enforcement and security interests, including enforcement of U.S. immigration laws and procedures for extraditions to the United States.

The statute also requires that:

—a VWP traveler present an MRP;
—DHS have equipment to read these passports at ports of entry;
—Transportation carriers provide manifest data electronically; and
—Participating countries be evaluated against statutory criteria every 2 years.

By policy issued in June and July 2005, DHS elaborated on the statutory criteria by expanding the Lost and Stolen Passport(s) (LASP) reporting requirement to include issued as well as blank passports and clarified the biometric passport requirements. In addition, under the new guidelines, participating countries must have a program in place to issue MRPs which contain a digital photograph of the bearer embedded in the biographical data page by 10/26/05 (Level I Certification) and a "true" biometric passport ("e-passport") which includes an IC chip containing the biographical information and photo by 10/26/06 (Level II Certification). Level II Certification also requires that each VWP country commit to certain LASP reporting standards. Currently, these new LASP reporting standards are being finalized at DHS.

TEN PRINT CAPACITY OVERSEAS

Question. Please provide the specific time table for the Department of State's plan to pilot a 10 print enrollment capacity at overseas consulates?

Answer. The Department of State is the lead agency responsible for deploying 10-print enrollment capabilities to overseas consulates. Questions concerning this issue would be best answered by the Department of State.

Question. At which locations are the pilots being considered?

Answer. The Department of State is the lead agency responsible for deploying 10-print enrollment capabilities to overseas consulates. Questions concerning this issue should be answered by State.

WESTERN HEMISPHERE TRAVEL INITIATIVE

Question. The Intelligence Reform and Terrorism Prevention Act of 2002 mandates that the government develop and implement a plan to require U.S. citizens and foreign nationals to present a passport—or other appropriate secure identity and citizenship document—when entering the United States. Starting by the end of this year, for instance, a driver's license will not be sufficient proof of identification for flying between Washington, DC and Montreal. This is a major change in how we have treated travel relations with our neighbors to the north and the south. Citizens on our border have not been required to obtain passports in the past. This is a burden and a major concern for many of our citizens, especially for the elderly and those in rural areas.

On January 17, 2006, you and Secretary Rice announced a plan to create and issue, by the end of 2006, new travel documents for Canadian, Mexican, and United States citizens to ensure the secure, but relatively unhindered, entry of these citizens into the other countries without the need for costly United States passports. You have named it the "People, Access, Security, Service"—or PASS card. As I understand it, this card may contain biometric data, such as a fingerprint and a digital photograph of the card holder.

Given that cardholders will still have to fill out a form and provide this personal data, how is the proposed PASS card fundamentally different than a passport?

Answer. The recently proposed "PASS System" is an important element of the Western Hemisphere Travel Initiative (WHTI). Specific questions concerning this issue should be directed to the Department of State.

Question. What funds are included in the President's fiscal year 2007 budget request to facilitate this new program and where are they located?

Answer. No funds are needed for this initiative in fiscal year 2007.

Question. How much will this new program cost the United States government?

Answer. Many elements of the PASS system, including specifics related to the production of travel documents, are in planning and are predecisional.

Question. What will be the cost to American citizens of obtaining these new documents and how will they go about applying for them?

Answer. Many elements of the PASS system, including the specifics related to the production of travel documents, are in planning and are predecisional.

Question. Who will issue this document?

Answer. The Department of State and DHS have announced that State will produce PASS system documents.

Question. How much will the card cost and who will have to pay for this card?

Answer. Many elements of the PASS system, including specifics related to the production of travel documents, are still in planning and are predecisional.

Question. Will new card readers or scanners be required to read these documents? How much will they cost?

Answer. Many elements of the PASS system, including specifics related to the production of travel documents, are still in planning and are predecisional.

Question. Are funds included in the budget request for machines to read these cards at the ports of entry?

Answer. There are no funds needed at this time.

Question. What is your estimate of the total cost of this program?

Answer. Many elements of the PASS system, including specifics related to the production of travel documents, are still in planning and are predecisional.

Question. Where will these documents be produced?

Answer. Many elements of the PASS system, including specifics related to the production of travel documents, are still in planning and are predecisional.

Question. How will you ensure that these documents will be secure and not subject to tampering and fraud?

Answer. The Department of Homeland Security will work with the Department of State to develop standards to ensure that any PASS travel documents issued will contain anti-tampering and counterfeiting features.

STRATEGIC BORDER INITIATIVE

Question. Explain the functions and expectations of the Southwest border program to end catch and release.

Answer. Ending catch and release is a major objective of the Secure Border Initiative (SBI)'s unified border control strategy, which encompasses the interdiction of cross border violators at and between official ports of entry. The Department has already made significant progress in achieving this goal. Quick and efficient detention and removal of apprehended aliens is crucial to border control.

Three major strategies in this effort are:

—Detect and respond to all cross-border crime;

—End "catch and release" of non-Mexican illegal aliens; and

—Deter cross-border violations.

A deterrence factor exists only when potential violators understand that the chances that they will be apprehended and removed have increased. This prevents a significant number of potential violators from even attempting initial or repeat cross-border violations.

We have made great strides in our ability to detain non-Mexican national aliens apprehended while illegally entering the United States on our Southwest Border by employing three tools: increased capacity, faster turnover (including increased use of expedited removal), and increased deterrence. Indeed, we are now able to detain virtually all non-Mexican aliens apprehended between ports of entry along the Southwest border with the notable exceptions of El Salvadoran nationals who cannot be placed into expedited removal due to an outstanding court injunction, and aliens from countries that are slow to accept repatriation of their nationals. With the money from the recent supplemental, an additional 4,000 beds are available, which will allow for the detention of El Salvadoran nationals.

In addition, until recently, family groups were routinely released, but with the opening of a 500 bed family detention center in May, ICE is able to detain all apprehended family units on the Southwest border.

Question. How many people are detained?

Answer. The funded bed level in fiscal year 2006 is 20,800. The average daily population fluctuates, but the average nationwide from October 2005 to February 1, 2006 was 20,501.

Question. How many people are ineligible for expedited removal? What is being done with them?

Answer. Citizens of Cuba arriving at a United States port of entry by aircraft are ineligible, by statute, for expedited removal. DHS extended this exemption in 2005 to Cubans arriving at a land-border port of entry. Also, as a result of an injunction entered by the U.S. District Court for the Central District of California 17 years ago in Orantes-Hernandez v. Thornburgh, the Department is prohibited from applying expedited removal to Salvadorans.

The Administration has asked the Court to lift or modify its injunction last fall. Discovery is still continuing in the court proceedings and no decision is anticipated in the immediate future. The Administration has also asked Congress to reform the immigration injunction process so that the Administration may have additional flexibility in the removal process.

Under the Immigration and Nationality Act, all nationalities are amenable to expedited removal as prescribed by law, excluding the noted exceptions. Aliens excepted from expedited removal is given a Notice to Appear, which places them into removal proceedings, and a determination is then made as to whether the alien should be paroled or subject to continued detention, based on the likelihood the individual poses a danger to the community and/or will appear for the removal hearing.

The recent supplemental will allow the Department to detain additional aliens and will also allow the Department to detain El Salvadoran nationals.

Question. What percent of detainees are refused return by their home county and must be released in the United States?

Answer. Currently, the Department does not track the percentage of detainees who are refused return by their home country.

The Detention and Removal Office (DRO), however, pursuant the Supreme court's decision in *Zadvydas* v. *Dabis*, and 8 CFR 241.13, generally issues release decisions once a determination is made that removal is not likely to occur in the reasonably foreseeable future, usually based on lack of a travel document. DRO issued 969 release decisions pursuant to 8 CFR 241.13 in fiscal year 2005. That figure is approximately 80 percent of the total cases referred to DRO and in which DRO headquarters issued either a release or detain decision pursuant to 8 CFR 241.13. These statistics do not address those non-criminal aliens ICE does not apprehend or take into custody because the country does not issue travel documents.

Question. Does the Executive Office for Immigration Review (EOIR) have an increase in its budget request proportionally comparable to support DHS' efforts under SBI?

Answer. The Department received the following response from the Department of Justice: For 2007, the President has requested a program increase of 120 positions (including 20 immigration judges, 10 Board of Immigration Appeals staff attorneys, and related legal/clerical support staff) and nearly $9 million.

Question. Please provide the caseload statistics for EOIR for fiscal year 2003/04/05.

Answer. See below statistical tables provided by the EOIR.

Table 3 shows all types of proceedings received by the Immigration Courts between FY 2001 and FY 2005. Receipts of deportation and exclusion cases have declined from FY 2001 levels because these types of proceedings were no longer initiated by INS (now DHS) after 1997.

Table 3 - Immigration Court Proceedings Received by Case Type

Type of Proceeding	FY2001	FY 2002	FY 2003	FY 2004	FY 2005
Deportation	7,727	7,534	5,936	4,541	4,230
Exclusion	1,065	1,277	751	503	412
Removal	229,528	233,623	244,885	249,480	323,749
Credible Fear	78	85	42	41	113
Reasonable Fear*	104	85	103	92	55
Claimed Status	118	85	91	50	77
Asylum Only	3,039	2,236	2,297	2,616	1,547
Rescission	40	39	23	28	25
Continued Detention Review	0	0	5	8	3
NACARA	82	59	91	35	4
Withholding Only	102	118	117	162	181
Unknown	0	8	2	3	0
Total	**241,883**	**245,149**	**254,343**	**257,559**	**330,396**

*Prior to FY 2003 this was reported under Credible Fear.

Table 4 shows all types of proceedings completed by the Immigration Courts for the period FY 2001 to FY 2005. Note that proceedings completed do not reflect only Immigration Judge decisions. These numbers include other completions such as transfers and changes of venue. As shown in Tab D, "other completions" accounted for 16 percent of the proceedings completed in FY 2005.

Table 4 - Immigration Court Proceedings Completed by Case Type

Type of Proceeding	FY2001	FY 2002	FY 2003	FY 2004	FY 2005
Deportation	10,755	8,644	8,962	6,264	4,692
Exclusion	1,212	1,087	1,236	836	578
Removal	203,555	215,999	238,065	249,896	306,395
Credible Fear	80	84	42	37	114
Reasonable Fear*	105	87	101	92	57
Claimed Status	123	84	88	54	75
Asylum Only	2,257	2,227	2,049	2,405	2,060
Rescission	39	33	47	27	27
Continued Detention Review	0	0	3	10	3
NACARA	57	60	99	70	29
Withholding Only	95	116	125	138	187
Unknown	0	1	2	3	1
Total	218,278	228,422	250,819	259,832	314,218

*Prior to FY 2003 this was reported under Credible Fear.

Question. With the expansion of expedited removal across the SW border, what is the average number of days an alien occupies a detention bed? And what was the comparable average in August 2005? Please provide this by nationality.

Answer. Because of their length, breakdown by nationality is provided below. The lists are further divided by credible fear and non-credible fear cases. Please note that both of these figures include Canada and Mexico; countries whose citizens have an extremely short length of stay due to proximity and minimal document requirements.

AVERAGE LENGTHS OF STAY (LOS) BY COUNTRY

[Expedited removals—credible fear claimed cases]

Country	June 26, 2006	August 1, 2005
ALBANIA	68.4	117.8
ALGERIA	.....	262.0
BANGLADESH	97.0	219.6
BOLIVIA	52.7	39.8
BRAZIL	52.3	49.4
BULGARIA	51.5	86.1
BURMA	19.0	25.0
CAMEROON	.....	132.0
CHILE	.....	42.0
CHINA, PEOPLES REPUBLIC	50.6	177.5
COLOMBIA	55.7	143.2
COSTA RICA	65.5	35.2
DOMINICAN REPUBLIC	60.8	92.2
ECUADOR	58.9	59.4
ERITREA	29.0	222.5
ETHIOPIA	55.3	231.0
GUATEMALA	43.7	54.5
GUYANA	.....	196.0
HAITI	54.6	112.1
HONDURAS	48.7	65.2
INDIA	63.2	209.9
IRAN	19.0	
LITHUANIA	.....	63.0
MACEDONIA	.....	171.0
MEXICO	9.5	43.4
NEPAL	.....	84.5
NICARAGUA	70.2	109.5
NIGERIA	73.0	.....
PAKISTAN	45.3	.....
PERU	50.0	69.2
POLAND	30.0	46.1
PORTUGAL	.....	209.9
ROMANIA	55.0	.....
RUSSIA	19.0	.....
SERBIA	.....	220.4
SLOVAKIA	.....	43.4
SOUTH KOREA	.....	84.5
TURKEY	44.3	.....
UKRAINE	22.0	.....
URUGUAY	.....	247.0
VENEZUELA	94.3	183.5
YUGOSLAVIA	45.9	221.5
Overall Average for Countries With Credible Fear Claimed Expedited Removals (Including Canada and Mexico)	48.1	124.8

AVERAGE LENGTHS OF STAY (LOS) BY COUNTRY

[Expedited removals—no credible fear claimed cases]

COUNTRY	June 26, 2006	August 1, 2005
ALBANIA	43.5	89.2
ARGENTINA	30.1	35.3
BANGLADESH	165	.....
BELIZE	62.3	33.0
BOLIVIA	34.9	60.6
BRAZIL	25.9	27.2
BULGARIA	35.5	.....
CAMEROON	137.0	.....
CANADA	.....	.....
CHILE	25.9	23.4
CHINA, PEOPLES REPUBLIC	23.7	106.1
COLOMBIA	29.2	55.4

AVERAGE LENGTHS OF STAY (LOS) BY COUNTRY—Continued

[Expedited removals—no credible fear claimed cases]

COUNTRY	June 26, 2006	August 1, 2005
COSTA RICA	29.8	43.9
DOMINICAN REPUBLIC	39.6	55.5
ECUADOR	27.7	38.2
ERITREA	48.0	
FRANCE		22.0
GABON		27.4
GUATEMALA	18.8	22.8
GUYANA		
HAITI	38.0	26.0
HONDURAS	15.3	27.7
INDIA	78.7	
ISRAEL	17.3	30.0
ITALY	23.0	
JAMAICA	26.6	
KOREA	15.4	
LITHUANIA	31.0	
MACEDONIA	37.5	40.5
MEXICO	1.5	8.4
NEPAL		48.0
NETHERLANDS	27.0	
NICARAGUA	29.3	59.9
NIGERIA	73.0	
PAKISTAN	29.0	
PANAMA	60.0	42.0
PARAGUAY	51.0	17.0
PERU	30.0	44.2
PHILIPPINES		63.0
POLAND	31.0	27.0
ROMANIA	44.0	
SENGAL	103.0	
SLOVENIA		152.0
SLOVAK REPUBLIC		48.5
SLOVAKIA		
SOUTH KOREA		48.0
SPAIN		54.4
SRI LANKA	37.0	
SWEDEN		77.0
TURKEY	35.5	
UNITED KINGDOM	2.0	40.0
URUGUAY	36.4	43.4
VENEZUELA	19.1	48.8
YUGOSLAVIA	31.0	149.5

Question. Is ICE's workforce enforcement effort considered a part of SBI?

Answer. Yes, ICE's worksite enforcement effort is a part of SBI. In developing SBI, DHS is taking an integrated approach to the problem including border security, interior enforcement, and the Temporary Worker Program. For any of these pieces to work, each must be coordinated. One principal objective of the interior enforcement piece is ending the tolerance of illegal employment. Comprehensive employment verification, improved recordkeeping, document and database checks, and compliance audits are all important as the Administration develops an comprehensive strategy. Passage of comprehensive immigration reform will be critical to improve the tools available to the Department increase our capacity to target egregious employers.

CUSTOMS AND BORDER PROTECTION

CBP AND NCRC MISSION

Question. Since initiating the National Capitol Region air security mission in 2003, CBP has performed this security mission via temporary rotations of aircraft and personnel from the Southwest border and elsewhere in the country—without receiving any additional funds to perform this task.

What is the origin/inspiration for the proposed transfer of $5 million from the CBP base budget to the Coast Guard to perform the National Capitol Region air defense mission?

Answer. The $5 million transfer represents the annual cost to operate the National Capital Region Air and Marine Branch. This amount is being proposed for transfer to the Coast Guard because in fiscal year 2007 CBP will no longer be performing this function.

Question. How is this not an erosion of the CBP base budget?

Answer. The funding supported a function that CBP will not be performing in fiscal year 2007. For this reason, it is not an erosion of the base.

Question. What did CBP spend on this mission in fiscal year 2004 and fiscal year 2005 and what is the estimate for fiscal year 2006?

Answer. In fiscal year 2004, The National Capital Region (NCR) costs of operations were $4,239,557. Salary costs were for eight permanent FTE. In addition, an undetermined number of temporary duty station personnel supported the NCR.

In fiscal year 2005, NCR costs of operations were $5,305,490. Salary costs were for twelve permanent FTE. In addition, fourteen temporary duty station personnel supported the NCR.

Estimated fiscal year 2006 costs of operations are $5,414,655. These costs are only through August 1, 2006, when the transfer of the mission to U.S. Coast Guard is expected to take place.

INSPECTIONS OF ARRIVING SAUDIS

Question. There have been reports that certain Saudi nationals were not processed through US VISIT by CBP officers when they arrived at Dulles International Airport. Is this true and, if so, why?

Answer. CBP is not aware of the specific incidents) this inquiry references, and would be pleased to research further with additional background information. However, certain classes of travelers are exempt from US VISIT enrollment. These exempted classes include, travelers applying for admission using an A, G, or NATO nonimmigrant visa; Taiwan representatives of TECRO and dependents; children under the age of 14 and persons over the age of 79. Additionally, the Secretary of State and the Secretary of Homeland Security have the authority to exempt individual travelers from US VISIT enrollment. These individual exemptions sometimes include foreign government officials and delegations who may not be traveling with diplomatic visas.

Question. More generally, do supervisors have the ability to decide who to enroll and/or process and who not to? What is a supervisors "override" authority?

Answer. Individual supervisors do not have the ability to decide who is and is not enrolled and processed by US VISIT. The Secretary of State and the Secretary of Homeland Security have the authority to exempt individual travelers from US VISIT enrollment. This authority is exercised at the headquarters level in advance of the arrival of the passenger. These individual exemptions sometimes include foreign government officials and delegations who may not be traveling with diplomatic visas.

ENFORCEMENT OF CUSTOMS LAWS

Question. With the creation of the Department of Homeland Security, we have witnessed the steady erosion of the Transportation Security Administration's legislated mandate to secure "all modes of transportation", not just aviation. Now I am hearing more and more stories from the field that the enforcement of Customs laws and regulations are being routinely ignored by Immigration and Customs Enforcement in favor of enforcing immigration laws. I take a back seat to no one in my strong belief that all of our immigration laws should and must be enforced. But this should not occur to the detriment of enforcing Customs laws. Trade enforcement is critical to the well being of our national economy.

What assurances can you provide me that a continued focus on Customs enforcement is being accorded the proper level of support?

Answer. DHS is absolutely committed to ICE's concurrent customs and immigration enforcement missions. ICE's Financial and Trade Investigations Division oversees national enforcement of traditional customs investigative arenas, including bulk cash smuggling, trade-based money laundering, commercial trade fraud and intellectual property rights (IPR) violations. Specifically, the Trade Transparency Unit (TTU) and the Commercial Fraud and IPR Unit target predatory trade practices that threaten U.S. economic stability, restrict U.S. industry competitiveness in world markets, and place the public health and safety of the American people at risk. The TTU, led by ICE, in cooperation with U.S. Customs and Border Protection

(CBP) and the U.S. Departments of State and Treasury, specifically analyzes domestic and foreign import and export trade data for discrepancies or anomalies that may indicate trade-based money laundering or other trade fraud violations. The Commercial Fraud and IPR Unit targets traditional customs violations, including IPR crimes, illegal textile transshipment, illegal importation of counterfeit and restricted pharmaceuticals, tobacco smuggling, circumvention of international trade agreements, and importer and broker compliance.

In addition, the ICE Commercial Fraud and IPR Unit has implemented special enforcement operations targeting identified areas of vulnerability in the U.S. commercial trade system. These operations include Fraud Investigation Strike Teams (FIST), which target fraud within foreign trade zones and customs bonded warehouses, and Operation Security Bond, which targets the illegal use of the in-bond system to smuggle merchandise. During these operations, ICE's enforcement of customs and immigration statutes has resulted in an increased discovery of commercial fraud violations and the identification and removal of illegal immigrants with unauthorized access to secure areas.

ICE's commitment to enforcing its concurrent customs and immigration enforcement missions is unwavering.

CBP PRESENCE AT AIRPORTS

Question. On November 1, 2005, NTEU President Colleen M. Kelley wrote to USA Today responding to an October 24 story the paper had written about the increasingly long wait times for international passengers arriving in the United States. She claimed that it is the result of too few inspectors at the airports as well as because the "One Face at the Border" training has resulted in degradation in the specialized types of training CBP officers need to effectively do their jobs.

Are the wait lines the result of too few inspectors?

Answer. Wait times are contingent on available staffing, the number of available primary booths, the number and type of arriving flights/passengers (high risk flights/passengers vs. low risk), the number of arrivals during peak hours, the degree of scrutiny required for each passenger, and any heightened security measures.

Question. Has training been degraded?

Answer. Current CBP training is more comprehensive and structured then in either former agency.

New CBP Officers receive 160 hours of Pre-Academy Orientation at their assigned port of entry before they depart for the Federal Law Enforcement Training Center. They graduate after 72 classroom days of training then return to the port prepared to fulfill a limited scope of responsibility-primary inspection for what once was Immigration and Customs purposes.

Upon return to their port they undergo a rigorous and regimented 2-year training program filled with classroom, systems and on-the-job training which begins the process of preparing them for the different inspection environments to which they will be assigned, such as air passenger processing, air cargo processing, land passenger processing, sea cargo processing, etc. Neither the Customs Service nor the Immigration and Naturalization Service (INS) had such a structured program.

The current "combined" Academy training is shorter in length than if CBP had merely put new CBP Officers into back-to-back courses of the legacy training. In restructuring its training programs, CBP discovered that it was able to condense the combined training in a rational way due to the many overlapping areas and similarly taught courses between the legacy immigration and customs training courses. For example, while Customs Inspectors previously received introductory immigration training in their basic course, and Immigration Inspectors received some introduction in Customs law, they both received firearms, defensive tactics, professionalism, Equal Employment Opportunity (EEO), and interviewing skills training that applies in both environments. In addition, CBP now only requires Spanish language training for the Southwest border, Miami and Puerto Rico where those skills are needed.

Incumbent officers who were employed prior to the March 1, 2003 merger are required to participate in structured and specific cross training courses for disciplines they have not previously received training for prior to being assigned to a new task. As of December 31, 2005, CBP has identified, built and distributed more than 37 cross-training modules ranging from a 6-hour CD–ROM awareness course on Customs/Immigration fundamentals to an 8-day classroom session on immigration law and procedures in processing passenger in primary. All of these training programs include many of the required pre-requisites.

In addition to the new CBP Academy curriculum, CBP also worked with USDA to develop a new unified entry-level training program for Agriculture Specialists.

CBP INSPECTORS AT OUR PORTS

Question. Many valid concerns have been raised about the troubling sale of control of a number of U.S. seaports to a foreign government-owned entity. This sale is troubling on so many levels. The President assures us that the ports are secure because the Coast Guard provides security at the ports and Customs and Border Protection officers examine the containers as they are being unloaded. But many outside observers believe there are not enough CBP inspectors at the ports to conduct robust screening and security activities. While there are significant hiring increases in the budget request for Border Patrol agents and immigration enforcement officers—increases I strongly support—there are no apparent hiring increases for inspection personnel at our ports.

If there are insufficient inspection personnel at our ports at this point, and many of our ports are being controlled by foreign entities, how can you assure us that this budget request makes our ports safer in the absence of additional inspection staff?

Answer. In the fiscal year 2007 President's budget proposal, CBP is requesting an additional 106 positions to enhance its ability to detect illicit radiological materials concealed within shipments, conveyances or containerized cargo entering the United States. The additional staff will support the deployment of weapons of mass destruction (WMD) detection systems deployed through Domestic Nuclear Detection Office's WMD procurement program and ensure CBP will have dedicated personnel to resolve alarms from Radiation Portal Monitors (RPMs) and to conduct radiological examinations at our Nation's busiest seaports.

WMD detection systems are a critical part of CBP's layered process that builds on redundant enforcement layers to detect and prevent contraband, including illicit materials, from entering the United States. CBP recognizes that no single strategy or risk assessment is 100 percent effective and accurate, so CBP focuses on layering multiple initiatives together to accomplish its mission. CBP employs its layered enforcement approach in safeguarding U.S. borders from threat by land, air and sea.

Non-Intrusive Inspection (NII) technology enable CBP to screen or examine a larger portion of the stream of commercial traffic in less time while facilitating legitimate trade. These tools provide CBP with a significant capability to detect and interdict terrorist weapons at our ports of entry.

CONTAINER SECURITY INITIATIVE (CSI)

Question. Please explain the process by which an overseas port becomes a member of CSI, including the security review and the procedures to which the host government (and Customs officials) agree to adhere.

Answer. A potential Container Security Initiative (CSI) port is identified either by CBP or through a formal request from the foreign government to the U.S. Embassy or directly to CBP. The decision on the first 20 CSI ports was based on the total volume of direct container traffic to the United States. Subsequent to the first 20 ports, potential CSI ports are evaluated on several factors including container volume to the United States, intelligence threat level, strategic potential, port assessment status, government political will and capacity building status.

Once a potential CSI port is identified, a preliminary study is conducted of the number of containers arriving in the United States from that port, the number of high-risk containers arriving in the United States from that port, the potential of that port being used for transshipment from a high-risk country, intelligence information threats and perceived political will.

An assessment is then conducted at the potential CSI port. The assessment teams consist of personnel from CBP, U.S. Immigration and Customs Enforcement (ICE), U.S. Coast Guard Officers, and more recently, Department of Energy Megaports Program Officers. The assessment evaluates the overall port practices with the goal of determining the vulnerabilities to their cargo processing systems, the level of competence of the host government to conduct inspections, the technical security at the port, the personnel security of the port, any vulnerabilities in both the government agencies as well as private companies working at the port, the amount of cooperation that the host government is willing to provide CSI, the types and effectiveness of radiation monitoring systems, the types and effectiveness of large scale non-intrusive X-ray or Gamma-ray machines, and the laws applicable to allow inspections of cargo.

Once a favorable assessment is completed, CBP and the host government sign a Declaration of Principles (DOP). The DOP is a non-binding arrangement between the two governments to implement CSI. The DOP contains language that both Customs Administrations agree to:

—Intensify bilateral customs cooperation;

—Exchange information and work closely to help ensure the identification, screening and sealing of high-risk containers at the earliest possible opportunity;
—Station, on a basis of reciprocity and on a pilot basis U.S. CBP officers; and
—Consult closely on the implementation of CSI at the port.

After the DOP is signed, CBP and the host Nation work together to implement the CSI program by facilitating the physical build-out of working areas and developing local CSI Standard Operating Procedures (SOP). The local SOP describes in detail how the CSI process will work as well as the container examination procedures.

After the CSI port becomes operational, an evaluation of the port is conducted at 3-months, 6-months, and every 6 months thereafter. The evaluations determine whether or not CBP and the host Nation are complying with the SOP and formulate ways to improve the CSI operation.

DUBAI PORTS WORLD (DPW)

Question. The Port of Dubai has recently become the first port in the Middle East to become a Container Security Initiative (CSI) port. When did the initial port assessment for Dubai's participation in CSI occur, who performed the assessment, and when was participation finalized?

Answer. The initial port assessment at the Port of Dubai took place September 23–25, 2004. Personnel from CBP, U.S. Immigration and Customs Enforcement (ICE), DHS Attache Offices in Abu Dhabi and Dubai and the U.S. Coast Guard participated in the assessment. The Declaration of Principles between CBP and Dubai Ports Customs and Free Zone Corporation (Dubai Customs) was signed on December 12, 2004. The CSI port of Dubai began operations on March 26, 2005.

Question. What role, if any, did the Department of Defense play in the assessment and/or the determination that Dubai should become a member of CSI?

Answer. The Department of Defense did not participate in the assessment and/or the determination that Dubai should become a member of CSI.

Question. Under CSI, the United States stations CBP officials at a participating ports and, based on threat and analysis, inspects or screens containers (determined to be potentially high risk and which are headed directly for a U.S. port) prior to the loading of the container on the ship. Our CBP personnel request host country Customs officials to screen suspect containers and/or physically inspect them for suspicious items, however, at best, U.S. CBP officials only observe that process. Once a container arrives at a U.S. port, our inspectors are able to screen and open containers. It has been asserted by CBP officials that the port operators (including potentially DPW) do not have access to or are not involved with the imaging or other inspection of these containers overseas or in the United States.

What confidence do we have that CBP's methods of operation cannot be compromised by a government-controlled port operating company with a CSI port located in that country—i.e. when a potential bad actor has a high degree of visibility into both ends of the supply chain?

Answer. CBP utilizes a multi-faceted layered defense, which employs various enforcement activities at several points along the supply chain. The system was designed to mitigate the possibility of compromising the entire supply chain by breaching one component of it.

Since 9/11 CBP has initiated:
—The 24-hour rule which requires cargo information to be transmitted to CBP 24 hours prior to laden at a foreign seaport;
—The CBP National Targeting Center, which was established to ensure all shipments destined to the United States are reviewed against the CBP Automated Targeting System;
—The CBP Customs Trade Partnership against Terrorism (C–TPAT), which also was initiated as a force multiplier by employing the import/export community to enhance security measures within their respective business practices; and
—The CBP Container Security Initiative (CSI), which was developed to augment the other CBP programs by allowing for enforcement action to be taken at a point earlier in the supply chain and creating an additional layer of scrutiny and enforcement within the overall supply chain.

Cargo moving through the supply chain would also be subjected to the security and enforcement programs of other U.S. agencies such as:
—U.S. Coast Guard 96 hour notice of arrival requirement;
—Port security enhancements as set forth by the International Ship and Port Facility Security (ISPS) code; and
—Department of Energy (DOE) Megaports program.

Many of the programs listed above, which are components of the U.S. government's layered defense, are not accessible by port operators.

CBP performs the targeting and analysis of cargo shipments. The Automated Targeting System is not shared or linked to the port operators or foreign Customs administrations.

When members of a CSI team suspect that a container warrants examination, a request is made to the host Customs Administration. If there is agreement, the cargo is examined utilizing Non-Intrusive Inspection (NII) equipment. If there is any anomaly then a subsequent more intrusive examination is conducted. If the host Customs Administration refuses to conduct the examination, then a decision is made by the CSI team either to permit the loading of the container and designate such container for an examination at the U.S. port of arrival, or for CBP to issue a Do-not-Load (DNL) order to the cargo carrier.

Any cargo that is examined at a CSI location is always subject to the CBP enforcement protocols in the United States, as well as the possibility of the cargo being re-examined. Port operators do not have any control or insight into the cargo selection and examination process at a CSI location and they do not have any insight into the selection and examination/re-examination process at U.S. ports of entry.

The CBP programs, in conjunction with the multitude of other U.S. government agency enforcement initiatives, put forth a layered/multi-dimensional strategy to combat the attempts by any members of the import/export community to compromise the supply chain.

SHIPPING CONTAINERS

Question. Please provide the most recent data on the total number of shipping containers which enter the United States, the percentage of those that are screened, those that are examined, and those that are inspected. Also please provide your definitions of those terms.

Answer. CBP employs a layered process that builds on redundant enforcement layers to detect and prevent contraband, including illicit materials, from entering the United States. CBP recognizes that no single strategy or risk assessment is 100 percent effective and accurate, so CBP focuses on layering multiple initiatives together to accomplish its mission. CBP employs its layered enforcement approach in safeguarding U.S. borders from threat by land, air and sea.

Conveyances that are identified as high-risk undergo an examination. In fiscal year 2005, 11,342,493 sea-borne containers entered the United States from foreign locations. Approximately 5 percent, or 569,308 sea containers were examined. CBP defines an examination as a physical inspection of a conveyance and/or the imaging of a conveyance using large-scale Non-Intrusive Inspection (NII) technology, for the presence of contraband.

CBP defines screening as a passive means of scanning a conveyance, baggage or cargo. CBP screens conveyances, baggage, and cargoes with radiation portal monitors and other radiation detection equipment for the presence of radiological emissions. CBP currently screens 40 percent of all sea-borne containers for the presence of radiation.

NII technology enables us to screen or examine a larger portion of the stream of commercial traffic in less time while facilitating legitimate trade. These tools provide CBP with a significant capability to detect and interdict terrorist weapons at our ports of entry.

INSPECTIONS AT AIR PORTS OF ENTRY

Question. There do not appear to be staffing increases in the budget for the POEs. What impact does this have on primary and secondary inspections at airports?

Answer. CBP's existing staff will manage the current and anticipated increases in travel and trade by utilizing advanced information components and international programs like the Container Security Initiative (CSI) agreements to mitigate any delays in traveler and cargo processing. Implementation of trusted traveler programs and further development of the CBP Immigration Advisor Program at foreign ports of debarkation would also minimize the impact of a static staffing model. CBP utilizes state of the art information technology, traveler information sharing efforts with the Department of State, advance traveler screening via the Advance Passenger Information System (APIS), and the National Targeting Center (NTC).

Question. Is there a requirement that port directors have been given that they must meet in terms of inspecting inbound plane passengers—such as 45 minutes?

Answer. CBP is not currently bound by a required processing time; a previous legislative requirement to process all inbound international passengers within 45-minutes of arrival was repealed by the Enhanced Border Security and Visa Entry Re-

form Act of 2002 (Public Law 107–173). CBP does, however, have a 30-minute processing time as a future goal.

Question. Does this budget address concerns enumerated in GAO report 05–663?

Answer. CBP has addressed the concerns raised by GAO report 05–663 entitled "International Air Passengers: Staffing Model for Airport Inspections Personnel Can Be Improved." Through cross-training initiatives, CBP has been adding officers at the passenger primary lanes in our airports, processing all travelers, and making mission related referrals to secondary inspection for people considered higher risk. The fiscal year 2007 budget requests funds to improve the Automated Targeting System, extend the Immigration Advisory Program, leverage pre-departure passenger information, and strengthen consolidated anti-terrorism secondary inspection. This will create an effective force-multiplier, and serve to speed the processing of legitimate travelers, thus lowering overall wait times.

OUTBOUND INSPECTIONS

Question. What is the status of meeting the outbound inspections recommendations as listed in the June 2005 report—OIG–05–21?

Answer. CBP's Office of Field Operations is beginning its re-evaluation of the Outbound program, which is responsible for enforcing U.S. export laws and regulations and ensuring that weapons of mass destruction do not fall into the hands of criminals or terrorists. The goal is to align Outbound enforcement and processing with current Inbound processes, to the extent possible, which will improve uniformity and enhance border security programs.

With the pending implementation of mandatory Automated Export System (AES) filing, which will require electronic filing for all export shipments that currently require a Shippers Export Declaration (SED), more information will be available on export shipments. It will be critical to leverage this electronic information to enhance the secure screening and processing of outbound cargo, whereas current capabilities for this purpose are limited. Not all export shipments are currently filed through AES, which hampers CBP's Outbound targeting efforts. The U.S. Census Bureau also has what is known as the "Option 4" filer program, which allows certain exporters to file export information after the shipment has departed the United States. Ultimately, CBP resources must be aligned in a manner that allows this additional advance information to be used to screen and target high-risk shipments and to conduct compliance inspections. As part of this process, CBP must also implement a risk-based screening model for export cargo, similar to what is already in place on the import side.

Currently, CBP outbound enforcement is accomplished with the resources resident in the Anti-Terrorism Contraband Enforcement Teams (A–TCET) at the ports of entry. These teams work as a single, united enforcement team with a primary focus on targeting terrorists and terrorist weapons. Their secondary focus is the interdiction of narcotics, other contraband, alien smugglers/trafficking, fraudulent documents and agricultural terrorism.

TUNNELS

Question. What is the policy regarding filling tunnels discovered on the borders? Who is responsible for filling them and using what funds?

Answer. While there is currently no policy regarding tunnel filling or remediation, both CBP and ICE are currently drafting Tunnel Principles/Policy (roles and responsibilities) when a sophisticated tunnel (highly organized or sophisticated tunnel leading to a house or warehouse) is discovered. The tunnel principles mainly emphasize joint cooperation and coordination between CBP and ICE. The Border Patrol Sector Chief and ICE Special-Agent-in-Charge will develop local protocols based upon these principles.

There is no specific authority or funding indicating that any particular group in the Federal Government has been designated the responsibility to fill border tunnels. The cost of the remediation of the tunnel in the San Diego, CA area is estimated to be approximately $3 million (these costs include security, concrete, environmental safety, labor etc). Generally speaking, most of the tunnels detected have been rather small by comparison to the most recently discovered tunnel in San Diego, CA. The tunnels have been filled by the Office of Border Patrol (OBP) Facilities Department or the National Guard, using general Salaries and Expenses appropriated funds.

Question. What activities are being taken by CBP, Science and Technology, or other agencies to improve the technology for discovering tunnels?

Answer. The S&T Directorate is working with the Office of Border Patrol, Customs and Border Protection (CBP) and the Department of Defense (DOD) to find

technology solutions for tunnel detection along the Southern and Northern borders of the United States.

The S&T Directorate participated in the Tunnel Detection Technical Support Working Group (TSWG) meeting held in January 2006 and the Joint Task Force-6 Tunneling Conference held in June 2004. The S&T Directorate is also engaged with NORTHCOM's Futures Group in relaying, discussing, and leveraging potential technologies that satisfy DOD and DHS's tunnel detection needs. The S&T Directorate's Border & Transportation (B&T) Portfolio met with NORTHCOM officials in August 2005 to discuss specific opportunities to collaborate and leverage each organization's expertise.

CBP is also coordinating with a number of sources that could possibly provide technology that will meet CBP's detection needs. These sources include the Defense Advanced Research Projects Agency (DARPA), Sandia Laboratories, and the Border Research Technology Center. There is currently no proven technology that can detect the types of tunnels that have recently been encountered. Some promising research and development is being done by Sandia Laboratories, but at this time, its field utility is unknown.

CBP AIR AND MARINE

Question. Please breakout the items you plan to procure in fiscal year 20006/2007 and the funding source within AMO for each item (i.e. Northern Border, WHDEA, etc.).

Answer.

PLANNED CBP AIR AND MARINE ACQUISITIONS FOR FISCAL YEAR 2006 AND FISCAL YEAR 2007—DOLLARS IN MILLIONS

FY 2006 Acquisitions

Aircraft/Activity	Detail	Available Funding	Source of Funds
P-3 Palletized Sensor Systems	Purchase at least two (2) commercial long range tracker and surveillance radars, plus maintenance support	15.0	FY 2006 Appropriation
P-3 Service Life Extension Program (SLEP)	Define P-3 fleet SLEP requirements and initiate procurement activities	16.0	FY 2006 Appropriation
Covert Surveillance Aircraft	Purchase one (1) aircraft in conjunction with a U.S. Coast Guard acquisition	14.0	FY 2006 Appropriation
Multirole Patrol Aircraft (MPA)	Purchase one (1) MPA plus sensor systems, modifications, and spares (Dash-8s previously procured)	30.1	Recurring WHDEA and Northern Border Funds
OH-6A Replacement Helos	Purchase ten (10) EC-120 helicopters plus maintenance support, ground support, tools, test equipt, and training.	20.0	FY 2006 Appropriation
Medium Lift Helicopters (MLH)	Purchase two (2) MLHs; investigating a joint acquisition with the U.S. Coast Guard	30.6	Recurring WHDEA and Northern Border Funds
Unmanned Aerial Vehicle (UAV) Program	Purchase one (1) UAV, sensors, and support equipment	10.2	FY 2006 Appropriation UAV Program Funding
	Total FY 2006	**135.9**	

FY 2007 Planned Acquisitions

Aircraft/Activity	Detail	Available Funding	Source of Funds
Helicopters	Purchase TBD Light Enforcement Helicopters and possibly additional Medium Lift or Light Observation Helicopters	61.4	FY 2007 President's Budget Request; Recurring WHDEA/Northern Border Funds
Unmanned Aerial Vehicle (UAV) Program	Purchase one (1) UAV, sensors, and support equipment	10.4	FY 2007 Request UAV Program Funding
	Total FY 2007	**71.8**	

Question. What is the status of establishment of all of the Northern border airwings? Please provide the number of personnel on board at each location, the number and types of equipment at each location, the hours per day/week of operations at each location, and specific milestones which must be met (and when they will be met) to achieve full operating capacity at each location.

Answer. In fiscal year 2003, CBP Air and Marine (formerly Air and Marine Operations) received congressional funding to open the first of five planned Northern border air wing locations. The five planned locations were strategically placed along the Northern border in areas that provided for a 1-hour minimum response time to a border penetration. The five planned locations are Plattsburgh, New York; Detroit, Michigan; Grand Forks, North Dakota; Great Falls, Montana; and Bellingham, Washington. Bellingham was the first to be opened on August 20, 2004, followed by Plattsburgh 18 days later on October 8, 2004. Great Falls will open third in the summer of 2006. CBP will begin the activation process for the new air sites in both Detroit and the Grand Forks area of North Dakota in fiscal year 2007. The site survey for Detroit has been completed and preliminary work to assess hangar, maintenance, and support facility requirements is ongoing. Air assets are being identified for transfer to the site and staffing plans are being compiled. The fiscal year 2006 appropriation provided $2 million for the North Dakota air site assessment, which is in progress and should be completed in late May 2006. In addition, DHS is devel-

oping funding options to ensure we meet the goal of establishing a presence at both sites by the end of fiscal year 2007.

Current number of personnel on board, the number and types of equipment, and the hours per day/week of operations at each location are as follows in the table below.

In order to achieve full operating capacity, CBP's aviation strategic modernization plan needs to be completed, reviewed and approved by the Department and Congress. This plan includes fleet modernization, recapitalization and fleet standardization by reducing the number of aircraft types currently being operated and associated technology, staffing and facility requirements. CBP is taking an incremental approach to attain full operating staffing capacity at the Northern Border Air branches.

Location	Current FTE	Current aircraft	Current coverage hours
Plattsburgh, NY	18	1—PC–12	0800–2400
		2—AS350	5 days
		1—C–206	After hours callout as necessary
		1—C–210	
Detroit, MI	1	1—OH6	0800–1600
			5 days
			After hours callout as necessary
Grand Forks, ND	3	1—AS350	0700–1500
		1—C–206	7 days
		1—C–182	After hours callout as necessary
Great Falls, MT	[1] 34	2—C550	TBD
		1—PC–12	
		2—UH60	
Bellingham, WA	19	1—C–550	0700–1700
		1—PC–12	5 days
		1—AS350	After hours callout as necessary
		1—MD600	
		1—C–206	
		1—C–182	

[1] The staffing and aircraft numbers indicated for Great Falls, which will be opening this summer, are projected.

ADVANCED TRAINING CENTER

Question. In the December 28, 2005, response to my October 19, 2005, letter regarding the status of items identified in Conference Report 109–241, I was told that the "final spending plan, project schedules, and projected training requirements" would be provided to the Committee "by February 18, 2006". It is now March 6, 2006 and we have yet to receive the report. When can we expect to receive the report?

Answer. The report receiving final revisions and will be transmitted shortly.

Question. Also, please provide the level of funding provided in the fiscal year 2007 request for operations and activities at the Advanced Training Center.

Answer. CBP's base budget for fiscal year 2007 includes $9.5 million for ongoing operations and management at the Advanced Training Center.

TUCSON SECTOR CHECKPOINTS

Question. The DHS Inspector General issued a report in January of 2006 that made a strong case for permanent Border Patrol checkpoints. It said that, "Permanent checkpoints permit safer, more efficient law enforcement. It is not necessary to prohibit permanent checkpoints in order to encourage the use of alternative tactics and mobile interior operations."

What are you doing to remove the House-backed bill language that mandates the periodic movement of these checkpoints in the Tucson sector?

Answer. CBP Congressional Affairs has conducted numerous briefings to House Appropriations Committee Staff members on the use of efficient checkpoints. Permanent checkpoints elsewhere on the Southwest Border, located in strategic chokepoints in areas of egress from border areas, have proven to be effective enforcement tools and thus make up an important part of CBP's "defense in depth" strategy of controlling the border. Permanent checkpoints are used effectively in every Sector of the Southwest Border except Tucson Sector.

Question. How much does it cost to rotate these checkpoints?

Answer. The checkpoint located on Interstate 19 is the only tactical checkpoint rotated every 7 days from one location to another. The two locations currently have

checkpoint equipment located at both sites and only require personnel to rotate from one location to another. In order to rotate checkpoints, it takes a minimum of 10 agents 2 hours in order to complete the checkpoint rotation, which includes the breakdown of one site, and the setup of the other. It also costs the duplication of checkpoint equipment to include port-a-johns, trailers, signage, cones and lighting. These costs are not per rotation, but are as a result of having to rotate. The duplicate equipment costs about $65,000 plus an additional port-a-john contract for $140 per month.

Question. What, if any, health-related problems have been experienced by the men and women who are working in this difficult (extreme heat, vehicle exhaust, lack of rest facilities) environment?

Answer. There have not been any health-related problems to personnel working at the rotating Tucson sector checkpoints. All medical and safety precautions are taken for the agents working at the checkpoint. Shade, water, medical and communication are available to the working agents or the checkpoint would not be allowed to open.

Question. What is the full construction cost of permanent checkpoints in the Tucson sector?

Answer. The total cost for establishing three proposed checkpoints in Tucson Sector was $45.78 million in December 2004. An updated estimate would include increases associated with construction and inflation factors.

—Highway 85—$12.79 million
—Highway 90—$15.31 million
—Interstate 19—$17.68 million

This is an estimated total that includes land acquisition, design, construction costs, auxiliary cost, management services, and support costs. National comprehensive traffic control guidelines are being developed in response to the National Transportation Safety Board, and may also impact the cost estimate. The guidelines are a collaborative effort between CBP, Federal Highway Administration, and representatives from the American Association of State Highway Transportation Officials.

Question. To what extent do law breakers take advantage of the temporary checkpoints by moving illegal aliens when CBP is closing the temporary checkpoints?

Answer. Since Arizona is required to rotate checkpoints every 7 days, and Nogales only has two authorized sites, they rotate every Saturday. Border Patrol's movements are predictable as dictated by the appropriations language, and give the smugglers a clear advantage.

Law breakers do take advantage when CBP is closing the temporary checkpoints by smuggling their illegal cargo (illegal aliens, narcotics, etc.) further into the interior of the United States. When the checkpoint is at the northern location, smugglers simply stage their loads just south of it and once it is moved to the southern location, they move their loads north. The moment a checkpoint is closed, scouts notify smugglers immediately to transport their illegal cargo further north into the United States. The smugglers are very in tune to these rotations. Border Patrol deploys additional resources to the interstate when possible, but the manpower required to move the checkpoints limits this.

Smugglers also take advantage of Border Patrol movements by exploiting the lack of flanking infrastructure, which would otherwise be present at a permanent site. With no cameras and only limited sensors to the flanks of the temporary sites, smugglers routinely walk around the temporary checkpoints.

NORTHERN BORDER CARRYOVER FUNDS

Question. On what activities will you obligate the remaining $11 million in unobligated Northern Border prior year balances? When will these funds be obligated?

Answer. We anticipate obligating $6 million on Radiation Portal Monitors (RPM's) and Personal Radiation Detectors (PRD's) throughout fiscal year 2006, $3.8 million for facilities repairs and alterations by the end of fiscal year 2006, and $1.2 million to be obligated by July 2006 for various mission support projects to support Anti-Terrorism.

SUPPLY CHAIN SECURITY SPECIALISTS

Question. What is the per person cost to hire, train, and make proficient the specialists who verify participants' compliance as a member of C–TPAT?

Answer. It is estimated that the per-person cost to hire, train, and make proficient the specialists who verify participant's compliance as a member of C–TPAT is $201,560. This includes $15,000 in training costs, $83,000 in SCS Salary and compensation, $26,560 in benefits and $77,000 for 1 full year of validation visits.

A newly hired Supply Chain Specialist (SCS) must undergo a 2-week Basic SCS Training course. This course focuses on the core program requirements of the C–TPAT program and is administered by CBP C–TPAT program officers and managers, and experienced SCSs. Private sector instructors who have first hand knowledge of supply chain principles, logistics management, and related business practices provide additional instruction.

In addition to the basic course, two 3-day training sessions are held annually. One coincides with the Annual C–TPAT Training Seminar and the other is a session held at one of the C–TPAT Field Offices.

These sessions allow the HQs C–TPAT Director and the Program Management staff to communicate important program developments and newly implemented procedures and technology.

While the Basic SCS course provides the students with formal and effective classroom instruction to learn the scope of the duties of the SCS position, accompanying experienced SCSs on a year's worth of validation visits is critical to attaining the desired level of proficiency of the SCS.

ARBITRATION DECISION ON THE FISCAL YEAR 2005 AWARDS

Question. What is the potential cost of the recent arbitrator decision on the fiscal year 2005 awards process?

Answer. For fiscal year 2005, CBP implemented a unified awards process in order to ensure that employees working side-by-side and performing the same duties would have the same opportunities for awards recognition. CBP inherited four different negotiated awards processes when it was formed, two of them very similar to this unified process. One union with a significantly different awards program agreed to the unified process, but the National Treasury Employees Union (NTEU) sought to maintain its status quo using local joint awards committees (JAC). It is the agency's position that we cannot treat our front line officers differently while holding them to common standards of performance.

This arbitrator decision affects only bargaining unit employees represented by NTEU. The figures below are estimates based on how the funding for awards under the old JAC process would have been constructed.

—As of September 3, 2005, there were approximately 13,650 employees in the NTEU bargaining unit, with combined salaries of $754.6 million.

—A unit's awards "pool" is typically calculated on the basis of 1 percent of the combined salaries of employees on-board in that unit as of a particular date. For fiscal year 2005, the awards pools were calculated in Pay Period 17, which ended on September 3. The awards pool that would have been available to award just NTEU employees for fiscal year 2005 would have been $7.546 million.

—Organizational components typically reserve 15 to 25 percent of the awards pool to fund special act awards throughout the year. The balance of the pool is available to distribute as awards for superior performance. It is estimated that $6.04 million would have been available to pay awards to NTEU employees under the JAC process.

—The arbitrator's decision requires the agency to recreate the local JACs, collect nominations for shares, and reach consensus on the number of shares to award, if any, to each nominee. If an award calculated under this process is determined to be higher than what an employee was actually awarded, additional payment is to be made. The decision is silent on the action to be taken if the JAC recommends a lower award or no award to an employee who received one. Theoretically, then, the decision could result in merely a redistribution of awards without additional cost. In reality, however, the agency is unlikely to take actions that will result in loss of an award already paid out.

—The award process used was designed to be fair and equitable to employees of all bargaining units, and similar to the NTEU process, provided employees the opportunity to nominate themselves and/or co-workers for awards. Therefore, it is not expected that re-running the 2005 awards under the NTEU process would result in substantial increase in costs.

It is noted that CBP believes the arbitrator's decision is flawed, and the agency is filing exceptions with the Federal Labor Relations Authority.

Question. If CBP is required to correct the process and pay out the rewards, from which account would these funds be drawn?

Answer. Any required payments would be made from CBP's Salaries and Expenses account.

RESPONDING TO LETTERS FROM CONGRESS

Question. Is CBP looking for a contractor to help its employees write letters to Congress? If so, why and isn't this more properly a Department rather than a contractor function?

Answer. CBP does not employ contractors to write letters to Congress. We have employed contractors to instruct writing skills to our employees so that they are better able to author and edit memos, letters, reports, and other documents.

BORDER PATROL DUTIES

Question. On February 15, 2006, the Washington Post ran an article regarding the Vice President's accidental shooting of a friend while hunting quail on a private ranch in Texas that stated, in part, "and a Federal Border Patrol agent, guarding the gate because Cheney was there, knew nothing about the accident." The Vice President already is protected by a significant Secret Service detail.

Given the relative paucity of Border Patrol agents posted along our Southwest border, and the public's strong interest that our borders be protected, why was an agent pulled off the border to perform a duty that is routinely and more appropriately performed by the Secret Service?

Answer. The U.S. Border Patrol's Rio Grande Valley Sector did provide perimeter security during the Vice President's visit to the ranch. The U.S. Secret Service requested assistance from the Rio Grande Valley Sector due to the vastness of the ranch, the Border Patrol's 4-wheel drive vehicle capabilities and the agent's knowledge and familiarity with the area. The ranch is located within the sector's Kingsville Station area of responsibility and is routinely patrolled by Border Patrol agents. According to the sector, this request for assistance was received well in advance of the visit and was supported without sacrificing agent presence along the immediate border area or at the sector's checkpoints.

VIRGIN ISLAND SUBSTATION

Question. What is the status of opening a Border Patrol substation in the Virgin Islands?

Answer. The current threat assessments in the sector do not support placing it as a priority enforcement area with the creation of a new Border Patrol sector. Current assessments of the illegal immigrant flow in the U.S. Virgin Islands (USVI) place it at 0.1 percent of that of other focus areas, such as the Southwest land border, with an annual illegal immigrant flow that exceeds 1 million. Therefore, DHS does not support establishing a Border Patrol facility in the USVI at this time.

ICE CONTRACT WITH KELLOGG, BROWN AND ROOT

Question. Immigration and Customs Enforcement (ICE) recently awarded Kellogg, Brown and Root, the engineering and construction subsidiary of Halliburton, a contingency contract to support ICE facilities in the event of an emergency. With a maximum total value of $385 million over a 5-year term (consisting of a 1-year base period and four 1-year options), the competitively awarded contract will be executed by the U.S. Army Corps of Engineers. KBR held the previous ICE contract from 2000 through 2005. The contract calls for establishing temporary detention and processing capabilities to augment existing ICE Detention and Removal Operations facilities in the event of an emergency influx of immigrants into the United States, or to support the rapid development of new programs. The contingency support contract provides for planning and, if required, initiation of specific engineering, construction, and logistics associated with expanding facilities as required.

Is it your intention to use this contract to construct the additional detention bedspace and the 6,700 new beds called for in the budget request?

Answer. The contingency contract provides ICE with an emergency response mechanism to deploy support services and temporary shelters within short response times for both emergency responders as well as migrant populations. ICE has not utilized the KBR contingency support contract to construct detention facilities in the past. ICE does not anticipate the need to utilize the KBR contract for developing new detention facilities associated with the increase of the 6,700 fiscal year 2007 detention beds.

Question. Has KBR constructed existing detention bedspace under the terms of this contract or of any previous contracts? Please provide us with the details.

Answer. ICE has not exercised the current contingency support contract to construct any existing detention facilities. Further, ICE has not utilized any previous contingency support contracts awarded to KBR for the purpose of constructing permanent detention facilities.

WORKSITE ENFORCEMENT

Question. For worksite enforcement, please provide fiscal year 2005 case and workload statistics, both criminal and administrative.

Answer. There were a total of 412 worksite enforcement criminal cases closed in fiscal year 2005. For fiscal year 2005, there were 176 arrests for criminal violations and 1,116 administrative apprehensions.

LENGTH OF STAY

Question. What is the average length of stay for a detained alien in ICE's custody, including those in expedited removal?

Answer. The current average length of stay for all detained aliens, including all case types and nationalities, is 33.7 days. Release from custody includes all possible release types, to include bonds, order of recognizance, order of supervision, removal, etc.

Source: DRO official statistics (as of May 31, 2006).

OFFICE OF THE PRINCIPAL LEGAL ADVISOR (OPLA)

Question. Please provide a break out of the attorneys in OPLA for fiscal year 2003/2004/2005/2006, including position type and location, the percentage of growth, how many are on board currently?

Answer. There are 3 SES positions within OPLA: Principal Legal Advisor, Deputy Principal Legal Advisor and the Director of Field Legal Operations. The remaining ICE attorneys are in the GS–905 series.

The following is a breakdown of the number of attorneys onboard:

—September 30, 2003: 614
—September 30, 2004: 608
—September 30, 2005: 571
—February 10, 2006: 599 (on board)

The decrease in the number of attorneys from September 2003 (614) to February 2006 (599) was the result of several factors. OPLA lost attorneys to CIS and CBP in the transition to DHS. Additionally, because of an uncertain budget situation, ICE instituted a hiring freeze and waiver process that precluded OPLA from effectively replacing staff lost through attrition.

The attached charts show the number of attorneys by location.

Question. What is the expected average caseload reduction for attorneys based on the requested resources for fiscal year 2007?

Answer. Each additional attorney assigned to perform immigration court work handles at least 500 cases annually. With additional attorney resources, there will be more time in which to respond to motions, prepare cases, write briefs and respond to inquiries from clients. If the ICE legal program receives the requested positions, attorneys will be able to spend more time preparing the average case for hearing before the Immigration Courts. This will have numerous beneficial consequences:

ICE attorneys will have additional time to obtain and review the A-files, prepare the cross-examination of the respondents, locate and interview other witnesses, research complex legal issues, write pre-trial briefs, and confer with opposing counsel.

The current attorney level results in the delay and/or termination of court proceedings, provides more time for undocumented aliens to amass equities in the United States, and results in additional detention costs for the agency. Each 1-week continuance costs ICE $665 (i.e., $95 per day) in additional detention costs. In fiscal year 2004, detainees remained in agency custody for an average of 39 days. The Immigration Courts completed 84,975 detained cases that year, which accounted for 34 percent of its total caseload. Furthermore, with an increased attorney workforce, attorneys will have more time to enter into stipulated deportation agreements with detainees, resulting in a more effective use of detention beds. With an increased number of attorneys, the program could make more effective use of detention and removal resources.

BREACHED BOND

Question. Please explain the Breached Bond program, how many detention beds it supported in fiscal years 2002–2005, how many beds are estimated to be supported by it in fiscal year 2006 and budgeted for in fiscal year 2007.

Answer. The Breached Bond/Detention Fund was authorized in Section 112 of the Department of Justice Appropriations Act of 1993 (Public Law 102–395). The Act amended Section 286 of the Immigration and Nationality Act (INA) of 1952, by establishing, in the General Fund of the Treasury, a separate account to be called the

Breached Bond/Detention Fund. The first $8,000,000 in breached cash and surety bonds collected goes to the General Fund of the U.S. Treasury. All collections in excess of $8,000,000 posted under the INA, which are recovered by the Department of Justice, are deposited as offsetting collections into this fund. Amounts deposited into the fund, which remain available until expended, can be used for expenses incurred in the collection of breached bonds, bond management, litigation activities to obtain compliance from surety companies found to be delinquent in meeting their obligations to ICE, and for expenses associated with the detention of criminal and illegal aliens.

In 1998, the Immigration Detention account receipts were merged into this account. These receipts are derived from the penalty portion of the receipts collected under Section 245(i) of the INA. Section 245(i) allows a person who qualifies for permanent residency, but is ineligible to adjust status in the United States because of an immigration status violation, to pay a $1,000 penalty to continue processing in the United States. A portion of each application fee (not to exceed $200.00) that the Attorney General determines is required to process the application under the section and is remitted to the Attorney General. Any remaining portions of such fees are deposited by the Attorney General into the Breached Bond Detention Fund established under § 286(r).

Detention beds supported from fiscal years 2002–2005 are as follows:

—Fiscal year 2002: 3,857
—Fiscal year 2003: 5,166
—Fiscal year 2004: 3,498
—Fiscal year 2005: 3,378

Estimated detention beds supported and budgeted for fiscal years 2006–2007 are as follows:

—Fiscal year 2006: 2,598
—Fiscal year 2007: 2,598

Question. Also, please explain the estimated impact on the program of the anticipated increase in detentions resulting from the SBI.

Answer. While the number of aliens apprehended and detained will rise, the Department has put into place practices that will allow the program to turn over detention beds quicker, improve the processing of aliens, and facilitate their removal from the United States.

DETENTIONS

Question. For fiscal years 2002–2005, how many illegal aliens did you detain for one day or longer?

Answer. Illegal aliens detained for 1 day or longer during fiscal years 2002–2005 are as follows:

—Fiscal year 2002: 181,236
—Fiscal year 2003: 209,629
—Fiscal year 2004: 215,417
—Fiscal year 2005: 217,270

Question. Of that total, how many were detained for less than 2 weeks, less than 1 month, and more than 1 month?

Answer. Illegal aliens detained for less than 2 weeks, less than 1 month, and more than 1 month are detailed below.

	2 Weeks	2 Wks—1 Mo.	> 1 mo.	Total
Fiscal year 2002	93,728	33,869	53,639	181,236
Fiscal year 2003	114,210	36,006	59,413	209,629
Fiscal year 2004	115,613	34,637	65,167	215,417
Fiscal year 2005	112,705	45,149	59,416	217,270

LAW ENFORCEMENT SUPPORT CENTER

Question. Please provide the number of State inquiries into the LESC for fiscal year 2003 and fiscal year 2004, and any specific workload statistics for LESC in support of fugitive operations.

Answer. In fiscal year 2003, the LESC responded to a total of 594,352 queries from Federal, State and local law enforcement officers, of which 385,651 were queries from State and local law enforcement officers. For fiscal year 2004, the LESC responded to a total of 667,453 queries, of which 458,711 were queries from State and local law enforcement officers.

The LESC identified a combined total of 4,617 ICE fugitives through NCIC in fiscal years 2003 (488), 2004 (1,854) and 2005 (2,275). ICE immigration detainers were

lodged in each instance by ICE Special Agents assigned to the LESC, who then coordinated local action with ICE field officers.

LESC agents are also able to identify alien fugitives based upon information contained in incoming queries from the law enforcement community. Wanted aliens identified by the LESC are not tracked by individual category. However, in fiscal years 2004 and 2005, LESC agents lodged a combined total of 27,886 detainers against criminal or other wanted aliens, including fugitive aliens.

The LESC routinely provides fugitive leads to ICE field offices based on information received from callers to the ICE tip-line. Tip-line statistics are not available for individual categories of calls; however, a substantial number of callers do provide information concerning ICE fugitives.

Question. Describe the work load for LESC.

Answer. In fiscal years 2003, 2004 and 2005, the LESC responded to a combined total of 1,938,307 electronic queries from Federal, State, local and tribal law enforcement agencies in all 50 States, the District of Columbia, two U.S. Territories and Canada. Electronic queries to the LESC average in excess of 50,000 queries per month.

In fiscal years 2004 and 2005 the LESC received a combined total of 126,528 calls on the ICE tip line (98,857 of those calls were received in fiscal year 2005 alone).

ICE Special Agents assigned to the LESC lodged a combined total of 27,886 ICE immigration detainers in fiscal years 2004 and 2005, or in excess of 1,000 ICE immigration detainers each month.

The LESC received more than 107,036 telephone calls on its dedicated law enforcement line in fiscal year 2005. Calls to the LESC's law enforcement line average almost 9,000 per month. In fiscal year 2005, the LESC had more than 880,000 contacts with the law enforcement community or the public concerning law enforcement matters associated with ICE authorities and responsibilities.

In fiscal years 2003, 2004 and 2005, the LESC entered a combined total of more than 90,000 new ICE records in the NCIC database—an average of about 2,500 per month. However, new procedures recently implemented at the LESC are expected to increase record entries to an average of 5,700 per month.

In fiscal years 2004 and 2005, the LESC was required to validate a combined total of 212,420 NCIC records. In the first 3 months of fiscal year 2006, the LESC validated an average of 12,000 records per month.

In fiscal year 2005, the LESC records staff completed more than 1.1 million file transactions. In the first 3 months of fiscal year 2006, they averaged 92,000 record transactions per month, resulting in a similar annual projection for fiscal year 2006.

INTENSIVE SUPERVISION PROGRAM EXPANSION

Question. On page 24 of the ICE congressional justification, it states that the intensive supervision program is to be expanded to a ninth and tenth city. To which cities are you expanding?

Answer. We are currently reviewing opportunities to expand ISAP within the scope of current contracts. No determinations have been made at this time.

GUANTANAMO FACILITY

Question. What is the status of the $5 million in fiscal year 2005 construction funds that were to be used at the Guantanamo facility?

Answer. $6 million was appropriated in fiscal year 2004 for the facility, which provides housing for refugee applicants that are awaiting determination of their claims.

Construction activities undertaken between fiscal years 2004 and 2006 are:

20-Bed Segregation Unit	$1,787,000
East Compound 2.1 Acres Security Fencing and Mobilization of Temporary Facilities	1,566,658
West Compound 2.9 Acres Security Systems and Perimeter Fences	821,792
Building 624 Demolition and Asbestos Abatement	529,200
Building 1567 64-Bed Renovation Project	147,153
Total	4,851,803

TRANSPORTATION SECURITY ADMINISTRATION

EXPLOSIVES TRACE PORTALS

Question. Please provide a purchase and deployment schedule for Explosives Detection Trace Portals (ETPs). The schedule should include, by airport, all ETPs purchased and deployed for fiscal year's 2005 and 2006, ETPs scheduled to be pur-

chased and deployed based on the fiscal year 2007 request, and ETPs scheduled for deployment in the future.

Answer. Below, in figure A, is the list of airports where Explosives Trace Portals (ETP) were deployed with fiscal year 2005 funding.

ETP deployment using fiscal year 2006 funding will be installed in two phases. Below, in figure B, is Phase I of the fiscal year 2006 deployment. The airport locations and number of units for all fiscal year 2006 deployments are subject to change due to space constraints, local airport construction, etc.

Phase II of the fiscal year 2006 deployment is in figure C. And, the list of airports scheduled to receive the 92 ETPs requested in the President's fiscal year 2007 budget is below in figure D. This list accounts for 82 units; the remaining 10 units will be used to backfill at airports in which ETPs have not been deployed due to local airport construction. Airport locations and number of units are subject to change due to space constraints, local airport construction, etc.

FIGURE A

Airport	Airport name	No. of units
BOS	Boston-Logan International Airport—MA	1
BWI	Baltimore-Washington International Airport—MD	1
CLT	Charlotte/Douglas International Airport—NC	3
DCA	Ronald Reagan Washington National Airport—DC	2
DFW	Dallas/Ft. Worth International Airport—TX	4
DTW	Detroit Metro Wayne County Airport—MI	3
EWR	Newark International Airport—NJ	2
FLL	Ft. Lauderdale/Hollywood International Airport—FL	2
GPT	Gulfport-Biloxi International Airport—MS	1
IAD	Washington-Dulles International Airport—VA	1
IND	Indianapolis International Airport—IN	3
JAX	Jacksonville International Airport—FL	2
JFK	JFK International Airport—NY	1
LAS	McCarran Las Vegas International Airport—NV	4
LAX	Los Angeles International Airport—CA	1
MIA	Miami International Airport—FL	7
PBI	West Palm Beach International Airport—FL	1
PHX	Phoenix-Sky Harbor International Airport—AZ	1
PIT	Pittsburgh International Airport—PA	2
PVD	T. F. Green Airport—Providence, RI	1
ROC	Greater Rochester International Airport—NY	1
SAN	San Diego International Airport—CA	1
SFO	San Francisco International Airport—CA	7
SJU	Luis Munoz Marin International Airport—San Juan, PR	3
SMF	Sacramento International Airport—CA	3
TPA	Tampa International Airport—FL	1
Total		59

FIGURE B

Airport	Airport name	No. of units
ABQ	Albuquerque International Sunport Airport—NM	2
ALB	Albany International Airport—NY	1
ATL	Hartsfield Atlanta International Airport—GA	3
BDL	Bradley International Airport—CT	2
BOS	Boston Logan International Airport—MA	8
BUF	Buffalo Niagara International Airport—NY	2
BWI	Baltimore-Washington International Airport—MD	8
CLE	Cleveland Hopkins International Airport—OH	4
CMH	Port Columbus International Airport—OH	3
CVG	Cincinnati/Northern Kentucky International Airport—KY	4
DEN	Denver International Airport—CO	6
DFW	Dallas/Fort Worth International Airport—TX	8
EWR	Newark International Airport—NY	5
HNL	Honolulu International Airport—HI	3
IAH	George Bush Intercontinental Airport Houston—TX	2

FIGURE B—Continued

Airport	Airport name	No. of units
JFK	John F. Kennedy International Airport—NY	3
LAX	Los Angeles International Airport—CA	8
LGA	LaGuardia Airport—NY	2
MCI	Kansas City International Airport—MO	4
MCO	Orlando International Airport—FL	4
MDW	Chicago Midway Airport—IL	2
MSP	Minneapolis-St. Paul International Airport—MN	7
OAK	Oakland International Airport—CA	5
ORD	Chicago O'Hare International Airport—IL	8
PBI	Palm Beach International Airport—FL	1
PDX	Portland International Airport—OR	4
PHL	Philadelphia International Airport—	7
PHX	Phoenix Sky Harbor International Airport—AZ	4
PVD	T. F. Green Airport—Providence, RI	1
RDU	Raleigh-Durham International Airport—NC	3
SEA	Seattle-Tacoma International Airport—WA	6
SFO	San Francisco International Airport—CA	1
SLC	Salt Lake City International Airport—UT	5
STL	Lambert St Louis International Airport—MO	5
TPA	Tampa International Airport—FL	6
Total		147

FIGURE C

Airport	Airport name	No. of units
ANC	Ted Stevens Anchorage International Airport—AK	3
ATL	Hartsfield Atlanta International Airport—GA	6
AUS	Austin-Bergstrom International—TX	3
BHM	Birmingham International Airport—AL	1
BNA	Nashville International Airport—TN	2
BOI	Boise Air Terminal/Gowen Field—ID	2
BUR	Bob Hope Airport—Burbank, CA	2
COS	Colorado Springs Municipal—CO	1
DAL	Dallas Love Field—TX	3
DAY	James M. Cox Dayton International Airport—OH	1
DCA	Ronald Reagan Washington National Airport—DC	4
DEN	Denver International Airport—CO	5
DTW	Detroit Metro Wayne County Airport—MI	6
ELP	El Paso International Airport—TS	1
EWR	Newark International Airport—NJ	4
GEG	Spokane International Airport—WA	2
GSO	Piedmont Triad International Airport—NC	2
HOU	William P. Hobby Airport—TX	4
IAD	Washington-Dulles International Airport—VA	4
JFK	John F. Kennedy International Airport—NY	4
KOA	Kona International Airport—AK	2
LAS	McCarran International Airport—NV	5
LAX	Los Angeles International Airport—CA	4
LGA	LaGuardia Airport—NY	4
LIT	Little Rock National Airport—AR	1
MCO	Orlando International Airport—FL	4
MDW	Chicago Midway Airport—IL	2
MEM	Memphis International Airport—TN	4
MHT	Manchester Airport—NH	3
MIA	Miami International Airport—FL	3
MKE	General Mitchell International Airport—WI	4
MSP	Minneapolis-St. Paul International Airport—MN	3
MSY	New Orleans International Airport—LA	4
OGG	Kahului Airport—HI	2
OKC	Will Rogers World Airport—OK	2
OMA	Eppley Airfield—NE	2

FIGURE C—Continued

Airport	Airport name	No. of units
ONT	Ontario International Airport—CA	2
ORD	Chicago O'Hare International Airport—IL	4
ORF	Norfolk International Airport—VA	3
RNO	Reno/Tahoe International Airport—NV	2
RSW	Southwest Florida International Airport—FL	3
SAN	San Diego International Airport, Lindbergh—CA	5
SAT	San Antonio International Airport—TX	2
SDF	Louisville International Airport—KY	2
SEA	Seattle-Tacoma International Airport—WA	6
SJC	San Jose International Airport—CA	6
SNA	John Wayne Airport—CA	4
TUL	Tulsa International Airport—OK	1
TUS	Tucson International Airport—AZ	2
Total		151

FIGURE D

Airport	Airport name	No. of units
ABE	Lehigh Valley International Airport—PA	1
ACY	Atlantic City International Airport—NJ	1
AMA	Amarillo International Airport—TX	1
AVL	Asheville Regional Airport—NC	1
BGR	Bangor International Airport—ME	2
BIL	Billings Logan International Airport—MT	1
BTV	Burlington International Airport—VT	2
BZN	Gallatin Field Airport—MT	1
CAE	Columbia Metropolitan Airport—SC	1
CAK	Akron-Canton Regional Airport—OH	1
CHA	Chattanooga Metropolitan Airport	1
CHS	Charleston International Airport/AFB—SC	2
CID	The Eastern Iowa Airport—IA	1
CRP	Corpus Christi International Airport—TX	1
DAB	Daytona Beach International Airport—FL	1
DSM	Des Moines International Airport—IA	1
EUG	Eugene Airport/Mahlon Sweet Field	1
EYW	Key West International Airport—FL	1
FAI	Fairbanks International Airport—AK	1
FAT	Fresno Yosemite International Airport—CA	1
FNT	Bishop International Airport—MI	1
FSD	Joe Foss Field—SD	1
FWA	Ft. Wayne International Airport—Baer Field—IN	1
GRB	Austin Straubel International Airport—TX	1
GRR	Gerald R. Ford International Airport—MI	2
GSP	Greenville-Spartanburg Airport—SC	2
HRL	Rio Grande Valley International Airport—TX	1
HSV	Huntsville-Madison County Airport—AL	1
ICT	Wichita Mid-Continent Airport—KS	1
ISP	Long Island MacArthur Airport—NY	2
ITO	Hilo International Airport—HI	1
JAN	Jackson International Airport—MS	2
JNU	Juneau International Airport—AK	1
LAN	Capital City Airport—MI	1
LBB	Lubbock International Airport—TX	1
LEX	Blue Grass Airport—KY	1
LGB	Long Beach Daugherty Field Airport—CA	2
LIH	Lihue Airport—HI	1
MAF	Midland International Airport—TX	1
MDT	Harrisburg International Airport—PA	1
MFE	McAllen-Miller International Airport—TX	1
MLB	Melbourne International Airport—FL	1
MLI	Quad Cities International Airport—IL	1

FIGURE D—Continued

Airport	Airport name	No. of units
MOB	Mobile Regional Airport—AL	1
MSN	Dane County Regional Airport—WI	1
MSO	Missoula International Airport—MT	1
MYR	Myrtle Beach International Airport—SC	1
PHF	Newport News/Williamsburg International Airport—VA	1
PIE	St Petersburg-Clearwater Int'l Airport—FL	2
PNS	Pensacola Regional Airport—FL	1
PSP	Palm Springs International Airport—FL	1
PWM	Portland International Jetport—ME	1
RIC	Richmond International Airport—VA	3
ROA	Roanoke Regional Airport—VA	1
ROC	Greater Rochester International Airport—NY	2
SAV	Savannah International Airport—GA	1
SBA	Santa Barbara Municipal Airport—CA	2
SBN	South Bend Regional Airport—IN	2
SFB	Orlando Sanford Airport—FL	2
SGF	Springfield/Branson Regional Airport—MO	2
SHV	Shreveport Regional Airport—LA	2
SRQ	Sarasota Bradenton International Airport—FL	3
SYR	Syracuse-Hancock International Airport—NY	1
Total		82

Question. Provide a similar schedule for other emerging technology that will be used to screen passengers for explosives.

Answer. Below is the deployment plan for emerging technology in fiscal year 2007. These deployments will enable the Transportation Security Administration (TSA) to screen all passengers designated for additional screening and a random number of passengers selected to keep the equipment in continuous use. TSA is currently developing a strategic plan for our passenger screening program which will establish our goals for screening passengers for explosives and provide a deployment schedule by airport.

Technology	# of units	Location
Explosives Trace Portals	[1] 92	1 per 3 checkpoint lanes at Category X & I airport
Automated Explosives Spot Sampler	93	1 at each Category II checkpoint
Automated Carry-On Bag Explosives Detection System.	27	1 at each Category X airport
Whole Body Imaging	91	1 per 8 checkpoint lanes at Category X & I airports
Cast and Prosthetics Scanner	210	1 at each Category X checkpoint

[1] This is the final phase of deployment to complete the 1 per 3 lanes ratio.

Question. Provide a list of all certified ETP technology.

Answer. The following Explosives Trace Portals (ETPs) have been reviewed by TSA, and are qualified for screening aviation passengers for explosives:

—Smiths Detection Sentinel II; and

—GE IonTrack Entry Scan3.

Question. Provide a list of all ETP technology that is being evaluated by DHS for certification.

Answer. The Transportation Security Administration (TSA) continues to work with the two current manufacturers of Explosives Trace Portals (ETP) to further refine system performance and operational suitability. At the present time, no other vendors have submitted an ETP for TSA evaluation.

Question. How many airports have explosives detection "puffer" technology?

Answer. There are currently 94 Explosives Trace Portals installed at 37 airports.

Question. In fiscal years 2005 and 2006, what percent of airline passengers were screened with this technology?

Answer. In fiscal year 2005 and early fiscal year 2006, the Transportation Security Administration (TSA) was in the early stages of deployment of Explosives Trace Portals (ETP). Currently, there are 94 ETPs deployed at 37 airports. The ETPs are used to screen passengers requiring additional screening and a random number of passengers to keep the units in continuous use. The actual percentages of people screened using this technology is considered Sensitive Security Information and can-

not be disclosed to the public. TSA would be happy to provide the Committee with this information in the appropriate forum.

CONTRACT OVERSIGHT

Question. How many contract officers are employed at TSA? How does that level compare to industry and Federal Government standards?

Answer. The Transportation Security Administration currently has 72 contract specialists and 32 of the specialists are contracting officers.

The generally accepted benchmark for staffing for the procurement function is "cost to spend." This metric divides the total dollars obligated by the direct manpower costs associated with the contracting function. In fiscal year 2005, TSA's Office of Acquisition operated at a 0.348 percent cost to spend. The Center for Advanced Purchasing Studies (http://www.capsresearch.org) is recognized as the industry expert organization regarding benchmarking for the acquisition function. Their applicable standard for the acquisition function is 2.1 percent.

The Department of Homeland Security (DHS) has established a standard for the contracting function of 1.2 percent to 1.9 percent. The DHS Chief Procurement Officer established a staffing goal of 1.2 percent in fiscal year 2006. TSA requested $7.5 million for an additional 30 FTE and 61 positions in fiscal year 2007.

Question. How many additional contract employees will be hired based on the fiscal year 2007 request?

Answer. Based on the fiscal year 2007 request, the Transportation Security Administration expects to hire an additional 61 staff.

Question. What percentage of the TSA budget in fiscal year 2006 is spent on contract oversight?

Answer. In fiscal year 2006, the Transportation Security Administration's (TSA) total budget authority is $6.3 billion and TSA is executing approximately $2 billion in contracts. The total budget for acquisition, the office that performs contract oversight functions, is $20.9 million (payroll, compensation and benefits, and operating expenses), and this is approximately 0.3 percent of TSA's total budget authority.

Question. Would the fiscal year 2007 request increase that percentage? If so, by how much?

Answer. The President's fiscal year 2007 budget request increases the acquisition budget by $7.5 million. The percentage of the Transportation Security Administration's budget authority spent on contract oversight increases to 0.45 percent.

Question. Of TSA's full budget authority in fiscal year's 2005 and 2006, what amount is spent on contracts?

Answer. The Transportation Security Administration (TSA) awarded $2.1 billion on contracts in fiscal year 2005. In fiscal year 2006, TSA expects to award approximately $2 billion on contracts.

Question. How much of the fiscal year 2007 request is planned for contracts?

Answer. The Transportation Security Administration anticipates executing approximately $2 billion of contracts from the total budget authority in fiscal year 2007.

Question. Please explain TSA's Investment Review Board process.

Answer. Transportation Security Administration (TSA) acquisition programs are categorized into four investment levels (1–4) based on Department of Homeland Security (DHS) criteria, with Level I being the most significant. Program levels determine the review forum for each Key Decision Point approval. Level 1 and 2 investments have an acquisition value over $50 million and are reviewed at both TSA and DHS. The TSA Investment Review Process (IRP) is the initial review point for Level 1 and 2 programs and the final review point for Level 3 and 4 programs. Level 1 and 2 programs, once approved at TSA, continue to the DHS IRP.

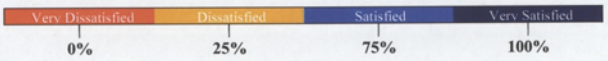
The TSA IRP contains two components, the Business Management Council (BMC) and Investment Review Board (IRB). Both components ensure alignment of capital investments with DHS mission and goals, identify program risks, and assess the program's current cost, schedule, and performance status. The BMC is the initial review point for all TSA programs before proceeding to the TSA IRB. The TSA IRB is the final approval authority for Level 3 and 4 programs and assesses the readiness of Level 1 and 2 programs before proceeding to DHS.

CUSTOMER SERVICE

Question. What are TSA's performance measures for customer service?

Answer. The Transportation Security Administration (TSA) has measured its customer satisfaction using airport customer satisfaction surveys. Below are the areas of customer satisfaction measured and the results from the customer satisfaction surveys for fiscal year 2003-fiscal year 2005.

Airport Survey Results	FY03/04	FY04/05
Total Airport Survey Satisfaction Score	80%	79%
Courtesy Satisfaction Score	86%	84%
Baggage Satisfaction Score	82%	79%
Screening Time Satisfaction Score	82%	82%
% of Passengers Waiting less than expected	52%	56%
% of Passengers believing screening procedures are similar	NA	85%
% of Passengers believing Thoroughness is adequate	86%	89%
% of Passengers with Confidence in TSA	83%	82%



Question. Are TSA's goals being met in those areas?

Answer. The Transportation Security Administration is currently evaluating the metrics that are being captured to ensure that we are measuring elements that are meaningful and that will truly provide information that will lead to process improvements. Simultaneously, we will continue using the metrics in place and have set an overall satisfaction goal of at least 81 percent for fiscal year 2006 and 82 percent for fiscal year 2007.

STAFFING

Question. Last year, TSA warned against a reduction in funding for screeners on the basis that passenger wait times would be longer and training costs would be higher. Based on the funding reduction for TSA screeners in fiscal year 2006, have those concerns become reality?

Answer. Prior to November 2005, system wide average wait times were stable, averaging just 3 minutes. Since then, average wait times have increased, as evidenced by the table below.

While it is not surprising that wait times might rise over the holiday months, the continued rise in wait times in February indicates that even with the efficiency improvements from the December 22, 2005 Standard Operating Procedures changes, the wait times experienced by passengers has increased.

Month	Oct 2005	Nov 2005	Dec 2005	Jan 2006	Feb 2006	Mar 2006
Average Wait Time	2.91	3.18	3.62	3.39	3.62	3.85

Question. Please provide a comparison of passenger wait times at high peak periods in fiscal year 2006 to the same periods in previous fiscal years.

Answer. A useful period comparison of peak period travel is the winter holiday. Actual passenger traffic was down 3.5 percent this past winter holiday period, while Transportation Security Administration (TSA) staffing was down 10 percent due to the staffing reductions required for fiscal year 2006. TSA staff were more productive, handling 7.3 percent more passengers per Transportation Security Officer than in the previous year. However, passenger wait times during this past winter holiday period increased 8.4 percent over the same period of 2004/2005.

Question. With a shrinking screener workforce, how will TSA pull screeners off normal security lines and place them at dedicated Registered Traveler lines without increasing wait times for normal passengers?

Answer. The Transportation Security Administration (TSA) does not expect the implementation of the Registered Traveler program to increase the required number

of Transportation Security Officer (TSO) Full Time Equivalents. TSA does not anticipate a need to move any TSOs from normal security lines nor do we foresee increases in wait times for passengers.

Question. Please provide a chart that displays airport management staff by airport versus all other staff.

Answer. The requested information is provided in the table below.

Apt ID	Airport name	Cat	State/U.S. territory	Law enforce & reg.	FSD & Staff	Air cargo	Screen-er mangr	TSO: ad-minis-trative	TSO: bag screen-ing	TSO: other	TSO: main-te-nance	TSO: pasgnr screen-ing	TSO: training	TSO: unde-fined	TSO: total	Airport total
ABE	Lehigh Valley Int'l Airport	II	PA	2	7	1	4		8			35	7		50	64
ABI	Abilene Regional Airport	III	TX	2	1		1		5			9	1		15	20
ABQ	Albuquerque Int'l Sunport Airport	I	NM	6	12	1	4	8	52			98	9		168	199
ABR	Aberdeen Airport	IV	SD				1		2			3			6	7
ABY	Southwest Georgia Regional Airport	IV	GA						4			4	1		9	9
ACK	Nantucket Memorial Airport	III	MA		1				2			4			6	7
ACT	Waco Regional Airport	III	TX		1			1	4			9	2		15	17
ACV	Arcata-Eureka Airport	IV	CA		1				2			9			11	12
ACY	Atlantic City Int'l Airport	II	NJ	1	7		3	2	12			28	2		44	57
ADQ	Kodiak State Airport	III	AK						7			1	1		9	9
AEX	Alexandria Int'l Airport	IV	LA				1		4			11	2		17	18
AGS	Bush Field Airport	III	GA						10			14			24	24
AHN	Athens/Ben Epps Airport	IV	GA						1			6			7	7
AIA	Alliance Municipal Airport	IV	NE					1	1			1	1		4	5
AKN	King Salmon Airport	III	AK		1				3				1		4	5
ALB	Albany Int'l Airport	I	NY	2	9	1	4	5	42			63	2		112	134
ALO	Waterloo Municipal Airport	IV	IA		1				1			3			4	5
ALS	Alamosa-San Luis Valley Arpt/Bergman Fld.	IV	CO						2			2	1		4	4
ALW	Walla Walla Regional Airport	IV	WA						1			6	1		8	8
AMA	Amarillo Int'l Airport	II	TX		1		2	1	20			21	4		46	50
ANC	Ted Stevens Anchorage Int'l Airport	I	AK	9	13	3	6	8	65			90	2		165	204
AOO	Altoona-Blair County Airport	IV	PA						2			4	1		6	6
APF	Naples Municipal Airport	IV	FL						3			3			6	6
APN	Alpena County Regional Airport	IV	MI						2			1			4	4
ART	Watertown Int'l Airport	IV	NY									6			6	6
ASE	Aspen Pitkin County Sardy Field	III	CO		1				2			3			5	6
ATL	Hartsfield Atlanta Int'l Airport	X	GA	12	23	4	25	33	482		5	565	39	1	1,124	1,221
ATW	Outagamie County Airport	II	WI		1		1		8			20	2		30	32
ATY	Watertown Airport	IV	SD						2			2	1		5	5
AUG	Augusta State Airport	IV	ME									5			5	5
AUS	Austin-Bergstrom Int'l Airport	I	TX	6	13	1	4	3	76			119	6		204	230
AVL	Asheville Regional Airport	II	NC		1		3		15			15	9		39	43
AVP	Wilkes Barre/Scranton Int'l Airport	III	PA		1				10			13	5		27	28
AZO	Kalamazoo/Battle Creek Int'l Airport	III	MI		1			1	6			16	3		25	27
BDL	Bradley Int'l Airport	I	CT	6	14	2	9	40	78		1	124	15		257	328

Apt ID	Airport name	Cat	State/U.S. territory	Law enforce & reg.	FSD & Staff	Air cargo	Screen-er mangr	TSO: ad-minis-trative	TSO: bag screen-ing	TSO: other	TSO: main-te-nance	TSO: pasgnr screen-ing	TSO: training	TSO: unde-fined	TSO: total	Airport total
BED	Hanscom Field	III	MA						3			4	(0)		7	7
BET	Bethel Airport	III	AK						1						2	2
BFD	Bradford Regional Airport	IV	PA						3			3			7	7
BFF	W. Nebraska Reg'l A/P, W.B. Heilig Field.	IV	NE					1	2			1	2		6	7
BFL	Meadows Field, Bakersfield Airport	III	CA		1				2			15			17	19
BGM	Binghamton Regional Airport	III	NY									17			18	18
BGR	Bangor Int'l Airport	II	ME	1	7		3	2	11			31	3		48	61
BHB	Hancock County Bar Harbor Airport	IV	ME						2			2	1		5	5
BHM	Birmingham Int'l Airport	I	AL	3	11	1	5	5	45			49	14		111	136
BIL	Billings Logan Int'l Airport	II	MT	4	7		1	1	16			29	3		50	63
BIS	Bismarck Municipal Airport	III	ND	2	6		2		6			10	1		18	28
BJI	Bemidji-City Airport	IV	MN						4			2	1		7	7
BKW	Raleigh County Memorial Airport	III	WV						4			7	1		12	12
BKX	Brookings	IV	SD						1			1			3	3
BLF	Mercer County Airport	IV	WV						3			2			6	6
BLI	Bellingham Int'l Airport	III	WA						8			10	2	1	21	21
BMI	Bloomington-Normal Airport	III	IL	1	4				9			13	3		25	30
BNA	Nashville Int'l Airport	I	TN	8	14		6	5	96			107	2		209	242
BOI	Boise Air Terminal/Gowen Field	I	ID	5	17		5	6	25			59	4		95	128
BOS	Logan Int'l Airport	X	MA	13	18	4	18	69	177			503	10		759	880
BPT	Southeast Texas Regional Airport	IV	TX		1				3			8	2		13	14
BQK	Glynco Jetport	IV	GA									9			9	9
BQN	Rafael Hernandez Airport	III	PR	1					6			18			24	25
BRD	Brainerd-Crow Wing Airport	IV	MN						2			3			5	5
BRL	SE Iowa Regional Airport Authority	IV	IA									3			3	3
BRO	Brownsville/South Padre Int'l Airport	III	TX		1		1		7			8			16	18
BTM	Bert Mooney Airport	III	MT						2			6	1		9	10
BTR	Baton Rouge Metropolitan Airport	II	LA		7		4	1	14			27	2		45	57
BTV	Burlington Int'l Airport	II	VT	1	6		4		14			56	1		71	82
BUF	Buffalo Niagara Int'l Airport	II	NY	4	10	2	4		57			97	8		162	182
BUR	Burbank-Glendale-Pasadena Airport	I	CA	3	11	1	4	2	25		1	103	6		138	160
BWI	Baltimore-Washington Int'l Airport	X	MD	13	14	3	13	24	171			434	10		639	706
BZN	Gallatin Field Airport	II	MT		1		1	1	19			26	1		48	51
CAE	Columbia Metropolitan Airport	II	SC	2	6		2		24			32			56	66
CAK	Akron-Canton Regional Airport	II	OH		1		3	1	19			30	4		54	58

CDC	Cedar City Municipal	IV	UT						1			4			6	6
CDR	Chadron Municipal Airport	IV	NE					1	1			1	1		4	5
CDV	Merle K (MUDHOLE) Smith	III	AK						4			4	1		8	8
CEC	Crescent City Airport	IV	CA						2			6			7	7
CEZ	Cortez Municipal Airport	IV	CO						2			2	1		5	5
CGI	Cape Girardeau Regional Airport	IV	MO						3			3			6	6
CHA	Chattanooga Metropolitan Airport	II	TN				2		9			22	3		34	36
CHO	Charlottesville/Albemarle Airport	III	VA		1				6			10	1		17	18
CHS	Charleston Int'l Airport/AFB	II	SC	3	8	2	2	2	29			46			77	94
CIC	Chico Municipal Airport	IV	CA									7			7	7
CID	The Eastern Iowa Airport	II	IA	1	2		3		18			34			52	59
CIU	Chippewa County Int'l Airport	IV	MI						2			2	1		5	5
CKB	Benedum Airport	IV	WV						4			5	3		12	13
CLE	Cleveland Hopkins Int'l Airport	I	OH	9	19	2	7	18	92			185	15		311	365
CLL	Easterwood Airport	IV	TX		1			1	4			7	2		13	15
CLT	Charlotte/Douglas Int'l Airport	X	NC	5	12	3	9	7	81			170	19		277	313
CMH	Port Columbus Int'l Airport	I	OH	6	14	1	5	4	69			107	9		190	221
CMI	University Of Illinois-Willard Airport	III	IL		1				5			8	1		14	15
CMX	Houghton County Memorial Airport	IV	MI						2			2			5	5
CNY	Canyonlands Field Airport	IV	UT									3			4	4
COD	Yellowstone Regional Airport	IV	WY						3			5	1		8	8
COS	Colorado Springs Municipal	I	CO	3	12		3		44			49	2		95	113
COU	Columbia Regional Airport	IV	MO						2			3			5	5
CPR	Natrona Int'l Airport	IV	WY	1	5	1	2	1	3			6	2		11	21
CRP	Corpus Christi Int'l Airport	II	TX	2	7	1	2		16			18	3		37	49
CRQ	McClellan-Palomar Airport	IV	CA									14			14	14
CRW	Yeager Airport	II	WV	3	5	1	1	5	9			22	7		42	57
CSG	Columbus Metropolitan Airport	III	GA						7			6			13	13
CVG	Cincinnati/Northern Kentucky Int'l Airport.	X	KY	9	16	2	7	10	97			168	4		279	323
CWA	Central Wisconsin Regional Airport	III	WI				1		6			12	2		20	21
CYS	Cheyenne Airport	IV	WY						3			2	1		6	6
DAB	Daytona Beach Int'l Airport	II	FL	4	8		3		8			32	4		44	59
DAL	Dallas Love Field	I	TX	7	13	1	6	23	54			111	15		203	253
DAY	James M. Cox Dayton Int'l Airport	I	OH	3	10	2	3		41			61	1		103	121
DBQ	Dubuque Regional Airport	IV	IA						3			5	1		8	8
DCA	Reagan Washington National Airport	X	VA	10	15	1	6	25	87			244	3		359	416
DDC	Dodge City Regional Airport	IV	KS						2			2	1		4	4
DEC	Decatur Airport	IV	IL						3			3	1		7	7
DEN	Denver Int'l Airport	X	CO	13	22	3	15	11	206			464	33		714	778

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DFW	Dallas/Fort Worth Int'l Airport	X	TX	18	32	3	29	37	606			650	9		1,302	1,421
DHN	Dothan-Houston County Airport	III	AL					1	4			7	1		13	14
DIK	Dickinson Municipal Airport	IV	ND						1			2			4	4
DLG	Dillingham Airport	III	AK					2	2						4	6
DLH	Duluth Int'l Airport	III	MN	1	6		4		9			11	3		23	34
DRO	Durango-La Plata County Airport	III	CO	2	1		1		6			6	1		14	18
DRT	Del Rio International Airport	IV	TX						2			3			5	5
DSM	Des Moines Int'l Airport	II	IA	4	7	1	3	1	24			36	5		66	83
DTW	Detroit Metro Wayne County Airport	X	MI	13	21	3	14	19	259			454	11		743	812
DUJ	Dubois-Jefferson County Airport	IV	PA						2			3			5	5
DVL	Devils Lake	IV	ND						1			1			3	3
EAR	Kearney Municipal Airport	IV	NE						3			2			6	6
EAT	Pangborn Memorial Airport	IV	WA		1				2			4	1		7	9
EAU	Eau Claire	III	WI						6			2	2		10	10
EGE	Eagle County Regional Airport	III	CO		1				5			3	1		9	10
EKO	Elko Regional Airport	III	NV		1				2			11			13	14
ELD	El Dorado	IV	AR						1		1	2	1		6	6
ELM	Elmira-Corning Regional Airport	IV	NY						3			14	1		19	20
ELP	El Paso Int'l Airport	I	TX	6	13	1	3	2	60			62	10		134	159
ENA	Kenai Municipal Airport	IV	AK						5						5	5
ENV	Wendover Municipal Airport	III	UT									1			1	1
ERI	Erie Int'l Airport	III	PA	1	3		3		15			14			29	36
ESC	Delta County Airport	IV	MI						2			3	1		6	6
EUG	Eugene Airport/Mahlon Sweet Field	II	OR	1	5		3		19			20	1		40	49
EVV	Evansville Regional Airport	III	IN	1	2		1		9			18	2		29	33
EWN	Craven County Regional Airport	IV	NC	1					1			9			10	11
EWR	Newark Int'l Airport	X	NJ	17	13	2	22	55	414			584	22	1	1,075	1,184
EYW	Key West Int'l Airport	II	FL		1		1		4			8			13	15
FAI	Fairbanks Int'l Airport	II	AK	4	11		2	9	17			23	6		55	82
FAR	Hector Int'l Airport	III	ND		4		2		9			17	2		28	34
FAT	Fresno Yosemite Int'l Airport	II	CA	2	4		1	2	7			42	3		54	63
FAY	Fayetteville Regional Airport	III	NC		1		1		8			18			25	27
FHU	Sierra Vista Municipal Airport	IV	AZ						2						2	2
FKL	Venango Regional Airport	IV	PA						4			4			8	8
FLG	Flagstaff Pulliam Airport	IV	AZ									10			10	10
FLL	Ft Lauderdale-Hollywood Int'l Arpt	I	FL	6	14	1	19	21	244		1	434	10		709	770

FLO	Florence Regional Airport	IV	SC						3			6			8	8
FMN	Four Corners Regional Airport	IV	CO						3			10	1		14	14
FNL	Fort Collins-Loveland Municipal	III	CO									6			6	6
FNT	Bishop Int'l Airport	II	MI		1		2		21			31	3		56	59
FOD	Fort Dodge	IV	IA						1			3	1		5	5
FSD	Joe Foss Field	II	SD	4	4		2		16			13	2		32	42
FSM	Fort Smith Municipal Airport	III	AR		1			1	5			9	2		16	18
FWA	Ft. Wayne Int'l Airport—Baer Field	II	IN		2			1	16			22	4		43	46
GBD	Great Bend	IV	KS						2			1	1		4	4
GCC	Gillette-Campbell County	IV	WY						1						2	2
GCK	Garden City Municipal Airport	IV	KS						2			2	1		5	5
GEG	Spokane Int'l Airport	I	WA	5	12	1	4	4	25			71	5		106	132
GFK	Grand Forks Mark Andrews Int'l Airport.	III	ND		1				4			10	1		16	17
GGG	Gregg County Airport	IV	TX						1			4	1		7	7
GJT	Walker Field Airport	III	CO	1	10		3		11			14	2		28	42
GLH	Mid Delta Regional Airport	IV	MS						1			1			3	3
GNV	Gainesville Regional Airport	III	FL		1		1		6			8	1		15	18
GPI	Glacier Park Int'l Airport	III	MT		1				14			15			29	30
GPT	Gulfport-Biloxi Int'l Airport	III	MS	2	5		2	1	15			25	5		46	56
GRB	Austin Straubel Int'l Airport	II	WI	3	6		3		19			22	3		43	55
GRI	Central Nebraska Regional Airport	III	NE					1	2			2	1		4	5
GRK	Killeen-Fort Hood Regional Airport	IV	TX		1				5			22	2		29	30
GRO	Rota Int'l Airport	I	Mariana Islands.					1	1						2	2
GRR	Gerald R. Ford Int'l Airport	II	MI	5	7	2	2		39		1	51	8		99	116
GSN	Saipan Int'l Airport	II	Mariana Islands.	1	7		1	1	27			28	1		57	67
GSO	Piedmont Triad Int'l Airport	I	NC	5	11	1	4	2	35			75	12		124	146
GSP	Greenville-Spartanburg Airport	II	SC	2	7		2		31			43			74	85
GTF	Great Falls Int'l Airport	III	MT		1			1	6			21	3		32	34
GTR	Golden Triangle Regional Airport	IV	MS						4			5			8	8
GUC	Gunnison County Airport	III	CO	1			1		2			1	1		4	6
GUM	Antonio B. Won Pat Guam Int'l	I	GU	6	13	1	3	4	60			56	10		131	158
HDN	Yampa Valley Regional Airport	III	CO				1		4			4	1		9	10
HGR	Hagerstown Regional Airport	IV	MD						3			3			7	7
HIB	Chisolm-Hibbing Municipal	IV	MN						1			1			2	2
HII	Lake Havasu City Municipal Airport	IV	AZ									6			6	6
HLN	Helena Regional Airport	III	MT		1				5			13	1		20	21
HNL	Honolulu Int'l Airport	X	HI	10	17	4	10	30	224		2	304	8		567	637

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HOM	Homer Airport	IV	AK						5						5	5
HON	Huron	IV	SD						1			1			2	2
HOT	Hot Springs	IV	AR					1	1			2	2		5	6
HOU	William P. Hobby Airport	I	TX	5	12	1	7	9	67		1	132			208	242
HPN	Westchester County Airport	II	NY		1		3		11			30			41	45
HRL	Rio Grande Valley Int'l Airport	II	TX	2	7		2	1	13			33			47	59
HRO	Harrison	IV	AR					1	1			1	1		5	5
HSV	Huntsville-Madison Cnty Airport	II	AL	2		1	3	1	17			29	4		52	59
HTS	Tri-State Airport	III	WV				1	2	4			11	2		19	21
HVN	Tweed-New Haven Airport	IV	CT						4			4			8	9
HXD	Hilton Head Airport	IV	SC						5			4			9	9
HYA	Barnstable Municipal Airport	III	MA		2		1		3			6	1		9	12
HYS	Hays Regional Airport	IV	KS						3			3	1		6	6
IAD	Washington-Dulles Int'l Airport	X	VA	9	19	5	13	41	273		2	265	1		582	669
IAH	George Bush Intercontinental Airport	X	TX	14	22	5	17	25	400	1		491	3		919	1,002
ICT	Wichita Mid-Continent Airport	II	KS	4	10	1	4		30			40	6		76	95
IDA	Idaho Falls Regional Airport	III	ID						6			11	1		19	19
IFP	Laughlin/Bullhead City Airport	III	AZ					1				8			9	10
IGM	Kingman Airport Authority, Inc.	IV	AZ									4			4	4
ILE	Killeen Municipal Airport	IV	TX									1			1	1
ILM	Wilmington Int'l Airport	III	NC	1	3		2		11			17	2		30	36
IMT	Ford Airport	IV	MI						3			2			6	6
IND	Indianapolis Int'l Airport	I	IN	9	13	3	7	14	68			182	3		267	313
INL	Falls International Airport	IV	MN						2			3			5	5
IPL	Imperial County Airport	IV	CA						2			4			7	7
IPT	Williamsport Regional Airport	IV	PA						2			6	1		8	8
IRK	Kirksville Regional Airport	IV	MO						2			2			3	3
ISN	Sloulin Field Int'l Airport	IV	ND						1			1			3	3
ISO	Kinston Regional Jetport	III	NC						1			5	1		6	6
ISP	Long Island MacArthur Airport	II	NY	2	9		2	2	25			58	2		88	103
ITH	Tompkins County Airport	IV	NY				1					15			15	16
ITO	Hilo Int'l Airport	II	HI		1		2		15			30	1		47	50
IWD	Gogebic County Airport	IV	MI						1			2			3	3
IYK	Indian Wells Valley Airport District	IV	CA						2			4			6	6
JAC	Jackson Hole Airport	III	WY		1		1									2
JAN	Jackson Int'l Airport	II	MS	5	8		4	2	32			50			84	103

JAX	Jacksonville Int'l Airport	I	FL	5	11	2	7	7	20			102	10		138	170
JBR	Jonesboro	IV	AR					1	1			1	1		4	5
JFK	John F. Kennedy Int'l Airport	X	NY	27	15		25	56	570			952	45		1,622	1,746
JHW	Chautauqua County Airport	IV	NY						4			3			7	7
JLN	Joplin Regional Airport	IV	MO						2			4			5	5
JMS	Jamestown	IV	ND						1			2			3	4
JNU	Juneau Int'l Airport	II	AK	5	6		3		6			32			38	52
JST	Johnstown-Cambria County Airport	IV	PA						8			8			16	16
KOA	Kona Int'l Airport	I	HI	2	8		2	(0)	32			52			84	96
KTN	Ketchikan Int'l Airport	III	AK				1		8			19			27	28
LAN	Capital City Airport	II	MI	1	9		2		14			24	3		41	53
LAR	Laramie Regional Airport	IV	WY						1			1			3	3
LAS	McCarran Int'l Airport	X	NV	12	16	3	13	42	274		4	610	20		949	1,036
LAW	Lawton/Ft. Sill Regional Airport	IV	OK					1	7			4	1		12	13
LAX	Los Angeles Int'l Airport	X	CA	16	27	8	35	91	836			985	20		1,931	2,108
LBB	Lubbock Int'l Airport	II	TX	3	12	1	3	5	19			26	4		54	78
LBE	Arnold Palmer Regional Airport	IV	PA						2			7	1		10	10
LBF	North Platte Regional Airport	III	NE					1	2			2	1		6	6
LBL	Liberal Municipal Airport	IV	KS						2			2			4	4
LCH	Lake Charles Regional Airport	IV	LA						4			6			11	11
LEB	Lebanon Municipal Airport	IV	NH						3			3			6	6
LEX	Blue Grass Airport	II	KY	2	3		2		6			34	2		43	50
LFT	Lafayette Regional Airport	III	LA		1				7			15	2		24	25
LGA	LaGuardia Airport	X	NY	7	13	2	10	35	227			446	3		711	779
LGB	Long Beach Daugherty Field Airport	II	CA		2		4	2	34			69			105	113
LIH	Lihue Airport	I	HI	1	9		2	1	28			38	4		71	84
LIT	Little Rock National Airport	I	AR	6	10	1	5		36		1	46	14		97	119
LMT	Klamath Falls Airport	IV	OR						2			5	1		7	7
LNK	Lincoln Municipal Airport	III	NE	2	3		2	(46)	31			51	3		40	1
LNS	Lancaster Airport	IV	PA						1			2			3	3
LNY	Lanai Airport	III	HI						3			10			14	14
LRD	Laredo Int'l Airport	III	TX						4			10	2		16	16
LSE	La Crosse Municipal Airport	III	WI						6			9	2		18	18
LWB	Greenbrier Valley Airport	III	WV						1			3	1		5	5
LWS	Lewiston Nez-Perce County Reg'l Airport.	III	ID						3			6			8	8
LYH	Lynchburg Regional Arpt	IV	VA				1		2			10	2		14	15
MAF	Midland Int'l Airport	II	TX		1		2	2	12			24	2		40	45
MBL	Manistee County Blacker Airport	IV	MI						1			1			2	2
MBS	Saginaw-MBS Int'l Airport	III	MI				3		11			18	2		31	34

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MCI	Kansas City Int'l Airport	I	MO	7	15	2	12									36
MCK	McCook Municipal Airport	IV	NE						1			1	1		4	4
MCN	Middle Georgia Regional Airport	III	GA						3			2	1		6	6
MCO	Orlando Int'l Airport	X	FL	8	15	2	20	(30)	353			403	70		797	812
MCW	Mason City	IV	IA						1			3	1		5	5
MDT	Harrisburg Int'l Airport	II	PA	2	8	1	4		19			34	6		58	73
MDW	Chicago Midway Airport	I	IL	6	16	1	8	15	127			232	34		408	453
MEI	Meridian Regional Airport—Key Field	IV	MS						2			3			5	5
MEM	Memphis Int'l Airport	I	TN	5	10	3	7	6	96		4	135	19		260	291
MFE	McAllen-Miller Int'l Airport	II	TX		1		3		14			24	3		41	45
MFR	Rogue Valley Int'l-Medford	III	OR		2		1		7			12	2		21	24
MGM	Montgomery Reg'l Airport (Dannelly Field).	III	AL	2	8		2		5			12	3		20	32
MGW	Morgantown Municipal Airport	IV	WV				1		8			3			11	13
MHK	Manhattan Regional Airport	IV	KS						1			2			3	3
MHT	Manchester Airport	I	NH	1	18	1	6	11	36			95	1		143	179
MIA	Miami Int'l Airport	X	FL	24	15		24	105	684			722			1,510	1,678
MKE	General Mitchell Int'l Airport	I	WI	5	12	2	4	3	66			137	7		213	239
MKG	Muskegon County Int'l Airport	IV	MI					1	3			5	3		11	12
MKK	Molokai Airport	III	HI						2			10	1		13	13
MKL	Mckellar-Sipes Regional Airport	IV	TN						2			2			5	5
MLB	Melbourne Int'l Airport	II	FL		1		3		11			23			34	38
MLI	Metro Airport Authority of Rock Island	II	IL	4	9	1	2		19			34			53	69
MLU	Monroe Regional Airport	III	LA	1	5		1		6			10	4		20	28
MOB	Mobile Regional Airport	II	AL	3	9		3	1	16			32	4		53	69
MOD	Modesto City County Airport H Sham Field.	IV	CA						4			5			9	9
MOT	Minot Int'l Airport	III	ND		1				3			7	1		12	13
MRY	Monterey Peninsula Airport	III	CA				1		5			16	2		23	24
MSL	NW Alabama Reg'l Airport	IV	AL						2			3			5	5
MSN	Dane County Regional Airport	II	WI	2	8		3		26			34	6		66	79
MSO	Missoula Int'l Airport	II	MT	3	5		1	1	15			19	2		36	46
MSP	Minneapolis-St. Paul Int'l Arpt	X	MN	13	26	3	15	8	221		1	278	81	2	592	657
MSS	Massena Int'l Airport	IV	NY									5			5	5
MSY	New Orleans Int'l Airport	I	LA	8	13	2	7	22	60			97	19		197	249
MTJ	Montrose County Airport	III	CO						8			5	1		15	15

MVY	Martha's Vineyard Airport	III	MA									5			6	7
MWA	Williamson County Airport	IV	IL						2			3	1		5	5
MWH	Grant County Airport	III	WA					1	2			2	1		7	7
MYR	Myrtle Beach Int'l Airport	II	SC	2	6		3	2	36			36	1		76	89
NSF	National Screener Force	NSF						17	201			292	44		554	571
OAJ	Albert J Ellis Airport	IV	NC						4			7			11	11
OAK	Metropolitan Oakland Int'l Airport	I	CA	7	14		7	17	119			166	12		313	359
OGG	Kahului Airport	I	HI	4	12		2		44			72	9		125	143
OGS	Ogdensburg Int'l Airport	IV	NY									6			6	6
OKC	Will Rogers World Airport	I	OK	4	13		5	1	44			102	10		157	180
OMA	Eppley Airfield	I	NE	5	12	1	5		48			77	15		140	163
OME	Nome Airport	III	AK												1	1
ONT	Ontario Int'l Airport	I	CA	6	13	2	6		95			112	5		212	239
ORD	O'Hare Int'l Airport	X	IL	17	42	11	23	1	643		3	769	8		1,424	1,517
ORF	Norfolk Int'l Airport	I	VA	4	11		5	1	59		3	91	6		159	180
OTH	North Bend Municipal Airport	IV	OR					1	2			3			6	7
OTZ	Kotzebue "Ralph Widen Memorial" Airport.	III	AK												1	1
OWB	Owensboro Davies County Airport	IV	KY						2			2			4	4
OXR	Oxnard Airport	IV	CA						4			2	1		7	7
PAH	Barkley Regional Airport	IV	KY						3			3	2		8	8
PBI	West Palm Beach Int'l Airport	I	FL	3	12	2	8		80		1	133	1		216	241
PDT	E. Oregon Regional Airport	IV	OR						2			7	1		11	11
PDX	Portland Int'l	I	OR	9	15	2	6	19	168			232	1		420	471
PFN	Panama City-Bay County Int'l Airport	III	FL		1		1		4			10	2		17	19
PGA	Page Municipal Airport	IV	AZ									5			5	5
PGV	Pitt-Greenville Airport	IV	NC						5			5	1		11	11
PHF	Newport News/Williamsburg Int'l Airport.	II	VA		1		1	1	17		1	18	1		37	39
PHL	Philadelphia Int'l Airport	X	PA	11	14	4	18	28	241		3	435	5		713	789
PHX	Phoenix Sky Harbor Int'l Airport	X	AZ	17	30	2	19	35	301		3	462	13		814	918
PIA	Greater Peoria Airport	III	IL		2		2		13			17	1		31	35
PIB	Hattiesburg-Laurel Regional Airport	IV	MS						2			2			4	4
PIE	St Petersburg-Clearwater Int'l Airport	II	FL				3	2	7			27	3		40	44
PIH	Pocatello Regional Airport	III	ID		1				5			6	1		13	14
PIR	Pierre Regional Airport	IV	SD						2			2			4	4
PIT	Pittsburgh Int'l Airport	I	PA	14	16	2	6	21	82		1	184	7		296	355
PKB	Wood County Airport	IV	WV						5			5	1		11	11
PLB	Clinton County Airport	IV	NY					1	2			4	1		8	9
PLN	Pellston Regional Airport	IV	MI						6			5	1		13	13

Apt ID	Airport name	Cat	State/U.S. territory	Law enforce & reg.	FSD & Staff	Air cargo	Screen-er mangr	TSO: ad-minis-trative	TSO: bag screen-ing	TSO: other	TSO: main-te-nance	TSO: pasgnr screen-ing	TSO: training	TSO: unde-fined	TSO: total	Airport total
PNC	Ponca City	IV	OK									5			5	5
PNS	Pensacola Regional Airport	II	FL	4	8		2	2	29		1	36	5		72	88
PPG	Pago Pago-American Samoa	III	AQ		3		1		2			2	3		7	11
PQI	Northern Maine Regional Airport	IV	ME						3			3			6	6
PRC	Prescott Municipal Airport	IV	AZ									8			8	8
PSC	Tri-Cities Airport	III	WA		8		5		6			27	3		36	49
PSG	Petersburg Airport	III	AK						6						6	6
PSM	Pease Int'l Airport	III	NH									6			6	6
PSP	Palm Springs Int'l Airport	II	CA		7		2	3	21			36	7		68	80
PUB	Pueblo Memorial Airport	IV	CO						1			1	1		3	4
PUW	Pullman/Moscow Regional Airport	III	WA					2	4			4	1		10	12
PVC	Provincetown Airport	IV	MA						2			3	1		6	6
PVD	T F Green State Airport	I	RI	4	14	1	6	11	79			116	18		224	260
PWM	Portland Int'l Jetport	II	ME	4	8	1	3		30			69			99	115
RAP	Rapid City Regional Airport	III	SD	2	5		2		11			17	2		30	39
RDD	Redding Municipal Airport	IV	CA		1							12			12	13
RDM	Roberts Field	III	OR		1				7			13			20	21
RDU	Raleigh-Durham Int'l Airport	I	NC	6	13	2	9	10	91		1	154	2	3	260	300
RFD	Greater Rockford Airport	III	IL					1	4			10	2		17	18
RHI	Rhinelander/Oneida County Airport	IV	WI						4			3	1		8	8
RIC	Richmond Int'l Airport	II	VA	2	10	1	4		39			46	5		90	107
RIW	Riverton Regional Airport	IV	WY					2	2			2			5	7
RKD	Knox County Regional Airport	IV	ME						2			3			5	5
RKS	Rock Springs-Sweetwater County	IV	WY						2			1			4	5
RNO	Reno/Tahoe Int'l Airport	I	NV	4	14		5	1	54			98	4		157	181
ROA	Roanoke Regional Airport	II	VA		3		1		16			16			32	36
ROC	Greater Rochester Int'l Airport	II	NY	3	8		4									15
RST	Rochester Int'l Airport	III	MN		1			1	6			10	1		17	19
RSW	Southwest Florida Int'l Airport	I	FL	3	13		7	3	41			156	14		215	241
RUT	Rutland State Airport	IV	VT									5			5	5
SAF	Santa Fe Municipal Airport	IV	NM		1				1			4			5	6
SAN	San Diego Int'l Airport, Lindbergh	I	CA	6	18	1	15	20	168		5	280	40		512	572
SAT	San Antonio Int'l Airport	I	TX	6	14	2	8	10	81			115	8		214	254
SAV	Savannah Int'l Airport	II	GA	4	7		3	2	30			40			72	88
SAW	Sawyer Int'l Airport	IV	MI	1	1				6			6	1		13	15
SBA	Santa Barbara Municipal Airport	II	CA	2	6		3	1	14			22	4		40	51

SBN	South Bend Regional Airport	II	IN	2	5		2	2	13			28	5		47	58
SBP	San Luis Obispo County Airport	IV	CA		1				6			10	2		18	19
SBY	Salisbury/Wicomico County Reg'l Airport.	IV	MD									11			11	11
SCC	Deadhorse Airport	III	AK						2			2			4	4
SDF	Louisville Int'l Airport	I	KY	2	10	3	2	5	47			67	8		128	150
SEA	Seattle-Tacoma Int'l Airport	X	WA	15	13	3	16	34	298		5	469	22		827	907
SFB	Orlando Sanford Airport	III	FL		1		4		20			51			72	77
SFO	San Francisco Int'l Airport	X	CA	9	11	5	13									38
SGF	Springfield/Branson Regional Airport	III	MO	2	6		4		20			26	4		49	61
SGU	St. George Municipal Airport	IV	UT				1		3			6			10	11
SHD	Shenandoah Valley Airport	IV	VA						1			1			3	3
SHR	Sheridan County Airport	IV	WY					1	2			1			5	6
SHV	Shreveport Regional Airport	II	LA	2	8		2		14			28	5		48	60
SIT	Sitka ''Rocky Gutierrez'' Airport	III	AK				2		9			8	1		19	21
SJC	San Jose Int'l Airport	I	CA	7	13		8	19	98		4	189			311	358
SJT	San Angelo Regional Airport	IV	TX					1	4			8	1		15	16
SJU	Luis Munoz Marin Int'l Airport	X	PR	6	14	3	15	9	166			237	11		423	471
SLC	Salt Lake City Int'l	I	UT	9	16	2	12	15	205		7	240	5		473	527
SLK	Adirondack Regional Airport	IV	NY						1			3	1		5	5
SLN	Salina Municipal Airport	IV	KS						2			2			4	4
SMF	Sacramento Int'l Airport	I	CA	8	15	1	8	25	103			153	6		287	344
SMX	Santa Maria Public Airport	IV	CA		1			1	3			4	1		9	11
SNA	John Wayne Airport	I	CA	6	14	1	7	19	68			152			239	285
SOW	Show Low Regional Airport	IV	AZ									1			1	1
SPI	Capital Airport	III	IL	1	1		1		5			9	1		15	18
SPS	Sheppard AFB/Wichita Falls Municipal Airport.	III	TX		1		1	1	9			5	1		16	18
SRQ	Sarasota Bradenton Int'l Airport	II	FL	2	7		3	1	28			39	1		70	83
STC	St. Cloud Regional Airport	IV	MN						3			4	2		9	9
STL	Lambert St Louis Int'l Airport	X	MO	10	16	2	13	8	120			242	4		374	422
STT	Cyril E. King Int'l Airport	II	VI	2	9		3	1	35			39	1		76	90
STX	Henry E. Rohlsen Airport	III	VI		3		1	1	12			20			33	38
SUN	Friedman Memorial Airport	III	ID		1		1		4			3	1		8	10
SUX	Sioux Gateway Airport	III	IA				1		3			6	3		12	14
SWF	Stewart Airport	III	NY		1		2		9			18	2		30	33
SYR	Syracuse-Hancock Int'l Airport	II	NY	4	13	1	6	2	53			64			118	144
TBN	Forney Army Airfield	IV	MO						2			3			5	5
TEX	Telluride Regional Airport	IV	CO						2			2			5	5
TLH	Tallahassee Regional Airport	II	FL	4	8		2		14			28	6		49	63

Apt ID	Airport name	Cat	State/U.S. territory	Law enforce & reg.	FSD & Staff	Air cargo	Screener mangr	TSO: administrative	TSO: bag screening	TSO: other	TSO: maintenance	TSO: pasgnr screening	TSO: training	TSO: undefined	TSO: total	Airport total
TOL	Toledo Express Airport	II	OH		4		2		16			25	4		46	52
TPA	Tampa Int'l Airport	I	FL	6	21	2	17	14	174		4	316	17		525	585
TRI	Tri-Cities Regional Airport	III	TN				1		8			14			22	23
TTN	Trenton-Mercer Airport	IV	NJ						2			3			5	5
TUL	Tulsa Int'l Airport	I	OK	3	10	1	5	1	44			70	1		116	135
TUS	Tucson Int'l Airport	I	AZ	6	13	1	5		79			72	2		154	179
TVC	Cherry Capital Airport	III	MI	1	6		1		7			16	3		26	34
TVF	Thief River Falls Regional Airport	IV	MN						1			1			3	3
TWF	Joslin Field, Magic Valley Regional Airport.	IV	ID				2		3			2	1		7	9
TXK	Texarkana Regional Airport	III	TX					1	2			4			7	8
TYR	Tyler Pounds Field Airport	IV	TX		1				4			5	1		10	11
TYS	McGhee Tyson Airport	II	TN	1	6		4		22			32	4		58	69
UIN	Quincy Regional Airport-Baldwin Field	IV	IL						1			3	1		6	6
UNV	University Park Airport	III	PA		1		1		5			12	2		19	21
VCT	Victoria Regional Airport	IV	TX						1			2	2		5	5
VDZ	Valdez Airport	IV	AK						3						3	3
VEL	Vernal/Uintah County Airport	IV	UT									4			4	4
VLD	Valdosta Municipal Airport	IV	GA						6			5			11	11
VPS	Okaloosa County Air Terminal	II	FL		1		2	1	9		1	27	3		40	44
WDG	Enid Woodring Municipal Airport	IV	OK						2			2	1		5	5
WRG	Wrangell Airport	III	AK						3			3			5	5
WRL	Worland Muni Airport	IV	WY					1	2						3	4
XNA	Northwest Arkansas Regional Airport	II	AR		1		2		14			27	3		44	47
YAK	Yakutat Airport	III	AK						3						3	3
YKM	Yakima Air Terminal-McAllister Field	III	WA						4			16	2		22	22
YNG	Youngstown-Warren Regional Airport	III	OH									7			7	7
YUM	Yuma Int'l Airport	IV	AZ		1				1			11			12	13
TOTALS				807	1,757	174	1,062	1,357	14,890	1	74	23,279	1,393	9	41,004	46,162

Report shows the annualized FTE burn for PP02 ending February 4, 2006, rounded to the highest whole FTE.
Categories of TSO FTE burn are reported via timesheets and manual pay transactions. Manual pay transactions do not normally include labor distribution and are categorized as Other or Undefined.
TSO and other totals include prior pay period adjustments reported in PP02.
Reporting systems show HQ personnel located at airports by duty location, not airport code/name, so they are reported separately.

NO-FLY LIST

Question. At a recent Homeland Security Data Privacy and Integrity Advisory Committee meeting, it was revealed that nearly 30,000 airline passengers were mistakenly placed on the Federal "terrorist" watch list. Why is the number so high?

Answer. At a meeting of the Department of Homeland Security Data Privacy Advisory Committee on December 6, 2005, TSA testified that "over 30,000 members of the traveling public have submitted the Passenger Identity Verification Form and have received relief since the TSA Office of Transportation Security Redress was created in November 2004." TSA did not say, nor did we imply, that these individuals were "mistakenly placed" on the Terrorist Watch List.

Through TSA's redress process, the overwhelming majority of these persons were determined to have names that were the same as, or similar to, individuals appropriately on the Terrorist Watch List. In these circumstances, TSA provides the passenger with appropriate information and notifies the airlines of the name match or similarity through submission of a Cleared List. While this redress process does not ensure that a passenger's travel will always be free of delays, it helps to streamline the check-in process at airport ticket counters.

In accordance with the requirements of Homeland Security Presidential Directive #6, the Transportation Security Administration (TSA) consolidated its watch list operations within the Terrorist Screening Center (TSC) and integrated the No-Fly List into the TSC Terrorist Screening Database (TSDB), also called the Consolidated Terrorist Watch List. TSA personnel assigned to the TSC conduct a comprehensive review of nominations to the No-Fly List to ensure their accuracy and completeness. Once these actions are complete, TSA disseminates the List to air carriers.

By using a consolidated No-Fly List within the TSDB, TSA greatly improved the coordination of intelligence and law enforcement information supporting the program. Additionally, during the past year the agencies that nominate subjects to the No-Fly List revalidated their submissions and deleted or modified their records. These actions have enhanced the quality of data.

TSA also has developed a comprehensive and user-friendly redress process for persons who believe they have been unfairly or incorrectly delayed, denied boarding, or flagged for additional screening at our Nation's airports. Many individuals experience these problems due to the similarity of their names to those of individuals who are appropriately on the Terrorist Watch List. A passenger may initiate the TSA redress process by submitting a completed Passenger Identity Verification Form to the Office of Transportation Security Redress at TSA headquarters. TSA will review the submission and reach a determination of whether the redress process may aid in expediting a passenger's airline check-in process, and inform the passenger accordingly. The Passenger Identify Verification Form, as well as other information about TSA's redress process has been posted on TSA's public website. To access this information, go to http://www.tsa.gov, click on "Travelers and Consumers" at the top left of the page, choose "TSA Customer Service" from the column on the left, and then click "TSA Watch Lists Clearance Procedures" which is located about three-quarters of the way down the page.

TSA understands that the process is not perfect, and we will continue to analyze the system and improve upon the work done thus far.

Question. What measures are being put in place to remedy this problem?

Answer. In order to minimize the occurrence of incorrect matches, the Transportation Security Administration (TSA) consolidated its watch list operations within the Terrorist Screening Center (TSC) and integrated the No-Fly and Selectee Lists into the TSC Terrorist Screening Database (TSDB). TSA personnel assigned to the TSC conduct a comprehensive review of nominations to the No-Fly and Selectee Lists to ensure their accuracy and completeness. Once these actions are complete, TSA disseminates the Lists to air carriers.

By using consolidated No-Fly and Selectee Lists within the TSDB, TSA greatly improved the coordination of intelligence and law enforcement information supporting the program. Additionally, during the past year the agencies that nominate subjects to the No-Fly List revalidated their submissions and deleted or modified their records. These actions have enhanced the quality of data and removed persons from the No-Fly List that should not have been on this list. The Secure Flight program will continue to build on these enhancements and will use a more sophisticated and consistent watch list matching system to minimize the occurrence of incorrect matches.

Question. What is the process for redress?

Answer. The Transportation Security Administration's (TSA) Office of Transportation Security Redress is currently developing redress procedures for addressing any situation where individuals believe they have been incorrectly delayed or pre-

vented from flying on an airplane under the future Secure Flight program. TSA will maintain a record of individuals who have been misidentified as individuals on a watch list, which will contain identifying information necessary to authenticate the identity of each individual, in order to avoid repeated delays and minimize the occurrence of incorrect matches by the Secure Flight program.

Currently, the air carriers conduct the watch list matching function, and carriers handle the process differently from one another. A primary advantage of the Secure Flight program is that the Federal Government will conduct the watch list matching function, thus creating a more consistent process that will tie into the redress mechanisms.

At the present time, passengers who experience delays in obtaining a boarding pass because they have a name that is similar to a person on the No-Fly or Selectee Lists may choose to participate in the TSA Redress Program by submitting a TSA Passenger Identity Verification (PIV) form, along with requested information, to TSA. The information provided through the PIV form assists TSA in distinguishing passengers from persons who are, in fact, on the watch lists. If TSA determines that the passenger who submitted the PIV form is not the person on the No-Fly or Selectee Lists, TSA will notify the passenger of that finding and contact the appropriate parties, such as the airlines, to help streamline the check-in process at the airports.

RECOVERIES

Question. Section 531 of the fiscal year 2006 Appropriations Act provides specific authority for recoveries. Has TSA realized additional recoveries and if so, has a spend plan been developed?

Answer. The Transportation Security Administration (TSA) has not realized any recoveries in fiscal year 2006 to date, although it does expect to realize modest recoveries in the fourth quarter.

Fiscal year 2006 recoveries are expected to be significantly smaller than the over $100 million in recoveries reported in fiscal year 2005. The large fiscal year 2005 recoveries resulted primarily from the close-out of contracts awarded during the TSA start-up in fiscal year 2002 and fiscal year 2003.

PERIMETER SECURITY

Question. Has a competitive process for perimeter security pilots been put in place? If so, how many pilots will TSA enter into with the $5 million appropriated in fiscal year 2006? Please describe each pilot.

Answer. The Transportation Security Administration (TSA) is currently evaluating options to competitively award the $5 million for perimeter security. Responsive projects may include perimeter sensors, intelligent camera systems, biometric devices, technologies to detect and track potential intruders, and communication capabilities to provide appropriate alarm and response notification. TSA anticipates award of the grants by the end of calendar year 2006.

EDS

Question. For EDS procurement, if funding were maintained at the fiscal year 2006 level, how much would be needed for installation?

Answer. If funding for Explosives Detection System (EDS) procurement were maintained at the fiscal year 2006 funding level, the total funds required for installation would be $432,836,269. This includes the mandatory aviation security capital fund of $250M, which will primarily be used for LOIs.

Question. Provide a list of all certified EDS technology.

Answer. The following is a list of all Explosives Detection Systems (EDS) certified for checked baggage screening:

—GE InVision CTX–1000
—GE InVision CTX–2500
—GE InVision CTX–5500
—GE InVision CTX–9000
—L–3 eXaminer 3000
—L–3 eXaminer 6000
—Reveal CT–80
—Analogic 6400

Question. Provide a list of all EDS technology that is being evaluated by DHS for certification.

Answer. Several Explosives Detection Systems (EDS) are scheduled to be tested for Transportation Security Administration certification. This includes EDS models

that have already been certified but are undergoing adjustments to their hardware or software, requiring them to be re-certified, similarly to new systems.

Re-certifications:

—Analogic AN 6400—Certification of Software: Standard threat mass detection algorithm to improve detection performance.

—GE InVision CTX 5500—Certification of Hardware: standard x-ray computer obsolescence.

—Reveal CT–80—Certification of CT–80: Modified Gantry speed (60 to 90 rpm) to increase system throughput and modified detection algorithm to improve detection performance.

New Certifications:

—L3 eXaminer 3DX 6500

—Analogic XLB

—Analogic King Cobra

—GE InVision CTX 9800

—SureScan

Future:

—Long term research and development efforts for checked baggage screening under the Manhattan II project may result in prototype technologies for evaluation. These technologies employ nanotechnology, tomosynthesis, terahertz based systems, neutron based systems, and trace detection systems.

Question. Provide a LOI funding chart by airport (showing cost by fiscal year, amount required for each year, amount funded by TSA, total at 75/25 reimbursement cost share, total at 90/10 reimbursement cost share, and total project cost).

Answer.

75/25	LOI Total Cost	Govt Share—75 percent	Fiscal year 2003 reimbursement	Fiscal year 2004 reimbursement	Fiscal year 2005 reimbursement	Fiscal year 2006 reimbursement	Fiscal year 2007 reimbursement
ATL	$125,000,000.00	$93,750,000	.....	$15,000,000.00	$26,250,000.00	$26,250,000.00	$26,250,000.00
DEN	95,000,000.00	71,250,000	$17,812,500	17,812,500.00	17,812,500.00	17,812,500.00	.....
DFW	139,249,812.00	104,437,359	.....	34,812,453.00	34,812,453.00	34,812,453.00	.....
LAS	125,000,000.00	93,750,000	.....	15,000,000.00	26,250,000.00	26,250,000.00	26,250,000.00
LAX	341,956,000.00	256,467,000	.....	55,000,000.00	67,155,666.67	67,155,666.67	67,155,666.67
SEA	212,000,000.00	159,000,000	.....	33,000,000.00	42,000,000.00	42,000,000.00	42,000,000.00
PHX	122,000,000.00	91,500,000	.....	13,000,000.00	26,166,666.67	26,166,666.67	26,166,666.67
BOS	116,000,000.00	87,000,000	29,000,000	29,000,000.00	29,000,000.00	.....	.....
Total	1,276,205,812.00	957,154,359.00	46,812,500.00	212,624,953.00	269,447,286.00	240,447,286.00	187,822,333.00
ATL	125,000,000.00	112,500,000.00	.....	15,000,000.00	26,250,000.00	26,250,000.00	45,000,000.00
DEN	95,000,000.00	85,500,000.00	17,812,500	17,812,500.00	17,812,500.00	17,812,500.00	14,250,000.00
DFW	139,249,812.00	125,324,830.80	.....	34,812,453.00	34,812,453.00	34,812,453.00	20,887,471.80
LAS	125,000,000.00	112,500,000.00	.....	15,000,000.00	26,250,000.00	26,250,000.00	45,000,000.00
LAX	341,956,000.00	307,760,400.00	.....	55,000,000.00	67,155,666.67	67,155,666.67	118,449,066.67
SEA	212,000,000.00	190,800,000.00	.....	33,000,000.00	42,000,000.00	42,000,000.00	73,800,000.00
PHX	122,000,000.00	109,800,000.00	.....	13,000,000.00	26,166,666.67	26,166,666.67	44,466,666.67
BOS	116,000,000.00	104,400,000.00	29,000,000	29,000,000.00	29,000,000.00	.....	17,400,000.00
Total	1,276,205,812.00	1,148,585,230.80	46,812,500.00	212,624,953.00	269,447,286.00	240,447,286.00	379,253,205.00
75/25 vs. 90/10 difference	.....	191,430,871.80	.....	.....	.....	.....	−191,430,872.00

PILOT PROGRAMS

Question. Provide a list and status of all TSA pilot programs planned, ongoing, or completed including the cost of each pilot.

Answer. *BEST Pilot.*—During September and October of 2005, the Bus Explosives Screening Technology (BEST) pilot was conducted by the Transportation Security Administration (TSA) in partnership with Greyhound and Peter Pan bus services. The goal of this first ever pilot was to evaluate the use of screening technologies in a motorcoach environment to screen passengers, checked baggage, and carry-on items for explosives.

Status.—The pilot was completed.

Cost.—The total cost for the first BEST pilot was approximately $407,000 in fiscal year 2005 funding.

HAZMAT Truck Security Pilot.—TSA awarded contracts to Science Applications International Corporation and General Dynamics to design and build a centralized prototype truck tracking center capability. The pilot will also develop a set of protocols capable of interfacing with existing truck tracking systems and with, as applicable, Federal, State and local government intelligence operations centers, and Federal law enforcement and first responder agencies.

Status.—The pilot is on-going. After the pilot phase is complete (target date: May 2007), TSA will base decisions about the program's future on the results.

Cost.—From fiscal year 2003 through fiscal year 2006, Congress appropriated $11.5 million for this pilot. Approximately $6 million has been obligated to date.

Missouri Pilot.—Beginning April 2006, TSA will implement a pilot project with the State of Missouri to conduct security plan evaluations with the trucking industry. The purpose of this pilot is to monitor and evaluate industry performance by leveraging Federal, State, and local resources. The pilot will be based on the use of the Corporate Security Review (CSR) program that TSA currently conducts with all 50 State department of transportation agencies, motorcoach, and school bus companies.

The CSR Missouri Pilot will allow TSA to train 44 Missouri State troopers on security plan evaluation techniques; evaluate data submitted to TSA for monitoring company and industry security planning and implementation performance; conduct more than 300 evaluations by September 2006; and evaluate and expand the pilot to States with large concentrations of trucking companies. By utilizing existing safety data from the Federal Motor Carrier Safety Administration (FMCSA), TSA will apply a risk-based selection process to determine what carriers or motor coach or school bus companies need greater scrutiny.

Status.—The pilot is ongoing.

Cost.—It is estimated that this pilot will cost approximately $400,000.

Secure Automated Inspection Lanes (SAIL) Program, Phase III: SAIL I & II assessed vehicle and passenger screening technology separately in ferry pre-boarding environments. SAIL III will leverage lessons learned to apply to a pilot operation in a large ferry operation that includes both vehicle and passenger screening.

Status.—The pilot is in the planning stage.

Cost.—$225,000.

Maritime Passenger, Vehicle, and Baggage Screening Research and Development Grant.—This pilot program will deploy screening equipment into the maritime passenger domain that will be ultimately operated and tested by the maritime transportation operators. In the pilot, TSA will select screening equipment for various maritime passenger and vehicle operations throughout the United States and work with operators to develop screening procedures tailored to their existing operations.

Status.—The pilot is ongoing.

Cost.—$3.6 million.

Passenger Rail and Rail Transit Information Pilot.—The purpose of this pilot program is to ensure that transit security information gathering, synthesis, and sharing at the Federal Government level is coordinated, effective, and timely. The pilot brings together Federal partners to develop processes for information sharing and communications protocols and to eliminate duplication and close potential gaps. Objectives include enhancing domain awareness, ensuring decision makers at all levels have a comprehensive and accurate picture of the State of passenger rail and rail transit security, and streamlining procedures in order to improve communication with stakeholders during both normal operating periods and emergencies. The initial phase of this information pilot is being tested in the National Capital Region with the aim of extending the initiative nationwide and across modes once the process is fully developed.

Status.—The pilot is ongoing.

Cost.—$330,000.

Integrated Intermodal Information System—Domestic.—The purpose of this pilot is to continually spotlight suspicious activity in high threat domestic supply chains and provide actionable, near-real time advisories.

Status.—The pilot is ongoing.

Cost.—$600,000.

Southern Regional Radiological Pilot Program.—This pilot operationally tests and evaluates new, innovative nuclear/radiological detection security technologies (portable), and accompanying response protocols and procedures.

Status.—The pilot is ongoing with completion expected by December 2007.

Cost.—$4 million.

Transportable Radiation Monitoring Systems.—This pilot's objective is to develop and field test a concept of operations for deployment of transportable radiation monitoring systems.

Status.—The pilot is ongoing with completion expected by December 2006.

Cost.—$2 million.

Southeast Transportation Corridor Radiological Detection Pilot.—This pilot focuses on the deployment of transportable radiation monitoring systems at selected weigh stations along a southeast intermodal freight corridor.

Status.—The pilot is ongoing with completion expected in fiscal year 2007.

Cost.—$1.2 million.

Hazardous Materials Carrier Training.— This pilot will develop and deploy training for HAZMAT shippers and carriers in how to conduct vulnerability self-assessments.

Status.—The pilot is in the training development/planning stage with completion expected by July 2007.

Cost.—$1.7 million.

Seals Pilot.—This pilot will evaluate the applicability and effectiveness of tamper-evident seals in the air cargo environment.

Status.—The pilot is planned to start in July 2006.

Cost.—$500,000

Hazardous Materials Initiative.—TSA commissioned this initiative to study the feasibility of equipping individual railroad tank cars with real time tracking devices and constructing a national tracking system. Phase I (market survey) and Phase II (equipment testing) are complete. Phase III will develop a concept of operations for a national tracking system.

Status.—Phase III is ongoing.

Cost.—Phases I and II were $175,000. Phase III is expected to cost $109,341.

Multi-Modal Security Enhancement Teams (MMSET)—TSA seeks to enhance the current network of security systems outside the aviation mode by deploying teams that include Federal Air Marshals (FAMS) and Surface Transportation Security Inspectors (STSI) to other transportation sectors. These deployments will enhance the agency's ability to leverage a variety of resources to quickly and effectively raise the bar of security in any mode of transportation anywhere in the country.

Status.—Six initial pilot deployments were completed in December 2005, and eight additional pilot deployments were completed as of June 2006. Planning for future deployments to other transportation venues is ongoing.

Cost.—Incidental Travel and Pay, Compensation, and Benefits for team member participants.

Field Skills Inventory Pilot.—The goal of the TSA Employee Skills Inventory (SI) is to allow TSA to quickly identify workforce capabilities that would benefit the agency's mission in many situations, including:

—Task forces
—Details
—Emergency response situations
—Gap analysis
—Employee career development
—Succession Planning

Status.—The planned launch date is April 2006.

Cost.—None.

Federal Air Marshal Service (FAMS) Project Gandalf.—This pilot addresses business processes at the FAMS Mission Operations Center (MOC) for "day of" mission schedule changes. The Gandalf optimization algorithm uses a rigorous set of business rules in selecting targeted critical flights in a rapid and logical manner. This new mission scheduling optimization tool-set will bring the FAMS core business capabilities into the latest technology realm and will design from the ground up a system that is tailored to specific FAMS requirements.

Status.—Initiated in January 2006, this is an ongoing program which should be completed at the start of fiscal year 2007. After the pilot phase is complete, TSA will base decisions about the program's future on the results.

Cost.—$260,000 of Science and Technology funding has been expended to date.

Reveal CT–80.—This pilot evaluated the operational effectiveness and suitability of newly certified Explosives Detection System (EDS) at various airports.

Status.—Pilot was completed.

Cost.—$4.7 million.

Explosives Trace Portals (ETPs).—This pilot evaluated the effectiveness and suitability of ETPs for passenger screening for explosives at various airport checkpoints.

Status.—Pilot was completed.

Cost.—$3.5 million.

Break Bulk Air Cargo Explosives Detection System (EDS).—This pilot evaluates the effectiveness and suitability of EDS at various air cargo facilities.

Status.—Pilot is ongoing.

Cost.—$19 million.20. Airport Access Control Pilot Program (AACPP): This pilot evaluates the effectiveness of off-the-shelf access control technology.

Status.—Pilot is ongoing with scheduled completion at the end of CY 2006.

Cost.—$19.6 million.

Hardened Unit Load Device (HULD).—This pilot evaluates the effectiveness and suitability of HULD for the transport of air cargo and baggage on passenger aircraft.

Status.—Pilot is ongoing.

Cost.—$5 million.

Automated Carry-On Bag EDS.—TSA competitively selected two vendors (Analogic and Reveal) to provide prototype checkpoint EDS systems. Units will be deployed to the field to assess effectiveness and suitability after they are certified and successfully complete laboratory testing.

Status.—Pilot is in the planning stage and is scheduled to begin in fiscal year 2006.

Cost.—$2.5 million.

Cast and Prosthesis Scanner.—This pilot will test and evaluate the effectiveness and operational suitability of cast and prosthesis scanner technology at a hospital and then in the field after safety testing is completed.

Status.—Pilot is in the planning stage and is scheduled to begin in fiscal year 2006.

Cost.—$440,000.

Passenger Hands and Personal Effects Scanning.—This pilot will assess effectiveness and suitability of using ETD technology to screen individuals for explosives.

Status.—Pilot is in the planning stage and is scheduled to begin in fiscal year 2006.

Cost.—$200,000.

Bottle Liquid Scanner.—This pilot will test and evaluate the effectiveness and suitability of technologies to screen bottles for flammable liquids.

Status.—Pilot is in the planning stage and is scheduled to begin in fiscal year 2006.

Cost.—$200,000.

Emerging Next Generation EDS.—This pilot will test and evaluate emerging EDS, including King Cobra and SureScan.

Status.—Pilot is in the planning stage and is scheduled to begin in fiscal year 2006.

Cost.—$4 million.

Information Sharing Environment—This pilot will develop an agency-wide approach, framework, and roadmap for information sharing among all TSA stakeholders.

Status.—Pilot is in the planning stage and is scheduled to begin in fiscal year 2006.

Cost.—To be determined.

Unpredictable Screening Program (USP) Pilot.—This pilot is designed to implement additional screening measures (e.g. sending additional individuals through secondary screening) on a schedule which would appear random to someone trying to predict TSA's screening procedures. The "unpredictability" of these measures is intended to complicate the ability to develop plans to circumvent screening procedures.

Status.—Pilot is complete.

Cost.—No additional cost is associated with this pilot.

Baggage Handler Pilot.—The goal of this pilot is to help determine the feasibility, benefits, costs, risks and other potential consequences of using baggage handling

personnel to support TSA screening operations. This program is one of several initiatives being undertaken to mitigate the higher than average Transportation Security Officer (TSO) on-the-job injury rate.

The pilot program will be implemented as an Other Transaction Authority (OTA) with an airport operator and/or carrier to determine whether or not it is more economical to accomplish through the Federal sector or to privatize the effort.

Status.—Pilot is in the planning stage. TSA expects to implement the necessary agreements by summer 2006. Once launched, the pilot will run 4 months.

Cost.—$2.64 million.

Glove Pilot.—This pilot is being designed to test gloves with different thicknesses to determine if data validate the assumption that using thicker (and more expensive) gloves is a cost effective way to reduce the number of TSO hand and finger injuries and the workman's compensation claims associated with those injuries. The pilot will be conducted at several large airports with a history of such claims.

Status.—The pilot is currently in the planning and market research phase.

Cost.—To be determined.

Question. For pilots that have been completed, have any been transitioned into full scale programs? If so, please indicate those programs.

Answer. Cockpit Access Security System (CASS) for Domestic Air Carriers:

Prior to 9/11, domestic air crewmembers were routinely authorized to ride in the flight deck jumpseat as an effective means of transportation. Immediately following the 9/11 attacks, all jumpseat access by non-operational flight crewmembers was suspended. The Transportation Security Administration (TSA) later issued directives that allowed non-operational crewmembers to access the flight deck jumpseat provided the air carriers develop a system to verify the identity of crewmembers and their employment status.

CASS, an initiative proposed by member carriers of the Air Transport Association (ATA), is a network of databases containing employment and security information for individuals authorized to enter the flight deck, as regulated by Federal Aviation Regulations. TSA commenced a 6-month pilot program to test CASS on May 1, 2004. Participation in the pilot program was limited to domestic flights of ATA member air carriers, of which 17 currently participate. Because of the initial success of the 6-month pilot, CASS was extended several times at the request of the participating air carriers.

CASS operates by interlinking participating air carriers' employee databases through a central router. When an employee of a participating air carrier makes a request to occupy the flight deck jumpseat, an inquiry is made through CASS, allowing the gate agent to immediately access the requester's identification information and employment status. As another layer of security, the captain of the flight verifies the requester's FAA pilot and medical certificates before giving final approval to board.

CASS is an important security initiative as it adds another layer of security to protect the flight deck of air carrier aircraft and provides a customer service benefit air carriers afford to their pilots. First, the system adds a real-time vetting for individuals seeking to access the flight deck. Second, it adds another qualified individual to the flight deck who can assist the crew in an emergency.

Air Carriers provided very positive feedback of the pilot and supported the permanent establishment of CASS. CASS was approved as a permanent program effective September 23, 2005 and is now available to all eligible domestic air carriers limited to domestic flights. The Reveal CT–80 and Explosives Trace Portal (ETP) pilot programs were deemed successful and the TSA has begun deployment of both types of equipment at additional airports. Specifically, the TSA will deploy over 70 Reveal CT–80 units and over 100 ETPs in fiscal year 2006.

Question. Does TSA plan to transition any of these pilots to full scale programs? If so, please indicate those programs.

Answer. The Transportation Security Administration (TSA) has requested fiscal year 2007 funding for emerging technology; however, purchase of this equipment is dependant on the success of the technology during the pilot programs. For other ongoing pilots, decisions will be made after the results of the pilots have been evaluated.

Question. The fiscal year 2006 conference report requires TSA to enter into a small number of pilots with airports to improve their baggage screening process through creative financing options. Please describe ongoing or planned pilots, the schedule associated with each pilot, results to date, and next steps.

Answer. The Transportation Security Administration (TSA) is currently exploring with industry partners the means to encourage innovative financing to accelerate the deployment of optimal baggage screening systems through a cost sharing study. This cost share study, mandated by the Intelligence Reform and Terrorism Preven-

tion Act of 2004 (Public Law 108–458), should be completed later this year and will outline the options available. Once those options are determined, pilot projects will be planned using these financing mechanisms.

REGISTERED TRAVELER

Question. For the Registered Traveler program, how will the fee the individual traveler pays be determined? For instance, how are costs such as capital improvements for space and TSA personnel to operate the lanes factored in?

Answer. The Transportation Security Administration (TSA) expects that the user fee will be market-driven with the price established by private sector providers. The fee will reflect the providers' capital investment, operating expenses, and financial incentives, as well as an amount to be remitted to TSA to cover the Agency's direct costs in facilitating the program. The TSA-portion of the fee will be established through a notice published in the Federal Register in accordance with Section 540 of the Department of Homeland Security Appropriations Act, 2006 (Public Law 109–90).

The private sector providers will have the option of making capital investment in approved screening equipment, additional screeners, and/or space for separate Registered Traveler screening in accordance with their business plan and in coordination with the airport operator and TSA.

Question. What exactly will the Registered Traveler fee pay for?

Answer. The total RT participant fee will consist of two parts: the TSA-set portion and the private sector portion. The private sector portion of the fee will be set and collected by the enrollment providers. TSA's activities under RT will be completely funded through the fees set by TSA in the Federal Register notice, which is currently under development. This fee will include components related to the management of the program, the security threat assessment, technical infrastructure required to operate the program, and vendor compliance with the specified program standards.

Question. Aside from direct appropriations for the Registered Traveler program in prior fiscal years, will TSA use other direct or fee funded resources to operate this program?

Answer. For fiscal year 2007 budget forecasts, the Transportation Security Administration (TSA) estimated $20 million in total fee collections. TSA will revise its fee collection forecasts as soon as more information about program design and private sector costs become available.

Question. How many airlines will have to pay for construction of new lanes dedicated for Registered Travelers?

Answer. The Transportation Security Administration (TSA) is proposing a public/private partnership in which the government and private vendors will team to provide both services and structure to the RT program. The sponsoring entity (airport or airline) will be responsible for all costs associated with adding new passenger screening lanes. Requests for additional lanes will be subject to airport and TSA approval based on the unique operational set-ups of the individual airports and their checkpoints. TSA-approved checkpoint equipment for new RT lanes will be authorized for purchase by the service provider or sponsoring entity, depending on the physical constraints of the respective location.

Question. While joining the Registered Traveler program is voluntary, what assurances do participants have that data used to verify their identity won't be compromised?

Answer. The Transportation Security Administration (TSA) is currently considering which databases, both commercial and non-commercial, will be included in the Registered Traveler (RT) Program's watch list vetting process. Once a determination has been made, TSA will be working with private sector entities to develop standards for securing the data in order to protect the personally identifiable information collected about applicants. The Privacy Impact Assessment that will be published prior to the program launch will describe privacy protections and data integrity safeguards for an ongoing RT Program. In addition a Privacy Act System of Records Notice will describe what data will be collected, how it will be used in the watch list vetting process, how it will be stored and shared, and how it will be transmitted to ensure its integrity and security.

SECURE FLIGHT

Question. On February 9, 2006, TSA shut down the Secure Flight program and initiated a full scale audit of the program. How long will this process take? Please provide a revised schedule for the Issuance of a Regulation for Secure Flight.

Answer. The Transportation Security Administration (TSA) is conducting a comprehensive audit in order to ensure that security, privacy, and a unified Federal strategy are at the foundation of the Secure Flight system and processes. While it should not take an undue amount of time to finish, until that audit is completed and a path forward for the program is decided upon, it would be premature to speculate on the timeframe for Secure Flight milestones, including the Secure Flight Regulation. TSA will be vigilant in keeping the Committee apprised of all developments in relation to Secure Flight and looks forward to working with Congress on this important program.

Question. When will TSA address all of the concerns raised by GAO?

Answer. Work on the Secure Flight Program is continuing. The announced comprehensive audit will ensure that security, privacy, and a unified Federal strategy are at the foundation of the Secure Flight system and processes. Currently, the program is focusing on the areas of concern raised by the Government Accountability Office regarding program management, availability of technical documentation at the appropriate level of detail, and the overall end-to-end business process.

Certification of Secure Flight's compliance with the 10 mandates will occur through the Department of Homeland Security (DHS). The program is in the process of defining specific certification requirements for review by the appropriate DHS entities. Secure Flight certification will begin after initial results from operational testing are available.

Question. Has TSA complied with all of the provisions related to the Secure Flight program in the fiscal year 2006 DHS Appropriations Act, including the prohibition on the use of commercial data?

Answer. Certification of Secure Flight's compliance with the 10 mandates will occur through the Department of Homeland Security (DHS). The program office is in the process of defining specific certification requirements for review by the appropriate DHS entities. Secure Flight certification will begin after initial results from operational testing are available.

Question. What is the unobligated balance for Secure Flight?

Answer. The fiscal year 2006 appropriation, less the 1 percent rescission, provided $56.1 million for the Secure Flight program, with an additional $3.7 million in carryover funds. As of June 21, 2006, the Transportation Security Administration has obligated approximately $18 million. Therefore, the unobligated balance is $41.8 million.

Question. Is the $40 million requested for fiscal year 2007 still necessary in light of the ongoing audit of the program?

Answer. The Transportation Security Administration (TSA) is currently rebaselining both the cost and the schedule to ensure that TSA has addressed gaps found as part of the audit. TSA will share the results of this rebaselinging with Congress once completed.

AIR CARGO

Question. What is the status of the 100 air cargo inspectors funded in the fiscal year 2006 DHS Appropriations Act?

Answer. The Transportation Security Administration (TSA) has developed an allocation plan for those additional resources, and the hiring process is almost complete. The remaining two sections will be made by mid-July 2006.

Question. What criteria must be met to become a "known shipper"?

Answer. The Transportation Security Administration has established specific criteria that must be met before an air carrier or a freight forwarder (also known as an indirect air carrier) can qualify a shipper as "known." Those criteria are contained in the carriers' standard security programs, but they are Sensitive Security Information and may not be publicly disclosed. In general, however, the air carrier or freight forwarder must verify that certain business relationship standards are met between the carrier and the shipper, and must also verify the shipper's legitimacy.

Question. How often must a shipping company be recertified to be maintained in the Known Shipper Database?

Answer. The requirements to qualify (and recertify) a shipper as "known," as well as the specifics surrounding use of the Transportation Security Administration's (TSA) Known Shipper Database, are contained in the indirect air carrier (IAC) and air carriers' security programs, which are Sensitive Security Information and therefore, may not be publicly disclosed. TSA Aviation Security Inspectors routinely audit IAC and air carrier records to ensure compliance with the known shipper requirements.

Question. How many "Known Shippers" are there?

Answer. Approximately 400,000 known shippers are currently contained in the TSA Known Shipper Database. Currently, indirect air carriers (IACs) and air carriers have the option of voluntarily submitting their list of known shippers to the Transportation Security Administration (TSA) for inclusion in the TSA Known Shipper Database, or they can maintain their own internal known shipper listing. TSA does not maintain documentation on the number of shippers contained on the internal known shipper lists of IACs, and air carriers that do not currently participate in the TSA Known Shipper Database. However, TSA estimates that this population of known shippers is approximately 1.5 million.

The Air Cargo Final Rule, issued May 17, 2006, made participation in the TSA Known Shipper Database mandatory for all air carriers and IACs. TSA will now have the ability to more accurately ascertain all known shippers.

Question. Currently, how does TSA determine if air cargo is an elevated-risk?

Answer. Currently, all cargo originating from a source other than known shippers is considered elevated-risk cargo and is not permitted to be transported on passenger aircraft.

Question. If cargo is identified as an elevated-risk, what security procedures are taken?

Answer. Currently, cargo that originates from a source other than known shippers is considered to be of elevated-risk and must not be transported on passenger aircraft. Furthermore, cargo that originates from known shippers is subject to random screening by the air carriers, who must screen the percentage of cargo specified in their security programs using Transportation Security Administration-approved screening methods.

Question. TSA has been developing the Freight Assessment System for sometime but no such system has been deployed. When will this system be deployed?

Answer. The Freight Assessment System (FAS) is currently in its Proof-of-Concept (POC) stage, which includes a data analysis and risk assessment evaluation. The Transportation Security Administration (TSA) is reviewing the results of the first iteration of the POC, which was completed on January 27, 2006. The final iteration of the POC is scheduled to be completed by June 30. Upon a successful completion of the POC, TSA plans to move forward with an operational pilot that will precede the development and implementation of the FAS. It is expected that implementation of the FAS will begin in fiscal year 2007.

Question. What resources are included in the fiscal year 2007 request for this system?

Answer. The President's fiscal year 2007 budget request of $55 million for Air Cargo includes $5 million for the continued development of the Freight Assessment System.

Question. How much will be needed to fully implement the Freight Assessment System?

Answer. The Transportation Security Administration (TSA) currently estimates the lifecycle cost for developing and deploying the Freight Assessment System would be approximately $140 million. However, TSA intends to conduct an alternatives analysis and to re-baseline the program upon completion of the Proof-of-Concept to determine whether the system can be brought to market faster and more economically.

Question. What synergies will there be, if any, with the CBP National Targeting Center?

Answer. One of the guiding principles of the Freight Assessment System (FAS) development is that industry should not have to provide the same information to different Government agencies. Another guiding principle is that the FAS should leverage, to the maximum extent possible, other risk assessment systems and capabilities within the Department of Homeland Security. Consequently, TSA partnered with U.S. Customs and Border Protection (CBP) in the design of the FAS to ensure that it is fully harmonized with CBP's targeting methodology. Once the FAS Proof-of-Concept is complete, we will re-engage with CBP to determine how best to leverage CBP's targeting hardware and infrastructure.

Question. What are the costs associated with the Freight Assessment System in fiscal year 2007?

Answer. The President's fiscal year 2007 budget request of $55 million for Air Cargo includes $5 million for continued development of the Freight Assessment System (FAS). A total of $5.8 million for FAS is included in the fiscal year 2006 spend plan, which is scheduled to be under contract before the end of fiscal year 2006 and will fund continued development of this key program.

Question. Where will the work associated with the Freight Assessment System be performed?

Answer. The Freight Assessment System is a complex system that will require the participation of multiple vendors to develop, working from multiple locations. Several alternative architectures are under consideration, and TSA expects to select a deployment approach before the end of the fiscal year.

Question. TSA indicated that initial feasibility studies for blast resistant cabin and cargo liners were promising. Has TSA completed the prototype for both passenger cabin and cargo hold liners?

Answer. The Transportation Security Administration (TSA) has initiated a project to develop proof-of-concept cargo hold and passenger cabin blast resistant liner designs and prototypes. This project is now being administered by the Department of Homeland Security Science and Technology Directorate (DHS S&T). The project is currently in the preliminary stages of identifying candidate liner design materials that are appropriate for use in liner construction from both a Federal Aviation Administration (FAA) airworthiness perspective, as well as a blast resistance perspective. Explosives testing, as well as determination of FAA airworthiness compliance (material flammability requirements) testing, is underway on candidate composite material configurations that may be suitable for use in protection of the aircraft.

Upon completion of the current material screening process and finalization of material selection, expected in the fourth quarter of fiscal year 2006, engineering design concepts for cargo hold and passenger cabin liners will be developed in the second quarter of fiscal year 2007. Upon finalization of the liner design concepts, prototypes will be fabricated and blast tested by DHS S&T within actual aircraft structures. These tests, expected in the third quarter of fiscal year 2007, will determine conformance to explosive mitigation requirements and ability of the concepts to adequately protect the aircraft.

Question. When would such a system be ready and what plans does TSA have to retrofit existing aircraft with this new technology?

Answer. Explosive resistant liner design concepts could be ready as early as the fourth quarter of fiscal year 2007, assuming that the liner design concepts developed and tested are deemed successful in mitigating internal explosive effects without catastrophic structural damage to the aircraft.

It is too early in the life cycle of these products to determine a strategy for implementation. A cost/benefit analysis will be conducted to determine if these products provide a good value and security benefit. The Transportation Security Administration will base subsequent retrofit decisions on the technical merit of the solution and also consider issues such as cost variables to include installation, maintenance, and additional weight impact. Any implementation strategy will involve close coordination with the Federal Aviation Administration, airframe manufacturers, and airlines from both a technical and regulatory perspective.

Question. Why has the TSL not established certification standards for air cargo screening equipment?

Answer. The Transportation Security Administration (TSA) has established protocols for equipment used for screening cargo and drafted a preliminary standard for cargo screening equipment similar to the standard established for checked baggage screening technologies. The draft standard distinguishes between break bulk and containerized air cargo, and between perishable and non-perishable commodities. It also stresses the importance of attaining a low false alarm rate. TSA is working with the Science and Technology Directorate to further develop the standards for air cargo screening technology solutions.

Question. What would be the cost of establishing and executing such standards?

Answer. The development of the standards may require lab testing to establish threat thresholds. These costs would become part of the research and development funding in the Department of Homeland Security's Science and Technology Directorate budget. The cost of executing a standard for air cargo screening technologies would be dependent upon the maturity of the systems presented for evaluation once the standards are published.

Question. Why has the Department failed to finalize security standards for air cargo as required in the Intelligence Reform Act?

Answer. TSA issued the Air Cargo Security Final Rule on May 17, 2006. The Rule introduces significant changes to current regulatory requirements for four major sectors of the air cargo industry: airports; passenger air carriers that transport cargo; all-cargo air carriers; and indirect air carriers (also known as "freight forwarders").

CANINE TEAMS

Question. As of November 2005, TSA had six certified TSA mass transit canine teams. TSA anticipated that 30 teams would complete training by May 2006. When will TSA fully deploy those teams to the 10 transit systems identified in November?

Answer. Twenty-nine teams are currently deployed with the remaining team in training. Each of the 10 major mass transit systems identified in the Transportation Security Administration's (TSA) rail initiative will initially receive three TSA certified canine teams along with associated training and equipment, for a combined total of 30 new canine teams. Each mass transit system will commit three handlers for training at the TSA Explosives Detection Canine Handler Course in San Antonio, TX. This training is provided at no cost to the mass transit/rail system or law enforcement agency participating in the National Explosives Detection Canine Team Program.

Question. Have any of the participating transit systems dropped out of the program? If so, why?

Answer. All of the original systems that committed to entering the program are still participating. After attending the course of instruction at the National Explosives Detection Canine Team Program (NEDCTP) Training Academy, and working with the NEDCTP staff members in the field, many of the participating systems have requested that additional assets be deployed.

Question. Does TSA plan to expand this program to other transit systems in fiscal year 2007?

Answer. The Transportation Security Administration (TSA) has established an ambitious schedule to staff the currently planned 30 mass transit canine teams. Within the base of funds requested, TSA may staff canine teams at additional mass transit locations based on potential second year cost efficiencies. As TSA receives interest from other mass transit systems, the agency will evaluate each request and determine any new locations using risk-based criteria.

Question. How many canine teams are dedicated to air cargo?

Answer. Although explosives detection canine teams are not dedicated exclusively to screening cargo, nearly 365 TSA-certified explosives detection canine teams across the Nation's aviation domain currently support cargo screening activities on a routine basis. The $7 million in additional funds will also assist the program with expanding the number of TSA-certified explosives detection canine teams throughout the Nation by the end of 2006, elevating the number of these valuable multi-role canine teams from 365 to 420 in the aviation arena. This approach will provide greater flexibility for these limited, yet highly versatile, resources.

The mobility of these highly trained teams remains a critical element in our unpredictable security response option. The fact that TSA-certified explosives detection canine teams are not solely dedicated to cargo screening activities allows these teams to meet on-site threats at a moment's notice for multiple purposes anywhere in the airport environment. As part of its efforts to increase canine cargo screening activities, the NEDCTP has established a "Cargo Training Warehouse Lab" at its training facility at Lackland AFB, in San Antonio, TX. As a result of this initiative, every canine team that leaves the NEDCTP training center is trained to screen cargo in an effective manner.

SURGE CAPACITY

Question. If intelligence indicates that transit systems are being targeted by terrorists, does TSA have the resources to deploy personnel and technologies to assist transit authorities in a short period of time?

Answer. The Transportation Security Administration (TSA) is building, training, and testing teams to enhance its ability in this regard. In a March 2006 exercise, TSA provided Amtrak with law enforcement teams with surveillance detection capability, to Philadelphia, New York, and Washington, DC. These teams, called Multi-Modal Security Enhancement Teams (MMSETs) included Federal Air Marshals (FAMS) and Surface Transportation Security Inspectors (STSI). These resources possess a broad range of capabilities that allow TSA to help protect against multiple threats and introduce elements of unpredictability into security processes. TSA teams do not supersede local security forces or their jurisdiction when deployed into public transportation systems. Rather, the MMSETs supplement local capabilities with the unique strengths and expertise TSA brings to the transportation security mission.

TSA initiated several pilot deployments in public transportation systems during the week of December 13–18, 2005. Additional pilot deployments will occur throughout the current year. The objective is to gain the necessary knowledge and experience in public transportation modes and with specific public transportation systems to develop and maintain an effective security enhancement capability. The MMSET deployments expand the agency's capacity to leverage a variety of resources in a flexible manner based on threat, so that we can quickly and effectively raise the bar of security in any mode of transportation anywhere in the country.

Prior to these pilots, TSA deployed resources on an ad hoc basis during periods of heightened alert and National Special Security Events. On July 7 and July 21, 2005, STSIs deployed jointly with Federal Rail Administration Safety Inspectors to major Rail and Rail Transit Operations Centers to monitor security postures and provide the Transportation Security Operations Center (TSOC) with security situational awareness in response to the London bombings. Inspectors also deployed to support recovery efforts in the aftermath of Hurricanes Katrina and Rita and to provide enhanced security for the Presidential Inauguration and the Super Bowl. STSIs also deploy to support investigations of transportation security incidents.

If passenger or cargo screening becomes necessary, TSA can deploy members of the National Screening Force and Transportation Security Officers (TSO) from select airports. The Office of Security Technology would coordinate with the venue to make any facility modifications necessary to deploy equipment. Additionally, TSA could deploy canine resources quickly. In response to the terrorist bombings against rail systems in Spain in March 2004, Secretary Tom Ridge announced that the Department of Homeland Security would create a two-phased approach to assist mass transit/commuter rail systems within the United States. The first phase was the development of a Rapid Deployment Force (RDF) mass transit canine program to assists State and local law enforcement agencies and transit authorities. The purpose of the RDF is to provide expanded capability to mass-transit systems within the United States by assisting State, local, and transit authorities in the event of an increased threat situation. The RDF is designed to reduce vulnerabilities to mass transit/commuter rail systems by providing a coordinated explosives detection canine capability, as well as a deterrent effect against potential attacks.

Because of groundwork laid in that effort—preplanning and acclimation within the mass transit/commuter rail environment—TSA was able to rapidly deploy canine teams following the summer 2005 incidents in London. TSA-certified explosives detection canine teams were deployed across the country to support mass transit/commuter rail systems that were in close proximity to their assigned airports within hours of notification of the bombing events in London. TSA coordinated activities with program agencies to deploy teams to conduct random sweeps of platforms, conduct searches of unattended items, and provide a physical deterrence, where possible. TSA has also expeditiously provided explosives detection canine teams to Amtrak at its request on several occasions, including during the Republican National Convention, the Presidential Inauguration, and in New York during the fall 2005 security alert.

Along with the canine teams, at the request of Amtrak, TSA deployed some of the technology field-tested in the Transit and Rail Inspection Pilot (TRIP) for screening passengers and baggage in a rail environment to the Republican National Convention in August 2004 and Presidential Inauguration in January 2005.

Question. Does TSA have the authority to shift funding from other TSA accounts to the Surface Transportation appropriation for short periods of surge capacity without requesting a formal reprogramming?

Answer. The fiscal year 2006 Appropriations Bill (Public Law 109–90), section 503(c), provides flexibility to TSA in terms of transfers and reprogramming (i.e., "not to exceed 5 percent of any appropriation made available for the current year," without increasing an account "by more than 10 percent by such transfers"), but such actions constitute a permanent change in funding.

The Transportation Security Administration (TSA) may exercise other options to develop and apply surge capability without the need to transfer or reprogram funds. For example, under the Multi-Modal Security Enhancement Team (MMSET) program, TSA may deploy resources to provide surge capacity for enhancing security in public transportation systems. The teams may consist of varying combinations of Federal Air Marshals (FAMs), Surface Transportation Security Inspectors (STSIs), Aviation Security Inspectors (ASIs), and explosives detection canine teams. The teams provide both a visible deterrent and covert detection capability. Use of TSA resources assigned in the geographical area of the public transportation system ensures that costs remain minimal and within available funding.

FEDERAL AGENCY HEAD SCREENING

Question. Do Federal agency heads receive special treatment at airports? If so, why?

Answer. Transportation Security Administration (TSA) passenger and property screening procedures do not provide for an automatic screening exemption for heads of Federal agencies or commissions, nor are any such exemptions being contemplated. However, like any individual under armed protective escort by a Federal law enforcement officer (LEO) some senior officials may not be required to proceed

through a passenger checkpoint upon presentation of proper identifying documents by the armed Federal LEO escort (credential, badge, and Government-issued photo ID). Under these circumstances, the identities of both the LEO and the individual under protective escort must be verified by a TSA representative. Screening checkpoint logbook entries must be made for both the LEO and the individual being escorted.

OPERATION SAFE COMMERCE

Question. What is the status of the Operation Safe Commerce Pilots?

Answer. Operation Safe Commerce (OSC) is currently in its third phase. In Phase II of OSC, 18 pilot projects focused on the vulnerabilities of containers moving through the supply chains. They concentrated on mitigating the identified vulnerabilities through the deployment of technologies and business practices. OSC Phase III is comprised of 4 pilot projects and a series of four testing phases that address specific points of vulnerability in the supply chains.

Question. How are these results being incorporated into CSI, CTPAT, Science and Technology Research, and other container security operations?

Answer. Federal coordination and oversight of Operation Safe Commerce (OSC) is an interagency effort. Members of the OSC Executive Steering Committee (ESC) include representatives from the U.S. Customs and Border Protection (CBP), The Department of Transportation (DOT), The United States Coast Guard (USCG), the Transportation Security Administration (TSA), the Department of State, and the Department of Commerce. The Federal Partners provide valuable insight and guidance in the management of OSC, and as such, G&T strives to provide full access to the end results of the demonstrations as they become known. In addition, Program Management staff from the DHS Office of Grants and Training (G&T) has coordinated closely with S&T in the third phase of OSC to ensure an alignment with S&T Directorate initiatives that are of a similar nature.

CBP is an important partner because the lessons learned from OSC help improve their Container Security Initiative (CSI) and Customs-Trade Partnership Against Terrorism (C–TPAT). CSI establishes coordination with host government customs services to examine high-risk maritime containerized cargo at foreign seaports before they are loaded on board vessels destined for the United States. C–TPAT is a public-private and international partnership focused on improving baseline security standards for supply chain and container security.

COAST GUARD

DEEPWATER

Question. The Coast Guard's fleet of cutters is currently the 37th oldest of the world's 39 like-sized naval fleets. The Coast Guard Commandant has testified that Coast Guard ships and planes are in a "declining readiness spiral". The Deepwater program won't be completed until 2026. However, according to a recent DHS report on gaps in Coast Guard operational capabilities, none of the Coast Guard's cutters have met their readiness goal in the past 5 years. Coast Guard patrol boats are operating at levels lower than they were in 1998, and that gap will not be closed until 2012. Coast Guard maritime air patrols are below1998 levels, and that gap will not be closed until 2014.

Has the Coast Guard considered accelerating Deepwater since the program was re-baselined?

Answer. Although the Coast Guard fleet readiness continues to be below acceptable levels, the Coast Guard has been able to meet or exceed the majority of its mission performance targets, in part due to the enhancements provided to legacy assets by the Deepwater program. The President's fiscal year 2007 budget request makes a strong statement regarding the criticality of funding the Deepwater program. The program is now funded at approximately 40 percent more than the $572 million funding level for fiscal year 2007, as compared to the fiscal year 2002 planning factors. Full funding in fiscal year 2007 helps to restore readiness to a higher level, and allows the Coast Guard to continue development of additional capabilities to be realized as a result of enhancements such as:

—Accelerated HH–65 conversion to a Multi-Mission Cutter Helicopter,
—New National Security Cutter production to replace the legacy 378 foot High Endurance Cutters,
—Additional CASA Maritime Patrol Aircraft,
—Accelerated post 9/11 capabilities for HH–60 aircraft for airborne use of force,
—A new Fast Response Cutter with enhanced post 9/11 capabilities will be accelerated to replace the aging 110 foot patrol boat fleet; and

—Legacy asset maintenance and sustainment, including the Medium Endurance Cutter Mission Effectiveness Project.

The Deepwater post 9/11 Revised Implementation Plan, as approved by the Administration, will recapitalize and modernize the Coast Guard surface and aviation assets with robust maritime security and safety capabilities that are critical to operational success across all Coast Guard missions, now and in the future. Further acceleration of the program is not being considered at this time.

Question. What would the cost be if the Coast Guard accelerated the program to be completed in 10 years?

Answer. A preliminary estimate of $21 billion in funding would be required to complete the Deepwater acquisition within the next 10 years.

Question. What would the cost be if the Coast Guard accelerated the program to be completed in 15 years?

Answer. A preliminary estimate of $23 billion in funding would be required to complete the Deepwater acquisition within the next 15 years.

Question. Would there be cost savings compared to the current 25 year plan?

Answer. Expediting the Deepwater program for completion over the next 10 or 15 years would generate a cost avoidance of approximately $1 to $3 billion. However, annual appropriations of more than $2 billion per year for several years would be required to complete the program in a 10-year period, and more than $1.5 billion per year for several years would be required to complete the program in a 15-year period.

DRUG INTERDICTION

Question. In November 2005, GAO reported that "according to JIATF-South, it cannot detect many of the known maritime cocaine movements reported in the western Caribbean Sea and the eastern Pacific Ocean because it cannot get ships or aircraft to the suspected movement in time." The same report noted that Coast Guard and CBP officials were concerned that they may not be able to sustain their level of assets in light of budget constraints and other homeland security priorities. The same officials noted that the long-term implications of likely declines in transit zone assets have not been addressed.

Has the Coast Guard begun to address this problem? What solutions are being pursued?

Answer. The Coast Guard's long-term plan to mitigate the decline in the number of assets in the transit zone is the Deepwater Acquisition Project. Deepwater is the Coast Guard's long-term asset recapitalization and modernization project. As Deepwater assets come into service, the Coast Guard will be able to address declines in transit zone assets. In the short-term, the Coast Guard is managing existing assets to best meet operational requirements across all of its mission areas.

COAST GUARD HEADQUARTERS RELOCATION

Question. The request indicates that the Coast Guard Headquarters relocation will include other Federal tenants with similar security requirements. Please provide a list of other Federal tenants that will be relocating to the St. Elizabeths campus.

Answer. DHS is planning to relocate other functions to St. Elizabeths West Campus in addition to the U.S. Coast Guard in order to improve operational effectiveness and organizational efficiency. The Department of Homeland Security is currently developing a Program of Requirements (POR) to identify total real estate needs throughout the National Capital Region (NCR).

Currently, DHS organizations are housed in 61 buildings throughout the NCR. These dispersed locations constrain the coordination, cooperation and synergy among components and headquarters. Once the POR is completed, the Department of Homeland Security will be able to identify the specific activities that will relocate to St. Elizabeths, as well as the plan to house all remaining DHS functions throughout the NCR.

Question. A prospectus for the design of the Coast Guard Headquarters has been approved. What is the status of the prospectus for construction of the Headquarters building?

Answer. The fiscal year 2007 construction prospectus was approved by OMB and signed by GSA on February 14, 2006. It has been sent to GSA's authorizing committees on the Hill—the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works. The prospectus has not yet been approved by the House and Senate authorizing Committees. Attached is a copy of the construction prospectus and fact sheet approved by OMB and signed by GSA.

PROSPECTUS – CONSTRUCTION
U.S. COAST GUARD CONSOLIDATION
AND
DEVELOPMENT OF ST. ELIZABETHS CAMPUS
WASHINGTON, DC

Prospectus Number: PDC-0002-WA07

Project Summary

The General Services Administration (GSA) proposes to redevelop the West Campus of St. Elizabeths Hospital, a 176-acre[1] site including 61 buildings with approximately 1.1 million gross square feet (gsf) of space. This prospectus requests authority to construct a new headquarters for the United States Coast Guard (USCG) at St. Elizabeths West Campus. GSA plans to evaluate this site for the future housing needs of other high security federal tenants. Advance Design is included as part of this request to allow GSA to study the full redevelopment potential of the site in relation to the requirements of other agencies that can be met through projects proposed for funding in future fiscal years.

This project will occur in two phases. Phase one will construct office space and structured parking to consolidate the USCG headquarters on the West Campus. Phase two will construct a Command Center and other shared use space that will support the USCG and other agencies that might occupy the campus in the future.

Site Information	
Government-owned	176 acres
Phase I	
Building(s) without parking (gsf)	1,135,000
Building(s) with parking (gsf)	1,395,000
Number of structured parking spaces	650
Phase II	
Building(s) without parking (gsf)	203,000
Building(s) with parking (gsf)	343,000
Number of structured parking spaces	350

[1] The fiscal year 2006 prospectus refers to the site as 182 acres, but according to the more recent Boundary Survey dated 02/05 (Greenhorne & O'Mara), the total acreage is approximately 176.

PROSPECTUS – CONSTRUCTION
U.S. COAST GUARD CONSOLIDATION
AND
DEVELOPMENT OF ST. ELIZABETHS CAMPUS
WASHINGTON, DC

Prospectus Number: PDC-0002-WA07

Project Budget

Design and Review Cost (FY2006)	**$ 24,900,000**
Estimated Construction Cost (ECC)	
Phase I	280,290,000
Phase II (future year request)	72,667,000
ECC Subtotal	**352,957,000**
Management and Inspection (M&I)	
Phase I	25,849,000
Phase II (future year request)	5,191,000
M&I Subtotal	**31,040,000**
Estimated Total Project Cost* (ETPC)	**$408,897,000**

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by GSA. This cost is only for USCG headquarters and could change based on other federal clients' needs.

Authorization Requested **$383,997,000**

Funding Requested (Phase I ECC & M&I) **$306,139,000**

Prior Authority and Funding

- The House Committee on Transportation and Infrastructure authorized $24,900,000 for design on October 26, 2005.
- The Senate Committee on Environment and Public Works authorized $24,900,000 for design on July 20, 2005.
- Through Public Law 109-155, Congress appropriated $24,900,000 for design in FY2006.

Schedule

FY2006	Design Start
FY2007	Construction Start – Phase 1
FY2008	Construction Start – Phase 2
FY2010	Construction Complete – Phase 1 & 2

PROSPECTUS – CONSTRUCTION
U.S. COAST GUARD CONSOLIDATION
AND
DEVELOPMENT OF ST. ELIZABETHS CAMPUS
WASHINGTON, DC

Prospectus Number: PDC-0002-WA07

Project Overview

The primary goals of this project are to deliver a state of the art headquarters for the USCG and complete evaluation of the site to determine its capacity for additional federal tenants. The two-phased project will provide 1,338,000 gsf of space and a structured parking garage containing 1,000 spaces. Both phase one and phase two are required to fully support USCG's operations and will be completed simultaneously. Phase one will provide 1,135,000 gsf of space and 650 parking spaces for the USCG headquarters facility housing 3,860 USCG employees. Phase two will provide 203,000 gsf of shared support and special spaces and 350 parking spaces. Phase two includes construction of the crucial Operations Command Center. Other shared support and special spaces in phase two are expected to include a health clinic, technology resource center, communications center, marine safety center, cafeteria, separate mail facility and warehouse, fitness center, chapel, training rooms, library, child development center, auditorium, credit union, barber shop, dry cleaners, and an exchange for military equipment.

Facility

St. Elizabeths Hospital is a National Historic Landmark and was established in 1855 as the Government Hospital for people with mental disabilities. Its early mission, as defined by one of its founders, Dorothea Dix, was to provide the "most humane care and enlightened curative treatment of the insane of the Army, Navy, and District of Columbia."

The entire St. Elizabeths facility includes over 300 acres. Martin Luther King, Jr. Avenue bisects the facility into a West Campus and East Campus. The East Campus was deeded to the District of Columbia in 1987. The federal government maintains control of the West Campus. The facility is a historic site and includes a military graveyard for American Civil War soldiers.

Until 1987, St. Elizabeths Hospital was administered by the federal government, most recently the Department of Health and Human Services (HHS). Since then, the administrative duties were assumed by the District of Columbia's Commission on Mental Health Services (CMHS), and CMHS was using selected buildings on the West Campus through use permits provided by HHS. In 2003, CMHS vacated the West Campus buildings and revoked the use permit agreement. HHS has subsequently reported the West Campus as excess to GSA, and GSA accepted the property in December 2004.

PROSPECTUS – CONSTRUCTION
U.S. COAST GUARD CONSOLIDATION
AND
DEVELOPMENT OF ST. ELIZABETHS CAMPUS
WASHINGTON, DC

Prospectus Number: PDC-0002-WA07

To support the development potential of the site, new infrastructure including utilities, roadways, sidewalks, and technology infrastructure are needed. GSA is concerned about traffic impacts, and will coordinate with local transportation officials to identify all available site access solutions. New access points from major local road arteries will be explored to mitigate traffic impacts to the local community and to ensure federal employees a safe and efficient means for commuting.

Tenant Agencies
USCG and elements of the Department of Homeland Security

Justification
The major driving factors for this project include the tenant's need for more space, lack of large federal land sites remaining for development in the District of Columbia, high-level security requirements, and existing deficiencies and deferred maintenance at St. Elizabeths West Campus. The proposed project will provide a cost efficient alternative to leasing while preserving this National Historic Landmark.

Due to recent hiring, USCG has outgrown its current primary headquarters location at the Transpoint Building where it has been housed for more than 25 years; their lease expires in 2008. GSA submitted a lease prospectus to Congress in FY2006 requesting authority to continue leasing the Transpoint Building in Washington, DC for up to 5 years. This lease prospectus also includes cancellation rights to allow GSA flexibility to terminate when the space at St. Elizabeths West Campus is ready for occupancy. Other USCG offices in Washington, DC will be incorporated in the consolidation from the Nassif Building and Jemal Riverside.

There is high demand for space in the Washington metropolitan area. Approximately 12 million gsf of space is currently needed to house potential federal tenants in ten agencies. Lease expirations in GSA's National Capital Region during the next five years will total more than 30 million gsf. The only large site remaining for development within the boundaries of the District of Columbia is the West Campus of St. Elizabeths. This project will allow one or more agencies to use St. Elizabeths West Campus in addition to the USCG.

Many agencies including the USCG require the highest security protection levels and criteria such as deep setbacks, window blast protection, and progressive collapse mitigation. The West Campus currently provides limited facility access and setbacks from neighboring properties, reducing the cost of other security requirements.

GSA PBS

PROSPECTUS – CONSTRUCTION
U.S. COAST GUARD CONSOLIDATION
AND
DEVELOPMENT OF ST. ELIZABETHS CAMPUS
WASHINGTON, DC

Prospectus Number: PDC-0002-WA07

Alternatives Considered (30-year, present value costs)

New Construction:	$ 703,215,000
Lease:	$ 940,679,000

The 30-year, present value cost of new construction is $237,464,000 less than the cost of leasing, or an equivalent annual cost advantage of $15,801,000.

Recommendation
CONSTRUCTION

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 14, 2006

Recommended _____
Commissioner, Public Buildings Service

Approved _____
Acting Administrator, General Services Administration

Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
Existing Locations												
Naval Building	174	174	41,044	-	2,726	43,770	-	-	-	-	-	-
Transpoint	2,664	2,664	381,667	-	99,077	480,744	-	-	-	-	-	-
Jamal Riverside	406	406	112,274	-	-	112,274	-	-	-	-	-	-
Sub Total:	3,244	3,244	534,985	-	101,803	636,788	-	-	-	-	-	-
Consolidated Facility												
Phase I	-	-	-	-	-	-	3,860	3,860	840,130	10,000	23,000	873,130
Phase II	-	-	-	-	-	-	-	-	-	-	156,000	156,000
Sub Total:	-	-	-	-	-	-	3,860	3,860	840,130	10,000	179,000	1,029,130
Total:	3,244	3,244	534,985	-	101,803	636,788	3,860	3,860	840,130	10,000	179,000	1,029,130

Utilization			
	Current	Proposed	Change
Rate	129	170	41

Current UR excludes 117,697 usf of office support
Proposed UR excludes 184,829 usf of office support

Special Space	USF
ADP	18,000
Auditorium	16,000
Child Care	6,000
Conference	16,000
Fitness	10,000
Food Service	23,500
Health Unit	20,000
Library	11,000
Marine Safety Center	20,000
Ops Center	4,000
Retail	3,800
Credit Union	5,200
Command Center	8,000
Communications Center	4,500
Mail Rooms	13,000
Total:	**179,000**

USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

CONSTRUCTION – FACT SHEET
ST. ELIZABETHS WEST CAMPUS
WASHINGTON, DC

Project Summary

The General Services Administration (GSA) proposes to redevelop the West Campus of St. Elizabeths, a 176-acre site including 61 buildings.[1] GSA seeks funding for planning, pre-development, and infrastructure repair costs that are necessary to redevelop the site for future tenancy. Studies are under way to determine if additional funding is needed for future development phases.

The site is suited to provide federal agencies with a high security campus due to its topography, limited access, and significant setbacks from neighboring properties. The property is easily accessible from the central employment area, and is the last, large, developable site remaining under federal control in the District of Columbia.

Major Work Items

Planning and pre-development costs include the identification of fire code deficiencies, renovation cost estimates, a demolition study of possible buildings to be demolished, master planning, National Environmental Policy Act studies, site egress analysis, and a Campus Design (infrastructure only).

Infrastructure repair costs include restoration of landscaping, cleaning of storm water systems and underground pipe replacement, upgrades to selected fire protection systems, repair waste water system, address deferred maintenance, and repair and stabilize selected structures.

Project Background and Justification

The primary goal of this project is to prepare the West Campus for redevelopment as a federal facility by providing a reliable infrastructure that will serve the needs of tenants for many years into the future. A secondary goal is to create habitable office space in order to relocate federal tenants that are currently located in leased space to federally owned space. These buildings contain approximately 1.1 million gross square feet (gsf) of space and the site has the potential to develop another 2 million gsf of federally constructed space.

The major driving factors for this project include current agency-wide demand for space, lack of large federal land sites remaining to be developed in the District of Columbia, high-level security requirements, and existing deficiencies and deferred maintenance at St. Elizabeths West Campus.

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[1] The fiscal year 2006 factsheet refers to the site as 182 acres, but the more recent Boundary Survey dated 02/05 (Greenhorne & O'Mara) indicates the total acreage to be approximately 176.

CONSTRUCTION – FACT SHEET
ST. ELIZABETHS WEST CAMPUS
WASHINGTON, DC

The proposed alterations will provide a cost efficient alternative to leasing while preserving the National Historic Landmark.

There is a high demand for space in the Washington metropolitan area. Nearly twelve million gsf of space is currently needed to house potential federal tenants in ten agencies, and lease expirations will total more than 30 million gsf in the next 5 years. This project will allow one or more agencies to consolidate into a federally-owned facility.

St. Elizabeths West Campus is the only significant site remaining for development within the boundaries of the District of Columbia. Public Reservation 13 for the District of Columbia General Hospital is currently under development by the District of Columbia. The Southeast Federal Center is being privately reconstructed to provide two large office buildings for federal tenancy. The remainder of the former Navy Yard is planned for residential and retail development. The Armed Forces Retirement Home is being redeveloped under special legislation and is unavailable to GSA.

Many agencies require "Higher" and "Highest" protection levels as defined by the Interagency Security Committee guidelines and incorporated into GSA's design criteria. These criteria include 100 foot setbacks, window blast protection, and progressive collapse mitigation. The West Campus provides limited facility access and setbacks from neighboring properties, reducing the cost of other security requirements.

The planned alterations are necessary to preserve the historic site. Existing infrastructure and landscaping are deteriorating due to aging and deferred maintenance. Building repairs will restore structural and life safety systems while maintaining the facility's historic integrity. Landscaping renovations will preserve the collection of flora planted during the late 19th century.

Major Work Items

Repair Historical Landscape Features	$1,812,000
Repair Roads and Perimeter Wall	1,815,000
Repair Water Systems	900,000
Upgrade Selected Fire Systems	400,000
Upgrade Gas, Electric, and Telecom Systems	1,730,000
Shut Down Steam System	125,000
Repair and Upgrade Outside Lighting	1,210,000
Stabalize Selected Buildings	3,000,000
Total ECC	**$10,992,000**

GSA PBS

CONSTRUCTION – FACT SHEET
ST. ELIZABETHS WEST CAMPUS
WASHINGTON, DC

Project Budget

Design and Review Cost (FY 2006)	**$7,645,000**
Estimated Construction Cost (ECC)	
ECC (FY 2006)	5,080,000
Additional ECC	5,912,000
ECC Subtotal	**10,992,000**
Management and Inspection (M&I)	
M&I (FY 2006)	370,000
Additional M&I	532,000
M&I Subtotal	**902,000**
Estimated Total Project Cost (ETPC)	**$19,539,000**
Funding Requested (Additional ECC and M&I)	**$6,444,000**

NATIONAL CAPITAL AIR DEFENSE MISSION

Question. When will the Coast Guard assume control of the National Capital Region Air Defense Mission?

Answer. The Coast Guard plans to assume the NCRAD mission in late fiscal year 2006. Our target start date is 01 September 2006. The exact date is contingent upon the timing of Congressional approval of a DHS request to transfer $4 million of fiscal year 2006 funds to USCG. Approximately 5 months after the approval, the Coast Guard will be able to assume the mission. The required 5 month lead time is due to the long lead time required to order critical ground support equipment, conduct personnel transfers and conduct aircrew training.

Question. The request includes $13 million (including transfer of $5 million from CBP) for operational costs to operate the mission and $49 million for the acquisition of 5 helicopters. If the $5 million transfer from CBP is not approved, how will the Coast Guard absorb costs?

Answer. If the $5 million in recurring funding is not transferred from CBP, the Coast Guard would have to review its program budgets to identify internal cost reallocations that could be proposed to Congress for reprogramming. A likely source of funds would be the base counter-drug helicopter operations budgets.

Question. If the request is provided, when will the new HH–65Cs be available for operation?

Answer. If funding is received, the Coast Guard plans to purchase 5 helicopter airframes in fiscal year 2007. These helicopters will subsequently be outfitted at the Coast Guard's Aircraft Repair and Supply Center (AR&SC) and be ready for operations by early fiscal year 2008.

Question. What assets will the Coast Guard use in the interim?

Answer. The Initial Operating Capability (IOC) for the National Capital Region Air Defense (NCRAD) mission will be supported by existing fleet aircraft (HH–65C) typically used to support cutter deployments/special missions until additional helicopters can be purchased and outfitted.

The use of these cutter deployment/special mission helos will be offset by exercising the last year option of our MH–68 armed helo service contract, which will provide 8 armed helos & 1,000 additional cutter days deployed at sea (DDAS) until the contract expires in Jan 2008. Originally the Coast Guard planed to replace the leased MH–68 helos with newly armed MH–65C helicopters in Jan 2007. Utilizing the last year option of the MH–68 service contract will allow the Coast Guard time

to purchase and outfit additional HH–65 helicopters by the time the MH–68 service contract expires in January 2008.

Question. Will additional acquisition costs be necessary in the out-years? If so, how much?

Answer. The National Capital Region Air Defense mission will require additional AC&I funds in the out-years.

In fiscal year 2007, the Coast Guard's AC&I budget requests $48.5 million for the acquisition of five helicopters, air intercept equipment, ground support equipment, and facility upgrades at Coast Guard Air Station Atlantic City.

In fiscal year 2008, as listed in the Capital Investment Plan, the Coast Guard intends to request $18 million AC&I for the last two of the seven helicopters needed to support the NCRAD mission.

Question. Is the Coast Guard considering fixed wing aircraft for the NCRAD mission?

Answer. No.

POLAR ICEBREAKERS

Question. The National Academy of Sciences recently released recommendations addressing the condition of the Coast Guard's polar icebreaking fleet. What resources would be necessary to comply with the report's recommendations?

Answer. The National Academy of Sciences report made the following recommendations for the Nation's polar icebreaking fleet:

NAS recommendation	Potential cost
The United States should reliably control at least 1 heavy icebreaker to break into McMurdo station.	N/A—the United States currently controls 2 vessels.
The United states should maintain dedicated, year-round icebreaker capability for the Arctic.	N/A—the United States currently operates the Healy as an Arctic icebreaking and research vessel.
In the short term, the required maintenance should be performed to make at least one Polar class ship mission capable over the next 4 to 8 years.	Between $30 and $50 million annually in fiscal year 2007 budget authority.
Management of the U.S. icebreakers should reside with the U.S. Coast Guard and it should have appropriate operational and maintenance budgets to fulfill U.S. Coast Guard missions that require icebreaking.	N/A—Under the current USCG–NSF Memorandum of Understanding, the costs to conduct the polar icebreaking programs are fully paid for by the National Science Foundation.
In the short-term, NSF should revert to being a user and should continue to negotiate financial agreements to pay for icebreaker services when U.S. Coast Guard ships are employed.	N/A—Under the current USCG–NSF Memorandum of Understanding, NSF is the user of the icebreaking vessels, while Coast Guard operates them.

In addition, the report recommends that funds for operation and maintenance of the Polar Icebreaking fleet be appropriated directly to the Coast Guard. The fiscal year 2006 budget proposed, and Congress subsequently appropriated, Polar Icebreaking funds to National Science Foundation. The fiscal year 2007 budget does not propose any changes to this funding approach.

PATROL BOATS

Question. To close the operational gap for 110 foot patrol boats today, how many additional 110's would be necessary?

Answer. Assuming the following: All WPB 110s & 123s are able to achieve readiness[?] targets, four 110s are out of service per year for mid-life extensions, continued support of six 110s for Operation Enduring Freedom and five U.S. Navy WPC–179s remain in service for the Coast Guard, the Coast Guard would need three additional Deepwater-capable patrol boats to fill the current operational gap.

Question. Has the Coast Guard considered buying new patrol boats to bridge the operational gap until the Fast Response Cutter is built and deployed? What would the cost be?

Answer. Yes, the Coast Guard has considered buying new patrol boats to bridge the operational gap until the Fast Response Cutter is built and deployed. There are several commercially available boats that would be suitable, Deepwater-capable patrol boats. The Coast Guard has not submitted to industry a Request for Information (RFI) that would allow us to accurately determine the cost of a new patrol boat.

Question. Is there a manufacturing line available to build new 110 foot patrol boats for the Coast Guard fleet?

Answer. The Coast Guard is not aware of any production facility in the United States that is currently building new 110 foot patrol boats.

Question. When will the Coast Guard relinquish the 179 foot patrol boats currently being leased from the Navy?

Answer. The Memorandum of Agreement (MOA) with the Navy States that the Coast Guard will retain custody and operational control of five WPC–179s through fiscal year 2008. Additionally, this MOA States that the Coast Guard may take ownership of the WPC–179s after 1 October 2008 if requested by the Vice Commandant and approved by the Vice CNO. Other options available to the Coast Guard include requesting an extension to the current MOA with the Navy or renegotiating a new agreement all together.

Question. How will the Coast Guard make up for the operational capability the 179 foot patrol boats currently provide?

Answer. The loss of the 179-foot patrol boats (WPCs) at the end of fiscal year 2008 is accounted for in the Patrol Boat (WPB) Availability Report provided to Congress. Our patrol boat report assumes the 6 110-foot patrol boats deployed to Operation Enduring Freedom will return home as we return the 179-foot patrol boats to the Navy, however, there is no guarantee that this will occur.

The Coast Guard is currently exploring various alternatives should attempts to extend or renegotiate the 179-foot patrol boat Memorandum of Agreement with the Navy not be successful.

Question. Did the Operational Gap Analysis report take into account the loss of the 179 foot patrol boats?

Answer. Yes, the Coast Guard did take into account the loss of the 179 foot patrol boats at the end of fiscal year 2008 (September 30). The report assumes that the loss of the 179-foot patrol boats to the Navy will correspond with an offsetting gain by the return of the 6 110-foot patrol boats currently deployed to Operation Enduring Freedom.

Question. For the 110 foot Service Life Extension program, how long will each cutter being rehabbed be out of service?

Answer. Each Mission Effectiveness Project (MEP) will remove a 110-ft patrol boat (WPB) from service for approximately 12 months.

Question. What is the maximum number of patrol boats that can be rehabbed at one time without impacting Coast Guard operational capabilities?

Answer. Each 110 foot patrol boat (WPB) that enters the Mission Effectiveness Project (MEP) will be unavailable for operational use for approximately 12 months. The optimal balance of acceptable operational impact and timely MEP completion is four MEPs per year.

Question. Could the 110 foot Service Life Extension program be accelerated if funding were available?

Answer. As indicated in the Coast Guard's Patrol Boat Availability Report to Congress (dated 2/3/2006), the Coast Guard's current 110 foot WPB Mission Effectiveness Project (MEP) plan strikes the best balance between the needs of the Service's operational commanders and the Deepwater spend plan.

The need to minimize the patrol boat operational hour gap is the most significant determining factor. Each 110 foot WPB MEP requires 1 year of drydock availability. As noted in the report, each MEP will have an impact on the patrol boat operational hour gap and the Coast Guard's ability to perform its missions.

If Coast Guard efforts to mitigate the patrol boat hour gap produced results beyond current expectations, the Coast Guard would consider the costs/benefits of accelerating the 110 foot WPB MEP production cycle.

Question. If funding were available, how long would it take to procure and missionize new 110 foot patrol boats with operational capabilities?

Answer. There are several commercially available boats that could be suitable Deepwater-capable patrol boats. The Coast Guard is investigating options and studying requirements, but has not submitted to industry Requests for Information (RFI) that would allow us to accurately determine the amount of time it would take to procure and missionize new patrol boats with operational capabilities.

Question. Of the eight 110 foot patrol boats that have been stretched to 123 feet, what was the original cost estimate compared to the final cost?

Answer. The Original Contract Price (including Economic Price Adjustment) for hulls 1 through 8 was $67.1 million (average $8.4 million per hull). The projected Final Price, less Request of Equitable Adjustment (REA), is $80.3 million (average $10.04 million per hull). Resolution of the REA submitted by ICGS and project close-out costs may result in a figure slightly higher than the average $10.04 million per hull cost.

Question. Last year, the Coast Guard asserted that new and improved "condition measures" would be established by the end of fiscal year 2005 that link cutter condition to mission capability. Please provide these measures to the Committee.

Answer. The Coast Guard has developed condition measures that more directly link cutter condition to mission capability. A clearer relationship between engineering subsystems and mission performance will enable a better return on maintenance investments and the best use of limited maintenance resources.

Coast Guard naval engineers have developed two cutter condition measures:

—"Percent of time fully mission capable" (PTFMC) and

—"Average number of casualties per operational day" (ANOCOP).

The PTFMC and ANOCOP measures will provide a direct link between specific cutter engineering subsystems and mission degradation. These metrics are expected to be completed by mid-calendar year 2006.

In fiscal years 2004–2005, a team was assembled to construct asset condition matrices that incorporate engineering casualty reporting (CASREP) data and performance data maintained in the Coast Guard's Readiness Management System (RMS). The team identified and linked thousands of shipboard engineering subsystems across every cutter class and their direct impact/contribution to each Coast Guard mission. The condition measures are currently being tested/validated for use in the Coast Guard's Readiness Management System.

RESPONSE BOAT MEDIUM

Question. Please provide a deployment schedule (including locations) for the Response Boat Medium program.

Answer. The Response Boat-Medium Project is currently in the middle of source selection for the second procurement phase (production contract). Contract award is planned for the forth quarter of fiscal year 2006. The delivery location and schedule will be based on contract award date, issuance of delivery orders, the contractor's integrated master schedule, and operational testing and evaluation (OT&E). The delivery locations identified by the Response Boat Siting Study are included in the table below.

Unit	City	State	Zip
FIRST DISTRICT:			
STA EASTPORT	Eastport	ME	04631
STA JONESPORT	West Jonesport	ME	04649–9998
STA SOUTHWEST HBR	Southwest Harbor	ME	04679–5000
STA ROCKLAND	Rockland	ME	04841–3498
STA BOOTHBAY HARBOR	Boothbay Harbor	ME	04538–0327
STA SOUTH PORTLAND	South Portland	ME	04106–0007
STA PORTSMOUTH HBR	New Castle	NH	03854–0600
STA MERRIMACK RIV	Newburyport	MA	01950–2897
STA GLOUCESTER	Gloucester	MA	01930–5004
STA BOSTON	Boston	MA	02109–1027
STA POINT ALLERTON	Hull	MA	02045–1198
STA PROVINCETOWN	Provincetown	MA	02657–9999
STA CAPE COD CANAL	Sandwich	MA	2563
STA CHATHAM	Chatham	MA	02633–3499
STA WOODS HOLE	Woods Hole	MA	02543
STA MENEMSHA	Chilmark	MA	02535–9707
STA BRANT POINT	Nantucket	MA	02554–2293
STA CASTLE HILL	Newport	RI	02840–3798
STA POINT JUDITH	Narragansett	RI	02882–6229
STA NEW LONDON	New London	CT	06320–5593
STA NEW HAVEN	New Haven	CT	06512–3698
STA EATONS NECK	Northport	NY	11768–1094
STA MONTAUK	Montauk	NY	11954–9801
STA SHINNECOCK	Hampton Bays	NY	11946–3233
STA FIRE ISLAND	Babylon	NY	11702–4600
STA JONES BEACH	Freeport	NY	11520–5001
STA NEW YORK	Staten Island	NY	10305
STA SANDY HOOK	Sandy Hook	NJ	07732–4999
STA BURLINGTON	Burlington	VT	05401–5226
FIFTH DISTRICT:			
STA WASHINGTON (DC)	Washington	DC	20032–0702
STA MANASQUAN INLET	Point Pleasant Beach	NJ	08742–2642
STA BARNEGAT LIGHT	Barnegat Light	NJ	08006–9999
STA ATLANTIC CITY	Altantic City	NJ	08401–1986
STA CAPE MAY	Cape May	NJ	08204–5078

Unit	City	State	Zip
STA PHILADELPHIA	Philadelphia	PA	19147–4395
STA OCEAN CITY	Ocean City	MD	21842–4240
STA CHINCOTEAGUE	Chincoteague	VA	23336–1809
STA WACHAPREAGUE	Wachapreague	VA	23480–0370
STA CAPE CHARLES	Cape Charles	VA	23310–0621
STA MILFORD HAVEN	Hudgins	VA	23076–9700
STA PORTSMOUTH	Portsmouth	VA	23703–2199
STA LITTLE CREEK	Norfolk	VA	23520–5200
STA CRISFIELD	Chrisfield	MD	21817–1656
STA CURTIS BAY	Baltimore	MD	21226–1797
STA OXFORD	Oxford	MD	21654–1323
STA ANNAPOLIS	Annapolis	MD	21403–5099
STA ST. INIGOES	Saint Inigoes	MD	20684–0008
STA ELIZABETH CITY	Elizabeth City	NC	27909
STA OREGON INLET	Nags Head	NC	27959–9731
STA HATTERAS INLET	Hatteras	NC	28537–9999
STA HOBUCKEN	Hobucken	NC	28537–9999
STA FORT MACON	Atlantic Beach	NC	28512
STA WRIGHTSVILLE BEACH	Wrightsville Beach	NC	28480–2099
STA OAK ISLAND	Oak Island	NC	28465
SEVENTH DISTRICT:			
STA GEORGETOWN	Georgetown	SC	29440–2412
STA CHARLESTON	Charleston	SC	29401–1817
STA TYBEE	Tybee Island	GA	31328–1400
STA BRUNSWICK	Brunswick	GA	31523–0577
STA MAYPORT	Atlantic Beach	FL	33139–5101
STA PONCE DE LEON INLET	New Smyrna Beach	FL	32169–2041
STA PORT CANAVERAL	Cape Canaveral	FL	32920–4402
STA YANKEETOWN	Yankeetown	FL	34498–0360
STA SAND KEY	Clearwater	FL	33767–2899
STA ST. PETERSBURG	St. Petersburg	FL	33701–5099
STA CORTEZ	Cortez	FL	34215–9999
STA FT. MYERS BEACH	Fort Myers Beach	FL	33931–2221
STA FORT PIERCE	Fort Pierce	FL	34949–3039
STA LAKE WORTH INLET	Riviera Beach	FL	33404–2406
STA FORT LAUDERDALE	Dania	FL	33004–3079
STA MIAMI BEACH	Miami Beach	FL	33139–5101
STA ISLAMORADA	Islamorada	FL	33036–3317
STA MARATHON	Marathon	FL	33050–2199
STA KEY WEST	Key West	FL	33040–6695
EIGHTH DISTRICT:			
STA PANAMA CITY	Panama City	FL	32407–5898
STA DESTIN	Destin	FL	32540–1289
STA PENSACOLA	Pensacola	FL	32508–5231
STA DAUPHIN ISLAND	Dauphin Island	AL	36528–4603
STA PASCAGOULA	Pascaboula	MS	39568–1228
STA GULFPORT	Gulfport	MS	39502–1198
STA NEW ORLEANS	New Orleans	LA	70124
STA VENICE	Venice	LA	70091–9998
STA GRAND ISLE	Grand Isle	LA	70358–0158
STA SABINE	Sabine	TX	77655–1108
STA GALVESTON	Galveston	TX	77553–1912
STA FREEPORT	Freeport	TX	77541–8934
STA PORT O'CONNOR	Port O'Connor	TX	77982–0057
STA PORT ARANSAS	Port Aransas	TX	78373
STA SOUTH PADRE ISLAND	South Padre Island	TX	78597–6497
NINTH DISTRICT:			
STA BUFFALO	Buffalo	NY	14203–3189
STA NIAGARA	Youngstown	NY	14174–9999
STA ROCHESTER	Rochester	NY	14617–1098
STA OSWEGO	Oswego	NY	13126–1396
STA ALEXANDRIA BAY	Wellesley Island	NY	13640–2112
STA ERIE	Erie	PA	16505–0130
STA FAIRPORT	Grand River	OH	44045–0038
STA CLEVELAND HBR	Cleveland	OH	44114–1092

Unit	City	State	Zip
STA LORAIN	Lorain	OH	44052
STA MARBLEHEAD	Marblehead	OH	43440–5000
STA TOLEDO	Toledo	OH	43611–9999
STA BELLE ISLE	Detroit	MI	48207–4376
STA ST. CLAIR SHORES	St Clair Shores	MI	48080–1391
STA PORT HURON	Port Huron	MI	48060–2998
STA TAWAS	East Tawas	MI	48730–9506
STA SAGINAW RIVER	Essexville	MI	48732–9602
STA MARQUETTE	Marquette	MI	49855–3864
STA SAULT STE. MARIE	Sault Saint Marie	MI	49783–9501
STA ST. IGNACE	Saint Ignace	MI	49781–1899
STA CHARLEVOIX	Charlevoix	MI	49720–0258
STA STURGEON BAY	Sturgeon Bay	WI	54235–1099
STA MANISTEE	Manistee	MI	49660–1315
STA MUSKEGON	Muskegon	MI	49441–1068
STA GRAND HAVEN	Grand Haven	MI	49417–1741
STA ST. JOSEPH	Saint Joseph	MI	49085–1042
STA MICHIGAN CITY	Sheboygan	WI	53081–4649
STA CALUMET HARBOR	Chicago	IL	60617–5197
STA KENOSHA	Kenosha	WI	53140–2998
STA MILWAUKEE	Milwaukee	WI	53207–1997
STA TWO RIVERS	Two Rivers	WI	54241–3095
STA PORTAGE	Dollar City	MI	49922–0350
STA BAYFIELD	Bayfield	WI	54814–0467
STA DULUTH	Duluth	MN	55802–2492
ELEVENTH DISTRICT:			
STA SAN DIEGO	San Diego	CA	92101–1079
STA LA/LONG BEACH	San Pedro	CA	90731–0208
STA CHANNEL ISLANDS HARBOR	Oxnard	CA	93035–4397
STA MORRO BAY	Morro Bay	CA	93442–1319
STA MONTEREY	Monterey	CA	93940–1497
STA SAN FRANCISCO	San Francisco	CA	94130–5013
STA VALLEJO	Vallejo	CA	94590–0644
STA GOLDEN GATE	Sausalito	CA	94965–2289
STA BODEGA BAY	Bodega Bay	CA	94923–0037
STA RIO VISTA	Rio Vista	CA	94571–2099
STA LAKE TAHOE	Tahoe City	CA	96145–0882
STA NOYO RIVER	Fort Bragg	CA	95437
STA HUMBOLDT BAY	Samoa	CA	95564–9999
THIRTEENTH DISTRICT:			
STA CHETCO RIVER	Harbor	OR	97415–0328
STA COOS BAY	Charleston	OR	97420–0629
STA UMPQUA RIVER	Winchester Bay	OR	97467
STA YAQUINA BAY	Newport	OR	97365–0076
STA TILLAMOOK BAY	Garibaldi	OR	97118–0167
STA CAPE DISAPPOINTMENT	Ilwaco	WA	98624–0460
STA GRAYS HARBOR	Westport	WA	98595–0568
STA QUILLAYUTE RIVER	La Push	WA	98350–0009
STA NEAH BAY	Neah Bay	WA	98357–0120
STA PORT ANGELES	Port Angeles	WA	98362
STA BELLINGHAM	Bellingham	WA	98225–2940
STA SEATTLE	Seattle	WA	98134–1192
STA PORTLAND	Portland	OR	97217

OIL SPILLS

Question. There were over 3,800 oil spills caused by Hurricanes Katrina and Rita, with more than 8 million gallons spilled from Hurricane Katrina alone. What implications do these spills have on the Oil Spill Liability Trust Fund?

Answer. The level of funds in the OSLTF as of January 2006 was $710 million.

To date, there have been no Hurricane Katrina or Rita expenses charged to the Fund. All Katrina and Rita oil pollution response activities thus far have been funded by either Stafford Act funding or by a responsible party. The Coast Guard has received $178 million in Stafford Act funds for coastal zone hazardous materials response, and the EPA has received a similar amount for inland zone response. These

funds are expected to be sufficient through April 30, 2006. If response requirements continue to be identified without additional Stafford Act funding, it is possible that additional response costs will be incurred by the OSLTF.

A bigger threat to the OSLTF is from claims. While none have been received to date, third parties who have been economically damaged may file claims for reimbursement, as well may Natural Resource Trustees seek reimbursement from the Fund. Responsible Parties (RPs) who have spent their own money in response to the spills may also try to claim reimbursement for costs exceeding their limits of liability or for all costs using an "Act of God" defense. These claims would have to be evaluated on a case by case basis. If such claims meet the requirements of OPA 90 they would represent legitimate claims against the fund. It is unclear how much has been spent by the major refineries and other facility owners in their response to these hurricane related spills.

The size and number of potential damages and Natural Resource Damage (NRD) claims that could impact the fund is currently difficult to estimate with any degree of certainty.

If impacts to the OSLTF from Hurricanes Katrina and Rita begin to manifest themselves, the Coast Guard will notify DHS, OMB and Congress. Since claims are only paid if there are funds available, we could delay payment, or seek supplemental appropriations until the OSLTF is solvent enough to make claims payments, all other forecast assumptions remaining the same.

Question. Does the Coast Guard expect to have sufficient resources in the Fund to address spills from Hurricanes Katrina and Rita as well as other claims?

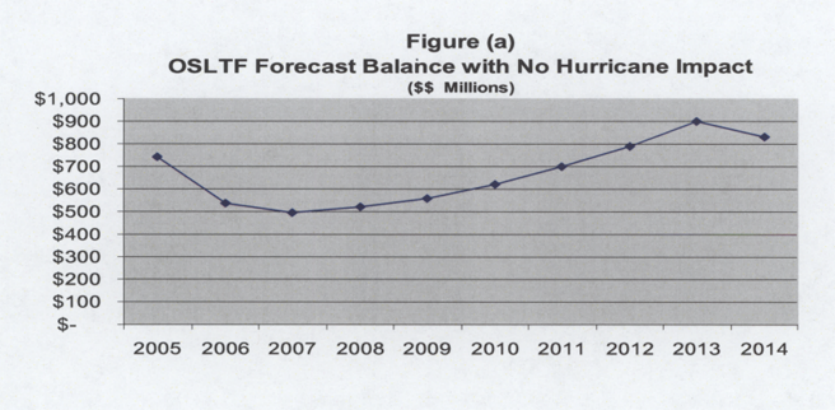
Answer. The size and number of potential damages and natural resource damages claims that could impact the OSLTF is currently difficult to estimate with any degree of certainty.

If impacts to the OSLTF from Hurricanes Katrina and Rita begin to manifest themselves, the Coast Guard will notify DHS, OMB and Congress. Since claims are only paid if there are funds available, the Coast Guard could delay payment or seek supplemental appropriations until the OSLTF is solvent enough to make claims payments, all other forecast assumptions remaining the same.

Question. Please provide a funding forecast chart through 2014.

Answer. The current OSLTF forecast, anticipating the resumption of revenue (approximately $200 million per year), from the per barrel oil tax in April, 2006 as approved in the Energy Policy Act of 2005 is projected to remain healthy if pasat trends continue and there are no significant Hurricane related impacts to the OSLTF (figure (a)).

It is impossible to estimate the claims that may materialze from Hurricane Katrina damages, and whether the OSLTF will be statutorily-required to pay such claims.



FORECAST EXCLUSIVE OF HURRICANE CLAIMS

Oil Spill Liability Trust Fund (OSLTF): FY2005 - 2014

	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
REVENUES:	*Actual*	*Forecast*	*Forecast*	*Forecast*	*Forecast*	*Forecast*	*Forecast*	*Forecast*	*Forecast*	*Forecast*
Barrel Tax	$0	$88,000,000	$183,000,000	$192,000,000	$203,000,000	$212,000,000	$223,000,000	$233,000,000	$244,000,000	$64,000,000
Cost Recoveries	$14,035,220	$6,000,000	$6,000,000	$6,000,000	$6,000,000	$6,000,000	$6,000,000	$6,000,000	$6,000,000	$6,000,000
Penalties	$17,925,110	$4,500,000	$4,500,000	$4,500,000	$4,500,000	$4,500,000	$4,500,000	$4,500,000	$4,500,000	$4,500,000
Interest on Investments	$21,655,443	$31,811,898	$23,189,907	$21,221,793	$22,386,740	$23,901,490	$26,685,374	$30,061,965	$34,013,749	$38,608,461
Transfers in (TAPS)	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Total Revenue	$53,615,773	$130,311,898	$216,689,907	$223,721,793	$235,886,740	$246,401,490	$260,185,374	$273,561,965	$288,513,749	$113,108,461
EXPENSES:										
Emergency Fund (EF)	$50,760,000	$50,000,000	$50,000,000	$50,000,000	$50,000,000	$50,000,000	$50,000,000	$50,000,000	$50,000,000	$50,000,000
Claims - Other	$13,675,346	$24,800,000	$52,000,000	$22,000,000	$20,000,000	$20,000,000	$20,000,000	$20,000,000	$20,000,000	$20,000,000
Claims - Athos	$101,283	$85,400,000	$37,000,000	$15,000,000	$15,000,000	$0	$0	$0	$0	$0
Claims - NRD	$675,710	$78,963,319	$31,800,000	$17,970,000	$24,000,000	$20,000,000	$20,000,000	$20,000,000	$20,000,000	$20,000,000
OSRI (earmark)	$862,945	$1,000,000	$1,000,000	$1,000,000	$1,000,000	$1,000,000	$1,000,000	$1,000,000	$1,000,000	$1,000,000
Denali (earmark)	$4,252,043	$4,000,000	$4,000,000	$4,000,000	$4,000,000	$4,000,000	$4,000,000	$4,000,000	$4,000,000	$4,000,000
Transfer to CG (approps)	$46,500,000	$44,500,000	$44,500,000	$44,500,000	$44,500,000	$44,500,000	$44,500,000	$44,500,000	$44,500,000	$44,500,000
Transfer to EPA (approps)	$15,872,000	$16,000,000	$16,000,000	$16,000,000	$16,000,000	$16,000,000	$16,000,000	$16,000,000	$16,000,000	$16,000,000
Transfer to DOI (approps)	$7,006,294	$7,100,000	$7,100,000	$7,100,000	$7,100,000	$7,100,000	$7,100,000	$7,100,000	$7,100,000	$7,100,000
Transfer to other DOT (approps)	$14,880,000	$19,000,000	$19,000,000	$19,000,000	$19,000,000	$19,000,000	$19,000,000	$19,000,000	$19,000,000	$19,000,000
Transfer to Treasury (approps)	$50,794	$60,000	$60,000	$60,000	$60,000	$60,000	$60,000	$60,000	$60,000	$60,000
Total Expenses	$154,636,415	$330,823,319	$262,460,000	$196,630,000	$200,860,000	$181,660,000	$181,660,000	$181,660,000	$181,660,000	$181,660,000
FY Net Change - Revenue less Expenses	($101,020,642)	($200,511,421)	($45,770,093)	$27,091,793	$35,226,740	$64,741,490	$78,525,374	$91,901,965	$106,853,749	($68,551,539)
Projected EOY Fund Asset Balance	$739,811,579	$539,300,158	$493,530,064	$520,621,857	$555,848,597	$620,590,087	$699,115,460	$791,017,425	$897,871,175	$829,319,635

Prepared 2/9/2006

Assumptions:

Barrel tax - Based on FY07 Revenue Estimate provided by Treasury, Office of Tax Analysis, Receipts Forecasting Division - 12/13/2005. Tax expires 12/31/2014.
Fines and Penalties - Based on historical rates
Interest on Investments - Based on projected 4.3% Treasury Investment rate applied against Previous Year's Ending Balance.
Emergency Fund - Based on historical usage.
Athos Claims - Reflects potential total claims of $152.5M

NATIONAL SPECIAL SECURITY EVENTS

Question. Please provide a chart of costs the Coast Guard has incurred in support of National Special Security Events (NSSEs). The chart should display the cost associated with each NSSE in which Coast Guard support was provided.

Answer. The Coast Guard has not participated in any NSSEs in fiscal year 2006, and there are none scheduled with a maritime nexus for the remainder of fiscal year 2006.

MTSA COMPLIANCE INSPECTIONS

Question. In response to an fiscal year 2006 QFR, the Coast Guard asserted that it planned to begin an evaluation of its facility inspection efforts in June 2005, complete the field portion of the evaluation in September of 2005, and produce a final evaluation in December 2005. What conclusions were made in the final evaluation?

Answer. Coast Guard Headquarters and Area staffs developed and made available an online survey to be completed by inspectors and direct supervisory staff involved with Maritime Transportation Security Act (MTSA) facility compliance examinations. The responses to questions directly related to compliance inspections included:

A majority of responses (78.3 percent) indicated that unannounced security spot checks on facilities are more effective in determining compliance than full, scheduled annual examinations. As a result, Captains of the Port (COTPs) are more actively performing unannounced spot checks in addition to the scheduled annual examinations. A security spot check form to aid COTPs in these type inspections was created and made available to facility inspectors.

83.2 percent of the respondents indicated that existing enforcement tools (tickets, civil penalties, etc.) are adequate to compel compliance with MTSA regulations.

79.3 percent of the respondents indicated that the Coast Guard's compliance guide (inspection checklist for annual examinations) is a good resource for conducting and documenting MTSA examinations.

83.9 percent of the respondents indicated that standardized reports accessible to unit personnel for tracking annual examinations, spot checks, and deficiencies for all MTSA facilities would be useful. As a result, Coast Guard Headquarters staff developed these standard reports, which are now available to COTPs within the Readiness Management System (RMS).

79.2 percent of the respondents indicated that the overall MTSA facility compliance program (annual compliance examinations and random spot checks) is effective.

Question. How many regulated facilities and vessels must maintain compliance with MTSA regulations?

Answer. Vessels: Approximately 10,900 U.S. flag vessels comply with MTSA and/or International Ship and Port Facility Security (ISPS) Code. The number of foreign vessels that must comply with the regulations issued under the authority of MTSA includes vessels that actually visit the United States and meet one of the applicability criteria in the MTSA Regulations.

—In 2004, 6,119 foreign vessels met that criterion.

—In 2005, approximately 8,100 foreign vessels met that criterion

Facilities: Approximately 3,200 facilities comply with the security plan requirements of MTSA. The Coast Guard conducts annual compliance examinations for all of these facilities to ensure continued compliance with their approved security plans.

Question. How many random inspections does the Coast Guard make on an annual basis?

Answer. The Coast Guard conducted 2,201 random compliance examinations of vessels in 2005.

The Coast Guard conducted approximately 5,100 random security spot checks of U.S. facilities in calendar year 2005.

Question. How much is included in the fiscal year 2007 budget for compliance inspections?

Answer. The Coast Guard's fiscal year 2007 Budget request does not specifically identify funding for compliance inspections, however, the Coast Guard's fiscal year 2007 Operating Expense base funding for Marine Transportation Security Act (MTSA) implementation includes $69.4 million for vessel and facility security plan review, foreign port assessments and Port State Control for foreign vessel security plans. These activities largely (but not exclusively) support compliance inspections support of MTSA.

WORKPLACE INJURIES

Question. The conference report accompanying fiscal year 2006 DHS Appropriations Act included a requirement to report on technologies for reducing occupational safety and health risks. That report included useful information on ways to reduce risk through the use of modern information tools. The report also lists deficiencies in these programs. For example, the data systems lack documentation, which means they can be lost and are hard to update; they are not integrated and they are not connected to other systems, which means that there is little to no opportunity for creating synergistic benefits.

Does the fiscal year 2007 budget include the resources to correct these identified deficiencies? If not, what is the cost to address these deficiencies?

Answer. The Department is engaged in numerous functional integration initiatives to provide synergies among component agencies. The Department's Information Technology (IT) Infrastructure Transformation Program (ITP), led by the Office of the Chief Information Officer, will integrate the IT infrastructures of the 22 legacy components into "One Infrastructure." The ITP is intended to eliminate duplicative and stove-piped infrastructures and provide common capabilities and services for all components to leverage. Investment in the ITP will benefit DHS component agencies by providing economies of scale while promoting DHS integration and improving information sharing and interoperability. The amount of IT investment funding from components to support the ITP is still under deliberation and any such proposal will be fully vetted with the Congress prior to any actions being taken.

While the Coast Guard's fiscal year 2007 budget does not include specific resources to address the deficiencies listed in the report for all DHS components, it is important for DHS to work closely with the Coast Guard to identify solutions for reducing risk by using information tools that are being developed through DHS's ITP. Integration and appropriate documentation of data systems, human factors analysis systems and aviation safety systems (as discussed in the referenced occupational health and safety report) will be critical to any potential Department-wide initiatives to manage safety and occupational health IT systems.

UNITED STATES SECRET SERVICE

CAMPAIGN PROTECTION

Question. Please provide a historical chart showing the actual costs for the campaign protection program. For each election since 1968, provide the number of candidates that received Secret Service protection.

Answer.

Year	Number of protectees [1]	Protection days	Cost ($000)
2004	4	553	$65,347
2000	7	673	49,233
1996	6	508	26,816
1992	7	663	35,809
1988	12	1,399	37,629
1984	11	1,152	28,547
1980	12	1,669	25,001
1976	19	2,448	16,274
1972	16	1,273	6,374
1968	16	1,222	2,981

[1] Includes spouses.

Question. The Secret Service already has a dedicated amount of funding for National Security Special Events. Why does the Secret Service need a dedicated appropriation for Presidential Campaigns? Please describe the difficulties in executing the Candidate Protection Program under current law and how a dedicated appropriation will resolve those issues.

Answer. The Secret Service receives $2.5 million annually for National Special Security Events (NSSE). The proposal is for a new no-year appropriation that places NSSE funding and presidential campaign funding in a no-year account that is separate from the Service's annual funding. This proposal will allow for easier tracking of the funds, and will take these funds out of the annual appropriation process used to appropriate funding required to operate the Secret Service.

Currently, the Secret Service budgets for Presidential Campaigns three out of every four fiscal years. Funding is required the year before the start of the Campaign to purchase equipment and to train personnel to work the campaign; funding

is required during the campaign year for candidate/nominee protection, the conventions, residence security and other political events; the year following the main campaign year funding is required for the last month of candidate/nominee protection, post election security and the Inauguration. Although the current method of budgeting does not pose a significant problem, the Presidential Campaign is a predictable mandatory workload increase that happens every 4 years, and because of the mandatory nature of this major event the Department believes that a base should be established to ensure that funding is available every 4 years for this event. By providing a base amount of funding each year in a separate account, only to be used for campaign activities, enough money will be available at the start of each campaign and throughout the campaign cycle. If the funding is not required, it will be non-recurred from the base.

STAFFING

Question. What is the status of the 71 positions funded in fiscal year 2006?

Answer. The Secret Service is actively recruiting to fill the 71 positions funded in our fiscal year 2006 budget. Of the 71 positions funded, 51 positions are for special agents, 11 positions are for physical security specialists, and 9 positions are for intelligence research specialists. To date, (18 physical security specialist and 17 special agents) of the 71 positions have been filled. Announcements advertising special agent, physical security specialist, and intelligence research specialist positions have been posted, and are being acted upon, with a number of applicants in the final stages of the clearance process. Further, a Nation-wide recruiting initiative begins in April which targets these and other positions. The Secret Service will have identified and made job offers for the remaining vacant positions by the end of the fiscal year.

Question. When will the 71 positions be on board?

Answer. The 71 positions should be filled by the end of fiscal year 2006. We project that all basic training should be completed, and the new recruits fully operational, by the beginning of calendar year 2007.

Question. A February 2006 report entitled, Investigative and Protective Workload Re-Balancing, States "to effectively address and achieve the balance recommended by the Committee between the investigative and protective workloads, the Service would require the additional staffing of 675 special agents, 114 uniformed officers, and 395 other mission critical support (MCS) personnel." The report states that this could be achieved over a 5-year period.

What are the costs to carry out this plan?

Answer. As part of a continual strategic planning process, and in an effort to address the efficiency, alignment and adequacy of its human capital, the Secret Service has identified workforce strategies and staffing requirements to keep pace with increasing work volumes, both protective and investigative, and minimize the impact of excessive overtime on our workforce.

Although the special agent and uniformed officer positions are needed immediately to rebalance the field's workload and allow sufficient resources to continue to support existing and new protective operations, recruiting, background investigation, training, and supervisory capacity, constraints limit the number of new applicants the Secret Service can reasonably accommodate in a single year. The Secret Service proposes a measured approach, addressing staffing requirements over a 5-year period.

It would take an estimated $150,000,000 to cover first year costs of hiring the 1,184 positions (675 special agents, 114 Uniformed Division officers, and 395 professionals). This is based on current salary and support costs levels. However, we would need to carry out this hiring over a number of fiscal years, and this would add to the total cost (outyear Federal pay raises, increased cost of health benefits, non-pay inflation).

To cover the full outyear costs (annualizing the salary after the first year, and covering the full-performance level salaries) would require approximately another $95,000,000.

Question. What are the current monthly overtime levels for special agents and uniformed division personnel?

Answer. For the last full fiscal year (fiscal year 2005), overtime levels for average monthly overtime for special agents on protective details was 75 hours and 67 hours for special agents assigned to field offices. During this same time, uniformed officers averaged 33 hours of overtime per month. (Source: Tonya Gray, ADM/MNO)

Question. How do those levels compare to other law enforcement agencies within the Department of Homeland Security?

Answer. CBP response: During fiscal year 2005, CBP Border Patrol Agents averaged 44 hours of overtime worked per month and the Agriculture Officers averaged 21 hours of overtime per month.

We continue to work with other DHS components to obtain this information.

Question. How do those levels compare with other law enforcement agencies in the Department of Justice?

Answer. DOJ provided the following data for uniformed law enforcement officers during fiscal year 2005: FBI law enforcement officers averaged 36 overtime hours per month; the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) officers averaged less than 1 hour per month; and the U.S. Marshal Service officers averaged 24 hours per month. The fiscal year 2005 monthly overtime for non-uniformed agents was considerably less, with the FBI and ATF averaging less than 2 hours per month, while the U.S. Marshal Service agents averaged 6 hours per month.

Question. What ratio of staffing between investigations and protection has the Secret Service concluded to be appropriate?

Answer. In order to ensure field office staffing for a balanced workload between investigative work and protective work, the Secret Service has identified an optimal mix between investigations and protection workload at approximately 65 percent investigations to 35 percent protection. The Secret Service has established as an optimal campaign year target, a 50–50 percent split of field special agent time devoted to investigations and protection.

Question. What level of overtime for special agents and Uniformed personnel has the Secret Service concluded to be appropriate?

Answer. In 1999, the Interagency Working Group (IAWG) on Special Agent Retention and Workload Balancing was formed to address the special agent staffing needs of the Secret Service, especially the field (at that time, the field was devoting half of its time to protection and half of its time to investigations). Also at issue was the need to improve the quality of life of special agents. This group determined that an effort should be made to reduce overtime levels to those similar to fiscal year 1994, recommending that special agents work no more than 20 hours of scheduled overtime per month (above the standard 10-hour day that includes 2 hours of law enforcement availability pay). Although this level of overtime was not necessarily viewed as optimal, it was seen as an improvement over the average 73 hours of overtime worked per agent per month at that time.

In 2000, the Interagency Working Group on U.S. Secret Service Uniformed Division Staffing Review was formed to make recommendations designed to assist the Secret Service in improving retention and enhancing worklife for its uniformed officers. This group made several recommendations to address staffing levels and overtime issues. Included was a recommendation that the Secret Service should attempt to achieve a target level of 16 to 18 hours of overtime per officer per month.

NATIONAL SPECIAL SECURITY EVENTS

Question. What is the current unobligated balance in the National Special Security Events Fund?

Answer. $4,934,000 is the balance currently in this fund, and includes current year and carry-over funding.

Question. For each designated NSSE over the past 3 years, what were the costs incurred by the Secret Service and the costs incurred by the other Federal agencies that provided support for the event? For instance, if CBP or the Coast Guard provided air support or manpower for a particular NSSE, what were their associated costs?

Answer.

National Special Security Events (NSSE)

Component	G-8 Summit June 8-10, 2004	President Reagan Funeral June 9-11, 2004	Democratic Convention July 2004	Republican Convention August 2004	2005 Inauguration	2005 State of the Union	2006 State of the Union
USSS	$ 7,212,000	$ 1,685,000	$ 6,951,000	$ 7,721,000	$ 7,187,000	1/	1/
FEMA	$ 3,415,797	$ 50,000	$ 2,362,000	$ 3,519,059	$ 1,019,796	$619,796	$ 428,444
CBP 2/	-	$ 31,600	-	-	$ 30,400		$ 15,500

1/base funding used – no extraordinary costs

2/CBP costs were for air support and funding for 2005 Inauguration and 2005 State of the Union is not broken out.

In FY 2004, Air and Marine Operations was part of Immigration and Customs Enforcement.

Question. Has the Secret Service reimbursed any other Federal agency for costs incurred to support a NSSE?

Answer. The Secret Service budgets for known traditional protective events such as a political convention and the Inauguration. If one of these traditional events is designated an NSSE, the Secret Service would have funding available to pay travel and overtime costs for agents from other agencies and the military who are supporting the Service's protective mission.

However, when events that are not traditional Secret Service events are designated an NSSE, the Secret Service does not reimburse other agencies.

Question. Why should the Secret Service have a dedicated fund to pay for NSSE's when other Federal agencies that provide support for these events do not?

Answer. In 1998, Presidential Decision Directive #62 named the United States Secret Service as the lead agency for planning, designing, and implementing security for events designated as National Special Security Events (NSSEs). This Directive called for a funding mechanism to be created to cover the costs of this new responsibility within 120 days. No funding mechanism was created.

In the past the Service has proffered several options for establishing funding mechanisms for providing the resources needed to provide security for events designated as NSSEs. These options were presented to various entities within the Department of the Treasury, particularly the Under Secretary for Enforcement, as well as the Office of Management and Budget. These options included permanent, indefinite appropriations, to be controlled by various entities, with funding available to all involved with providing security for these events. To date, none of these options has been accepted, nor has an alternative solution to the issue of funding these events been established.

Question. Would a DHS Fund to cover all component NSSE costs be a better solution?

Answer. By statutory authority, the Secret Service coordinates, plans and implements the security at National Special Security Events. At these events the majority of the costs are incurred by the Secret Service. Because many times the Secret Service does not know that an NSSE is going to occur in time to budget for the event, funding needs to be available to pay for the NSSE that occurs outside of the budget cycle. The Department would support any method that assures that funding is available to cover the expenses for providing security for designated NSSEs.

TRAVEL

Question. Since 2-year funding authority was provided to the Secret Service for protective travel, how much has the Secret Service carried over on a year to year basis? Provide a chart showing the carryover amount for each year since Congress granted the 2-year authority.

Answer. Protective travel funds carried forward:

—fiscal year 2001: $7,856,456
—fiscal year 2002: $10,017,610
—fiscal year 2003: $16,231,510
—fiscal year 2004: $5,853,395
—fiscal year 2005: $8,113,174

Question. Is $18 million still an appropriate ceiling for 2-year travel funding?

Answer. Yes. The Secret Service spends approximately $100 million per year on travel, with many employees traveling at any one time. This leads to numerous outstanding travel vouchers at the end of a fiscal year. Trying to estimate the amount of travel expenses not yet vouchered at the end of the fiscal year is very difficult. Without this 2-year authority, use of limited travel dollars would be a lot less efficient than it is. The $18,000,000 2-year authority works very well for the Service.

ARMORED VEHICLES

Question. How many vehicles are there in the armored vehicle program? Please describe a description of the fleet and the purpose each vehicle serves.

Answer. This response is classified and will be provided to the Committee under separate cover.

PROTECTION FUNDING

Question. According to the DHS End of Year Execution Report for fiscal year 2005, the Secret Service exceeded obligational authority for the Protection of Persons and Facilities program activity by approximately $20 million. Why hasn't a reprogramming notification been sent to Congress?

Answer. The official reprogramming notification was submitted and has been subsequently approved by the Congress.

Question. What measures are being put in place to better account for costs in this activity as they occur?

Answer. The Service will continue to review and report to the Committee on Appropriations obligations by program, project, and activity on a monthly basis. Using this information and any additional information regarding what the future activity level will be, the Service will make assessments regarding the need for a reprogramming notification.

At the point where the Service becomes aware that a notification of a proposed reprogramming of funding between programs, projects, and activities is necessary, the Service will immediately notify the Department. This will be followed, within two workdays, by submission to the Department of a letter requesting a reprogramming of funds.

The Service will make every effort to ensure that all relevant information regarding the costs being incurred, and likely to be incurred, by program, project, and activity is gathered and analyzed. By doing this, we will recognize the need for a formal reprogramming notification at the earliest possible moment.

Question. Please provide a list of Federal agency heads other than the Secretary of Homeland Security receiving Secret Service protection. Pursuant to Section 522 of Public Law 109–90, has the Secret Service entered into any agreement to perform protection for the head of a Federal agency other than the Secretary of Homeland Security? Please describe each agreement and the associated costs for each.

Answer. The Secret Service currently provides protection to the Secretary of the Treasury on a reimbursable basis. A Memorandum of Understanding (MOU) has been provided to the Treasury Department from the Department of Homeland Security defining all costs associated with the Treasury Secretary's protection. The MOU estimates the reimbursement to the Secret Service in the amount of $4.1 million.

Question. Please provide a list of all individuals receiving Secret Service protection.

Answer. This response is classified and will be provided to the Committee under separate cover.

PREPAREDNESS DIRECTORATE

NATIONAL PREPAREDNESS GOAL

Question. The fiscal year 2006 Homeland Security Appropriations Act was signed into law on October 18, 2006 and required that, in accordance with the Department's implementation plan, the final National Preparedness Goal shall be issued by December 31, 2005. As of March 6, 2006 the final Goal has not been issued. Why has final issuance been delayed?

Answer. The National Preparedness Goal is critical to addressing many of the recommendations identified by the Administration and Congress in the analysis of the responses to Hurricanes Katrina, Rita, and Wilma. In addition, other significant recent initiatives, such as the National Strategy for Pandemic Influenza require us to ensure the Goal is consistent and synchronized with these initiatives. The Department is reviewing the Goal on an accelerated timeline in concert with other specific recommendations regarding, for example, the National Response Plan and National Infrastructure Protection Plan. The Interim National Preparedness Goal was released on March 31, 2005. The Department intends to release the final Goal within the next few months.

Question. When will the final Goal be issued?

Answer. The Department intends to release the Goal within the next few months.

Question. What is the impact to State and local governments?

Answer. State and local governments are already implementing the Interim National Preparedness Goal. In fiscal year 2005, grant recipients were required to align their homeland security strategies with the National Priorities contained in the Interim Goal. States and Urban Areas were also encouraged to adopt the capabilities-based approach for planning, training and exercises. The release of the Final Goal in the next several months will ensure these efforts reflect the important lessons of Hurricane Katrina, Rita and Wilma.

HURRICANE PAM EXERCISE

Question. What lessons were learned from the 2004 Hurricane Pam Exercise and how were those lessons incorporated into the fiscal year 2007 budget?

Answer. As an initial matter, the President has included $20 million in its fiscal year 2007 budget request to continue catastrophic disaster planning activities. This will allow FEMA to continue to review and enhance our operational capabilities as well as to provide direct technical support to certain high risk areas for localized catastrophic disaster planning.

In developing the Southeast Louisiana Catastrophic Hurricane Plan, "Hurricane Pam", a series of planning workshops were conducted in 2004 and 2005. Planning topics considered to be the most urgent and complex were discussed by State and Federal representatives in the workshops such as hurricane pre-landfall issues, search and rescue, temporary medical care, sheltering, temporary housing, school restoration, and debris removal. Additional important topics included access control and reentry, billeting of Federal response workers, distribution of ice, water and power, donations management, external affairs, hazardous materials, temporary housing, temporary medical care, and dewatering of levee enclosed areas.

Catastrophic planning is an iterative process and will incorporate products and results from the Southeast Louisiana Catastrophic Hurricane Planning effort, lessons learned from the 2005 and 2006 hurricane seasons, and results available from the New Madrid catastrophic earthquake planning activities. More specifically, activities planned include the following:

—Continuing the planning initiatives for the New Madrid Seismic Zone and Southeast Florida and initiating catastrophic disaster readiness for response and recovery for additional high-risk communities;
—Continuing the development and implementation of initiatives that support the critical areas of high-risk locality planning, mass care, temporary housing, decontamination, and logistical support. Specific proposals within each critical area will support topics such as the following;
—Improving logistical support to include increased efficiency in delivery of Federal resources;
—Ongoing evacuation and mass care services planning with high risk localities as well as cities and States that are identified as potential hosts for large numbers of evacuees;
—Training and exercises to evaluate/implement operational requirements for conducting response and recovery activities in contaminated areas;
—Developing and assessing innovative housing solutions;
—Implementing technology enhancements that support the expedited application and delivery of needed assistance under the Individual and Public Assistance programs; and
—Developing strategies to enhance the engagement and coordination of private sector resources in response and recovery operations.

GRANT DRAWDOWN RATE

Question. By grant program, what is the award date, the obligation rate and the drawdown rate for funds for each quarter in fiscal year 2005 and so far in fiscal year 2006?

Answer. The Department's principal source of homeland security assistance to State, local and tribal governments is through the Homeland Security Grant Program (HSGP). In fiscal year 2005, the HSGP was comprised of the six programs—the State Homeland Security Program (SHSP), the Law Enforcement Terrorism Prevention Program (LETPP), the Urban Areas Security Initiative (UASI), the Emergency Management Performance Grant (EMPG), the Metropolitan Medical Response System (MMRS), and the Citizen Corps Program (CCP). In fiscal year 2006, the HSGP was comprised of the same programs with the exception of the EMPG program. In fiscal year 2006, the EMPG program exists as a separate program.

During fiscal year 2005, the award dates for grants to the States and territories under the HSGP varied depending on the time required to review and finalize each individual grant award application. The first of the fiscal year 2005 HSGP grant awards were made on February 14, 2005, with the last the fiscal year 2005 HSGP grant awards being made on June 1, 2005. During fiscal year 2006, only the EMPG grant awards have been awarded to date. Forty-seven fiscal year 2006 EMPG grant awards were made on February 3, 2006 and the remaining 11 fiscal year 2006 EMPG grant awards were made on February 15, 2006. The fiscal year 2006 HSG program awards are still pending review and final award decisions expected at the end of May, 2006, as stipulated by Congress.

The charts below contain information on total award amounts, obligation amounts, obligation rates, drawdown amounts and drawdown rates by quarter for both the HSGP and the EMPG for fiscal year 2005 and fiscal year 2006 (to date).

	Awards	Obligation	Obligation Rate	Drawdown	Drawdown Rate
			FY 05		
Q2	$ 2,514,383,480.00	$ 6,913,100.26	0%	$ 6,913,100.26	0%
Q3	$ 4,279,493.00	$ 2,153,035,305.57	85%	$ 40,975,552.06	2%
Q4	$ 100,150.00	$ 2,157,414,948.57	86%	$ 91,462,851.45	4%
			FY 06		
Q1	N/A	$ 2,390,193,894.00	95%	$ 148,583,225.81	6%
Q2	N/A	$ 2,407,610,292.06	96%	$ 238,811,311.03	9%

FY 2006 Emergency Management Performance Grant Program
Total for Grant Program: $177,655,500

	Awards	Obligation	Obligation Rate	Drawdown	Drawdown Rate
			FY 06		
Q1	N/A	N/A	N/A	N/A	N/A
Q2	$ 177,553,146.00	$ 177,553,146.00	100%	$ 3,138,906.14	2%

NATURAL DISASTERS

Question. When natural disasters strike the United States each year, first responders go to the scene with the same equipment, training and exercise that they receive for terrorism.

Has DHS considered including natural disasters as part of the risk criteria for grant funding distribution?

Answer. The statutory intent of the State Homeland Security Program (SHSP) and Urban Areas Security Initiative (UASI) is focused on enhancing capabilities to address Chemical, Biological, Radiological, Nuclear, and Explosive (CBRNE), agriculture, and cyber terrorism incidents, therefore, natural disaster risk is not included. As many States and localities remain ill-prepared for the unique detection, prevention, and response aspects of terrorism, homeland security grant programs should continue their focus on terrorism-related threats—though many of these capabilities are of great value for natural disaster response.

A number of other DHS grant programs—including the Emergency Management Performance Grant Program, Citizen Corps Program, and the Metropolitan Medical Response System Program—are more all-hazard in nature. These programs are targeted to particular constituencies such as emergency management, community preparedness, or public health and medical communities but support preparedness activities across the full range of natural and manmade hazards.

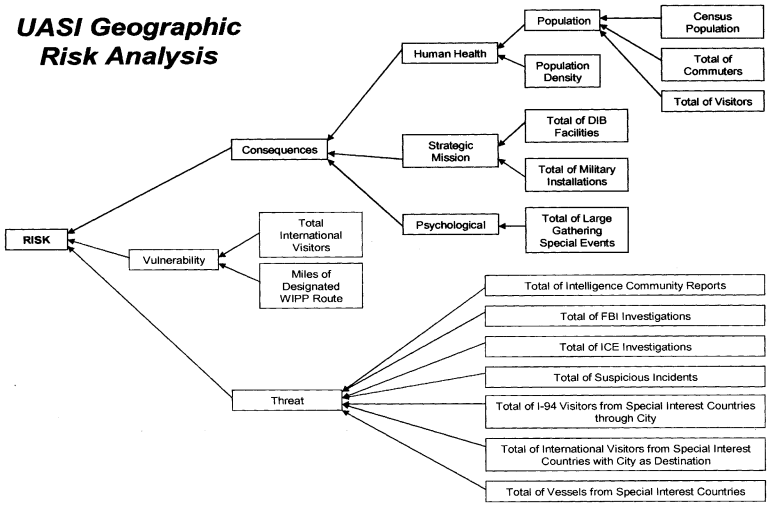
Question. What was the result, including any obstacles encountered?

Answer. Congress has rejected language that would encourage State and local emergency managers to also address planning for homeland security threats. This may serve to perpetuate a lack of coordination between planning for natural disasters and terrorism-related events. In addition, the program has encountered difficulty in defining clear goals and objectives.

TRANSIENT POPULATIONS ACCOUNTING

Question. How, specifically, are transient populations accounted for in grant programs where funds are distributed based on risk? If this answer is classified, please provide it in that format.

Answer. The graphic below illustrates the risk methodology used in the process to determine eligibility for the fiscal year 2006 Urban Areas Security Initiative. In May 2005, DHS hosted a one-day stakeholders meeting in Washington, DC to solicit input and feedback on the fiscal year 2005 risk formula used to determine eligible urban areas and associated funding allocations for the UASI Program. Several of the recommendations from those stakeholders were incorporated into the fiscal year 2006 formula, including data on transient populations (e.g., tourists and commuters).



EMERGENCY MANAGEMENT PERFORMANCE GRANTS

Question. Emergency Management Performance Grants are proposed to be cut by $13 million, 7 percent, in the fiscal year 2007 budget. Secretary Chertoff recently commented to the Emergency Managers that paying for State and local personnel expenses is not in the Federal interest. EMPG has traditionally supported personnel expenses so that local communities would have the manpower to plan and coordinate. Additionally, a report to Congress by the Secretary, entitled The Nationwide Plan Review, provides a status on catastrophic planning in all States and in the Nation's largest urban areas. Overall, States and large cities report they lack confidence in their own ability to manage catastrophic events.. Federal seed money that is matched with State and local dollars makes it possible to bring all the partners together across all disciplines of responders and all layers of government. The National Preparedness Integration Program proposed in the fiscal year 2007 budget claims to make more robust the Federal side of catastrophic planning by using Federal Preparedness Coordinators to build and maintain positive relationships with identified partners.

If local governments do not have the capacity to build an emergency management program, isn't it a Federal responsibility to help them?

Answer. Fundamental to the mission of the Department of Homeland Security is the mitigation of threats, vulnerabilities, and consequences that stem from acts of terrorism and natural disasters. This mission however, is a shared responsibility and a shared commitment of Federal, State, local and tribal governments. As a partner in this effort, the Federal government is assisting State and local jurisdictions to identify and build essential capabilities.

As part of its effort, the Department issued the Interim National Preparedness Goal in March, 2005. The final Goal will be issued within the next several months. The Goal provides a common framework to build, sustain, and improve national preparedness for a broad range of threats and hazards, regardless of origin. Achieving the National Preparedness Goal requires that the emergency management discipline play a vital role in support of the goal, as well as the implementation of the levels of capability described in the Department's Target Capabilities List. As the coordinator for disaster response operations, the emergency management discipline is essential to the prevention, protection, response, and recovery efforts necessary when disasters or other incidents of national significance occur at the State and local level, and when Federal assistance is needed.

The fiscal year 2007 Emergency Management Performance Grants (EMPG) request is consistent with the Administration's $170 million budget request in fiscal year 2006. The Department continues to support the EMPG program's efforts to helps States achieve target levels of capability to sustain and enhance the effective-

ness of their emergency management programs. The EMPG funding request for fiscal year 2007 is sufficient for States to continue to develop intra- and interstate emergency management systems that encourage partnerships among government, business, volunteer, and community organizations based on identified needs and priorities for strengthening their emergency management and catastrophic planning capabilities.

Therefore, to sustain and enhance emergency management capabilities, including those in support of the goal, the EMPG program, in conjunction with the Department's other sources of homeland security funding for State and local jurisdictions, is designed to assist these jurisdictions achieve the target levels of capability to sustain and enhance the effectiveness of their emergency management programs.

Question. It was stated in the fiscal year 2006 Senate Questions for the Record, "Further, the integration of EMPG into the Homeland Security Grant Program umbrella results in synergies with other related homeland security assistance programs. In addition, this integration also has facilitated efforts by States/local jurisdictions to leverage homeland security assistance to accomplish goals and objectives in their homeland strategies." How specifically has this happened?

Answer. The Emergency Management Performance Grants (EMPG) program was separated from the Homeland Security Grant Program (HSGP) and managed as a stand alone grant in fiscal year 2006 to expedite the Nation's emergency management community. G&T continuously evaluates its programs, including soliciting stakeholder feedback, to ensure that programs support better support Federal, State, and local goals.

G&T is committed to ensuring that EMPG, HSGP, and other preparedness programs are aligned with the National Preparedness Goal and the National Priorities, which guide the goals and objectives in State and urban area homeland security strategies. EMPG funding will help align emergency management efforts with the Emergency Management Accreditation Program (EMAP) Standard structure, the National Emergency Management Baseline Capability Assessment Program (NEMB–CAP), the National Response Plan (NRP), and the National Incident Management System (NIMS).

CYBERSTORM

Question. What lessons were learned from CyberStorm?

Answer. The DHS cyber exercise team is currently compiling the lessons learned for our Cyber Storm Exercise After Action Report (AAR), but preliminary results indicate there was tremendous value gained by all of the participants. Cyber Storm provided a non-attribution controlled environment for our private sector, State, and international government and interagency partners to examine cyber incident response; information sharing mechanisms; procedures for establishing situational awareness; public-private sector decision making; and communicating appropriate information to the public during a cyber incident of national significance. The exercise brought together the response communities within the energy, information technology, telecommunications, and transportation sectors, as well as the National Cyber Response Coordination Group (NCRCG) and Interagency Incident Management Group (IIMG)—the interagency bodies responsible to respond under the Cyber Annex to the National Response Plan (NRP).

While DHS, State governments, and many of the critical infrastructure owner-operators have significant experience in physical disaster and counter-terrorism incident response, never before have the cyber implications for critical infrastructure, as well as the collective cyber incident response community, been exercised simultaneously at the strategic and operational levels. The first-ever nature of the exercise scenario and player interaction provided a significant opportunity to operationalize the Cyber Annex to the NRP, raise awareness of the criticality of cyber preparedness at the senior leadership level, foster significant cross-sector collaboration, and identify areas that require future effort to ensure the Nation's preparedness. Highlights from Cyber Storm include:

—The NCRCG and IIMG exercised their NRP responsibilities together for the first time;

—State players worked multiple and challenging scenario events not normally encountered and fostered new collaboration levels with the Multi State-Information Sharing and Analysis Center (ISAC), US–CERT, and their own emergency management structures;

—Faced with the challenge of simultaneous events, private sector players correlated incidents across sectors, with non-traditional partners, while concurrently responding to a robust incident pace;

—Sector ISACs stressed their operational capabilities beyond their comfort zone, tested and validated prototype communication/situational awareness tools, and worked cross-sector coordination outside of the norm; and

—International coordination between government CERTs tested formal and informal tools, thresholds, and protocols for crisis communication/collaboration for the first time that will provide the baseline and lessons learned for future cooperation.

The interdependencies, gaps in response structure, and positive cross-sector collaboration (between infrastructure sectors, Federal and State, international and domestic) are all critical parts of Cyber Storm lessons learned and will have enduring impact throughout each of the player communities and in the collective.

Question. How have those lessons been incorporated into the fiscal year 2007 budget?

Answer. Most of the lessons learned were process or procedurally focused and DHS is moving rapidly to implement suggested improvements and changes. For those specific instances where additional funding or resources are required, we will prioritize these needs within the budget allocation process for this year as well as out years—again moving with all due expediency to meet critical needs for enhanced cyber security.

Based on the lessons learned during Cyber Storm, National Cyber Security Division (NCSD)/US–CERT is dividing the corrective actions into two areas: funding required and no additional funding required.

NCSD is currently focusing on the items that can be rectified quickly and without additional financial investment. These immediate actions include, but are not limited to, procedures, policy and practice development, and organizational changes. Since Cyber Storm, US–CERT has already implemented organizational changes based on exercise findings regarding resource limitations found in having multiple facilities perform similar functions, i.e. incident handling.

Prior to Cyber Storm, NCSD had an existing project plan to test and evaluate incident databases and event correlation tools for implementation into US–CERT operations. These technology solutions are expected to resolve certain exercise lessons learned and were already designated as projects to be funded with fiscal year 2007 funds. The tools being evaluated will greatly enhance US–CERT's ability to track incidents, provide timely and calculated responses, and assist in providing overall situational awareness.

Further, NCSD/US–CERT has additional government positions that will be filled in the near term. These government additions will help to guide the existing contractor staff and program tasks to completion.

FIRE GRANTS

Question. For FIRE grants, how many applications were received for fiscal year 2005?

Answer. A total of 20,972 applications were received for the fiscal year 2005 Assistance to Firefighter Grant funds.

Question. What was the total value of the fiscal year 2005 requests?

Answer. In fiscal year 2005 applications received under the fire grant program reflected a request for $2,642,756,563 in Federal dollars, though this does not reflect considerations of basic eligibility or how such applications would have been scored in the peer review process.

Question. How many applications were funded and at what dollar value?

Answer. To date, under the fiscal year 2005 fire grant program, 5,731 of the applications received, totaling $586,377,025.00 in Federal dollars have been funded. As of this date, $21 million in fiscal year 2005 funding remained available for award.

Question. Describe what first responder missions have been accomplished (using measurable benchmarks) in fiscal year 2004 through fiscal year 2005, that justifies the proposed $252 million (46 percent) cut in fiscal year 2007.

Answer. Since the programs beginning in fiscal year 2001, the fire grant program has provided nearly $2.5 billion to local fire departments. The program has not developed any benchmarks that directly measure the impact of the program at the local or national level.

SAFER

Question. For SAFER grants, how many applications were received for fiscal year 2005?

Answer. The Department has received 2,985 applications under the fiscal year 2005 SAFER grant program.

Question. What was the total value of the fiscal year 2005 requests?

Answer. Applications received under the fiscal year 2005 SAFER program requested a total of $1,145,822,782 in Federal dollars, though this does not reflect considerations of basic eligibility or how such applications would have been scored. The non-Federal cost (local contribution) share of the grant requests brings the total to $2,889,274,945.

Question. How many applications were funded and at what dollar value?

Answer. To date, the Department has funded 137 of the fiscal year 2005 SAFER applications received totaling $61,356,528.00 in Federal dollars. Several decisions are still pending and it is anticipated that the total amount of grants will be near the program's $65 million appropriation.

INTEROPERABILITY GRANTS

Question. How will DHS coordinate with the Department of Commerce on the interoperability grant program authorized in the fiscal year 2006 Budget reconciliation package?

Answer. In order to implement the interoperability grant program, the Office of Grants and Training (G&T) within DHS and National Telecommunications and Information Administration (NTIA), located within the Department of Commerce are discussing options to determine the most efficient way to administer this grant program. One option under consideration is to delegate administration of the program through an Inter-Agency Agreement to G&T. This would leverage existing capabilities of G&T for administering grant awards to State and local units of government since 1998, and build on DHS initiatives to strengthen interoperable communications.

Question. Will DHS recommend beginning the program in fiscal year 2007?

Answer. The specific timing of the program has not been determined as the "borrowing authority" is based on projected auction receipts, but initial implementation could begin in fiscal year 2007.

INTEROPERABILITY

Question. What progress has been made on Interoperability standards since April 2005?

Answer. Since April 2005, the Department of Homeland Security's (DHS) SAFECOM program, in partnership with the National Institute of Standards and Technology (NIST) and the Department of Justice's National Institute of Justice (NIJ), have been working with industry and the public safety community to accelerate the development of Project 25 (P25) standards. Since that time, both the pace and scope of standards development activities have increased dramatically. Basic protocol standards that specify the functionality and capability of these interfaces have now been completed and are being adopted.

The following list defines three of the standards and summarizes progress as of March 2006:

—*Inter-RF Subsystem Interface (ISSI).*—The ISSI enables different manufacturers' radio subsystems to interoperate and allows for radios to roam from one system to another. Completion of the ISSI is progressing rapidly with Telecommunications Industry Association (TIA) balloting of a key ISSI protocol standard achieved in January 2006 and completion of the standard expected in March 2006. The public safety community can expect ISSI products to be available in 2007.

—*Fixed/Base Station Subsystem Interface (FSSI).*—The FSSI enables voice and control information to be transferred between a base station and radio subsystem or dispatcher's console. A completed FSSI standard was approved publication as a TIA standard in January 2006. The public safety community can expect FSSI products to be available in late 2006.

—*Console Subsystem Interface (CSSI).*—The CSSI connects a dispatcher's console to the radio subsystem and allows voice and control information to be transferred between the two. Further development of the CSSI is dependent on completion of the ISSI and FSSI protocol specification standards. The public safety community can expect CSSI products to be available in 2007.

Question. What are the impediments to establishing such standards?

Answer. Time is the most significant impediment to the development and establishment of interoperability standards. The National Technology Transfer and Advancement Act of 1995 (Public Law 104–113) requires that Federal agencies and departments use technical standards that are developed or adopted by voluntary consensus standards bodies. The process for developing such voluntary consensus standards is quite rigorous and lengthy.

OMB Circular No. A–119 defines the process by which the voluntary consensus standards body reaches consensus. The process is designed to allow for openness, balance of interest, due process, an appeals process, and consensus, which is defined as "general agreement, but not necessarily unanimity, and includes a process for attempting to resolve objections by interested parties, as long as all comments have been fairly considered, each objector is advised of the disposition of his or her objection(s) and the reasons why, and the consensus body members are given an opportunity to change their votes after reviewing the comments." While designed to ensure quality, this process takes considerable time.

Question. Is there a measure to determine if local, State and Federal entities are more interoperable than previously? If so, how is this measured?

Answer. G&T and the SAFECOM program worked together to ensure that a tactical-level emergency interoperable communications capacity is developed and tested in 77 urban areas in the Nation. This initiative builds on an effort led by SAFECOM and G&T in fiscal year 2004 called RapidCom that focused on achieving tactical-level emergency interoperable communications in ten major urban areas. The fiscal year 2005 Homeland Security Grant Program (HSGP) requires each Urban Area (77 Total) to develop a Tactical Communications Plan (TICP). For those States and territories that do not have a designated urban area they must designate a multi-jurisdictional metropolitan area or region as a substitute. There are a total of 77 Urban Areas and multi-jurisdictions metropolitan areas that are required to submit a TICP. The TICP must be submitted by May 1, 2006 and these plans will undergo a review process led by subject matter experts, Federal officials, and peers. Once the review process has been completed each Urban Areas and multi-jurisdiction metropolitan areas will then have to test their plan via an exercise. At the conclusion of the exercise, an after action reports (AAR) will be created to present clearly the issues the public safety community must address to achieve meaningful communication interoperability. This AAR is a review of the major issues identified during the exercise and it will contain a list of recommendations to improve regional communication and interoperability. Included in the AAR, as an appendix, will be an improvement plan which will document specific steps the region can take to improve their interoperability. Through the TICP, exercise, and subsequent AAR process, the Department can examine potential shortfalls, fill communication gaps, and improve communication interoperability.

FEDERAL PREPAREDNESS COORDINATORS

Question. How many Federal Preparedness Coordinators (FPC) are currently on board? How long have they been on board?

Answer. The Federal Preparedness Coordinator is a new position and, currently, there are no FPCs "on board."

Question. Where are they located and what are their responsibilities?

Answer. The current plan calls for there to be 11 Federal Preparedness Coordinators (FPCs). Ten of them will be based in FEMA Regional office cities, and co-located with the FEMA regional offices. The 11 FPC will be the Director of the Office of National Capital Region Coordination, who will be dual-hatted as an FPC and continue to be based in the Office of National Capital Region Coordination.

FPCs are responsible for coordinating a wide spectrum of Federal, State, and local domestic incident planning, preparedness, and relationship-building activities in advance of any specific threat or incident. On a day-to-day basis, the FPC will undertake a range of activities to ensure that all homeland security partners within the FPC's assigned geographic areas of responsibility are prepared for an Incident of National Significance. The area of responsibility for each FPC will be the urban area where he or she is based, as well as other high-risk and high-population urban areas in the vicinity. This means that all Urban Area Security Initiative metropolitan areas in the country will have an FPC responsible for coordinating preparedness activities.

The FPC's specific responsibilities related to preparedness will be to:

—*Contingency Plan Review.*—Coordinate with a preparedness assessment work group for the review of urban area contingency and continuity of operations plans—and lead any subsequent follow-up action needed—per direction contained in HR 2360, to "report on the status of catastrophic planning, including mass evacuation planning in all 50 States and the 75 largest urban areas."

—*Preparedness Review and Monitoring.*—Assess the status of preparedness in their areas of responsibility in accordance with the National Preparedness Goal and guidance provided by the Secretary and U/S for Preparedness.

—*Exercise Coordination and Review.*—Coordinate planning for, and participate in, local, regional, and national-level homeland security exercises and drills.

—*Establish Local Relationships.*—Build relationships with key stakeholders (DHS operational elements, other Federal agencies, State and local government officials, and the private sector).

—*Situational Awareness.*—Maintain situational awareness of available resources and capabilities, existing operations, and possible threats in the FPC's areas of responsibility.

—*Public Communications.*—Serve as a preparedness public communications focal point for DHS in the assigned areas of responsibility.

—*Special Event Planning.*—Coordinate local area Federal support for designated Level I and Level II Homeland Security Special Events occurring within the FPC areas of responsibility.

—*Incident Response Planning.*—Coordinate resource and operational planning in preparation for incident response, in concert with the FEMA Regional Director, and other Federal, State, local, tribal and private sector partners.

Question. Are they co-located with other DHS or government employees?

Answer. Federal Preparedness Coordinators (FPCs) will be co-located with FEMA regional offices. (Except for within the Office of National Capital Region Coordination (ONCRC), where the Director of the NCRC will be dual-hatted as an FPC.) In addition, each FPC will have a small staff, including detailees from across DHS, who will also be based in the FEMA Regional Offices. It is expected that FPCs will be integrated with DOD liaisons who will also work out of FEMA regional offices.

Question. Do they coordinate or work with other DHS or government employees? If so, how and what specific results have come from the coordination?

Answer. DHS Directorate for Preparedness field staff will work closely with the 11 Federal Preparedness Coordinators (FPCs) and their staffs, particularly the Office of Infrastructure Protection Protective Security Advisors (PSAs) and the Office of Grants and Training (G&T) Preparedness Liaison Officers. PSAs will have a "dotted-line" reporting relationship to the FPCs, while the G&T Preparedness Liaison Officers will maintain their existing reporting relationships but collaborate closely with the FPCs and their staff. This will allow FPCs to be the lead Directorate for Preparedness staff in the field and be the primary interface for preparedness issues with State, local, and tribal governments as well as the private sector.

In addition, FPCs will work closely with FEMA Regional Directors to ensure that, in the event of an incident, DHS would have a unified response team in place based on pre-established relationships. The importance of the relationship between the FPCs and FEMA Regional Directors is demonstrated by the fact that FPCs will be co-located in FEMA regional offices. The FPCs will work to leverage the efforts of FEMA Regional staffs, trusted relationships, and individual points of contact. FEMA Regional Directors are responsible for maintenance of Regional Response Coordination Centers (RRCCs) and Regional Interagency Steering Committees (RISCs) under the NRP. These resources can provide an abundance of information both during the planning and preparedness stages which will be the primary focus of the FPCs, as well as during incident response.

Absent a specific threat or incident, the FPC will help to coordinate preparedness activities across DHS components and missions within his or her areas of responsibility. It is important that the FPC coordinate with and leverage key DHS field component entities: FEMA, Preparedness Liaison Officers, Protective Security Advisors, ICE, CBP, TSA, USCG, and USSS. The FPC plan recognizes the need to preserve existing DHS component entity field relationships and agency statutory roles. Therefore, existing component organizational structures, reporting relationships, and chains of command will not be changed by the introduction of FPCs.

Outside of DHS, efforts will be made to build relationships with local Federal representatives with a focus on key NRP signatory agencies. Many of these agencies will have a large role in the Joint Field Office during an incident, and pre-existing relationships will prove highly beneficial. More specifically, FPCs will initiate relationships with two distinct entities within their areas of responsibility—the members of the RISC and the Federal Executive Board (FEB). Each of these bodies offers the FPC the perspective of key officials who support Federal incident management efforts.

The FPC will also make a focused effort to build a strong relationship with the local Federal Bureau of Investigation (FBI) Special Agent in Charge (SAC), Health and Human Services (HHS) officials, the U.S. Attorney's Office, ATAC, Joint Terrorism Task Force (JTTF), and the Department of Defense (DOD) Defense Coordinating Officer (DCO). The DCO will be a conduit to U.S. Northern Command's (NORTHCOM) Joint Task Force (JTF) or JTF commander in the absence of an established JTF.

The FPC will participate, as appropriate, in deliberations and crisis planning with NORTHCOM staff elements leveraging the DCO relationship where feasible. The

FPC will, where appropriate, coordinate with DOD, other Federal, State, tribal, local and private sector stakeholders to ensure contingency plans are appropriately aligned.

This interaction between the FPC and other locally-based DHS components, as well as other Federal partner agencies, will enable the FPC to leverage the capabilities of many important locally-based Federal assets in support of developing integrated and synchronized preparedness activities across the country.

Question. How will the proposed new initiative, the National Preparedness Integration Program (NPIP), relate to the current FPCs?

Answer. Specifically the NPIP includes about $7.5 million for FPC related activities at the local level. The mission of the NPIP is to create, organize, enable and monitor initiatives to integrate and synchronize national preparedness. The FPCs will play a key role in achieving that mission given that National preparedness is only possible when Federal, State, local and tribal governments, the private sector and the American people are working collectively toward a shared goal of enhanced preparedness.

Through the NPIP, FPCs will provide DHS with an important and functional field presence to collaborate and build partnerships with State and local government, and private sector homeland security stakeholders within the FPC's assigned geographic areas of responsibility and to ensure that these stakeholders are working together and are thoroughly prepared. Currently, such field level coordination is done on an ad hoc basis and DHS does not have always have visibility into how high-risk areas are prepared to deal with homeland security incidents.

FPCs will change that by providing vehicles for regular coordination, strengthening the linkages between officials responsible for responding to possible homeland security incidents. Our Nation cannot afford for Federal, State and local government officials to have to build working relationships and common approaches to incident management amidst the fog of a major incident—such as Hurricane Katrina or a pandemic influenza outbreak. Instead, these relationships need to be built through frequent collaboration during steady State activities, as well as through common, well-understood, and practiced approaches to incident response prior to such an approach being needed.

TECHNICAL ASSISTANCE

Question. How many times has technical assistance been requested and for what purpose?

Answer. Beginning in fiscal year 2005 to present (October 1, 2004-February 28, 2006), the Technical Assistance Division (TAD) of the Preparedness Directorate's Office of Grants and Training (G&T) has received 872 Technical Assistance (TA) Delivery Requests. Of these requests, 857 TA services were delivered as follows:

—1 Arch Angel TA;
—104 Biannual Strategy Implementation Report (BSIR) TA;
—8 Chemical Protective Clothing TA;
—15 Continuity of Operations Planning and Continuity of Government (COOP/COG) TA;
—6 Critical Infrastructure Mitigation (CIM);
—6 Data Review Project Technical Assistance;
—249 Domestic Preparedness Equipment Technical Assistance Program (DPETAP);
—2 Emergency Operations Plan (EOP) TA;
—2 Emergency Response Synchronization Matrix TA;
—9 Enhancing Grants Management Capacities for State Administrative Agencies (SAAs) TA;
—3 Fusion Process Pilot Orientation TA;
—7 Initial Strategy Implementation Plan (ISIP) TA;
—209 Interoperable Communications Technical Assistance Program (ICTAP);
—1 Mayoral Workshop;
—1 Prevention and Deterrence Surveillance Concepts TA;
—6 Prevention and Deterrence TA;
—54 Program and Capability Review (PCR) TA;
—14 Public Information Plan Development TA;
—4 Regional Response Planning TA;
—3 Regionalization Support TA;
—42 Terrorism Early Warning (TEW) Orientation and TA;
—4 Terrorism Incident Annex (TIA) TA;
—51 Transit Security Grant Program (TSGP);

—53 Urban Areas Security Initiative (UASI) Port and Mass Transit TA Program; and

—4 UASI Regional Planning TA.

Question. Have any applications for technical assistance been refused? If so, why?

Answer. Of the requests received during this time (October 1, 2004-February 28, 2006), the Technical Assistance Division (TAD) of the Preparedness Directorate's Office of Grants and Training (G&T) has referred a small number of requests to other entities better suited to respond to the nature of the request, and has been unable to fulfill fifteen requests for technical assistance.

Ten requests for DPETAP services have not been fulfilled in fiscal year 2006 as G&T has directed a higher proportion of its funding to grants. In addition, 5 requests for ICTAP service deliveries were not fulfilled due to the fact that the requests were submitted from the State level and the tactical program is funded to support only Urban and metropolitan areas.

EXERCISES

Question. How many exercises has the Preparedness Directorate been involved in? When, where and what was exercised? Who else participated (i.e. local, State, Federal partners)?

Answer. The Preparedness Directorate has participated in 67 major exercises since February 25, 2003. Table A: "Preparedness Directorate Exercises" (below), is a listing of the 67 exercises by name, date of exercise, location, topic of exercise, and scope of participation. In addition to these major events, the Preparedness Directorate has provided direct support to more than 200 State and local exercises over the same period, including workshops, seminars, drills, tabletop exercises, command post exercises, and full-scale exercises.

TABLE A.—PREPAREDNESS DIRECTORATE EXERCISES

No	Exercise name	Date	Location	What was exercised?	Who participated?
Fiscal year 2006					
67	Red, White, and Bloom	July 3, 2006	Columbus, OH	DHS-mandated exercise to validate the Tactical Interoperable Communications Plan of Columbus, OH.	State and local agencies; Preparedness Directorate evaluators
66	Regions I & II Hurricane Preparedness Exercise.	June 20–22, 2006	New York, NY	Coordination of critical response functions in anticipation of 2006 hurricane season.	Federal, State, and local governments; non-governmental organizations and private sector partners
65	Operation Wildcat	June 20, 2006	Wilmington, DE	DHS-mandated exercise to validate the Tactical Interoperable Communications Plan of Wilmington, DE.	State and local agencies; Preparedness Directorate evaluators
64	Dallas/Ft. Worth Exercise	June 20, 2006	Arlington, TX	DHS-mandated exercise to validate the Tactical Interoperable Communications Plan of Dallas, TX and Ft. Worth TX.	State and local agencies; Preparedness Directorate evaluators
63	College World Series Exercise	June 20, 2006	Omaha, NE	DHS-mandated exercise to validate the Tactical Interoperable Communications Plan of Omaha, NE.	State and local agencies; Preparedness Directorate evaluators
62	Top Officials (TOPOFF) 4 Command Post Exercise.	June 19–23	National Capital Region	WMD search and render safe; Continuity of Operations/Continuity of Government; Catastrophic incident response.	Federal Interagency; State, local, non-governmental organization, and private sector partners
61	Annual Airport Disaster Exercise	June 8, 2006	Nashville, TN	DHS-mandated exercise to validate the Tactical Interoperable Communications Plan of Nashville, TN.	State and local agencies; Preparedness Directorate evaluators
60	South Carolina Hurricane Isabella Full-Scale Exercise.	June 7, 2006	Charleston/Dorchester/Berkeley Counties, SC.	DHS-mandated exercise to validate the Tactical Interoperable Communications Plan of Charleston, SC.	State and local agencies; Preparedness Directorate evaluators
59	Region II Hurricane Preparedness Exercise (PR, VI).	June 4–5, 2006	San Juan, PR	Coordination of critical response functions in anticipation of 2006 hurricane season.	Federal, State, and local governments; non-governmental organizations and private sector partners

TABLE A.—PREPAREDNESS DIRECTORATE EXERCISES—Continued

No	Exercise name	Date	Location	What was exercised?	Who participated?
58	Regional IV Hurricane Preparedness Exercise	May 31-June 1, 2006	Atlanta, GA	Coordination of critical response functions in anticipation of 2006 hurricane season.	Federal, State, and local governments; non-governmental organizations and private sector partners
57	Operation Helping Hand	May 24, 2006	Los Angeles County, CA	DHS-mandated exercise to validate the Tactical Interoperable Communications Plan of Los Angeles and Long Beach, CA.	State and local agencies; Preparedness Directorate evaluators
56	New Orleans/Baton Rouge Full-Scale Exercise	May 23–25, 2006	Baton Rouge, LA	Full-Scale Exercise to prepare for hurricane season; DHS-mandated exercise to validate the Tactical Interoperable Communications Plans of New Orleans, LA and Baton Rouge, LA.	Federal, State, and local agencies; Preparedness Directorate evaluators
55	Region VI Hurricane Preparedness Exercise	May 17–18, 2006	New Orleans, LA	Coordination of critical response functions in anticipation of 2006 hurricane season.	Federal, State, and local governments; non-governmental organizations and private sector partners
54.					
53	Region III Hurricane Preparedness Exercise	May 3, 2006	Philadelphia, PA	Coordination of critical response functions in anticipation of 2006 hurricane season.	Federal, State, and local governments; non-governmental organizations and private sector partners
52	Gallant Fox IV Tabletop	March 6, 2006	National Capital Region	Pentagon Force Protection Exercise designed to practice and test Federal, State, and local response to an incident involving the Pentagon and surrounding region.	Federal, State and local agencies
51	Blue Cascades	March 1–2, 2006	U.S. Pacific Northwest	Infrastructure interdependencies in the Pacific Northwest region.	United States and Canadian Federal, State/Provincial, local and private sector agencies

50	Thor's Hammer II—Spiral IV	Feb. 21–24, 2006	National Capital Region	National Security Space strategies to satisfy national/interagency information needs through timely delivery of capabilities across a wide spectrum of threat environments.	Federal
49	Mass Casualty Exercise	Feb. 9, 2006	National Capital Region	Designed to assess and identify gaps in the U.S. Government's (USG) ability to mount a coordinated medical response to a mass casualty event.	Federal
48	Cyberstorm 2006	Feb. 6–10, 2006	National Capital Region (geographically dispersed effects).	Homeland Security response and recovery mechanisms related to a cyber incident of national significance.	International, Federal, State, local, and Private Sector
47	Thor's Hammer II—Spiral III	Jan. 23–27, 2006	National Capital Region	National Security Space strategies to satisfy national/interagency information needs through timely delivery of capabilities across a wide spectrum of threat environment.	Federal
46	Catastrophic Assessment Task Force #1	Dec. 10, 2005	National Capital Region	Assess USG policy and resources as they relate to an influenza pandemic.	Federal
45	Thor's Hammer II—Spiral II	Dec. 5–9, 2005	National Capital Region	National Security Space strategies to satisfy national/interagency information needs through timely delivery of capabilities across a wide spectrum of threat environments.	Federal
44	Avian Flu Public Affairs Exercise	Dec. 1, 2005	National Capital Region	Designed to assess public affairs-specific departmental preparedness, roles and responsibilities, and inter-departmental coordination relative to Pandemic Avian Influenza.	Federal
43	IIMG Pandemic Influenza	Nov. 29, 2005	National Capital Region	Interagency coordination issues related to preparing for, responding to, and recovering from a pandemic influenza outbreak.	Federal

TABLE A.—PREPAREDNESS DIRECTORATE EXERCISES—Continued

No	Exercise name	Date	Location	What was exercised?	Who participated?
42	DHS Avian Flu Exercise	Nov. 18, 2005	National Capital Region	Designed to assess departmental preparedness, roles and responsibilities, and inter-departmental coordination relative to Pandemic Avian Influenza.	Federal
41	Determined Challenge	Nov. 7–30, 2005	National Capital Region	Department and Agency (D/A) Continuity of Operations (COOP) preparedness.	Federal
40	Mercury 05	Oct. 17–21, 2005	Australia	Australian multi-jurisdictional prevention and response capabilities; terrorism threats/attacks.	Australian National and State/Territory agencies
Fiscal year 2005					
39	Thor's Hammer II—Spiral II	Sept. 12–16, 2005	National Capital Region	National Security Space strategies to satisfy national/interagency information needs through timely delivery of capabilities across a wide spectrum of threat environments.	Federal
38.					
37	Coalition Warrior Interoperability Deliverable 2005.	May 31-June 24, 2005	National Capital Region	U.S. combatant command and international community investigation of command, control, communications, and computers (C4) solutions that focus on relevant and timely objectives for enhancing coalition interoperability.	Federal
36	Senior Officials Exercise 05–4	May 26, 2005	National Capital Region	Focused on continuity programs against the backdrop of a credible nuclear threat/incident.	Federal
35	Top Officials 3 (T3) Large Scale Game	May 3–5, 2005	National Capital Region	Designed to explore strategies to positively address the medium- and long-term impacts and recovery issues from an Incident of National Significance.	International, Federal, State, Tribal, and local governments and private sector

34	T3 Full Scale Exercise	April 4–8, 2005	National Capital Region	Prevention and response in the context of a chemical and biological attack on U.S. soil; included cyber activity.	International, Federal, State, Tribal, and local governments and private sector
33	Senior Officials Exercise 05–3	Mar. 10, 2005	National Capital Region	Critical homeland security policy and operational issues in the context of a chemical event.	Federal
32	Senior Officials Exercise 05–2	Feb. 15, 2005	National Capital Region	Critical homeland security policy and operational issues in the context of a biological even.	Federal
31	Port of NY/NJ Economic Strategy Wargame	Feb. 9–11, 2005	New York	Designed to better define the primary issues of concern for private industry when national security issues arise within a vital economic arena.	Federal, State, local and private sector
30	Chemical Security Exercise	Feb. 1–2, 2005	National Capital Region	Vulnerabilities and threats to chemical infrastructures.	Private sector
29	Silver Links Tabletop	Dec. 1, 2004	Toronto, Canada	Regional, cross-border infrastructure interdependencies and associated vulnerabilities in the Great Lakes/Northeast Region.	United States and Canadian Federal, State/Provincial, local, and private Sector agencies
28	Senior Officials Exercise 05–01	Nov. 10, 2004	National Capital Region	Critical homeland security policy and operational issues generated by a hypothetical terrorist suicide bombing campaign in the United States.	Federal
27	Corporate Emergency Exercise	Nov. 4, 2004	Baytown, TX	Private Sector coordination with DHS during a terrorism incident at a chemical facility.	Private sector
26	Silver Links Workshop	Nov. 4, 2004	Quebec City, Quebec	Regional, cross-border infrastructure interdependencies and associated vulnerabilities in the Great Lakes/Northeast Region.	United States and Canadian Federal, State/Provincial, local, and private Sector agencies
25	Purple Crescent II	Oct. 26–27, 2004	New Orleans, LA	Regional interdependency shortfalls aimed at making the New Orleans region disaster resistant.	Federal, State, local and Private sector

TABLE A.—PREPAREDNESS DIRECTORATE EXERCISES—Continued

No	Exercise name	Date	Location	What was exercised?	Who participated?
24	Multilateral Cybersecurity Conference	Oct. 20–22, 2004	Berlin, Germany	Designed to discuss and highlight issues related to the formation of a Global Watch and Warning Network among national level cyber security organizations.	International (15 countries)
Fiscal year 2004					
23	National Capital Region Council of Governments.	Sept. 27, 2004	National Capital Region	National Capital Region's capability to respond to multiple simulated weapons of mass destruction (WMD) terrorist attacks.	Federal, State and local
22	Senior Officials Exercise #4	Aug. 19, 2004	National Capital Region	Impacts of a ''Redo'' threat condition, anticipating and minimizing unintended consequences associated with going tom ''Red,'' and developing an Interagency Incident Management Group (IIMG) ''playbook'' for elevating the Homeland Security Advisory System (HSAS) to ''Red.''.	Federal
21	Determined Promise 04	Aug. 4–5, 2004	Richmond, VA	Prevention and response in the context of air threats to Alaska, Canada, and the continental U.S., chemical attacks in VA and CA, and a radiological release in CA.	Federal, State and local
20	Cybersecurity Workshop	Aug. 4–5, 2004	National Capital Region	Courses of actions among organizations involved in responding to cyber attacks.	Federal
19.					
18	Joint Warrior Interoperability Deliverable	June 14–25, 2004	National Capitol Region	Designed to give Federal D/As the opportunity to view and assess technologies that allow for interagency information sharing.	Federal

17	Cascade Fury II	May 25–27, 2004	Alta, Wyoming	Coordinated crisis management support to quickly restore the transportation infrastructure in the event of a major disaster or emergency.	Federal and State
16	Forward Challenge 04	May 11–13, 2004	National Capital Region	Federal COOP Plans in the context of a failed terrorist attack in the National Capital Region.	Federal
15	T3 CPX	May 10–13, 2004	National Capital Region	Designed to give key leadership the opportunity to analyze threats and direct prevention counter measures, protect economic security and critical infrastructures, and develop appropriate Courses of Action.	Federal
14	Eligible Receiver	May 3–7, 2004	National Capital Region	Designed to exercise the Interagency in homeland defense and homeland security processes in the context of a nuclear threat.	Federal
13	California Spills of National Significance	Apr. 20–22, 2004	California	Initial National Response Plan (NRP) and the National Incident Management System. Other key areas that were addressed: economic, national security, cross border, and political issues.	Federal, State, local and Private sector
12	Dark Portal	Feb. 24, 2004	National Capital Region	Designed to address the potential impact of a combination of cyber and physical attacks against various critical infrastructures with the intent to undermine domestic and international confidence in the U.S. banking and finance sector.	Federal
11	Thor's Hammer Wargame	Feb. 23–27, 2004	National Capital Region	National Security Space—concept of operations (CONOPS) and investment strategy.	Federal

TABLE A.—PREPAREDNESS DIRECTORATE EXERCISES—Continued

No	Exercise name	Date	Location	What was exercised?	Who participated?
10	Unified Defense 04	Feb. 14–15, 2004	National Capital Region	DHS incident management roles and responsibilities as defined in Homeland Security Presidential Directive-5 and validation of the Initial NRP and National Information Management System (NIMS).	Federal
9	Senior Officials Exercise #2	Jan. 30, 2004	National Capital Region	Designed to review plans that will guide a Federal response to a catastrophic WMD event in a U.S. City.	Federal
8	Operation Heartland	Jan. 27–26, 2004	National Capital Region	Policy-level issues inherent to a terrorist attack on critical transportation infrastructure focusing on the entire spectrum of security.	Federal, State, local and Private sector
7	Scarlet Cloud II	Dec. 19, 2003	National Capital Region	Management and response in the context of a biological terrorist incident including: the application of Federal authorities, movement restrictions, issues in implementing a mass prophylaxis effort, and public risk communication and fostering critical continuing public support.	Federal
6	Scarlet Cloud	Nov. 19, 2003	National Capital Region	Management and response in the context of a biological terrorist incident including: the application of Federal authorities, movement restrictions, issues in implementing a mass prophylaxis effort, and public risk communication and fostering critical continuing public support.	Federal

5	Livewire	Oct. 27–31, 2004	National Capital Region	Existing communications and decision-making processes needed to counter a well-planned, large-scale cyber attack.	Federal, State, local and Private sector
Fiscal year 2003					
4	Determined Promise 03	Aug. 18–28, 2003	NV, CO, National Capital Region.	Designed to train USNORTHCOM in homeland defense and Military Assistance to Civil Authorities (MACA) missions.	Federal
3	Top Officials 2	May 12–16, 2003	Seattle, WA, Chicago, IL	Response to a simulated release of WMDs in two U.S. cities.	International, Federal, State and local
2	IAIP Tabletop Exercise	Mar. 11, 2003	National Capital Region	Coordination, integration, and information sharing processes and responsibilities.	Federal
1	IAIP Watch Exercise	Feb. 25, 2003	National Capital Region	Coordination processes between the organizations making up and supporting the IAIP and to validate the IW/IC Standard Operating Procedure (SOP) document.	Federal

FIRE SERVICE NEEDS ASSESSMENT

Question. What is the current status of updating the national needs assessment for the Fire Service?

Answer. The original needs assessment was published in December 2002. A second study was requested in the 2005 appropriations. This study consists of 2 parts: the new national needs assessment and a matching analysis of Assistance to Firefighter Grants to needs identified in the 2002 study. The U.S. Fire Administration is completing final revisions to the needs assessment.

DETECTION OF ANIMAL DISEASES

Question. What capacity do we have as a Nation to do animal disease surveillance (especially in response to avian flu)? Is the capacity robust?

Answer. The leads for these efforts are U.S. Department of Agriculture (USDA) and U.S. Department of Interior (DOI) and we defer to those departments for details of their efforts. The Department of Homeland Security assists these efforts in the development of diagnostic tests for use in the USDA National Animal Health Laboratory Network and strengthening the capacity (number of tests they can perform and time required to perform them) in these laboratories. The Department of Homeland Security also assists in the training of Foreign Animal Disease Diagnosticians and Practitioners to recognize foreign animal diseases introduced into the United States. With respect to avian flu specifically, supplemental funds were requested for the purpose of advanced development of rapid detection tests of animals for advanced surveillance at borders and ports of entry. The Department of Homeland Security also is the lead for the National Biosurveillance Integration System (NBIS) intended to provide near-real-time situational awareness of biological incidents, including animal diseases. NBIS is currently in Phase II of its 3 phase development plan. Planned NBIS surveillance data inputs will include data sources from both USDA, HHS, and DOI.

Question. What system do we use and who is in charge of it? What is DHS's role in monitoring the system?

Answer. We defer to U.S. Department of Agriculture (USDA) and U.S. Department of Interior (DOI) for information regarding their systems. The Department of Homeland Security-led National Biosurveillance Integration System (NBIS) is currently in Phase II of its 3 phase development plan and is monitored by DHS personnel 24/7. NBIS provides near-real-time situational awareness to DHS through the National Biosurveillance Group (NBSG) of Federal agency partners.

Question. Is the system connected to the public health system in real time?

Answer. The Department of Homeland Security National Biosurveillance Integration System (NBIS) receives data inputs from both animal health surveillance and public health systems and provides near-real-time situational awareness to DHS and NBIS partners. NBIS surveillance data inputs will include data sources from and U.S. Department of Agriculture, U.S. Department of Interior, and Health and Human Services/Centers for Disease Control.

Question. What animals are we testing (zoo, wildlife, livestock, domesticated animals)? When? And where do the test results go?

Answer. The Department of Homeland Security does not perform testing of animals but refers testing to U.S. Department of Agriculture's Animal Plant Health Inspection Service and the U.S. Department of Interior.

Question. If there is a threat, how is the information communicated to the local level?

Answer. If there is detection of animal diseases, whether it is in the domestic animal population or in nature, the local surveillance and health networks will be the first to know. Every State has a State Health Director and a State Veterinarian. They work very closely together. They practice and exercise their programs together, which brings together a network of public and animal health professionals from the local level. Regardless whether there is an incident such as Mad Cow Disease, West Nile Fever, rabies, or bird flu, the public health and animal health specialists at the ground level respond and report to the State Health Department and State Veterinarian. The State agencies then report any potential threat to the Centers for Disease Control and the U.S. Department of Agriculture. Protocols in place ensure that DHS receives the information.

Question. What funds has DHS directed specifically toward the detection of zoonotic threats in non-agricultural species?

Answer. The Department of Homeland Security has not directed funds toward the detection of zoonotic threats in non-agricultural species. Statutory responsibility for wildlife species resides with the U.S Department of Agriculture and the Department of Interior.

Question. What type of coordination exists between Department of Homeland Security and the Department of Health and Human Services and the Department of Agriculture to link veterinary diagnostic laboratories to do surveillance of interest to agriculture as well as public health?

Answer. The Department of Homeland Security is the lead for the National Biosurveillance Integration System (NBIS) intended to provide near-real-time situational awareness of biological incidents, including animal diseases. NBIS is currently in Phase II of its 3 phase development plan. NBIS surveillance data inputs will include data sources from and U.S. Department of Agriculture, U.S. Department of Interior, and Health and Human Services/Centers for Disease Control.

INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY

OWNERSHIP OF KEY ASSETS

Question. In a November 2005 report entitled Vulnerability Assessments for Critical Infrastructure and Key Resources, DHS identified 1,849 priority assets as part of the National Asset Data Base? The report notes that 80 percent of the Nation's critical infrastructure assets are owned by the private sector. How many of the 1,849 priority assets are owned, operated, or administered by a foreign company, and how many of those foreign companies are controlled by a foreign government?

Answer. The Department of Homeland Security (DHS) is currently working closely with the Department of Commerce to determine the availability of data on critical infrastructure and key resources and to determine ownership of these assets. The Department of Commerce has the responsibility for compiling and maintaining the data that supports the analysis of ownership issues. As yet, DHS is not in a position to determine which priority assets are owned, operated, or administered by a foreign company; or which of those foreign companies are controlled by a foreign government. As the availability of data to DHS improves, so will our understanding of this often complex and multi-faceted issue.

STAFFING

Question. Under 2SR, how many of the 803 total FTE funded for IAIP in fiscal year 2005 were transferred to IPIS?

Answer. The total number of IPIS FTE transferred under 2SR was 430.

Question. How many are currently on-board?

Answer. The number of IPIS FTE currently on board is 286.

Question. How many hiring selections remain?

Answer. Of the 159 remaining hiring selections, 21 FTE are waiting for security clearances and 15 FTE were allocated to IPIS in fiscal year 2006.

Question. What is the planned FTE level for IPIS in fiscal year 2007?

Answer. The planned FTE level for IPIS in fiscal year 2007 is 445. This is the same level as fiscal year 2006 FTE.

NATIONAL INFRASTRUCTURE PROTECTION PLAN

Question. When will the revised National Infrastructure Protection Plan (NIPP) be completed?

Answer. The National Infrastructure Protection Plan (NIPP) consists of the NIPP Base Plan and the 17 Sector-Specific Plans. The NIPP Base Plan is complete and was formally released on June 30, 2006. Subsequent updates and revisions to the Base Plan will be published, as necessary, to reflect changing infrastructure protection needs and increasingly refined best practices. As annexes of the NIPP Base Plan, the Sector-Specific Plans will be completed 180 days after the issuance of the NIPP Base Plan.

Question. The budget proposes an increase of $39 million for the NIPP. The budget justification provides no information on this increase or how it will be used. Provide a full justification on the genesis of this funding, what it will be used for, and how it will strengthen the security of the Nation's critical infrastructure.

Answer. The Department of Homeland Security's (DHS) request for National Infrastructure Protection Plan (NIPP) activities will support the implementation of the NIPP Base Plan as well as the development, management, and implementation of the Sector-Specific Plans (SSP). This funding also will support NIPP programmatic operations and assist the Sector-Specific Agencies in the NIPP-related outreach and engagement activities across each of the Critical Infrastructures and Key Resources (CI/KR) sectors.

The Office of Infrastructure Protection (IP) intends to leverage the NIPP framework to realize progress in several important areas. First, the development of a stronger and steadfast partnership between IP and the several Federal agencies as-

signed sector-specific responsibilities. Cooordinated development of Sector Specific Plans and other essential elements (such as vulnerability assessment tools and methodologies) will provide the underpinnings of a successful, efficient risk management program. Second, in partnership with other Federal agencies, IP will develop and put into place an essential element of risk management, i.e., consistent metrics. IP expects to further define structural elements of the NIPP, in order to enable and ideally expand participation in our overall risk management strategy, especially to private sector owner-operators, State, local and tribal governments, as well as to our Federal partners who are not designated sector specific agencies. This approach will accelerate and improve sector agency progress by facilitating the collection, normalization, and prioritization of assets and protection programs based on comparative risk across all 17 CI/KR sectors.

The NIPP provides the framework and sets the direction for implementing a coordinated, national infrastructure protection effort and is based upon a risk management framework that takes into account threats, vulnerabilities and consequences when prioritizing CI/KR protection activities. The comprehensive NIPP will be supported by SSPs that will detail the application of the risk management framework and performance metrics for each of the 17 specific sectors. IP will support the implementation of protective programs using cross-sector and sector-specific efforts to assure a balanced and effective approach across all sectors and sub-sectors.

Sector-specific partnerships are vital elements of the National Infrastructure Protection Plan (NIPP) and are integral to its success. IP intends to use the fiscal year 2007 funding to support the development and implementation of sector partnerships and related actions across the 17 CI/KR sectors with specific activities targeted at the most critical sectors. The list of actions below is the initial estimate of requirements. However, the proposed spend plan is designed to be flexible so DHS can address higher priority needs as the Sector Specific Plans required by the NIPP evolve over the coming months and identify critical sector shortfalls.

—*$1.0 Million.*—Establishment and support for the State, Local, and Tribal Government Coordinating Council (GCC) to serve as a forum for State, local and tribal homeland security advisors to participate in CI/KR protection efforts.

—*$0.5 Million.*—Critical Infrastructure Protection Advisory Council (CIPAC) operations. Contractual support to manage and coordinate council activities and to ensure compliance with established policies.

—*$2.5 Million.*—Education and Outreach Support. Assist Sector Specific Agencies (SSA) by developing and producing a Sector Specific Plan training curriculum and by developing and reviewing outreach and engagement plans and national CI/KR protection awareness programs to assure a balanced approach across all sectors.

—*$1.0 Million.*—Program Management Support. Assist SSA with required reporting, development of response processes, identification of resource requirements and assistance with the preparation of budget support materials.

—*$3.0 Million.*—Sector Specific Agency (SSA) Responsibilities. Perform sector-specific work supporting DHS SSA responsibilities for the nuclear, emergency services, and chemical sectors and identify protective program needs and the protective programs that satisfy those needs.

—*$15.0 Million.*—Risk Analysis and Management for Critical Asset Protection Program (RAMCAP). Develop specific RAMCAP modules for the Water Treatment, Wastewater Treatment, Pharmaceutical Manufacturing, Mass Transit Rail, Mass Transit Surface, Freight Rail Yards, Bridges, Dams, Locks and Levees, and Pipelines sectors and sub-sectors.

—*$7.0 Million.*—Targeted Comprehensive Reviews. Perform targeted Comprehensive Reviews of the Transportation (Commuter and Mass Transit Rail), Urban Commercial Zones (Metroplexes, e.g., Time Square, Vegas Strip, etc.), and Dams sectors and sub-sectors.

—*$9.0 Million.*—IP NIPP Management Responsibilities. NIPP management, administrative, coordination, and support responsibilities including oversight activities associated with coordination of the Sector Specific Agencies.

Question. Will the process to distribute this funding be competitive?

Answer. This funding is devoted to the development and implementation of sector-specific plans and the necessary tools and techniques, including the application of a common risk management strategy and performance metrics for each of the 17 sectors. All of the planned procurements will be awarded using the normal contracting process. If Sector Specific Agencies have shortfalls that are of critical national interest and request assistance from DHS, we will use a yet-to-be developed process to evaluate the need and assign the relative priority for funding. When higher priority needs are identified as sector specific plans evolve and critical sector specific shortfalls surface, the Office of Infrastructure Protection (IP) intends to vali-

date the needs and review potential funding alternatives. IP recognizes the probability that as this process unfolds, certain risks will be identified where the potential consequence of attack and/or vulnerability of an asset is not tolerable, even in the short term. Where such risks exist, IP will partner with Federal agencies, owner-operators, and State and local governments in order to identify and implement immediate risk-reduction measures.

Question. What is a Sector Specific Partnership?

Answer. Sector partnerships between government and the private sector are formed in all critical infrastructure and key resources (CI/KR) sectors via the National Infrastructure Protection Plan (NIPP). This sector partnership model is used to promote and facilitate sector and cross-sector planning, coordination, collaboration, and information sharing for CI/KR protection involving all levels of government and private sector owners and operators.

Question. What is a Sector Specific Agency?

Answer. Sector-Specific Agencies are specific Federal departments and agencies identified under Homeland Security Presidential Directive (HSPD)-7 with lead responsibility for the protection activities in specified CI/KR sectors.

Question. The NIPP budget refers to education and training of Federal, State, and local officials and private sector stakeholders. Who are the stakeholders? Please be specific.

Answer. The NIPP security partners stakeholders include those Federal, State, regional, territorial, local, or tribal government entities; private sector owners and operators and representative organizations; academic and professional entities; and certain not-for-profit and private volunteer organizations that share in the responsibility for protecting the Nation's critical infrastructure and key resources (CI/KR). For example, in the Dams Sector, some of the stakeholders include the Environmental Protection Agency (EPA), Department of Interior/Bureau of Reclamation (DOI/BOR), United States Department of Agriculture (USDA), Department of Energy (DOE), United States Army Corps of Engineering (USACE), Tennessee Valley Authority (TVA) Federal Energy Regulatory Commission (FERC), United States Coast Guard (USCG), four State dam safety officials (CA, NJ, WA, OH), Xcel Energy—MN, New York City Dept. of Environmental Protection—NY, New York Power Authority, Pacific Gas & Electric (PG&E)—CA (Chair of SCC), National Hydro Association (NHA), and the United States Society on Dams (USSD) among many others. A similar diverse cross-section of stakeholders exists for each of the 17 CI/KR sectors.

Question. How is this training different than what is provided through the DHS Grants & Training Office?

Answer. The training referred to in the NIPP budget specifically deals with understanding the risk management concepts that are central to the implementation of the CI/KR protection activities outlined in the NIPP.

Question. Why was the NIPP moved from Protective Actions to the Critical Infrastructure Outreach and Partnership activity?

Answer. This transfer of funding from Protective Actions (PA) to Critical Infrastructure Outreach and Partnership (CIOP) in fiscal year 2007 is congruent with the request for increased funding within CIOP in order to consolidate NIPP and sector specific plan budget activities within the Directorate for Preparedness, Office of Infrastructure Protection (OIP). The OIP is responsible for 5 of the 17 Critical Infrastructure/Key Resources (CI/KR) sectors: chemical, nuclear reactors, materials, and waste, commercial facilities, dams, and emergency services. In fiscal year 2006, PA is responsible for development and initial implementation of the Sector Specific Plans (SSPs) for chemical, nuclear, and commercial facilities. CIOP is responsible for the development and initial implementation of the dams and emergency services SSPs. CIOP also has responsibility for the development of the NIPP and implementation management and measurement for all 17 CI/KR sectors. The initial implementation of these plans will be completed in fiscal year 2006, causing a shift in execution in fiscal year 2007 from PA to CIOP to full implementation, sector engagement, outreach, measurement, and education programs, more consistent with the CIOP mission.

NATIONAL SPECIAL SECURITY EVENTS

Question. The budget includes $5.413 million to support National Security Special Events (NSSEs) and other events. As the Federal coordinator of security at NSSEs, what involvement does the Secret Service have in determining the use of this funding?

Answer. The "Support to National Special Security Events (NSSEs) and Other Events" line, funds DHS planning and support to Special Events as directed by the

Secretary as well as Office of Infrastructure Protection Continuity of Operations planning, exercise participation and facilities support. Included in the roughly 1,800 "special events" that DHS assesses, prioritizes and supports each year—based on assessed risk—there are typically less than a dozen NSSEs . The Directorate for Preparedness' Contingency Planning and Support Division (CPSD) provides planning and resource support on an as-needed basis for NSSEs as requested by and in coordination with the U.S. Secret Service (which is the Department lead for NSSEs). This request ensures that IP can provide appropriate support to the Secret Service. In addition, CPSD identifies for the Secretary's approval and appointment USSS nominees with appropriate skills and training to serve as the Principal Federal Officials for NSSEs.

Question. What types of protective measures are deployed with this funding?

Answer. DHS tailors the nature and level of support to each event based in part on local capabilities. DHS support ranges from naming a PFO or Federal Coordinator and providing appropriate planning and threat support to deploying staff and their support equipment (e.g., communications).

Question. What happens to equipment deployed once the event is over?

Answer. Deployed equipment is generally used by DHS personnel and returns with them. DHS requires that DHS-loaned equipment deployed in support of an event be returned to DHS following the event.

Question. For fiscal year 2005 and fiscal year 2006 (to date) provide a breakdown of how this funding was expended, by NSSE.

Answer. In fiscal year 2006, the activity entitled Protect National Security Special Events (NSSEs) and Other Events within the subprogram Field Operations and Support, funds the research, analysis, and planning to prioritize, rank and assess over 1,800 special events every year. The funds are not used to support NSSEs directly, but provide analytical and coordination functions in order to identify, coordinate, protect, and monitor events of national significance. The significance of these events requires special planning and coordination between Federal and private stakeholders ensuring that the required protective measures are implemented as necessary. The Office of Infrastructure Protection (OIP) develops a comprehensive list of special events, and the list includes a risk-based assessment and relative prioritization of each event that Department of Homeland Security, Department of Justice and other national, State and local authorities use to determine security requirements, as well as, plan incident response and management activities. After analyzing and prioritizing the special events, OIP recommends and coordinates the assignment of a senior Federal official for selected special events or NSSEs. When appropriate, OIP then develops and publishes, in coordination with national, State and local officials, an Integrated Federal Support Plan, summarizing the responsibilities and plans of the various stakeholders and authorities.

During fiscal year 2005, there were only two National Security Special Events (NSSEs): the Presidential Inauguration (18 Jan 2005); and the State of Union Address (2 Feb 2005). Office of Infrastructure Protection (OIP) participation in both of these events was minimal. At this time, our financial system does not provide expense information at this level. If requested by the Secret Service, who has primary responsibility for NSSEs, OIP would provide support in the following ways:

—Provide personnel to participate in pre-event planning;
—Conduct Site Assistance Visit and Prepare Buffer Zone Protection Plan;
—Provide radiation detectors to local law enforcement officials for use during the event;
—Man a 24/7 operations center during events to collect and disseminate intelligence information;
—Conduct training for local security personnel;
—Conduct exercises to prepare for events; and
—Provide Subject Matter Experts to event planners if requested.

VULNERABILITY ASSESSMENTS

Question. The budget proposed to reduce funding for vulnerability assessments by 42 percent, from $12.7 million to $7.382 million. Why is such an important component of the IPIS portfolio reduced by 42 percent?

Answer. The Administration fully understands the Committee's concern and fully agrees that vulnerability assessments are an important component of the Infrastructure Protection and Information Security portfolio. The funds requested for fiscal year 2007 are based on the level of assessment activity that actually occurred in fiscal year 2006 and takes into account the progress and efficiencies made to date in performing site assessments. The requested funding level will enable an ongoing program of thorough site assessments, yet, that level does not necessarily result in

a concurrent reduction in the number of vulnerability assessments conducted during fiscal year 2007. The focus of vulnerability assessments has shifted to the Buffer Zone Protection Program (BZPP) in order to leverage the capability of State and local authorities to perform their own vulnerability assessment. IP will continue to provide guidance, technical assistance, and validation to ensure consistency and accuracy.

The fiscal year 2007 budget expectation is based on a higher level of expertise and training of State and local authorities, the Nation-wide presence of Protective Security Advisors to reach out to critical infrastructure stakeholders and perform some vulnerability assessment data collection, and the benefits derived from increased efficiencies due to better-defined processes in data collection and staff knowledge.

In addition, the Office of Infrastructure Protection (IP) is placing a greater emphasis on the accelerated development and deployment of assessment methodologies that are executable by owner-operators and tailored to specific types of infrastructure. This program, called RAMCAP, has now put into the field a number of "modules" that have proven highly effective at capturing critical data regarding consequentiality and vulnerabilities in a manner that supports normalization of results by IP.

As these several more innovative approaches to the assessment mission begin to take effect, the need for IP to dispatched teams from Washington into the field. to conduct individual assessments has declined.

CHEMICAL SECURITY

Question. Your fiscal year 2007 budget proposes $10 million for a Chemical Security Office, which will evaluate the risk of chemical facilities and establish security standards for them, but this funding would not be available until fiscal year 2007, further delaying the effort to secure chemical facilities. Why are you kicking this can down the road and not pursuing enforceable standards for the chemical facilities now?

Answer. The Department is pursuing chemical security legislation in Congress. Assistant Secretary Robert Stephan testified before both the House and Senate about the need for comprehensive chemical security legislation. Additionally, the Department's Office of Legislative Affairs and technical experts from the Department have met with Members from both the House of Representatives and the U.S. Senate on this important legislative initiative. The Department remains eager to support Congress as they work to grant DHS the authority needed to secure the chemical sector from terrorist attack.

Question. Why hasn't the Department played a lead role by submitting legislation to the Congress?

Answer. The Department continues to work with the Congress on chemical security legislation. The Department has outlined a number of core principles to guide the development of a regulatory framework:

—Recognize that not all facilities present the same level of risk and that the most scrutiny should focus on those that, if attacked, could most endanger public health and cause economic harm
—Develop enforceable, reasonable, clear, and equitable performance standards
—Set performance standards based on the types and severity of potential risks posed by terrorists and facilities should have the flexibility to select among appropriate site-specific security measures that will effectively address those threats
—Design any new authority to recognize the progress many responsible companies have made since 9/11 and build on that progress

We hope the Congress will consider these principles as they work to pass this important piece of legislation. Additionally, the Department has not waited for legislation to assist in securing the Nation's chemical sector.

—Prior to the formation of the Department of Homeland Security, responsibility for the Nation's critical infrastructure was scattered over various Federal agencies. Now one agency is responsible for coordinating the U.S. Government's efforts to protect critical infrastructure across all sectors, including chemical facilities
—The Department works in close coordination with Federal, State, and local governments as well as private sector partners to develop and coordinate plans to protect our complex critical infrastructure systems

This coordination has resulted in physical security enhancements in and around chemical facilities, including strengthening law enforcement coordination, improving access control, adding multiple buffer zones, implementing surveillance and detection technologies, and improving response and preparedness capabilities in the

chemical, petrochemical, and related sites of immediate concern to help protect our Nation, our citizens and our way of life.

FEMA

MASS EVACUATION

Question. In February, Secretary Chertoff submitted a report to Congress, as directed in the fiscal year 2006 Homeland Security Appropriations Act, entitled The Nationwide Plan Review, providing a status on catastrophic planning in all States and in the Nation's largest urban areas. Overall, States and large cities reported they lack confidence in their own ability to manage catastrophic events with their current plans. Not surprisingly, plans that have been updated and/or exercised recently (within the last 2 years) are considered, by the entity, more likely to be adequate.

The fiscal year 2006 Homeland Security Appropriations Act also included a provision that directs the U.S. Department of Homeland Security to develop guidelines for State and local governments to coordinate mass evacuation plans. Plans are to include, where appropriate, the pre-positioning of items such as food, water, medicine, and interoperable communications equipment that would be required in a mass evacuation. Additionally, the legislation encourages the Department to consider the need for such pre-positioned equipment in allocating first responder funds. DHS is commended for taking the provision to heart and including in the fiscal year 2006 grant guidance that States should include their needs for mass evacuation planning in their grant applications.

The nationwide report is a clear indication that we have a lot of work still to do. In the State of West Virginia, the vulnerability in this case is exposed when you consider those fleeing from an incident in the National Capitol Region. West Virginia has a strong and capable Governor who constantly works to be prepared to unexpectedly host thousands and provide those passing through with food, water, and gas for the capable, and medications and other assistance for those with special needs.

What is DHS doing to be ready for mass evacuations?

Answer. While protecting its citizens is a responsibility of the State and local elected/appointed officials and is codified in State/local laws and statutes, DHS Preparedness grant programs can provide support for the development of State and local emergency response plans, which should provide for the evacuation of their citizens. State/local emergency response plans should clearly lay out timing parameters and roles and responsibilities associated with carrying out evacuations, as well as account for special needs populations and people who do not have their own means of transportation.

FEMA can assist in a mass evacuation, in part, by providing reimbursement to local and State jurisdictions under the Public Assistance Program, in cases of declared Federal emergencies.

Currently, under DHS leadership, a preliminary self-assessment has been completed by State and local officials of catastrophic planning in all 50 States, 6 territories, and our 75 largest urban areas under the Nationwide Plan Review conducted by the Preparedness Directorate and released on June 16, 2006. Currently underway is a second phase of this review, which includes site visits by teams of former senior State and local homeland security and emergency management officials to validate emergency plans, identify deficiencies, and make specific recommendations to improve catastrophic emergency planning, including evacuation issues.

Prior to Katrina, FEMA, through its National Hurricane Program (NHP), had undertaken hurricane evacuation studies in 22 States, regional areas, and territories. Through these studies, NHP develops the products and tools for State and locals to conduct evacuation planning and operationally to conduct the actual evacuations. NHP develops the technical information that is used by State and local governments to develop an evacuation plan. This includes information such as the evacuation clearance time, transportation analysis, hazard analysis, and behavioral study. The evacuations and the planning involved are a State and local responsibility using the tools and products developed by the FEMA. The budget for the NHP is $2.91 million per year, and approximately $2.9 million goes directly to the States through grants.

DHS/FEMA is also partnering with the Department of Transportation (DOT), whose primary role is to provide and coordinate transportation assistance in the aftermath of a disaster. The National Response Plan designates DOT as the lead support agency to DHS/FEMA for Emergency Support Function 1/Transportation, and calls for DOT to: (1) process and coordinate requests for Federal and civil transportation support; (2) report damage to transportation infrastructure as a result of the incident; (3) coordinate alternate transportation services; (4) coordinate the res-

toration and recovery of transportation infrastructure; (5) perform activities conducted under the direct authority of DOT elements such as those related to air, maritime, surface, rail, and pipelines; and (6) coordinate and support prevention, preparedness, and mitigation among transportation infrastructure stakeholders at the State and local levels.

Question. Has there been discussion of using the Stafford Act Disaster Relief Fund to preposition water, fuel, food, and communications equipment for mass evacuations? If not, why not?

Answer. FEMA appropriately uses the authorities of the Stafford Act and the Disaster Relief Fund to pre-position water, food, communications equipment, and other supplies and commodities to support the needs of communities and individuals in disaster situations; however, this material is not distributed for use until the President declares an emergency or major disaster under the Stafford Act.

PRE-DISASTER MITIGATION

Question. Please provide a list of grant awards made through the Pre-disaster Mitigation program?

Answer. The following chart list all Pre-Disaster Mitigation (PDM) grants awarded (obligated) since the inception of the program in fiscal year 2003.

PRE-DISASTER MITIGATION GRANT OBLIGATIONS AS OF DECEMBER 31, 2005

	Plans & projects	Management costs
Fiscal year 2003 Pre-Disaster Mitigation Competitive Program [1]	$89,662,430.94	$4,682,582.21
Fiscal year 2003 Disaster Resistant Universities Program [2]	3,419,889.00	115,680.00
Fiscal year 2003 Planning Set-aside [3]	13,313,576.00	
Fiscal year 2005 Pre-Disaster Mitigation Program [4]	148,741,988.18	2,998,433.35
Total	255,137,884.12	7,796,695.56
Grand Total Pre-Disaster Mitigation Grant Obligations	262,934,579.68	

[1] Fiscal year 2003 funds that were awarded in fiscal year 2004 and fiscal year 2005.
[2] Fiscal year 2003 funds that were awarded in fiscal year 2004 and fiscal year 2005.
[3] Fiscal year 2003 funds that were awarded in fiscal year 2003 and fiscal year 2004.
[4] Fiscal year 2004 and fiscal year 2005 funds that were awarded in fiscal year 2005 and fiscal year 2006.

FISCAL YEAR 2003 PRE-DISASTER MITIGATION GRANT OBLIGATIONS

	SUBGRANT TITLE	AWARDED FED SHARE
PLANS AND PROJECTS RECIPIENT:		
CT	Elevation of Homes in the Cosey Beach Area of East Haven	$641,025.00
CT	Home Elevation Project in Milford, Connecticut	64,575.00
CT	Stratford Home Elevation Project	56,700.00
CT	Town of East Haven Elevation Non-RLP Home Elevation	75,206.25
MA	Metro Boston Pre-Disaster Mitigation Plan	224,962.50
MA	Town of Winthrop Flood Mitigation Project	145,503.00
MA	Quincy, MA Housing Elevation and Retrofitting	449,935.00
NH	Regional Planning Hazard Mitigation	360,000.00
VT	State of Vermont PDM–C Mitigation Planning	450,000.00
VT	River Road Mitigation Project	140,440.50
NJ	Carneys Point Pre-Disaster Flood Mitigation Program	1,162,923.00
NY	Nassau County Hazard Mitigation Planning Initiative	224,812.50
PR	Municipality of Las Piedras Mitigation Plan	45,000.00
PR	Municipality of Humacao Pre-Disaster Mitigation Assistant Program.	30,000.00
PR	Multi-Hazard Local Mitigation Plan Municipality of Canovanas.	60,000.00
PR	Municipality of Salinas	52,500.00
PR	Pre-Disaster Mitigation Plan Municipality of Catano	30,000.00
PR	Municipality of Yabucoa PDM Planning	39,000.00
PR	Municipality of Ceiba	52,500.00
PR	Municipality of Aibonito PDM Planning	45,000.00
PR	Multi-Hazard Mitigation Plan Municipality of Barranquitas	56,250.00
PR	Municipality of Florida Mitigation Plan	48,750.00
PR	Municipality of Patillas Planning Application	52,500.00

FISCAL YEAR 2003 PRE-DISASTER MITIGATION GRANT OBLIGATIONS—Continued

	SUBGRANT TITLE	AWARDED FED SHARE
PR	Municipality of Aquas Buenas Mitigation Plan	45,000.00
PR	Municipality of Corozal	56,250.00
PR	Municipality of Coamo Local Multihazard Mitigation Plan	52,800.00
PR	Municipality of Maunabo Mitigation Plan	45,000.00
PR	Municipality of Toa Baja Mitigation Plan	52,500.00
PR	Municipality of Guynabo Mitigation Plan	73,500.00
PR	Municipality of San Juan Multi Hazard Mitigation Plan	75,000.00
PR	Municipality of Trujillo Alto Mitigation Plan	60,000.00
PR	Municipality of Fajardo Mitigation Plan	45,000.00
PR	Municipality of Loiza	56,250.00
PR	Multi-Hazard Mitigation Plan City of Guayanilla	52,500.00
PR	Municipality of Comerio Mitigation Plan	46,875.00
PR	Preparation of Mitigation Plan Municipality of Yauco	52,500.00
PR	Multi-Hazard Mitigation Plan Juana Diaz Municipality	22,500.00
PR	Municipio de Vega Alta	30,000.00
PR	Municipality of Orocovis Mitigation Plan	45,000.00
PR	Multi-Hazard Mitigation Plan Municipality of Arroyo	45,000.00
PR	Municipality of Hatillo	52,500.00
PR	Municipality of Morovis Mitigation Plan	56,250.00
PR	Municipality of Naranjito	41,250.00
PR	Municipality of Penuelas Mitigation Plan	36,750.00
PR	Municipality of San German Mitigation Plan	53,499.00
PR	Multi-hazard Mitigation Plan Municipality of Ciales	56,250.00
PR	Municipality of Lajas Mitigation Plan	45,000.00
PR	Multi-Hazard Mitigation Plan Municipality of Anasco	45,000.00
PR	Municipality of Lares Mitigation Plan Application	56,250.00
PR	Municipality of Maricao Mitigation Plan	56,250.00
PR	Municipio de Las Marias	48,750.00
PR	Multi-Hazard Mitigation Plan Municipality of Rincon	30,000.00
PR	Municipality of San Sebastian	52,500.00
PR	Municipality of Villalba	45,000.00
PR	Municipality of Luquillo Mitigation Plan	52,500.00
MD	Prince George's County Multihazard Mitigation Plan	75,000.00
PA	Township of Abington Flood Mitigation Project	3,000,000.00
WV	West Virginia Multi-Jurisdiction Mitigation Project	2,743,153.50
AL	Valley Creek Floodplain Property Acquisition and Demolition-Birmingham, Alabama.	2,946,569.85
AL	Jefferson County, Alabama Pre-Disaster Mitigation Acquisition Project.	226,641.75
AL	Village Creek Property Acquisition and Demolition-City of Birmingham.	2,490,315.26
FL	City of Plantation Fire Station Number 1 Wind Retrofit	14,775.00
FL	City of Plantation Central Water Treatment Plant Shutter Retrofit.	87,784.50
FL	Sarasota County Bishop Nevins Academy, Dome F—Hurricane.	53,639.00
FL	City of Plantation E Water treatment Plant	28,287.00
FL	Broward County Courthouse 201 SE 6th Street	728,512.00
FL	City of Plantation Fire Station #2	26,894.23
FL	City of Plantation Fire State # 3 Wind Retrofit	25,358.00
FL	City of Plantation Fire Station #5 Retrofit	18,639.63
FL	Sarasota County Bishop Nevins Academy, Dome A—Hurricane Shelter Retrofit.	84,585.00
FL	Sarasota County Bishop Nevins Academy, Dome E—Hurricane.	61,587.00
FL	North Lauderdale—Wind Retrofit Bay Doors at Fire station #44.	112,500.00
FL	North Lauderdale—Wind Retrofit, Municipal Complex	112,500.00
FL	City of Miami—Fleet Maintenance Garage Retrofit Storm Shutters and Door.	564,968.00
FL	Bishop Nevins Academy Dome B Wind Retrofit	41,240.25
FL	Wellington Community Center—Wind Retrofit Project	41,250.00
FL	Miami-Dade Co. School Board Jefferson Annex Wind Retrofit	654,598.50

FISCAL YEAR 2003 PRE-DISASTER MITIGATION GRANT OBLIGATIONS—Continued

	SUBGRANT TITLE	AWARDED FED SHARE
FL	City of Plantation Fire Department	22,224.00
FL	University of Miami Rosenstiel Medical Research Building	1,912,929.75
FL	University of Miami Wind Retrofit of Mailman Center for Child Development.	429,975.00
FL	University of Miami Professional Arts Center Wind Retrofit	370,884.75
FL	Myers Telecomm. Center Wind Retrofit	171,093.75
FL	City of Opa-locka—Localized Flood Control	1,418,295.75
FL	City of New Smyrna Beach Drainage Improvement Project	137,625.00
FL	Elevate Dixie County Equipment Shed	18,750.00
FL	Volusia Elevation 4 Cunningham Drive	52,612.50
FL	Broward County Oakland Park NE 6th Ave Drainage Project	2,433,750.00
FL	Broward County Oakland Park Kimberly Lake Drainage Project.	2,625,075.00
GA	Augusta-Richmond County, Hollywood Subdivision Acquisition Demolition Project.	146,307.75
GA	State of Georgia Multi-Hazard Planning Application #1	615,000.00
GA	State of Georgia Multi-Hazard Planning Application #2	746,250.00
GA	State of Georgia Multi-Hazard Planning Application #3	656,250.00
GA	City of Thomasville Passmore Street Acquisition	174,855.75
GA	Chatham County Lamarville Woods Subdivision Acquisition Demolition Project.	674,475.00
GA	City of Rome, Brookwood Avenue Housing Acquisition	804,864.37
GA	City of Savannah Acquisition and Demolition Project	370,023.94
GA	Columbia County—Ridge Crossing Drainage Improvements	271,333.50
GA	City of Jesup and Wayne County Law Enforcement, EOC & 911 Complex Wind Retrofit.	1,099,698.00
GA	Peachtree City—Tinsley Mill Condominium Drainage Improvement.	167,437.50
GA	Bartow County Ember Way-Penny Lane Flood Mitigation Project.	313,537.50
GA	Bacon County CR 343 Drainage Improvement	140,779.86
KY	Big Sandy Area Development District Pre-Disaster Mitigation Project.	76,450.00
KY	BRADD Regional Hazard Mitigation Plan	96,819.09
NC	Mecklenburg County Multi-Jurisdictional Hazard Mitigation Plan.	75,000.00
NC	Kure Beach Acquisition and Demolition of a condominium complex.	2,713,218.00
SC	North Charleston District—Mitigation Project-Hurricane Doors.	24,446.58
SC	PDM Plan Monitoring and Follow-Up Activities	14,163.75
SC	Litchfield Beach Weir Replacement Project	18,750.00
TN	Rutherford Co. Midland Fosterville Rd. Mitigation Project	165,022.50
TN	Tennessee State Hazard Mitigation Plan	397,383.60
TN	Wilson County Multihazard Mitigation Plan	154,656.75
Grand Traverse Band of Ottawa and Chippewa Indians.	Grand Traverse Band Pre-Disaster Mitigation Project	64,800.00
IL	Kane County RepLoss Area Mitigation Plans	75,000.00
IL	Kane County Critical Facility Audits	150,000.00
IL	Lake County Elevations	307,125.00
IL	Lake County Acquisitions	1,489,737.00
IN	City of Fort Wayne & Adams County Acquisition Project	50,000.00
IN	State of Indiana HAZUS–MH Planning Grant	500,000.00
Lac Vieux Desert Tribe	LVD Tribal Pre-disaster mitigation plan	18,813.00
OH	City of Fairfield, Ohio Acquisition Project	2,578,844.99
St. Croix Chippewa of Wisconsin	St. Croix Chippewa of WI Risk Assessment & Pre-Disaster Mitigation Planning.	71,295.00
WI	Kewaunee County All Hazards Mitigation Plan	27,000.00
WI	Lac du Flambeau Band of Lake Superior Chippewa Indians PDM planning grant.	36,000.00
WI	Ho-Chunk Nation Planning Grant	55,130.00
WI	Calumet County All Hazards Mitigation Plan	22,500.00
WI	Florence County PDM Planning Grant Application	33,750.00

FISCAL YEAR 2003 PRE-DISASTER MITIGATION GRANT OBLIGATIONS—Continued

	SUBGRANT TITLE	AWARDED FED SHARE
WI	Deer Park (Village) Acquisition Project	99,090.00
WI	Portage County Electric Utility Protection	590,739.00
WI	Pittmans Point and Barber Lane Mitigation Project	103,950.00
WI	Kenosha County Fox River Flood Mitigation Program—FINAL	297,300.00
WI	City of Middleton Clovernook Subdivision Waterway Stabilization Project.	12,909.00
AR	Fairview Safe Room Project	663,495.75
AR	Euper Lane Elementary Safe Room	441,970.50
AR	Ballman Elementary Safe Room	441,970.50
AR	Trusty Elementary Safe Room	441,970.50
AR	Bonneville Safe Room	441,970.50
AR	Sutton Elementary Safe Room	441,970.50
AR	Beard Elementary Safe Room	441,970.50
AR	Albert Pike Elementary Safe Room	441,970.50
AR	Spradling Elementary Safe Room	441,970.50
AR	AR. Planning	455,109.75
NM	County of Torrance Multihazard Mitigation Plan	29,250.00
TX	Texas Multihazard Mitigation Plan	225,000.00
TX	City of Jersey Village Home Elevation Project 2	1,507,005.00
TX	PDM–03–Z–02	2,595,429.48
TX	PDM–03–Z–01	2,969,373.75
TX	PDM–03–G–01	1,477,686.23
TX	Revised 200 Magnolia Rd	94,725.00
IA	Farley Pre-Disaster Mitigation Plan	1,131.00
IA	Mechanicsville Pre-Disaster Mitigation Plan	1,508.25
IA	Clinton Pre-Disaster Mitigation Plan	6,031.50
IA	Clinton County Pre-Disaster Mitigation Plan	6,031.50
IA	Preston Pre-Disaster Mitigation Plan	1,130.96
IA	Cedar County Pre-Disaster Mitigation Plan	6,031.50
IA	Tipton Pre-Disaster Mitigation Plan	1,507.50
IA	West Branch Pre-Disaster Mitigation Plan	1,507.50
IA	Epworth Pre-Disaster Mitigation Plan	1,130.96
IA	DeWitt Pre-Disaster Mitigation Plan	1,507.50
IA	Cascade Pre-Disaster Mitigation Plan	1,507.50
IA	City of Anthon Pre Disaster Mitigation Planning	4,500.00
IA	Hornick Pre-Disaster Mitigation Plan	4,500.00
IA	Lawton Pre-Disaster Mitigation Plan	4,500.00
IA	Moville Pre-Disaster Mitigation Plan	4,500.00
IA	Sergeant Bluff Pre-Disaster Mitigation Plan	4,500.00
IA	Sloan Pre-Disaster Mitigation Plan	4,500.00
IA	Woodbury County Pre-Disaster Mitigation Plan	4,500.00
IA	Hazard Mitigation Plan Update for the City of Hudson	5,250.00
IA	City of Glidden Hazard Mitigation Plan	2,625.00
IA	City of Rippey Hazard Mitigation Plan	1,875.00
IA	City of Lamont Hazard Mitigation Plan Update	5,250.00
IA	City of Perry PDM Planning	3,750.00
IA	City of Paton, Iowa—Hazard Mitigation Plan	2,499.75
IA	Cedar Falls Utilities Flood Protection Project	450,000.00
KS	City of Olathe Effluent Pump Station	765,000.00
MO	Stockton Community Center/Library Safe Room	175,500.00
MO	Pierce City Fire Station Safe Room	119,700.00
MO	Pierce City Pre-Disaster Hazard Mitigation Plan	31,500.00
CO	City of Fort Collins Spring Creek Basin Mitigation projects	2,697,188.00
MT	Petroleum County Un-Interruptible Power Supply	17,550.00
UT	J. Willard Marriott Library, University of Utah, Seismic Upgrade.	2,994,037.76
WY	Flood Control Improvements of I–180 & Morrie Ave. Crow Creek Crossings.	1,593,514.87
American Samoa	Fagaalu Village, American Samoa Flood Hazard Mitigation Project.	665,673.00
American Samoa	Pago Pago village, American Samoa Flood Hazard Mitigation Project.	2,150,979.00
AZ	Pima County Hazard Mitigation Project	93,750.00

FISCAL YEAR 2003 PRE-DISASTER MITIGATION GRANT OBLIGATIONS—Continued

	SUBGRANT TITLE	AWARDED FED SHARE
AZ	Local Hazard Mitigation Planning	413,565.00
AZ	Pima County/Canada del Oro Flood Hazard Mitigation Project.	3,000,000.00
CA	State of California Hazard Mitigation Planning Program	1,734,798.75
CA	Sonoma County Pre-Disaster Multihazard Mitigation Planning.	224,085.35
CA	San Diego County Multi-jurisdictional Multihazard Mitigation Plan.	603,761.25
CA	Ventura County Regional Multihazard Mitigation Plan	81,000.00
CA	ABAG San Francisco Bay Area Pre-Disaster Hazards Mitigation Planning Project.	450,000.00
CA	Cities of Huntington Beach & Fountain Valley Multihazard Mitigation Plan.	101,251.71
CA	Los Angeles County Standard Multi-Hazard Mitigation Plan (DMA 2000 HMP).	97,500.00
CA	Sacramento County All Hazards Mitigation Plan	77,344.73
CA	City of Redlands Multihazard Mitigation Plan	115,828.21
CA	UC Berkeley, Loss Estimation Model and Multi-Hazard Mitigation Plan Development.	287,055.00
CA	California Fire Alliance Community Planning Project for hundreds of LHMP's.	643,500.00
CA	City of Rancho Cucamonga Hazard Mitigation Plan	22,837.50
CA	Yuba County Hazard Mitigation Plan	1,132,500.00
CA	City of Los Angeles Local Hazard Mitigation Plan	400,000.00
CA	City of Napa Borreo Building Seismic Retrofit Project	654,700.35
CA	County of Sacramento Flood Mitigation Grant Program	1,400,267.25
CA	Urban Wildland Interface Network—UWIN Redlands	244,087.50
CA	Lake City-Humbug Roadside Fuel break	114,369.01
CA	Empire Mine Fuel break Project	157,265.17
Cortina Indian Rancheria	Cortina Indian Rancheria PDM Planning—October 2003	83,475.00
Hopland Band of Pomo Indians	Hopland Tribe Mitigation Plan	32,600.00
Mooretown Rancheria	Mooretown Rancheria Pre-Disaster Mitigation Project	193,142.25
Northern Mariana Islands	CNMI Fire Station Roll-Up Doors Retrofit	120,292.00
Confederated Tribes of the Umatilla Indian Reservation.	Umatilla Indian Reservation Multi-Hazard Mitigation Plan	111,173.00
ID	Canyon, Ada, Elmore Co. All Natural Hazard Assessment and Mitigation Plan.	103,162.00
OR	Oregon University System: Earthquake Building Rehabilitation 2003.	2,841,978.75
OR	Oregon Mid/Southern Willamette Valley Multi-jurisdiction Natural Hazards Plan.	374,719.50
OR	Clackamas County CCOM/EOC Seismic Upgrade Project	204,000.00
OR	Clackamas County Tri-City Wastewater Treatment Facility Seismic Upgrade Project.	249,967.50
OR	City of Oregon City Mountain view Reservoir Seismic Retrofit	682,500.00
OR	City of Canby/Canby Telephone Central Offices Seismic Upgrade.	229,275.00
Shoshone-Bannock Tribe	Fort Hall All Hazards Mitigation Plan	30,000.00
Skokomish Indian Tribe	Skokomish Multi-Hazard Pre-Disaster Mitigation Plan 2004	128,233.00
WA	Snohomish County Natural Hazard Mitigation Plan	150,000.00
WA	Grays Harbor County Comprehensive Hazard Mitigation Plan	50,000.00
WA	Pre-Disaster Mitigation Plan	37,500.00
WA	Thurston County Salmon Creek Basin Elevation Project	371,962.00
Total Plans and Projects for Fiscal Year 2003 PDM Competitive.		89,662,430.94
MANAGEMENT COSTS:		
CT	CT PDMC Management Costs 10 percent	83,750.63
MA	Commonwealth of Massachusetts 2003 PDM–C Management Costs Application.	56,568.97
NH	NH Management Cost	36,000.00

FISCAL YEAR 2003 PRE-DISASTER MITIGATION GRANT OBLIGATIONS—Continued

	SUBGRANT TITLE	AWARDED FED SHARE
VT	State Management Costs	56,703.24
NJ	Grants Management Costs	29,349.00
AL	AEMA Management Costs	867,450.00
FL	State of Florida Department of Community Affairs, Division of Emergency Management.	500,631.75
GA	Management of State of Georgia PDM–C	566,493.80
NC	NCDEM PDM Grant fiscal year 2003 Management Cost	216,843.00
TN	Tennessee Technical Assistance and Management Costs	70,640.00
IL	IEMA management costs	63,000.00
OH	Ohio EMA TA/Management Cost	257,884.00
WI	State PDM–C Management Costs	132,609.00
AR	Technical Assistance/Management Costs 2	283,916.15
IA	State of Iowa Management Costs Application	53,177.54
CO	State of Colorado TA/Management Costs	56,250.00
UT	State of Utah PDM–C Management Costs	50,000.04
WY	State of Wyoming PDMC–2003 Technical Assistance	23,902.73
American Samoa	Territorial Emergency Management Coordinating Office/American Samoa.	281,665.00
AZ	AZ Division of Emergency PDM Management Grant	62,274.00
CA	State of California Technical Assistance/Management Cost Application.	854,215.14
Cortina Indian Rancheria	Cortina Indian Rancheria Multihazard Mitigation Plan Management Costs—Final.	8,347.50
Northern Mariana Islands	CNMI Management Costs PDM-C 2003	12,029.20
Confederated Tribes of the Umatilla Indian Reservation.	Unatilla Indian Reservation Multi-Hazard Mitigation Plan	5,558.22
ID	Idaho State Management	3,000.00
Skokomish Indian Tribe	Sub grant Technical Assistance Application	12,823.30
WA	Washington State Technical Assistance/Management Costs	37,500.00
Total Management Costs for Fiscal Year 2003 PDM Competitive.		4,682,582.21
Total Obligated for Fiscal Year 2003 PDM Competitive.		94,345,013.15

FISCAL YEAR 2003 PRE-DISASTER MITIGATION GRANT OBLIGATIONS

	SUB-APPLICANT	AWARDED FEDERAL SHARE
PLANS AND PROJECTS RECIPIENT:		
CA	San Jose State University	$99,957
CA	University of California-Berkeley	67,100
CA	University of Southern California	100,000
CO	University of Colorado-Boulder	100,000
FL	University of Miami	226,500
FL	Florida Agricultural & Mechanical University (FAMU)	100,000
FL	Florida International University (FIU)	99,759
GA	University System of Georgia	100,000
KY	University of Louisville	94,958
LA	Tulane Power Plant	18,113
LA	Southern University (LA)	100,000
LA	University of New Orleans	99,750
MA	Colleges of the Fenway	100,000
MA	Mass. Institute of Tech	99,750
MO	Metropolitan Community College	100,000
MS	University of Mississippi	75,000
NC	UNC-Wilmington	80,000
NC	UNC-Wilmington	24,000
NC	UNC-Wilmington	57,000
NC	UNC-Wilmington	110,000

FISCAL YEAR 2003 PRE-DISASTER MITIGATION GRANT OBLIGATIONS—Continued

	SUB-APPLICANT	AWARDED FEDERAL SHARE
ND	North Dakota State University	100,000
ND	IT Sitting Bull College	100,000
NV	University of Nevada-Reno	50,000
OH	University of Akron	100,000
OK	University of Central Oklahoma	75,000
OR	University of Oregon	100,000
SC	Horry-Georgetown Tech	89,002
TN	University of Memphis	100,000
TX	Texas State Technical College	75,000
TX	Texas University-Medical Center	97,500
VA	Radford University	31,500
VA	Virginia State University	75,000
VA	Virginia Tech	75,000
WA	University of Washington-Seattle	200,000
WA	University of Washington-Seattle	300,000
Total Plans and Projects for Fiscal Year 2003 Disaster Resistant Universities.		3,419,889
MANAGEMENT COSTS:		
MA	Massachusetts Emergency Management Agency	20,625
GA	Georgia Emergency Management Agency	10,000
KY	Kentucky State Emergency Management	3,749
NC	North Carolina State Emergency Management	27,100
TN	Tennessee State Emergency Management	10,000
OK	OK Emergency Management	7,500
CO	CO Emergency Management	10,000
CA	CA Emergency Management	26,706
Total Management Costs for Fiscal Year 2003 DRU.		115,680
Total Obligated for Fiscal Year 2003 Disaster Resistant Universities.		3,535,569

FISCAL YEAR 2003 PRE-DISASTER MITIGATION GRANT OBLIGATIONS

REGION	RECIPIENT	AWARDED FEDERAL SHARE
1	CT	$248,375
1	ME	248,375
1	MA	248,375
1	NH	248,375
1	RI	248,375
1	VT	248,375
2	NY	248,375
2	NJ	248,375
2	PR	248,375
2	VI	248,375
3	DE	248,375
3	MD	248,375
3	PA	248,375
3	VA	248,375
3	DC	248,375
4	AL	248,375
4	FL	248,375
4	GA	248,375
4	KY	248,375
4	MS	248,375
4	NC	248,375

FISCAL YEAR 2003 PRE-DISASTER MITIGATION GRANT OBLIGATIONS—Continued

REGION	RECIPIENT	AWARDED FEDERAL SHARE
4	SC	248,375
4	TN	248,375
5	IL [1]	225,820
5	IN	248,375
5	MI	248,375
5	MN	248,375
5	OH	248,375
5	WI	248,375
6	LA	248,375
6	NM	248,375
6	OK	248,375
6	AR	248,375
6	TX	248,375
7	IA	248,375
7	MO	248,375
7	NE [1]	172,256
7	KS	248,375
8	CO	248,375
8	MT	248,375
8	ND	248,375
8	SD	248,375
8	UT	248,375
8	WY	248,375
9	AZ	248,375
9	CA	248,375
9	NV	248,375
9	HI	248,375
9	American Samoa	248,375
9	Guam	248,375
10	WA	248,375
10	OR	248,375
10	ID	248,375
10	AK	248,375
Total Obligated for Fiscal Year 2003 Planning		13,313,576

[1] Recipients did not request full award amount ($248,375).

FISCAL YEAR 2005 PRE-DISASTER MITIGATION GRANT OBLIGATIONS

	SUBGRANT TITLE	AWARDED FED SHARE
PLANS AND PROJECTS RECIPIENT:		
CT	Central Naugatuck Valley Council of Governments Pre-Disaster Mitigation Plan.	$101,050.00
CT	Capitol Region Pre-Disaster Mitigation Plan	322,500.00
CT	NWCCOG–PDM2005	40,856.63
CT	City of New Haven Hazard Mitigation Plan	22,500.00
MA	Ell Pond Flood Hazard Mitigation Project	1,745,700.00
MA	Merrimack Valley Multi-Hazard Mitigation Plan	73,650.00
MA	Pioneer Valley Pre-Disaster Mitigation Plan	224,962.50
MA	Metro Boston North/West Pre-Disaster Mitigation Plan	206,868.75
MA	Dukes County Pre-Disaster Mitigation Plan	30,000.00
MA	City of Newburyport All Hazard Mitigation Planning Project	23,700.00
MA	Central Massachusetts Multihazard Mitigation Plan	112,500.00
MA	Pre-Disaster Natural Hazard Mitigation Plans for Hawley and Heath.	11,249.99
MA	Nantucket All-Hazards Mitigation Plan	44,253.00
MA	Massachusetts MH Planning Grant on behalf of Northeastern University.	111,100.00
ME	Town of Canton Pre-Disaster Acquisition and Demolition of Floodplain Properties.	3,000,000.00
NH	City of Claremont, NH Culvert Project—Sugar River Drive	112,500.00
NH	Regional Planning Hazard Mitigation	400,200.00
NH	Fire Hazard Mitigation Enhancement Plan, Statewide NH	120,000.00

FISCAL YEAR 2005 PRE-DISASTER MITIGATION GRANT OBLIGATIONS—Continued

	SUBGRANT TITLE	AWARDED FED SHARE
NH	Water Resource Planning for Improved Emergency Response for Firefighting in NH.	134,810.00
VT	VT Fluvial Erosion Hazard Risk Assessment	337,497.62
VT	Norwich University Disaster Resistant Planning	41,346.11
NJ	Hudson County Local Mitigation Strategy	880,000.00
NJ	Essex County Multi-Jurisdictional Mitigation Strategy	1,176,187.50
NY	Town of Rockland NY Property Acquisition Project	1,115,250.00
NY	Town of Rockland Storm water Management Culvert Mitigation Project.	122,663.62
NY	Village of Fairport Blackwatch Subdivision—Underground Electrical Conversion.	133,705.87
NY	Village of Port Chester Multi-Hazard Local Mitigation Plan	22,500.00
NY	Town of Southampton; Prepare Town-wide Hazard Mitigation Plan.	140,000.00
NY	County of Albany, New York Multihazard Mitigation Plan	75,000.00
NY	Town of Woodbury N.Y. Multihazard Mitigation Project	50,625.00
NY	Town of Eastchester, N.Y. Multihazard Mitigation Plan	24,000.00
NY	Genesee County All Hazards Mitigation Plan	60,002.77
NY	Orleans County Multihazard Multiple Jurisdictional Mitigation Project.	45,000.00
NY	Pelham Village Comprehensive Hazard Mitigation Plan	25,012.50
NY	Rensselaer County Pre-Disaster Mitigation Plan	41,056.00
NY	Suffolk County All-Hazard Multi-jurisdictional Pre-Disaster Mitigation Plan.	1,117,904.25
NY	Briarcliff Manor's Hazard Mitigation Plan	45,562.50
NY	Broome County Multi-Hazard Mitigation Plan	75,000.00
NY	Town of Islip Multihazard Mitigation Planning Project	93,750.00
NYIT	Seneca Nation Multihazard Mitigation Planning	108,750.00
MD	Prince George's County Tor Bryan Estates	967,305.00
MD	University of Maryland College Park Multi-Hazard Mitigation Plan.	178,425.00
PA	Lebanon County Hazard Mitigation Plan	43,930.00
PA	County of Montour Multi-jurisdictional Multihazard Mitigation Plan.	48,000.00
PA	Building Disaster Resistant Universities for the PA State System of Higher Ed.	1,694,257.25
PA	Snyder County Hazard Mitigation Plan Project	27,000.00
PA	County of Huntingdon Multihazard Multi-jurisdictional Mitigation Plan.	45,416.64
PA	Berks County Multi-jurisdictional Multihazard Mitigation Plan.	90,000.00
PA	Blair County Hazard Mitigation Plan	27,855.68
PA	Armstrong County Multi-Jurisdictional Hazard Mitigation Plan.	105,000.00
PA	Clarion County Multi-Hazard Mitigation Plan	38,465.00
VA	George Mason University All-Hazards Mitigation Planning	112,500.00
VA	Expanding and Revising Chesapeake's Hazard Mitigation Plan.	205,185.00
FL	University of Miami RSMAS Marine Campus Hurricane Retrofit.	350,174.99
FL	Jackson Health System—Ambulatory Care Center—East	125,642.96
FL	Jackson Health System—Ambulatory Care Center—West	411,945.48
FL	Jackson Health System—West Wing	394,664.40
FL	Jackson Health System—Central Wing	168,168.55
FL	Jackson Health System—South Wing	310,641.58
FL	University of Miami School of Medicine Hurricane Retrofit (Multiple).	2,214,674.99
FL	Jackson Health System—North Wing	82,150.68
FL	Jackson Health System—East Tower	1,404,397.15
FL	Jackson Health System—Mental Health (Highland Pavilion).	670,029.33
FL	Jackson Health System—Rehabilitation Building	413,526.79
FL	Jackson Health System—Rehabilitation Annex	296,373.67
FL	Jackson Health System—Institute Building	295,326.82

FISCAL YEAR 2005 PRE-DISASTER MITIGATION GRANT OBLIGATIONS—Continued

	SUBGRANT TITLE	AWARDED FED SHARE
FL	Roof Reinforcement/Cutler Ridge District Station	119,250.00
FL	City of North Miami Police Facility Window Replacement Project.	37,500.00
FL	Miami Children's Hospital Pre-Disaster Wind Mitigation Project.	395,687.21
FL	Miami Children's Hospital Satellite, Pre-Disaster Wind Mitigation Project.	55,933.00
FL	Eckerd College Mitigation Plan/Risk Assessment	117,750.00
GA	DeKalb County—JAX SQUARE ACQ1	2,827,165.50
GA	DeKalb County—15ACQ	2,625,750.00
GA	DeKalb County—JAX SQUARE ACQ2	942,388.50
GA	City of Warner Robins Acquisition Project	96,622.00
GA	City of Savannah Acquisition Demolition 2005 Project	741,384.47
GA	City of Atlanta Acquisition—Fiscal Year 2005—PDM	1,076,772.75
GA	City of Atlanta Elevation—Fiscal Year 2005—PDM	1,634,372.66
GA	State of Georgia Multi-Hazard Planning Application	301,875.00
NC	Acquisition & Demolition in Myers Park Manor—Charlotte, NC.	337,881.00
NC	Acquisition & Demolition along Cullman Ave.—Charlotte, NC.	2,113,660.50
NC	UNCW Mitigation Plan	13,500.00
NC	North Carolina DEM Grant to Update State 322 Plan	319,794.00
NC	UNC–CH 2005 PDM planning app 2	339,087.80
SC	Low country COG Inclusion of all Communities into Hazard Mitigation Plan.	8,781.00
TN	Rutherford County Greenwood Acquisition Project 2005	1,116,112.50
TN	Rutherford County Twin Oaks Acquisition Project 2005	583,912.50
TN	Metro Nashville 2005 Home Buyout	1,971,765.00
TN	Giles County Hazard Mitigation Plan	30,000.00
TN	University of Tennessee Multihazard Mitigation Planning Project.	56,250.00
IL	DuPage County, Illinois Natural Hazards Mitigation Plan	75,000.00
IN	Town of Dyer Multi-Hazard Mitigation Plan	30,000.00
IN	City of Hammond Multi-Hazard Mitigation Plan	37,500.00
IN	Hancock County Multi-Hazard Mitigation Plan	30,000.00
IN	DeKalb County Multi-Hazard Mitigation Plan	30,000.00
IN	Noble County Multi-Hazard Mitigation Plan	30,000.00
IN	Steuben County Multi-Hazard Mitigation Plan	30,000.00
IN	Indiana's Boundary River Mitigation Planning Initiative	1,821,750.00
MI	Robinson Township PDM Property Acquisition Project 1	2,428,156.50
MI	Robinson Township PDM Acquisition 2	2,654,815.50
MI	Michigan Technological University Multihazard Mitigation Plan.	56,250.00
MN	McLeod County All Hazard Mitigation Plan	24,750.00
MN	Douglas County All Hazard Mitigation Plan	24,750.00
MN	Grant County All Hazard Mitigation Plan	24,750.00
MN	Wabasha County All Hazard Mitigation Plan	23,273.22
WI	City of Darlington Multihazard Mitigation Project	187,500.00
WI	Marinette County Hazard Mitigation Plan	37,500.00
WI	Waupaca County Mitigation Planning	33,918.00
WI	Brown County All-Hazards Mitigation Plan	74,994.00
WI	Manitowoc County All-Hazards Mitigation Plan	71,349.00
WI	Waushara County All-Hazards Mitigation Plan	35,250.00
WI	Lafayette County Multihazard Mitigation Plan	15,874.50
WI	Sheboygan County All-Hazards Mitigation Plan	39,750.00
WI	Jackson County Wisconsin Multihazard Mitigation Plan	45,000.00
WI	Dunn County Natural Hazards Mitigation Plan	30,000.00
WI	Forest County All Hazards Mitigation Plan	22,500.00
WI	Langlade County All Hazards Mitigation Plan	22,500.00
WI	La Crosse County Multihazard Mitigation Plan	60,000.00
WI	Buffalo County Multihazard Mitigation Plan	45,000.00
WI	Wisconsin Emergency Management Planning Application	141,818.00
WI	Iron County Wisconsin Pre-Disaster Mitigation Plan Development.	40,152.00

FISCAL YEAR 2005 PRE-DISASTER MITIGATION GRANT OBLIGATIONS—Continued

	SUBGRANT TITLE	AWARDED FED SHARE
WI	Jefferson County Multi-Hazards Mitigation Plan	45,000.00
WI	Ozaukee County Hazard Mitigation Plan	37,500.00
AR	Fort Smith School District Safe Room at Carnall Elementary.	531,329.97
AR	Fort Smith School District Morrison Elementary Safe Room	531,329.97
AR	Van Buren School District High School Safe Room	1,129,368.75
AR	Mansfield School District High School Safe Room	412,077.00
AR	Alma School District Safe Room Application	1,056,555.58
AR	Mansfield School District Middle School Safe Room	412,077.00
AR	Fort Smith School District Cavanaugh Elementary Safe Room.	531,329.97
AR	Johnson County Hazard Mitigation Plan	30,000.00
AR	Pope County Hazard Mitigation Plan	30,000.00
OK	Caddo Kiowa Technology Center, Fort Cobb, Oklahoma, Safe Room Construction.	440,999.90
OK	City of Dewey Multi-Hazard Mitigation Plan	13,500.00
OK	City of Stillwater Multihazard Mitigation Plan	60,000.00
OK	Tulsa County Multi-Hazard Mitigation Plan	60,000.00
OK	City of Guymon Multihazard Mitigation Plan	15,000.00
OK	City of Sand Springs Multi-Hazard Mitigation Plan	39,999.50
OK	City of Ada Multi-Hazard Mitigation Plan	30,000.00
OK	City of Okmulgee Multi-Hazard Mitigation Plan	30,000.00
OK	City of Holdenville Multi-Hazard Mitigation Plan	15,000.00
OK	McLoud School Natural Hazard Mitigation Plan	19,999.99
OK	City of Muskogee Multi-Hazard Mitigation Plan	75,000.00
OK	City of Tahlequah Multi-Hazard Mitigation Plan	21,000.00
TX	City of Nacogdoches Property Acquisition Project	226,831.56
TX	Travis County Acquisition/Demolition—12 Homes in Timber Creek.	386,486.04
TX	Pilot List Application #1	2,666,167.06
TX	Pilot List Application #2	2,455,071.76
TX	Pilot List Application #3	2,645,354.48
TX	Pilot List Application #4 Pasadena	2,120,046.52
TX	Acquisition and Demolition 1	1,855,157.53
TX	Acquisition and Demolition 2	2,215,919.64
TX	Acquisition and Demolition 3	2,542,723.31
TX	Acquisition and Demolition 4	2,657,445.36
TX	City of Laredo Multihazard Mitigation Project	73,230.00
TX	City of Southlake HAZMAP	30,000.00
TX	City of Arlington Multihazard Mitigation Action Plan	166,545.00
IA	City of Forest City Flood Mitigation Project	43,200.00
IA	City of Hampton Project to Protect Critical Facilities From Flooding.	45,936.21
IA	Council Bluffs-Valley View Drive Acquisition	362,396.25
IA	City of Davenport PDM Multihazard Mitigation Plan	10,710.00
IA	Kossuth County Pre-Disaster Mitigation Plan	6,375.00
IA	Pre-Disaster Mitigation Planning—Mills County, Malvern, and Hastings, Iowa.	11,999.96
IA	Iowa 322 Update	163,200.00
IA	Pre-Disaster Mitigation Planning—Seven Pottawattamie County Cities.	30,148.00
IA	City of Tripoli Local Hazard Mitigation Plan Application	5,250.00
IA	City of Clear Lake Pre-Disaster Mitigation Plan	6,375.00
IA	City of Britt Pre-Disaster Mitigation Plan	6,375.00
IA	City of Northwood Pre-Disaster Mitigation Plan	6,375.00
IA	City of Lenox Multihazard Mitigation Plan	2,250.00
IA	Wapello County Multi-Jurisdiction Multi-Hazard Mitigation Plan.	31,997.35
IA	Springbrook Pre-Disaster Mitigation Plan	2,835.00
IA	Union County Multihazard Mitigation Plan	8,999.40
IA	Charlotte Pre-Disaster Mitigation Plan	3,645.00
IA	Ringgold County Multihazard Mitigation Plan	10,000.00
IA	City of Shellsburg, Iowa, Pre Disaster Mitigation Plan	3,000.00
IA	Lost Nation Pre-Disaster Mitigation Plan	3,645.00

FISCAL YEAR 2005 PRE-DISASTER MITIGATION GRANT OBLIGATIONS—Continued

	SUBGRANT TITLE	AWARDED FED SHARE
IA	Low Moor Pre-Disaster Mitigation Plan	3,645.00
IA	Peosta Pre-Disaster Mitigation Plan	3,645.00
IA	Sageville Pre-Disaster Mitigation Plan	3,645.00
IA	Delhi Pre-Disaster Mitigation Plan	3,645.00
IA	LaMotte Pre-Disaster Mitigation Plan	3,645.00
IA	City of Stuart Pre-Disaster Mitigation Plan	3,375.00
IA	Ames All-Hazards Mitigation Plan	58,406.65
IA	City of Norway, Iowa, Pre Disaster Mitigation Plan	3,000.00
IA	Davis County Multi-Jurisdiction Multi-Hazard Mitigation Plan.	19,989.90
IA	City of Mason City Pre-Disaster Mitigation Plan	7,500.00
IA	Clayton County, Iowa, Pre-Disaster Mitigation Plan Update	6,375.00
IA	City of Oxford Junction Multihazard Mitigation Plan	1,500.00
IA	City of Luzerne, Iowa, Pre Disaster Mitigation Plan	3,000.00
IA	Story County, Iowa, Multi-Jurisdictional Multihazard Mitigation Plans.	33,777.97
IA	Welton Pre-Disaster Mitigation Plan	2,835.00
IA	Delmar Pre-Disaster Mitigation Plan	3,645.00
IA	City of Ayrshire Multihazard Mitigation Plan	3,750.00
IA	City of Kimballton Pre-Disaster Mitigation Plan	2,625.00
IA	City of Vail Pre-Disaster Mitigation Plan	2,000.00
IA	Sherrill Pre-Disaster Mitigation Plan	2,835.00
IA	Akron Pre-Disaster Mitigation Plan	3,150.00
IA	Plymouth County Pre-Disaster Mitigation Plan	4,500.00
IA	City of Merrill Pre-Disaster Mitigation Plan	4,500.00
IA	Graf Pre-Disaster Mitigation Plan	2,835.00
IA	Lee County Pre-Disaster Mitigation Planning Project	34,687.00
IA	Louisa County Pre-Disaster Mitigation Planning Project	34,686.00
IA	City of Ruthven Multihazard Mitigation Plan	3,750.00
IA	Polk County Multi-jurisdictional Multihazard Mitigation Plan.	150,579.53
IA	City of Truesdale Multihazard Mitigation Plan	3,750.00
IA	City of Lakeside Multihazard Mitigation Planning Grant	3,750.00
IA	City of Sheldon Multi-hazard Pre-Disaster Plan	6,000.00
IA	City of Westfield Pre-Disaster Mitigation Plan	3,150.00
IA	City of Madrid, Flood Mitigation Project	6,000.00
KS	Sedgwick County Public Safety Center	237,000.00
KS	Ottawa County, Ks. Mitigation Plan	4,248.75
MO	Pierce City School-Shelter	973,017.36
MO	City of Brentwood Property Buyout Mitigation	592,500.00
MO	City of Independence Power & Light PDM 2005–2008	1,713,319.00
MO	Willow Springs R–4 High School and Middle School Tornado Shelter.	656,580.00
MO	City of Butler Mobile Home Park Shelter	31,500.00
MO	West Plains R–VII School District Tornado Shelter	2,050,324.54
MO	City of Houston, Missouri Flood Loss Prevention Buyout Project.	145,612.50
MO	Smith Hatchery Road Bank Stabilization Project	48,750.00
MO	Blue River Community Safe Room	1,273,630.50
MO	Sullivan County Missouri Bridge Mitigation Project	336,942.00
MO	Clay County/Paradise Pointe Marina Tornado Shelter	120,727.00
MO	Seymour Special Road District Skyline Bridge	140,335.12
MO	Clay County/Camp Branch Marina Shelter	120,727.00
MO	Longview CC Community Safe Room	2,553,285.50
MO	Maple Woods Community Safe Room	2,398,602.75
MO	Penn Valley Community Safe Room	3,000,000.00
MO	BTC Community Safe Room	993,852.75
MO	University of Missouri—Rolla Hazard Mitigation Plan	79,317.41
MO	Kansas City Metro Area Storm Shelter Plan	88,702.50
NE	Village of Elmwood All-Hazards Mitigation Plan	1,687.50
NE	Village of South Bend All-Hazards Mitigation Plan	2,250.00
NE	Hall County All-Hazards Mitigation Plan	68,389.96
CO	North Cheyenne Canyon Fuels Mitigation Project	71,754.26
CO	Regional Detention Pond at Police Station 2 (38th & Holly).	3,000,000.00

FISCAL YEAR 2005 PRE-DISASTER MITIGATION GRANT OBLIGATIONS—Continued

	SUBGRANT TITLE	AWARDED FED SHARE
CO	City of Colorado Springs Landslide Damaged Homes Acquisition and Removal-2 Homes.	217,632.00
CO	Grand County Pre Hazard Mitigation Plan	22,721.25
CO	Montrose County Mitigation Plan	70,875.00
CO	Jefferson County, Colorado	225,000.00
CO	Colorado PDM–C Planning Grant Fiscal Year 2005	80,000.00
MT	Remaining and Unfunded Montana Communities Planning Grant Application.	208,500.00
MT	Montana University System Multi-Hazard Planning	255,016.60
ND	North Dakota 345 kV Transmission Structure Replacement	1,511,250.00
ND	City of Fargo Drain 10 Flood Mitigation	987,000.00
SD	Marshall County Pre-Disaster Mitigation Plan	7,012.50
SD	Kingsbury County Pre Disaster Mitigation Plan	7,012.50
SD	Clark County Multihazard Mitigation Plan	7,012.50
SD	Grant County Multihazard Mitigation Plan	9,000.00
SD	Miner County Multihazard Mitigation Plan	7,012.50
SD	Charles Mix County Pre-Disaster Mitigation Plan	4,968.75
SD	Spink County Multi-hazard Mitigation Plan	5,250.00
SD	McPherson County Pre Disaster Mitigation Plan	7,012.50
SD	Faulk County Pre Disaster Mitigation Plan	7,012.50
SD	Day County Pre Disaster Mitigation Plan	9,000.00
SD	Roberts County Pre Disaster Mitigation Plan	9,000.00
SD	Perkins County Multi-hazard, Multi-jurisdictional Pre-disaster Mitigation Plan.	4,500.00
UT	City of Orem Fire Station 1 Seismic Retrofit—300 East 1000 South, Orem, UT.	75,000.00
UT	City of Orem Fire Station 2 Seismic Retrofit—911 North Main St. Orem, UT.	75,000.00
UT	Layton City Fire Station Reconstruction & Retrofit	268,608.75
UT	JVWTP Structural Seismic Retrofit	1,791,750.00
UT	Utah Enhanced PDM Plan Grant Application	131,187.50
UT	University of Utah Multi-Hazard Mitigation Plan	537,340.77
WY	City of Cheyenne Dry Creek Sheridan Reach Flood Control Project.	2,764,684.31
WY	Campbell County, City of Gillette, Town of Wright Multi-Hazard Mitigation Plan.	18,750.00
WY	Pre-disaster Mitigation Plan for Lincoln Co., WY	15,000.00
WY	Sublette County Multihazard Mitigation Project	6,000.00
WY	Northwest College Mitigation Plan	19,875.00
WY	Update and Expansion of Wyoming Multi-Hazard Mitigation Plan.	21,420.00
AZ	State of Arizona Mitigation Plan Input into AzHMPS	56,250.00
AZ	Hazard Mitigation Planning for Tribal Governments	231,000.00
CA	Pasadena City Hall Seismic Upgrade & Rehabilitation Project.	3,000,000.00
CA	City of Huntington Beach Ca. Civic Center Seismic Retrofit.	3,000,000.00
CA	SF Bay Area Rapid Transit District Mitigation Project	2,999,999.98
CA	University of California San Francisco Medical Center Seismic Saw-Cut Project.	3,000,000.00
CA	Joseph P. Bort Metro Center Seismic Retrofit Mitigation Project (Oakland, CA).	2,976,000.00
CA	City of Santa Clara at Grade Water Tanks Seismic Retrofit Mitigation Project.	1,268,801.99
CA	Cucamonga Valley Water District, Reservoir Site 1B, Seismic Mitigation Project.	48,436.64
CA	Western Municipal Water District Seismic Mitigation—New Lurin Reservoir.	116,895.00
CA	Western Municipal Water District Seismic Mitigation—La Sierra Reservoir.	119,092.50
CA	Victor Valley Water District Seismic Mitigation—Zone #2	201,000.00
CA	Western Municipal Water District Seismic Mitigation—Markham Reservoir.	116,895.00

FISCAL YEAR 2005 PRE-DISASTER MITIGATION GRANT OBLIGATIONS—Continued

	SUBGRANT TITLE	AWARDED FED SHARE
CA	Western Municipal Water District Seismic Mitigation—Jim Jack Reservoir.	116,895.00
CA	Western Municipal Water District Seismic Mitigation—Roosevelt Reservoir.	116,895.00
CA	Cal State University San Bernardino Physical Sciences Seismic Mitigation Project.	862,425.00
CA	Hall of Justice West Courthouse Seismic Hazard Mitigation.	2,067,577.50
CA	Los Gatos Courthouse Seismic Hazard Mitigation	1,008,350.25
CA	Palo Alto Courthouse Seismic Hazard Mitigation	236,514.00
CA	Cal State San Bernardino Biological Sciences Seismic Mitigation Project.	850,570.75
CA	Cal Poly Pomona Science 3 Seismic Mitigation Project	2,166,354.00
CA	Cucamonga Valley Water District, Reservoir Site 1C, Seismic Mitigation Project.	109,496.98
CA	Cucamonga Valley Water District, Reservoir Site 4B, Seismic Mitigation Project.	35,973.82
CA	Cucamonga Valley Water District, Reservoir Site 5B, Seismic Mitigation Project.	26,841.52
CA	Cucamonga Valley Water District, Reservoir Site 6C, Seismic Mitigation Project.	31,407.67
CA	Victor Valley Water District Seismic Mitigation—Zone #3	137,250.00
CA	County of Butte Multi-Jurisdictional Multi-Hazard Mitigation Plan.	122,155.98
CA	Arroyo Grande, Grover Beach, and Lucia Mar Unified School District PDM.	51,281.25
CA	City of Palmdale Local Multihazard Mitigation Plan	98,325.00
CA	Fresno County Local Multihazard Mitigation Plan	230,951.34
CA	Amador County Multi-jurisdictional Hazard Mitigation Plan	43,875.00
CA	City of San Marcos Wildland Urban Interface Hazard and Risk Assessment.	124,500.00
CA	City of La Canada Flintridge Multihazard Mitigation Plan	45,000.00
CA	City of Pismo Beach Hazards Mitigation Plan	48,750.00
CA	Humboldt County Multi-Agency Multi-Hazard Mitigation Plan.	117,000.00
CA	Mendocino Emergency Services Multihazard Mitigation Project.	142,124.42
CA	CA MHMP Enhancement for Alluvial Fan Flood Hazards	624,325.00
CA	City of Tustin—Local Multi-Hazard Mitigation Plan	56,250.00
CA	City of Yuba City Hazard Mitigation Plan	30,000.00
CA	La Habra Local Multi-Hazard Mitigation Plan	56,250.00
CA	City of Mill Valley Hazard Mitigation Planning Grant	26,600.29
CA	City of Novato Multi Hazard Mitigation Planning Project	39,758.25
CA	City of Larkspur Hazard Mitigation Planning Grant	37,499.76
CA	Clovis Unified School District Multi-hazard Mitigation Plan Development.	58,974.00
CA	Santa Barbara School Districts Multihazard Mitigation Plan.	61,425.00
CA	Imperial County Multi-Jurisdictional Multihazard Mitigation Plan.	101,368.50
CA	Eastern Municipal Water District Multi-Hazard Mitigation Plan.	56,250.00
CAIT	Picayune Rancheria Mitigation Planning	51,480.00
CAIT	PDM–C	112,800.03
CAIT	Blue Lake Rancheria Mitigation Plan	55,338.75
CAIT	Pauma-Yuima Band of Mission Indians HMP	46,170.00
CAIT	Santa Ynez Tribal Multi-Hazard Mitigation Plan	60,657.00
CAIT	Pala Band of Mission Indians Multihazard Mitigation Plan	76,500.00
HI	County of Kauai—Dev of New Wind Design Code Provisions and Risk Assess Plan.	135,000.00
HI	University of Hawaii System Multihazard Mitigation Project.	261,821.00
NV	State of Nevada HAZUS–MH Planning Grant	60,063.50

FISCAL YEAR 2005 PRE-DISASTER MITIGATION GRANT OBLIGATIONS—Continued

	SUBGRANT TITLE	AWARDED FED SHARE
NVIT	Pyramid Lake Paiute Tribe Pre-disaster Mitigation Planning Project.	19,500.00
AK	Hooper Bay and Paimiut All Hazards Mitigation Plan	14,040.00
AK	Dillingham Hazard Mitigation Plan	7,515.30
AK	Kodiak Island Hazard Mitigation Plan	41,723.25
AK	Lake & Peninsula Borough Hazard Mitigation Plan	19,416.75
ID	Caribou County Public Safety All Hazard Mitigation Planning.	22,500.00
ID	Twin Falls County Hazard Mitigation Plan	41,250.00
ID	Gooding County Multi-Hazard Mitigation Plan	41,250.00
ID	Cassia County All Hazard Mitigation Plan	41,250.00
ID	North East Idaho Regional Multihazard Mitigation Plan	337,530.00
ID	Idaho State Hazard Mitigation Plan 2008	201,503.84
ID	Lincoln County Multi-Hazard Mitigation Plan	41,250.00
ID	Camas County Multi-Hazard Mitigation Plan	41,250.00
IDIT	Duck Valley Indian Reservation All Hazard Plan	35,025.00
OR	Clackamas River Water System Seismic and Ice Storm Retrofit Project.	1,570,836.00
OR	Douglas County/Roseburg Public Schools Seismic Mitigation Project.	731,512.50
OR	City of Beaverton City Hall Seismic Upgrade	1,015,087.50
OR	Scappoose Fire Station Seismic Upgrade	162,750.00
OR	City of Lake Oswego Seismic Upgrade Grant Application	187,500.00
OR	Columbia River Fire & Rescue Fire Stations Seismic Retrofit.	281,400.00
OR	University Demonstration Projects: OSU and WOU	1,977,996.00
OR	Mid-Columbia & Southeast Oregon Multi-Jurisdiction Mitigation Plan Development.	932,237.25
ORIT	Burns Paiute Tribe—Multihazard Mitigation Project	42,267.50
WA	S. Lake Union Armory Seismic Upgrade	534,921.75
WA	Frances Anderson Center	782,190.00
WA	School Seismic Retrofits	3,000,000.00
WA	Cedar River/Rainbow Bend Acquisition	1,212,127.50
WA	City of Westport, Washington Hazard Mitigation Plan	30,000.00
WA	Whitman County Multi-Jurisdictional Natural Hazards Mitigation Plan.	111,728.46
WA	Washington State University Statewide Hazard Mitigation Planning Project.	377,619.00
WA	Washington State Region 5 (Pierce County) Hazard Mitigation Plan.	493,125.12
WA	Grant County Multi-jurisdictional Hazard Mitigation Planning Sub grant.	40,458.91
WAIT001	Pre-Disaster Mitigation Update Project	111,685.80
WAIT004	Tulalip Reservation State-level Hazard Mitigation Plan	17,200.00
WAIT005	Sauk-Suiattle Indian Tribe All Hazards Mitigation Plan	16,959.96
Total Plans & Projects for Fiscal Year 2005 PDM.		148,741,988.18
MANAGEMENT COSTS RECIPIENT:		
CT	CT 2005 PDM Management Costs	48,691.16
MA	Commonwealth of Massachusetts 2005 PDM–C Management Costs Application.	448,408.00
ME	Maine Management Costs PDM–C 2005	196,816.50
NH	New Hampshire State 2005 Management	86,962.50
GA	GA State Management Costs	777,179.00
NC	NC State Management Costs	312,392.39
SC	SC State Management Costs	211,800.00
TN	Tennessee 2005 PDM Technical Assistance	75,000.00
MI	State of Michigan 2005 PDM Management Costs	185,309.50
WI	State PDM–C Management Costs	112,740.00
IA	State of Iowa 2005 Management Costs	118,888.92
ND	State of North Dakota Technical Assistance Grant	249,825.00
SD	State of South Dakota-Office of Emergency Management	8,379.75

FISCAL YEAR 2005 PRE-DISASTER MITIGATION GRANT OBLIGATIONS—Continued

	SUBGRANT TITLE	AWARDED FED SHARE
UT	State Management Cost for fiscal year 2005	137,064.68
WY	Wyoming Office of Homeland Security fiscal year 2005 PDM—C Management.	23,715.00
ORIT	Burns Paiute Tribe—Management Oversight	3,566.25
WAIT005	Hazard Management Plan	1,694.70
Total Management Costs for Fiscal Year 2005 PDM.		2,998,433.35
Total Obligated for Fiscal Year 2005 PDM.		151,740,421.53

Question. How have these projects proven themselves when disaster strikes?

Answer. The Pre-Disaster Mitigation (PDM) program provides funds to States, territories, Federally-recognized Indian tribal governments, and communities for hazard mitigation planning and the implementation of mitigation projects prior to a disaster event. The PDM program is designed to reduce the risk to populations, structures, and critical infrastructure from natural disasters.

These funds provide for the protection of lives and properties from flood damage through acquisition, elevation, relocation, and/or flood proofing; protection to critical facilities from flood damage through drainage, infrastructure, and utilities projects; protection of properties from hurricane wind damage; saving lives through the construction of tornado storm shelters; protection to public facilities against seismic damage; and providing the framework for communities to analyze risk and better plan to protect their communities from disasters.

The findings of the Multihazard Mitigation Council demonstrate that on average, a dollar spent by FEMA on hazard mitigation (actions to reduce disaster losses) grants provide the Nation about $4 in future benefits. To date, PDM has provided $272.5 million to fund 709 hazard mitigation plans and projects. Once PDM grants are implemented at the local level, it generally takes several years to complete the hazard mitigation activity. Since grant awards began in 2004, not enough time has passed to evaluate actual PDM project performance. Below are examples of activities that are ongoing with PDM funds across the county.

Darlington, Wisconsin—All-Hazard Mitigation Plan and Acquisition Project

Darlington began its success in PDM with a planning sub-grant in 2002 which resulted in the City's All-Hazard Mitigation Plan. With a long history of damaging floods, the City is taking action to reduce the number of repetitively flooded properties.

One of the latest projects funded through the PDM program is the purchase and removal of a light industrial building located in the floodway. Having flooded four times in the past 60 years, the building has sustained structural and content damage as well as business interruption losses. The building will be demolished and the site will become part of the Pecatonica Riverside Park, which is heavily used by the general public.

As of January 2006, 19 commercial buildings were flood proofed and another 14 were purchased and removed from the floodplain, through PDM and FEMA's other grant programs—the Hazard Mitigation Grant Program (HMGP) and Flood Mitigation Assistance (FMA) program.

Jackson Memorial Hospital, Miami, Florida—Wind Mitigation

A total of 32 hurricanes have struck Southern Florida in the past 100 years. Jackson Memorial Hospital in Miami is one of the Nation's busiest hospitals, serving a population of 2.3 million. It is also the major teaching facility for the University of Miami School of Medicine. Jackson Memorial plans to harden its buildings against windstorms using a "see thru" shutter system for doors and windows that are engineered and installed to comply with local building codes.

Other structures in Miami Dade County that have been similarly retrofitted have suffered only superficial damage, such as chipped paint, during high-wind events, including Hurricanes Katrina and Wilma.

City of Birmingham, Alabama—Acquisition Project

The City of Birmingham has an aggressive goal to remove properties that are subject to repeated flooding. Both the City of Birmingham and the State of Alabama, with support from FEMA's Region IV Office, have successfully used the PDM grant

program to further this goal. In 2003, Birmingham received a PDM grant of $2,490,315 to purchase 65 flood vulnerable properties. The grant monies helped to relocate 55 families and turn a hazardous area into recreational parkland in perpetuity.

Bay Area Rapid Transit District, California—Earthquake Mitigation Project

In the highly seismic area of San Francisco, the Bay Area Rapid Transit (BART) system, which carries over 310,000 commuters by fixed rail and bus each workday, found its critical Train Operations Center to be at significant risk of collapse and liable to fall in on the underground portion of the building in the event of an earthquake.

BART is using its PDM grant to raze the above-ground portion of the building and move the entire operation underground. This will reduce the potential for damage, increase the safety of BART employees, and help to maintain normal transportation routes for the Bay area following an earthquake.

FEMA FUNDING LAPSE

Question. Are there plans to use the section 504 authority to expedite hiring in fiscal year 2006? If not, why not?

Answer. FEMA plans to submit Congressional notification to use 50 percent of the unobligated balances remaining at the end of fiscal year 2005, as permitted by Section 504 of the Department of Homeland Security Appropriation Act of 2005. These funds will be used to meet priority resource needs including personnel expenses deferred due to the response and recovery requirements for Katrina, Rita, and Wilma.

Question. The fiscal year 2007 budget request includes a new initiative that creates a new bureaucracy in the Preparedness Directorate to do the same thing that FEMA used to do. The National Preparedness Integration Program (NPIP) is proposed to fund improved catastrophic planning; enhanced emergency communications systems; the aligning of preparedness planning for Federal, State, and local command and control processes; harmonized medical coordination; and development of innovative ideas and methods for preparedness. This action appears to widen the chasm between preparedness and recovery by stove-piping FEMA and the Preparedness Directorate.

What is the overall strategy to ensure that meaningful and effective planning efforts are coordinated among levels of government and within the Department, that those in command and control know each other prior to an incident, and that first responders have trained and exercised together, before they respond to the next disaster—no matter what the hazard?

Answer. Results of the Department's Second Stage Review (2SR) separated the former Office of Information Analysis and Infrastructure Protection (IAIP) into the new Office of Intelligence and Analysis (I&A) and the Directorate for Preparedness. As acknowledged by the Conferees to the fiscal year 2006 DHS Appropriation in the Conference Report, the new Directorate for Preparedness will assess and prioritize policies and operations to enhance preparedness for a natural disaster or terrorist attack. The conferees directed the Directorate to work with the Director of FEMA to continue an all-hazard approach for preparation, response, and recovery to any type of disaster, and this concerted approach is under way.

The overall strategy to ensure that meaningful and effective planning efforts are coordinated among levels of government and within the Department is summarized in the report, The Federal Response to Hurricane Katrina: Lessons Learned. The report recommends that DHS should establish an interagency team of senior planners with appropriate emergency management experience to conduct a comprehensive, 90-day review of the NRP and NIMS. As part of this review, all agencies will be required to develop integrated operational plans, procedures and capabilities for their support to the base NRP and all ESFs and Support Annexes.

In addition, the Lessons Learned Report recommends that DHS integrate and synchronize its preparedness functions by fully implementing 2SR.

To ensure that those in command and control know each other prior to an incident, and that first responders have trained and exercised together before they respond to the next disaster, the NPIP will install Federal Preparedness Coordinators (FPCs). FPCs will execute NPIP related activities at the local level. The mission of the NPIP is to create, organize, enable and monitor initiatives to integrate and synchronize national preparedness. The FPCs will play a key role in achieving that mission given that National preparedness is only possible when Federal, State, local and tribal governments, the private sector and the American people are working collectively toward a shared goal of enhanced preparedness.

Through the NPIP, FPCs will provide DHS with an important and functional field presence to collaborate and build partnerships with State and local government, and

private sector homeland security stakeholders within the FPC's assigned geographic areas of responsibility and to ensure that these stakeholders are working together and are thoroughly prepared. Currently, such field level coordination is done on an ad hoc basis and DHS does not have always have visibility into how high-risk areas are prepared to deal with homeland security incidents.

FPCs will change that by providing vehicles for regular coordination, strengthening the linkages between officials responsible for responding to possible homeland security incidents. Our Nation cannot afford for Federal, State and local government officials to have to build working relationships and common approaches to incident management amidst the fog of a major incident—such as Hurricane Katrina or a pandemic influenza outbreak. Instead, these relationships need to be built through frequent collaboration during steady State activities, as well as through common, well-understood, and practiced approaches to incident response prior to such an approach being needed.

Question. How does this budget reflect that strategy in a way that funds will not lapse, the right people are working together, and Americans are made safer?

Answer. The President's fiscal year 2007 Budget Request funds the strategy outlined above by directing spending through the NPIP to our most urgent preparedness integration priorities. The NPIP will serve as the Department's lead in coordinating, implementing, and monitoring initiatives to integrate and synchronize national preparedness efforts at the Federal level, the State and local levels, and throughout the private sector.

RETOOLING OF FEMA

Question. On February 13, 2006, Secretary Chertoff announced a retooling of FEMA. What resources are needed to accomplish each outlined goal and where will the funds come from?

Answer. The first steps in FEMA retooling are being applied to the current focus in FEMA's preparations for the upcoming hurricane season through improvements to our response and recovery functions, such as victim assistance, logistics, and communications.

Retooling initiatives in place or underway for the 2006 hurricane season include:

—Implementation of Phase I of the Total Asset Visibility commodities tracking program in Regions IV (AL, FL, GA, KY, MS, NC, SC, TN) and VI (AR, LA, OK, NM, TX).
—Pre-positioning of emergency supplies through inter-agency agreements with the Defense Logistics Agency (DLA) and private partners.
—Increased customer service capability through increased victim registration capacity.
—Public Assistance and Individual Assistance Techncial Assistance Contract improvements.
—Implementation of improved internal controls and anti-fraud protections (ChoicePoint).
—Expanded housing inspection capacity.
—IT and facility improvements at both the Regions and Headquarters for improved situational awareness.
—Implementation of a program to allow contractors to register on-line to provide an immediately accessible, nationwide list of resources for debris removal.
—Pre-designated mission assignments with other Federal entities to facilitate immediate response requirements.
—Improved emergency communications capabilities including upgraded and expanded Land Mobile Radios and High Frequency (HF) equipment integration; and
—Implemented aggressive hiring initiatives to fill critical vacancies.

The majority of funding for FEMA retooling and 2006 hurricane season preparations is sourced from the Disaster Relief Fund. FEMA is still in the process of refining these initiatives and identifying the specific short and long-term costs.

LESSONS LEARNED

Question. In February 2006, the White House released a report, The Federal Response to Hurricane Katrina Lessons Learned, with 125 recommendations. What resources are need to accomplish each outlined goal and where will the funds come from?

Answer. The Department is currently engaged in comprehensive efforts to identify lessons learned from the Hurricane Katrina response, both on its own and through an interagency working group. Many of these lessons have already led to recommendations upon which the Department is moving forward and implementing

changes using currently available resources and authority. Because of the timing of the report, recommendations considered for implementation are not specifically addressed in the fiscal year 2007 President's Budget. The Department is identifying available resources within the fiscal year 2006 budget and considering options for fiscal year 2007 as review and implementation work moves forward. We look forward to working with this committee on any budgetary resource changes that may be needed in the future.

Question. What legislative changes are needed to implement the recommendations?

Answer. The Department is currently engaged in comprehensive efforts to identify lessons learned from the Hurricane Katrina response, both on its own and through an interagency working group. Many of these lessons have already led to recommendations upon which the Department is moving forward and implementing changes. As this work continues, the need for legislative changes to existing authorities may emerge. We look forward to working with this committee on any legislative changes which may be needed.

FEMA STAFFING

Question. How many FTEs, by Budget Activity (breaking out Preparedness (Readiness), Mitigation Response and Recovery also), is FEMA authorized to hire in fiscal year 2004, 2005 and 2006?

Answer.

Activity	Fiscal year 2004 authorized	Fiscal year 2004 actual	Fiscal year 2005 authorized	Fiscal year 2005 actual	Fiscal year 2006 enacted
Readiness, Mitigation, Response, & Recovery:					
Readiness	377	295	377	271	176
Mitigation	105	92	105	90	95
Response	368	366	388	355	379
Recovery	194	163	194	165	172
Total, RMRR	1,044	916	1,064	881	822
Administrative & Regional Operations [1]	971	820	884	825	1,032
Public Health Programs	91	83	40	88	40
Radiological Emergency Preparedness Program [2]	90	77	90	78	.....
National Pre-Disaster Mitigation Fund	55	.....	55	.....	15
Disaster Relief	2,290	3,330	2,290	5,458	3,493
Cerro Grande Fire Claims	12	10	5	2	.....
Flood Map Modernization Fund	33	.....	33	13	33
National Flood Insurance Fund	271	238	271	241	270
Disaster Assistance Direct Loan Program Account	2	3	3	3	3

[1] Includes the Office of the Under Secretary.
[2] REP was transferred to the Preparedness Directorate in fiscal year2006.

Question. How many were or are on board?

Answer. The chart below reflects the positions on board.

Activity	Fiscal year 2006 positions	Fiscal year 2006 est. FTE	Fiscal year 2006 on board as of February 18, 2006
Readiness, Mitigation, Response, & Recovery:			
Readiness	200	176	161
Mitigation	104	95	87
Response	427	379	330
Recovery	181	172	156
Total, RMRR	912	822	734
Administrative & Regional Operations	1,072	1,032	749
National Pre-Disaster Mitigation Fund	55	15	.....
Flood Map Modernization Fund	33	33	25
National Flood Insurance Fund	270	270	237
Disaster Assistance Direct Loan Program Account	3	3	3

Note: Excludes Disaster Relief Fund and Public Health Programs.

Question. How many vacancies will be filled by funds provided through supplemental appropriations bills enacted after August 2005?

Answer. The supplemental appropriation (Public Law 109–148) included 80 full time permanent positions and funding for the staffing of the Gulf Region Acquisition Center and Office of the Chief Financial Officer. The fiscal year 2007 request includes funding to support these positions on a permanent basis. FEMA plans to fill all of the positions.

FEMA FUNDING LAPSE

Question. In fiscal year 2005, FEMA lapsed $11 million, 6 percent, of the funds in the Preparedness, Mitigation, Response and Recovery account. What specifically were these funds to be used for and what did not happen at FEMA because the funds were returned to the Treasury?

Answer. Because of FEMA's focus on responding to hurricanes Katrina, Rita, and Wilma, funding planned for Federal Incident Response Support Teams (FIRSTs), medical surge efforts, and filling vacant positions lapsed.

HURRICANE KATRINA CONTRACTS

Question. In response to Hurricane Katrina, how many FEMA contracts were made?

Answer. FEMA awarded 3,479 contract actions.

Question. How many were sole sourced?

Answer. There were 227 new contracts that were sole source awards.

Question. Identify the cruise ships contracts. How many contracts were made?

Answer. The Military Sealift Command awarded a total of four contracts for cruise ships to support Hurricane Katrina relief efforts. One contract was awarded to Scotia Prince Lines for the vessel SCOTIA PRINCE. Carnival Cruise Lines was awarded three contracts for the HOLIDAY, ECSTASY and SENSATION. The respective contract numbers as follows:

N00033–05–C–5610—Scotia Prince
N00033–05–C–5611—Carnival Sensation
N00033–05–C–5612—Carnival Ecstasy
N00033–05–C–5613—Carnival Holiday

Question. How many were sole sourced?

Answer. None. The contracts were competitively procured.

Question. How were the contracts solicited?

Answer. The Military Sealift Command released a Request for Proposals through its standard, web-based competitive solicitation process.

Question. What was the cost per bed occupied?

Answer. The average daily per-person-cost (or bed occupied) was $307.18, calculated by dividing the contract total obligated amount by the total passenger counts for the three Carnival ships.

Daily costs were calculated by dividing the contract total obligated amount by the number of days, then dividing that figure by the number of passengers, as described below.

Contract Amounts (Total obligated, including reimbursable cost limits):
—Ecstasy—$82,713,000
—Holiday—$62,153,000
—Sensation—$91,133,000
(A) Contracts' total obligated amount $235,999,000.
Passenger Days (Total passenger count for the period of occupancy):
—Ecstasy—329,204
—Holiday—135,464
—Sensation—303,603
(B) Total passenger days 768,271
A divided by B=$307.18 per passenger daily cost.

MAP MODERNIZATION

Question. Through the Map Modernization Program how many maps have been updated?

Answer. As of the end of fiscal year 2005 for the Flood Map Modernization Program, FEMA estimates that:

—Digital flood map products were available for 39 percent of the Nation's population.
—11 percent of the stream miles mapped was based on new, updated, or validated engineering analysis, covering 4 percent of the population.

—Digital flood map products covered 15 percent of the land area of the continental United States.

Question. How many are left to update?

Answer. Between the end of fiscal year 2005 and the end of fiscal year 2010, the following actions are planned:

—Digital flood map products will be available for an additional 53 percent of the Nation's population. Map Modernization will provide updated maps for 92 percent of the population by 2010.

—30 percent of the stream miles mapped will be based on new, updated, or validated engineering analysis, affecting 40 percent of the Nation's population.

—Digital flood map products will cover an additional 50 percent of the land area of the continental United States. Map Modernization will cover 65 percent of the land area of the continental United States by 2010.

Question. Of the updated maps, how many used new scientific data and what type of data (i.e. topographic, etc.), not just technology, was used in the update process?

Answer. Thirty percent of the stream miles mapped will be based on new, updated, or validated engineering/scientific analysis, affecting 40 percent of the Nation's population. For these updates, FEMA is using new or updated scientific data such as topographic data, base maps, stream gage data, rainfall data, engineering analyses, and land surveys. In addition, FEMA has used Geographic Information Systems (GIS) to compile the updated maps and is making these maps available through a web-based mapping information platform.

Question. In fiscal year 2006, questions for the record, it was stated that FEMA is "on track to complete the project by 2010, should the funding requested through 2008 be provided." Does this remain true?

Answer. FEMA is still on track to complete the project by 2010, should the funding requested through 2008 be provided.

Question. What is the projected cost through 2008?

Answer. FEMA estimates that it will need approximately $200 million in appropriated funds in both fiscal year 2007 and fiscal year 2008 for the Flood Map Modernization Program.

EXERCISES

Question. How many exercises has FEMA been involved in? When, where and what was exercised? Who else participated (i.e. local, State, Federal partners)?

Answer. Since May 2003, FEMA has been involved in the following exercises:

Exercise Name	Dates	Location	Capabilities exercised	FEMA participants	Other participants
TOPOFF 2	May 12–16, 2003	Multiple locations	Response capabilities and command, control, and coordination at top officials level.	National Response Coordination Center (NRCC) at FEMA Headquarters; FEMA Regions V and X.	Department of Homeland Security (DHS)/Office for Domestic Preparedness (ODP) (Sponsors)
Determined Promise 2003	September 2003	Las Vegas, NV	Response capabilities and coordination with DOD.	National Response Coordination Center (NRCC) at FEMA.	Department of Defense (DOD)/ Northern Command
			Headquarters; FEMA Region IX; FEMA Response Division, Operations Branch, Planning Section.		
Crisis Management Exercise	2003		Response capabilities and coordination with DOD.	FEMA Headquarters	North Atlantic Treaty Organization (NATO)/Department of Defense (DOD)
Unified Defense	February 2004		Response capabilities and coordination with DOD.	National Response Coordination Center (NRCC) at FEMA Headquarters; FEMA Region VI; Response Division, Operations Branch, Planning Section.	Department of Defense (DOD)/ Northern Command (Sponsors)
CWID	2004		Response capabilities and coordination with DOD.	FEMA Headquarters	Department of Defense (DOD)
Crisis Management Exercise	2004		Response capabilities and coordination with DOD.	FEMA Headquarters	North Atlantic Treaty Organization (NATO)/Department of Defense (DOD)
Determined Promised 2004	2004	Richmond, VA	Response capabilities and coordination with DOD.	FEMA Region III	Department of Defense (DOD)/ Northern Command (Sponsors)
Forward Challenge	2004		Response capabilities and coordination with DOD.	FEMA Headquarters; FEMA Office of National Security Coordination.	Department of Defense (DOD)
Livewire	2004			FEMA HQ and FEMA Region I	
TOPOFF 3 CPX	2004			FEMA Headquarters	Department of Homeland Security (DHS)/Office for Domestic Preparedness (ODP) (Sponsors)
Vermont Yankee Nuclear Power Plant Drill.	March 9–10, 2005	Brattleboro, VT	Six person team to support NPP drill.	Mobile Emergency Response Support (MERS) Detachments.	
Defense Interoperability Communications Exercise (DICE) 2005.	March 11–28, 2005		Response capabilities and coordination with DOD.	Mobile Emergency Response Support (MERS) Detachments.	Defense Information Systems Agency (DISA)/Joint Interoperability Test Command (JITC)

TOPOFF 3	April 4–10, 2005	Multiple locations	Response capabilities and command, control, and coordination at top officials level.	National Response Coordination Center (NRCC) at FEMA Headquarters; FEMA Regions I and II.	Department of Homeland Security (DHS)/Office for Domestic Preparedness (ODP) (Sponsors)
Chemical Stockpile Emergency Preparedness Program (CSEPP).	May 8–12, 2005		Response capabilities	Mobile Emergency Response Support (MERS) Detachments.	
Radiological Emergency Preparedness Exercise.	May 23–27, 2005	Brattleboro, VT	Response capabilities	Mobile Emergency Response Support (MERS) Detachments.	
Grecian Firebolt 2005	June 1–24, 2005		Joint Secure Communications Exercise.	Mobile Emergency Response Support (MERS) Detachments.	Department of Defense (DOD)/ASC
Pinnacle Exercise	June 20–25, 2005		National level response capabilities demonstration.	Mobile Emergency Response Support (MERS) Detachments; FEMA's Office of National Security Coordination.	Department of Homeland Security (DHS)
Northern Edge/Alaska Shield	August 15–19, 2005		Response capabilities	FEMA Region X; Mobile Emergency Response Support (MERS) Detachments.	Northern Command (Sponsor), Alaska Command
Dingo King 2005	August 20–24, 2006	Kings Bay, GA	National Nuclear Weapon Accident Exercise- Response capabilities and coordination with DOD.	FEMA Region IV; Mobile Emergency Response Support (MERS) Detachments.	Department of Defense (DOD)/Defense Threat Reduction Agency (DTRA) (Sponsors)
Joint User Interoperability Communications Exercise (JUICE) 2005.	August 1–30, 2005		Interoperable communications	Mobile Emergency Response Support (MERS) Detachments.	United States Joint Forces Command (USJFCOM)
Ardent Sentry 2005	September 2005		Response capabilities and coordination with DOD.	National Response Coordination Center (NRCC) at FEMA Headquarters; Response Division, Operations Branch, Planning Section.	
Crisis Management Exercise	2005		Response capabilities and coordination with DOD.	FEMA Headquarters	North Atlantic Treaty Organization (NATO)/Department of Defense (DOD)
Defense Interoperability Communications Exercise (DICE) 2006.	February 20–March 3, 2006.		Defense interoperability exercise/testing.	MERS—Denton Detachment	Defense Information Systems Agency (DISA)/Joint Interoperability Test Command (JITC) (Sponsors)

PERSONNEL

Question. How many permanent and temporary personnel left FEMA during fiscal year 2005 and how many were replaced?

Answer. During fiscal year 2005, there were 5,715 employee separations from FEMA and 6,051 employee accessions, for a turnover rate of 20.32 percent.

Question. How many have left in fiscal year 2006?

Answer. During fiscal year 2006, as of February 4, 2006, there have been 644 employee separations from FEMA and 4,822 employee accessions—for a turnover rate of 2.29 percent.

Question. How many trained temporary personnel were/are available to FEMA in fiscal year 2001 through fiscal year 2006?

Answer:

Fiscal year 2001—2,521
Fiscal year 2002—2,865
Fiscal year 2003—3,289
Fiscal year 2004—3,330
Fiscal year 2005—5,458
Fiscal year 2006—11,790

All of FEMA's temporary Disaster Assistance Employees (DAEs) receive training. Because DAEs are permitted to list themselves as not available for deployment, the number of DAEs available at any given time will vary. The numbers provided for prior years reflect total DAEs deployed for various disasters during the fiscal year. Fiscal year 2006 numbers reflect those currently on board as of 5/13/06.

CITIZENSHIP AND IMMIGRATION SERVICES

BUSINESS TRANSFORMATION PROGRAM

Question. What is the estimated total cost of the business transformation program?

Answer. In fiscal year 2007, USCIS plans to spend $112 million ($47 million as requested in the President's fiscal year 2007 budget and $65 million from mandatory). As part of planning efforts in fiscal year 2006, USCIS is completing the business transformation strategy which will inform activities beyond 2007.

CIS INITIATIVES

Question. Please provide a basic description of the SAVE and EEV programs including: (a) which one employers currently check to determine status of their employees; (b) when the SAVE program started; (c) what prohibitions have been placed on the program; (d) and what portion of the costs are covered by fees paid by whom.

Answer. *The SAVE Program.*—The Immigration Reform and Control Act of 1986 (IRCA), required the former Immigration and Naturalization Service (now U.S. Citizenship and Immigration Services (USCIS)), to establish a system for verifying the immigration status of non-citizen applicants for, and recipients of, certain types of Federally funded benefits, and to make the system available to Federal, State, and local benefit issuing agencies and institutions that administer such benefits. The Systematic Alien Verification for Entitlements (SAVE) Program was established in September 1987, and is the USCIS office responsible for administering DHS programs involving customer access to immigration status information contained in the SAVE Verification Information System (VIS). The VIS database consists of information drawn from the Central Index System (CIS) and the TECS/IBIS system, and contains over 120 million records. There are currently 197 agencies with over 190,000 Federal, State, and local government users participating in SAVE. In fiscal year 2005 SAVE responded to more than 10.5 million immigration status verification queries from these users. SAVE customers access status information via the web, a personal computer with modem, 3,270 terminals, or batch method. The SAVE Federal, State, and local government users pay a per query cost for using the SAVE system. These query costs are paid directly to Computer Sciences Corporation, the contractor which operates and maintains the VIS database for the SAVE Program.

The Basic Pilot (Employment Eligibility Verification).—In 1996, the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA), provided for the implementation of the Basic Pilot program for a 4-year period. Congress twice extended authorization for the Basic Pilot to its current authorization deadline of November 2008. The USCIS SAVE Program and the Social Security Administration (SSA) jointly conduct the Basic Pilot Program. The program involves verification checks of the SSA and DHS databases, using an automated system to verify the employment authorization of newly hired employees.

The Basic Pilot was implemented in November 1997. By statute, the Basic Pilot is a voluntary program, and free to employers who volunteer. The Basic Pilot was originally available to employers in the States of California, Florida, Illinois, Nebraska, New York and Texas; however, in December 2004, the pilot was expanded to employers in all 50 States and the District of Columbia. There are currently more than 5,500 employers enrolled in the Basic Pilot representing more than 23,500 employer sites. Basic Pilot performed more than 980,000 queries in fiscal year 2005.

By statute, the Basic Pilot cannot be used to pre-screen job applicants; to re-verify employment authorization; or to verify employment authorization for those employees who were hired prior to the company joining the Basic Pilot Program. Presently, the Basic Pilot is available through a Web-Based access method. The USCIS is currently paying for the Basic Pilot query costs from general immigration benefit application fees.

Question. Also describe the role that the Social Security Administration plays in these processes.

Answer. The Social Security Administration (SSA) is a SAVE agency user. SSA uses the SAVE system to verify the immigration status of non-citizens and naturalized citizens applying for Supplemental Security Income benefits and non-citizens applying for Social Security Numbers.

Additionally, the SSA is jointly conducting the Basic Pilot program with USCIS. All Basic Pilot queries, whether the employee claims to be a citizen, national, or non-citizen, first go to the SSA database for verification. When the information cannot be verified through the automated system, the employee must contact an SSA field office to correct any discrepancies in the SSA record in order to confirm their employment authorization. All non-citizen queries also go to USCIS for verification of work authorization status.

Question. What is the timeline for implementing SAVE and EEV?

Answer. The SAVE Program has been in existence since September 1987. The Basic Pilot Program was implemented in November 1997. Language mandating an Employment Eligibility Verification (EEV) Program is included in several pending pieces of legislation. Should legislation be passed mandating an EEV program, USCIS has estimated that it will take 12 to 18 months, from the time that USCIS receives funding through appropriations, to fully implement the program. The President's fiscal year 2007 budget requests $111 million to improve and expand Basic Pilot in anticipation of a mandatory, national program. This funding will cover start up infrastructure improvements including increases in personnel, increased operating efficiency through automation of features and a reengineered process, and the increasing accuracy of DHS databases and data on individuals used in the verification process. These operating efficiencies are intended to reduce the reliance on manual verification and the need for personnel for this function.

Question. What part of the EEV request is not tied to pending legislation?

Answer. A total of $111 million in the President's fiscal year 2007 budget request is in anticipation of legislation requiring a national mandatory employment eligibility verification program. In addition to the $111 million, the President's budget also requests $20.5 million to support the existing base operations of the Basic Pilot and SAVE programs, and $4 million to support expansion of SAVE to meet the requirements of the REAL ID Act. Therefore, a total of $24.5 million out of a combined total of $135.5 million relating to immigration verification activities is not tied to pending legislation.

CIS PERSONNEL

Question. How many status verifiers are there and where are they located?

Answer. There are currently 159 Immigration Status Verifier positions. The charts below show where these positions are located.

OFFICE	AUTHORIZED POSITIONS
HEADQUARTERS:	
National Records Center (Contact Reps)	24
FCO POSITIONS:	
Immigration Status Verifiers	135
Total	159

BREAKDOWN OF POSITIONS BY LOCATION

Office	Authorized
HEADQUARTERS:	
Headquarters	15
National Records Center	9
EASTERN REGION DISTRICT OFFICE:	
Atlanta	2
Baltimore	3
Boston	2
Buffalo	3
Cleveland	1
Detroit	1
Miami	8
Newark	4
New Orleans	2
New York	8
Philadelphia	2
Portland, Maine	1
San Juan	3
Washington	3
SUBOFFICE:	
Albany	1
Charlotte, NC	1
Charlotte Amalie, VI	1
Hartford	2
Norfolk	1
Pittsburgh	2
Providence	1
St. Albans	1
Vermont Service Center	1
CENTRAL REGION DISTRICT OFFICE:	
Chicago	2
Dallas	4
Denver	2
El Paso	2
Harlingen	2
Houston	2
Kansas City	1
Omaha	1
San Antonio	2
St. Paul	1
SUBOFFICE:	
Salt Lake City	1
St. Louis	1
WESTERN REGION DISTRICT OFFICE:	
Anchorage	1
Honolulu	2
Los Angeles (Perm)	24
Los Angeles (Term)	17
Phoenix	1
Portland, Oregon	1
San Diego	3
San Francisco	6
Seattle	2
SUBOFFICE:	
Guam	1
Las Vegas	1
Reno	1
TOTAL	159

USER FEE REFORM PROPOSAL

Question. Please provide details on the comprehensive immigration enforcement user fee reform rulemaking.

Answer. Details of the Department's plans for this reform rulemaking are still under review.

TEMPORARY PROTECTED STATUS

Question. What is the status of the proposed legislation?

Answer. To date, the legislation has not been enacted by Congress.

Question. If legislation is not enacted, what is the impact on the fiscal year 2007 budget?

Answer. Fee revenues would be $20 million less than projected in the budget. Other immigration benefit applications would continue to subsidize the processing of temporary protected status applications due to the statutory fee cap.

SCIENCE AND TECHNOLOGY

RAIL PILOTS

Question. In fiscal year 2005, $10 million was funded to develop and conduct simulated real-world exercises to validate a training program for the use of commercially-available equipment against suicide bombers in commuter and passenger rail environments. How has the public responded to this program?

Answer. As part of the rail security pilot program at the Port Authority Trans-Hudson Rail Station at Exchange Place, screening of passengers occurred in two phases at the turnstile check-point: (1) Screening of the passenger and (2) Screening of baggage. Passengers proceeded through metal detectors, X-ray systems, physical search, and trace detection techniques—all of which were adapted to address a potential attack by a suicide bomber or via an improvised explosive device (IED) that has been left behind.

Upon completion of this rail security screening, passengers were asked to voluntarily respond to the Rail Security Pilot Passenger Survey, a seven-item, self-report questionnaire concerning the passenger's screening experience and opinions regarding the screening.

Results of the survey indicated that many passengers felt that they were not adequately informed that the screening process was voluntary or that they had the right to refuse the screen and board their train at another station. However, the results also indicated that:

—The majority of passengers did not feel uneasy about going through the screening process;

—Passengers felt the screeners were extremely professional, courteous, and respectful;

—The screening process, on average, did not require too much time;

—Passengers were moderately in favor of future additional security testing of explosive detection technologies in rail stations; and that

—Passengers strongly agreed that improving rail security is worth the additional time needed to go through the screening process.

Overall survey results suggest that rail passengers had a favorable security screening experience and support efforts to improve rail screening.

Question. Is there any funding included in the fiscal year 2007 budget to expand this program to other transit systems?

Answer. No funding is included in the fiscal year 2007 budget to expand this program to other transit systems.

Question. Does S&T plan to expand this program to the bus environment?

Answer. The S&T Directorate plans to expand this screening concept to a bus terminal. Passengers will be screened in two phases at a check-point: (1) screening of the passenger and (2) screening of baggage. Passengers will proceed through an array of technologies such as walk-through metal detectors, X-ray systems, physical search and trace detection techniques—all of which will be adapted to address the suicide or leave-behind Improvised Explosive Device (IED) threats.

MANPADS

Question. $340 million has been appropriated to date for the development of countermeasures to protect commercial aircraft from the threat of Man Portable Air Defense Systems. The fiscal year 2007 budget indicates that findings will be presented to the Administration and Congress to aid them in making an informed decision to address protection of commercial airlines from the threat of MANPADS. When will that report be submitted to Congress?

Answer. Congress has appropriated $231.9 million through fiscal year 2006 to the S&T Directorate's Counter-MANPADS program to develop and demonstrate the migration of existing Counter-MANPADS technologies to the commercial airline industry. The Counter-MANPADS Phase II report has been prepared and is in the interagency review process. It will be provided to Congress as soon as the process is complete.

Question. What process will the Administration follow in determining whether such technological countermeasures should be purchased and deployed on commercial aircraft?

Answer. The S&T Directorate will provide to Congress this spring a Counter-MANPADS Phase II report containing cost and performance information that can be used as part of the decision-making process. The report will also provide information to assist with deciding the next steps in applying this technology to protect commercial airlines. Specific information that will be provided in the report includes the technical results of the Counter-MANPADS system demonstration, data and analysis on the installation of the systems on commercial aircraft, and current estimates for the cost of installing as well as maintain and support the systems in a commercial aviation environment.

CHEMICAL DETECTION

Question. In testimony last year before the Subcommittee, former Assistant Secretary Parney Albright stated that S&T was working very closely with the Office of Domestic Preparedness on guidance that will allow grants to be used by transit authorities to deploy a chemical detection system, better known as PROTECT. While some transit authorities have purchased individual detectors, only three have deployed the PROTECT system. Assistant Secretary Albright stated "that there are something like 30 metro systems around the country—that would then basically take the system and install it. It is really inexpensive."

Why have only 3 systems installed such a system?

Answer. The decision to install the Program for Response Options and Technology Enhancement for Chemical Terrorism (PROTECT) system is at the discretion of each transit system. Following the system's successful demonstration in Washington, DC, New York City and Boston, the PROTECT system became available for installation in other transit systems. Procurement and installation of PROTECT systems can be funded by the Transit Security Grants Program administered by the DHS Office of Grants and Training (G&T). The Transit Security Grant Program includes funds for rail transit security, targeted to specific urban areas for the prevention and detection of explosive devices and chemical, biological, radiological and nuclear agents. Acquisition of the PROTECT system is permissible under this program. The S&T Directorate is assisting G&T with technical data package development and is prepared to offer technical assistance in the deployment of the system through this program.

Question. What is the cost to purchase and operate PROTECT?

Answer. The average cost to equip a single transit station with the Program for Response Options and Technology Enhancement for Chemical Terrorism (PROTECT) system varies between $250,000 to $1 million to install, dependent upon the complexity of the station. Annual maintenance costs average approximately $50,000 per station.

Question. If S&T operates the Bio-Watch system for bio-threats, why shouldn't S&T operate the PROTECT system for chemical threats?

Answer. The Program for Response Options and Technology Enhancement for Chemical Terrorism (PROTECT) system is designed for chemical attacks within facilities or in localized areas, whereas BioWatch is a monitoring system for wide-area biological attacks. PROTECT is also designed for specific stakeholders such as transit facilities, and the response to an emergency has to be immediate to effectively mitigate the event and save lives. PROTECT is integrated with the local emergency operations centers (EOC) in the region and designed so that it would fit into and utilize existing infrastructure such as camera, information technology, and communication systems. Because PROTECT is integrated with existing infrastructure, the operating costs remain relativity low and are mainly associated with sensor maintenance. The sensors, once installed, require an adjustment period which can be lengthy to address local chemical interferences from various sources (exhausts, cleaning solutions, nearby businesses, etc.). These are best addressed locally. Therefore, PROTECT can be effectively owned and operated directly by the individual stakeholder.

Since PROTECT is currently allowed through the Transit Security Grant Program, individual transit systems voluntarily make the decision to install the system such as Baltimore. Baltimore is in the process of installing their own system using a combination of grants and operating funds. Many other transit systems have shown an interest in PROTECT.

The S&T Directorate has successfully installed systems in three transit systems and does have experience through the BioWatch program in deploying a monitoring and response system nationally. PROTECT, however, differs from BioWatch in the

response actions which need to be locally controlled to ensure an effective and timely response. Thus, any Federally funded program to ensure broad installation of PROTECT would be best served by requiring that stakeholders commit to incurring and maintaining operating and maintenance costs once the installation and transition period is complete.

TUNNEL DETECTION

Question. What is S&T currently doing to develop technology and other deterrents to border tunnels?

Answer. The S&T Directorate is developing border protection pattern discovery and prediction technologies that will provide a new capability to Immigration and Customs Enforcement (ICE). This capability will enable the rapid fusion of disparate information sources to discover geo-spatial, behavioral, and temporal patterns and indicators that will provide ICE field agents with local scene awareness and actionable intelligence. This technology will be developed within ICE's Office of Intelligence to facilitate the derivation of patterns and indicators that address operational missions such as: (1) crossing routes and staging areas for cross border smuggling, (2) crossing patterns by group that will help identify the number of organized groups involved and their respective signatures, (3) crossing patterns by tactic that will help identify distinctive signatures for specific tactics, such as drug and human smuggling, (4) the identification of links and patterns between illegal border crossing and criminal activity within the United States, and (5) tunnel activity indicators to help discover the likely next tunneling start and end points.

In addition, the S&T Directorate is working with the Office of Border Patrol, Customs and Border Protection (CBP) and the Department of Defense (DOD) to find technology solutions for tunnel detection along the Southern and Northern borders of the United States.

The S&T Directorate participated in the Tunnel Detection Technical Support Working Group (TSWG) meeting held in January 2006 and the Joint Task Force-6 Tunneling Conference held in June 2004. The S&T Directorate is also engaged with NORTHCOM's Futures Group in relaying, discussing, and leveraging potential technologies that satisfy DOD and DHS's tunnel detection needs. The S&T Directorate's Border & Transportation (B&T) Portfolio met with NORTHCOM officials in August 2005 to discuss specific opportunities to collaborate and leverage each organization's expertise.

CBP is also coordinating with a number of sources that could possibly provide technology that will meet CBP's detection needs. These sources include the Defense Advanced Research Projects Agency (DARPA), Sandia Laboratories, and the Border Research Technology Center. There is currently no proven technology that can detect the types of tunnels that have recently been encountered. Some promising research and development is being done by Sandia Laboratories, but at this time, its field utility is unknown.

Question. What level of funding has been contributed to this effort to date and what, if any, funding is included in the fiscal year 2007 request?

Answer. Funding for border protection pattern discovery and prediction was $700,000 in fiscal year 2005 and $1.2 million in fiscal year 2006. No funds are directly associated with detection of border tunnels in the fiscal year 2007 budget request.

AIR CARGO SECURITY

Question. The Transportation Security Laboratory awarded nine contracts to develop new technologies that would provide enhanced security for containerized air cargo inspection and U.S. mail inspection transported on passenger aircraft.

Please provide a notional schedule from testing of these systems to deployment, including costs for each step of the process.

Answer. In September 2004, the Transportation Security Agency commenced a long-term research and development Air Cargo Inspection Project for development of new technologies in screening containerized and mail cargo. In fiscal year 2006, laboratory test and evaluations for eight technologies are planned. Pending availability of funding and satisfactory program progress, this will be followed by a 3-year effort (fiscal year 2007 to fiscal year 2010) for the system development phase and testing of technologies that have passed the laboratory test and evaluation. Based on the number of technologies that show potential for screening containerized and mail cargo during the system development phase, the operational test and evaluation phase will commence in fiscal year 2011.

Development phase	Estimated duration (months)	Projected cost (millions)	Funding year
Phase 1—Preliminary Design/Detailed Design	24	$24.0	2005
Proof of Concept Testing	12	2.4	2006
Phase 2—System Development:			
Sub Phase I	8	12.0	2007
Sub Phase II	8	12.0	2008
Sub Phase III	8	12.0	2009
Phase 4—System Test	8	4.0	2010
Phase 5—Pilot Site	4	8.0	2011
Total	72	74.4	

NEXT GENERATION EDS

Question. How much is budgeted for Manhattan II in fiscal year 2007?

Answer. Funding for Phase II (systems development) of the Manhattan II project for fiscal year 2007 has been tentatively identified in the amount of $14.2 million. This is based on three contracts to be awarded for screening system development and the development of a system architecture to support the screening solutions.

Question. Based on information provided by the Transportation Security Lab (TSL), deployable systems will be available starting in fiscal year 2010. However, the Subcommittee has learned that a comprehensive audit of the program is underway. What budget and deployment schedule implications does this have on the program?

Answer. There is a cost-sharing study being conducted by the Transportation Security Agency (TSA) in response to direction received from Congress in fiscal year 2005. A preliminary draft of the results from this study is being prepared. Based on the final results of this study, the strategic plan developed by TSA in fiscal year 2005 may change, which will have an impact on future budget and deployment requirements.

Question. Has there been discussion of charging industry for certification of EDS by the TSL?

Answer. In the mid-90's, when the Transportation Security Laboratory (TSL) was part of the Federal Aviation Administration (FAA), a reimbursable agreement was established charging industry a maximum of $50,000 for explosives detection system (EDS) certification testing. Unfortunately, this process was never re-established as the TSL was transferred from the FAA to the Department of Transportation and finally to the Department of Homeland Security (first within the Transportation Security Administration and then to the S&T Directorate). TSL is pursuing reincorporation of this process.

Question. What is spent on the certification process?

Answer. In order to accurately determine a fair and reasonable charge for the industry, the Transportation Security Laboratory (TSL), in cooperation with the S&T Directorate, is currently assessing the costs associated with the use of laboratory time, laboratory materials, government and contractor labor used in the execution of explosive detection systems (EDS) certification testing. The certification process for EDS consists of five primary components: certification-readiness testing (CRT); pre-certification testing; certification testing; post-certification testing; and post-test data analysis and reporting. For any given system submitted to the TSL for EDS certification, the duration and cost of each of these elements varies, depending on the maturity, capability and throughput of the system under evaluation. The time that a given system is under evaluation also varies, but typically can range anywhere from as short as 6 weeks to as long as 6 months. Given these and other factors, at present we estimate an industry maximum for EDS certification would be established at approximately $250,000.

BORDERSAFE

Question. What technologies have been certified and deployed through the BorderSafe program?

Answer. Three main areas of technology have been deployed through the BorderSafe program. They include tools and technologies that support data merging and visualization; handheld, wireless access to regional and national law enforcement databases; and regional law enforcement information sharing. Specific examples are highlighted below.

—A spatial temporal visualization (STV) and criminal activity network (CAN) toolset designed by the University of Arizona's Artificial Intelligence Laboratory

was deployed to the Tucson Police Department (TPD). The STV tool enables TPD crime analysts to plot suspicious or criminal incidents near critical infrastructure and explore distribution of those incidents by time period. The CAN tool integrates Customs and Border Protection (CBP) License Plate Reader data with a local TPD criminal record data set to reveal links among subjects who routinely crossed the border and are known offenders in the Tucson region.

—Impact for customers:
  —BorderSafe merged Federal and local law enforcement data sets for analysis and visualization. As a result, 35 vehicles with a history of crossing the border and known links to criminal activity in Tucson were referred to CBP for alert status.
  —BorderSafe's visualization tools identified a number of high-frequency border crossing vehicles with Mexican license plates and known associations to local Tucson crime networks.

—A wireless data access application (known as Global Query) was developed and deployed to the San Diego Automated Regional Justice Information System (ARJIS)—a California Joint Powers Agency that includes over 70 law enforcement organizations in the counties of San Diego and Imperial. The wireless Global Query application enables field officers to use a handheld device to concurrently query a number of commonly used regional and national law enforcement databases, including: San Diego local records management and officer notification systems (local booking photos, county warrants); the National Crime Information Center (NCIC) (wanted persons, temporary restraining orders, and deported felon alerts); and the California Department of Motor Vehicles (registration, drivers license, and stolen vehicle information). The wireless Global Query application is currently used by more than 150 Federal, State and local law enforcement officers from 15 different agencies and taskforces in Southern California.

—Impact for customers:
  —Hits on the deported felon watch list by BorderSafe program participants using the wireless Global Query application have led to over 200 identifications and arrests in the San Diego region.
  —An FBI agent registered a "suspected terrorist" hit using the wireless Global Query application.
  —The 20,000th fugitive for the San Diego U.S. Marshal's Violent Crimes Task Force was arrested after a record check was run through BorderSafe's wireless Global Query application.
  —DHS Border Patrol agents using the wireless Global Query application arrested 10 Brazilian subjects for being illegally smuggled into the United States. The driver of the vehicle was charged with felony alien smuggling.
  —Hundreds of suspect and fugitive identifications have been made in the field by local law enforcement and Federal task force members running records checks and retrieving digital photographs via BorderSafe's wireless Global Query application.

—A commercial law enforcement information and knowledge management system was deployed to San Diego ARJIS to consolidate records management data from 18 Southern California jurisdictions. Data query access to the system was made available to the entire ARJIS user community (over 70 law enforcement organizations), and a data sharing protocol and virtual private network (VPN) was implemented to allow information sharing between ARJIS and the Tucson Police Department. VPNs were also implemented in Southern Arizona to support information sharing between the Tucson Police Department regional node and law enforcement agencies in Mohave County, Kingman, Bullhead City, and Lake Havasu City.

—Impact for customers:
  —One day after implementation of the BorderSafe network connection between San Diego and Tucson, a TPD analyst with only the name of a suspected Tucson crime ring leader obtained the suspect's driver's license and mug shot photos from ARJIS. His photos were shown to an informant who positively identified the suspect, leading to his apprehension and arrest.
  —Through BorderSafe's systems integration and network deployment initiatives, a TPD Sergeant found information and photos in ARJIS relevant to gang related criminals and their associates in the Tucson region. This information was used to enhance ongoing TPD investigations by positively identifying gang suspects and broadening the scope of surveillance of their known associates.

Question. The budget indicates that the Southwest regional test bed will include two additional local jurisdictions along the border in fiscal year 2007. Where?

Answer. During fiscal year 2007, the BorderSafe program's southwest regional test bed will expand to include two additional jurisdictions located in New Mexico and Texas.

TRANSIT SECURITY PROJECT

Question. Through the Transit Security Project (TSP), S&T assists transit agencies in developing tactical countermeasures to reduce risk to transit systems from various terrorist threats. What actionable measures have been taken by transit systems as a result of the TSP?

Answer. Since the Program for Response Options and Technology Enhancement for Chemical Terrorism (PROTECT) system is currently allowed through the Transit Security Grants Program, administered by the DHS Office of Grants and Training (G&T), individual transit systems voluntarily make the decision to install the system. Baltimore is in the process of installing their own system using a combination of grant and operating funds. Many other transit systems have shown an interest in PROTECT. Following the system's successful demonstration in Washington, DC, New York City and Boston, the PROTECT system became available for installation in other transit systems via the grant program.

Question. Is S&T working with the Grants & Training Office to make clear that these countermeasures are allowable under the current transit security grant guidance?

Answer. The S&T Directorate is working directly with the Transit Security Grants Program administered by the DHS Office of Grants and Training (G&T). The S&T Directorate also assists G&T with technical data by serving as the point-of-contact for questions and is prepared to offer technical assistance in the deployment of transit security systems through this program.

COAST GUARD R&D

Question. The fiscal year 2007 budget reduces the amount of funding in the Coast Guard's budget for R&D. How much in the fiscal year 2007 budget for S&T is dedicated to R&D for Coast Guard activities? Please specify each program and in which portfolio the work is being performed.

Answer. The S&T Directorate is dedicating $2.8 million in fiscal year 2007 for research and development for Coast Guard activities. Approximately half of the budget in the Coast Guard Portfolio will be directed towards efforts in the Boarding Program, which focuses on providing and improving capabilities for boarding officers. The balance of the effort will be devoted to advancing and adapting technologies in the Compel Compliance Program, which concentrates on stopping or controlling threatening vessels and people in the maritime domain.

R&D FUNDING

Question. How much of the fiscal year 2007 budget request is dedicated to port security R&D? Please specify each program and in which portfolio the work is being performed.

Answer. The Border and Transportation Portfolios' cargo security program supports port security. The fiscal year 2007 budget request for this program is $16 million.

Question. How much of the fiscal year 2007 budget request is dedicated to air cargo R&D? Please specify each program and in which portfolio the work is being performed.

Answer. For fiscal year 2007, $12 million was requested to continue the system development and test phase of the Aviation Cargo Security Pilot, which is evaluating promising commercial off-the-shelf aviation screening technologies. This work is being conducted through the Explosives Portfolio and is coordinated with the Transportation Security Administration.

In addition, the fiscal year 2007 budget request for the continuation of the Air Cargo Pilots initiated in fiscal year 2006 included $5 million and an additional $5 million for mid- and long-term R&D to support the development and identification of technologies for screening air cargo. The screening of air cargo will be based on a multi-layered approach due to the various types of cargo commodities, packaging types and transportation devices (break bulk, container, palletized, skids) that are part of the air cargo supply chain. One technology cannot meet all air cargo screening requirements and therefore and multi-effort R&D program must be maintained to develop and test technologies that meet government screening requirements as well as minimizing the economic impact on the air cargo supply chain.

Question. How much of the fiscal year 2007 budget request is dedicated to container security R&D? Please specify each program and in which portfolio the work is being performed.

Answer. The R&D Cargo Security fiscal year 2007 budget is $16 million. This program is conducted through the Border and Transportation Portfolio. The $16 million funds S&T Cargo Security Programs which include the Advanced Container Security Device and Container Security Device (CSD), the Marine Asset Tag and Tracking System, Security Carton, Advanced Material Container, Advanced Screening and Targeting and Supply Chain Security Architecture Programs.

R&D FUNDING

Question. What lessons have been learned, if any, from the Operation Safe Commerce program?

Answer. The last phase of Operation Safe Commerce (OSC), Phase II, provided insight into container security. During that phase, vulnerability assessments were conducted by the 18 pilot projects across the supply chains. These assessments included detailed examinations of customary operating procedures and infrastructure. They revealed that container security is composed of degrees of security and relied equally on technology and best practices. The pilot projects showed that security could be improved through a combination of improved business practices and enhanced technology. Best practices which were people driven often varied and were largely dependent upon outside factors such as local conditions, infrastructure, and traditions.

Lessons Learned:

—There are 13 standard security control points that provide the foundation to assess and model container threat scenarios, vulnerabilities and security counter measures.
—Supplier
—Factory
—Empty Container Storage/Dray
—Drayage of Cargo to Consolidator (if stuffing is not at factory)
—Container Stuffing/Sealing (Consolidation)
—Container Storage (Foreign)
—Drayage to terminal (from factory to consolidator)
—Foreign Terminal
—Ocean Commerce
—U.S. Terminal
—Inland Drayage or Rail Transport (U.S.)
—Deconsolidation (U.S.)
—Business processes/information transmission
—Technologies tested in Phase II did not adequately protect against a motivated adversary. Commercial technology was successfully used and integrated with business processes. However, even though many of the technologies demonstrated in the OSC pilots provided enhanced security, there were significant deficiencies noted in total detection. Most door seals were readily defeated; cargo in other containers interfered with sensor detectors; and biological and chemical detectors proved unreliable. Fixed reader technology faced many challenges. The dynamics of the supply chain forced many projects to change their routes; there were labor resistance, and the proprietary operation of the technology. Technology alone is not sufficient to protect the Nation's cargo against the introduction of contraband or Weapons of Mass Destruction (WMD).
—There are no incentives to motivate commercial stakeholders to invest in container security measures. Container commerce is extremely cost sensitive and investment in discretionary security measures could place a stakeholder in a disadvantage commercially.
—Basic security information is not available to the supply chain stakeholders. There is no facilitation of information sharing concerning supply chain security regarding relevant threats, vulnerabilities and security requirements between private industry and government. When anomalies were discovered there were no protocols in place to respond and investigate. Reporting protocols and guidance were developed within the OSC project by US CBP and the OSC Federal partners.

The formation of supply chain partnerships can enhance container security. Container commerce is global and involves many stakeholders including the United States Government, foreign governments and commercial stakeholders.

Question. How much of the fiscal year 2007 budget request is dedicated to transit security R&D? Please specify each program and in which portfolio the work is being performed.

Answer. Within the fiscal year 2007 budget request, $183.73 million is included for research and development that can support transit security technologies. This work is being conducted across all S&T Directorate Portfolios, and much of this effort supports other Homeland Security mission requirements as well as transportation security.

TRANSIT SECURITY R&D PROJECTS AND FUNDING

[In millions of dollars]

Portfolio	Project name	Fiscal year 2007
Border and Transportation	Automated Pattern Discovery	0
Critical Infrastructure Protection	Automated Scene Understanding/Insider Threat Countermeasures.	2.1
Standards	Blast Resistant Trash Receptacles	0.32
Threat Awareness	Biometrics and Deception Detection	2.6
Biological Countermeasures	BioWatch	94.0
Critical Infrastructure Protection	CIP Decision Support System	5.8
Critical Infrastructure Protection	Control Systems Security	0.5
Counter-MANPADS	Counter-MANPADS Program	4.9
Rapid Prototyping	Emerging Civil Aviation Defense Technologies and Commercial Aircraft Protection Program.	7.4
Critical Infrastructure Protection	Focused Sector Studies	3.0
Critical Infrastructure Protection	National CIP R&D Plan	0.9
Border and Transportation	Rail Security: Chlorine Mitigation	
Emergent and Prototypical Technology	Transit Security Project	1.0
Explosives	Aviation Security	52.98
Explosives	Suicide Bombers/Leave-Behind IEDs	8.23
TOTAL		183.73

Automated Pattern Discovery (Border and Transportation).—Fusion of disparate data sources that maps threats across basic geographic, infrastructure, demographic, behavior, and time data. Impact: Provides decision makers the ability to rapidly assess a situation, automatically derive locations of high risk and vulnerability, prioritize asset allocation, and to assess their effectiveness over time.

Automated Scene Understanding/Insider Threat Countermeasures (Critical Infrastructure Protection).—Visual interpretation tools that will be able to detect packages left-behind in rail cars. Impact: Enhanced monitoring and forensic video technologies for protection of mass transportation.

Blast Resistant Trash Receptacles (Standards).—Will provide performance standards and test methods for blast resistant trash receptacles, allowing users to make informed purchase decisions. Impact: Initiated for transit systems, this project coordinated with the System Assessment and Validation for Emergency Responders (SAVER) Program will build industry and law enforcement consensus about performance standards and test methods for these receptacles. We are coordinating with the DHS Office of Grants and Training for these standards.

Biometrics and Deception Detection (Threat Awareness).—Robust multi-mode Biometric recognition systems for signature acquisition at a distance to increase recognition accuracy and efficiency for identification and deception detection. Impact: These systems provide an interviewing aid for intelligence & law enforcement and real-time screening at air, land, and sea portals with little or no negative impact on screening throughput.

BioWatch (Biological Countermeasures).—Early warning system designed to detect the intentional release of select aerosolized biological agents; network informs Federal, State, and local emergency management authorities about the extent of the release and assists in the rapid response to a biological terrorist act. Impact: Provides protection to several highly trafficked rail systems to provide early detection of a biological terrorism attack. Through the expansion of the BioWatch system to high-threat U.S. cities, air, rail, and other transportation systems will be equipped with detection capability at the discretion of the local decision makers.

CIP Decision Support System (Critical Infrastructure Protection).—A suite of computer models that analyze and quantify the consequences to and interdependencies of the 17 infrastructure sectors (including transportation). Impact: Awareness of interdependencies, and cascading effects on the transportation sector.

Control Systems Security (Critical Infrastructure Protection).—Developing security measures and protocols for Supervisory Control and Data Acquisition (SCADA) systems.

Impact.—Security for these systems which are vital in rail and waterway transportation.

Counter-MANPADS Program (Counter-MANPADS).—Protect commercial aircraft from shoulder-launched missiles (Man Portable Air Defense Systems). Impact: Migration of existing Counter-MANPADS technologies to the commercial airline industry seeks to protect commercial aircraft while ensuring that resulting countermeasures systems have minimal impact on air carrier and airport operations, maintenance, and support activities.

Emerging Civil Aviation Defense Technologies (Rapid Prototyping) and Commercial Aircraft Protection Program (Border and Transportation).—Studies aircraft susceptibility/vulnerability reduction, and countermeasures related to sabotage.

Impact.—Will study pilot vision protection, aircraft structural hardening, reduction in vulnerabilities, thrust-only control/propulsion controlled aircraft, CBRE threats, and effects of hazardous items that elude screening.

Focused Sector Studies (Critical Infrastructure Protection).—Identify measures to mitigate the effects of an attack or other hazard to critical infrastructure. Waterway transport, locks and dams, is under consideration for a study. Impact: Awareness of vulnerabilities, consequences of attacks on modes of transportation.

National CIP R&D Plan (Critical Infrastructure Protection).—Coordination vehicle for all Federal research and development in protection of critical infrastructure sectors, including transportation. Impact: Improved coordination and awareness of Federal R&D in transportation security.

Rail Security: Chlorine Mitigation (Border and Transportation).—A Chlorine Rail Hazard effort to study methods and technologies to mitigate the likelihood of an incident and the effects if an incident occurs. Impact: Will reduce the risk and effects of an accidental or intentional incident involving an extremely hazardous substance such as chlorine.

Transit Security Project (Emergent and Prototypical Technology).—Characterize the threat of conventional explosives on critical structural elements of transit systems (subways); and assist transit agencies to analyze feasible countermeasures to reduce risk to structures from conventional explosives threat. Impact: HS support of the Transit Security project primarily includes (1) specific R&D activities for the prevention of and response to a WMD event, and (2) approaches to review and evaluate, as well as customize and extend, S&T Directorate technologies for the transit industry based on the unique characteristics of the transit environment.

Aviation Security.—Complete the air cargo pilot to evaluate available technologies to screen break-bulk air cargo. Evaluate and ready for qualification, the prototype automated carry-on baggage explosives detection system. Improve and evaluate current passenger explosives detection systems. Continue the development of advanced systems to screen people for both explosives and weapons. And as improved systems become available, evaluate for certification or qualification checked baggage EDS, checkpoint screening, and cargo screening systems.

Suicide Bombers/Leave-Behind IEDs.—Pilot available and prototype explosives detection and mitigation countermeasures in operational environments to protect critical infrastructure. Develop prototypes of advanced systems to screen people for suicide bombs.

Question. How much of the fiscal year 2007 budget request is dedicated to border security R&D? Please specify each program and in which portfolio the work is being performed.

Answer. Within the Conventional Missions (Border and Transportation Portfolio), the R&D Border Security fiscal year 2007 budget request is $36 million. The breakout is: $20 million for Border Watch (includes support to Secure Border Initiative, CBP UAV sensors evaluation) ; and $16 million for Cargo Security.

Question. How much of the fiscal year 2007 budget request is dedicated to interoperability R&D outside of the SAFECOM program? Please specify each program and in which portfolio the work is being performed.

Answer. Interoperability research and development (R&D) within the S&T Directorate is conducted through the Office for Interoperability and Compatibility (OIC). The fiscal year 2007 budget request of $29.74 million for interoperability related R&D includes $25.39 million for SAFECOM and $4.34 million for program areas outside of SAFECOM. The chart below specifies the breakout of interoperability related R&D programs. It should be noted that these estimates are subject to change depending upon the final appropriation amount.

OFFICE FOR INTEROPERABILITY AND COMPATIBILITY

[Millions of dollars]

Program areas	Fiscal year 2007
Communications (SAFECOM) [1]	25.4
Equipment	3.1
Training	.4
Other	.8
Total	29.7

[1] All of the Communications budget supports SAFECOM.

DOMESTIC NUCLEAR DETECTION OFFICE (DNDO)

Question. What percentage of the DNDO budget is directed to each of the three layers identified—exterior, border, and interior?

Answer. A majority of the programs included in the DNDO budget request have applications across several, if not all, of the three architecture layers. For instance, technologies developed with funds requested for both systems development and transformational research and development (a total of $209 million) could have applications in operations within the United States, at the U.S. border, and overseas. Equally, these technology programs will feed potential acquisition programs beyond those executed by the DNDO and are not represented in the DNDO budget request. The systems engineering and test and evaluation efforts that support these technology development programs also have application across several, if not all, of the three architecture layers.

With that being said, the request for Systems Acquisition, which results in detection systems being deployed to specific geographic locations, can be clearly allocated to each of the layers. Of the $178 million requested for Systems Acquisition, $157 million will support the deployment of technologies to the Nation's borders (primarily at ports of entry), while an additional $21 million will provide a detection "surge" capacity for the Nation's interior. No funds requested through the Systems Acquisition PPA will fund deployment of technologies exterior to the United States.

Question. Since most of the "exterior" layer encompasses primarily detection and interdiction efforts by other agencies like the Departments of Energy, State, and Defense, what authority will DNDO have over those agencies in the development and deployment of the global architecture?

Answer. The DNDO has been given the mission of "centralized planning with decentralized execution." While the DNDO will not have oversight over other agencies responsible for implementing portions of the global architecture, it will continue to advocate beneficial programs to the Administration, as well as the Congress, and identify duplicative or ineffectual programs when necessary, with proposed improvements.

Question. Why does the budget propose to combine both the acquisition budget and the longer-term R&D budget together in the same appropriation account?

Answer. At a macroscopic level, all activities of the DNDO are aligned to a single, fairly specific goal—the prevention of nuclear and radiological terrorism. As such, the Department chose to combine all clearly identifiable requests for this purpose into a single appropriation for the DNDO. At the same time, the Department did decide to segregate acquisition funds into a separate PPA to provide clarity regarding investments in long-term research and development and procurement activity.

The decision to combine these activities into a single appropriation is supported by the reality that technology development and acquisition programs move across a gradual transition from the systems development phase to the acquisition phase, with the joint goal, from a performance-based standpoint, of fielding capable systems to counter the given threat. It is this intrinsic integration that led the Department to combine these activities into a single appropriation.

Question. Would DNDO be better served if long-term research and development was separated from the acquisition of technology and systems that are available today?

Answer. The Department believes that the appropriations structure included in the fiscal year 2007 President's Budget adequately allows the DNDO to complete its mandated mission, while at the same time providing the necessary visibility into the use of appropriated funds.

Question. The Government Accountability Office has expressed concerns about the reliability of the Advanced Spectroscopic Portals (ASP) technology. The budget proposes $20 million to expand crystal manufacturing capacity to meet ASP require-

ments for gamma detectors in fiscal year 2007–10. In fiscal year 2006 $12 million is proposed to be spent on this capacity development. According to the DNDO budget, a limited number of ASP portals will not be piloted in the field until fiscal year 2007.

Given GAO's concerns about the ASP technology, why is so much funding going towards expanding the capacity of an unproven technology?

Answer. First, it should be noted that the total investment planned for the Sodium Iodide Manufacturing Program is $32 million, concluding in fiscal year 2007. The decision to begin to invest in this expansion of domestic production capacity is supported by initial results from DNDO testing of ASP systems, which validated spectroscopic capabilities when compared with polyvinyl toluene, or PVT-based systems and demonstrated, in some cases, a four times improvement in performance against threat-like objects and a 60 percent reduction in alarms generated by naturally occurring radioactive materials (NORM). Additionally, in light of DNDO projection to expand the rate of acquisition of ASP systems in the coming year, DNDO requirements will exceed current crystal production capacity by as early as fiscal year 2007.

Given the proven performance of ASP systems during DNDO qualification testing in late fiscal year 2005 and the long timescales involved in this type of capitalization program, the DNDO believes it prudent begin this investment immediately. By doing this, the industrial base will be prepared to meet expanding DNDO needs in fiscal year 2007 and beyond.

Question. What is the total investment DNDO plans to make to expand the capacity?

Answer. The total investment planned for the Sodium Iodide Manufacturing Program is $32 million, of which $12 million will be provided in fiscal year 2006 and $20 million will be provided in fiscal year 2007.

Question. The cost of the ASP Radiation Portal Monitors (RPMs) is roughly three times the cost of PVT–RPMs. Based on the initial testing of the ASP technology, has DNDO performed a cost-benefit analysis comparing the two technologies?

Answer. Though initial procurement costs of ASP RPMs are likely to be higher than those of PVT-based RPMS, the total life-cycle and operations costs for ASP systems are likely to be approximately equal to those of PVT-based systems. The primary reason for this is the greatly reduced secondary inspection rate associated with ASP systems, which will result in the need for less CBP officers (and RPMs) to be dedicated to labor-intensive secondary inspections, and an accompanying improvement in the overall flow of goods and people.

The DNDO and CBP are currently conducting a joint analysis to determine the most cost-effective means of deploying ASP systems to the Nation's POEs. This analysis will take into account performance information gathered through DNDO testing and current cost estimates, as well as operational metrics such as throughput rates, NORM rates, and personally-owned vehicle (POV) rates at individual ports. The analysis will lead to a strategy that deploys ASP systems only to locations where the benefits of these systems (when compared to current-generation technologies) is required to maintain screening operations at acceptable detection thresholds without impeding the flow of people and goods. Overall, this deployment strategy will provide the optimum mix of current and next-generation systems while maintaining a fiscally responsible approach to the program.

Question. In light of the threefold increase to acquire ASP–RPMs, what benefits will they provide over RPMs currently deployed?

Answer. Beyond the reductions in secondary costs outlined in the previous response, ASP systems address a substantial capabilities gap in the currently deployed architecture by increasing the probability of detecting smuggled nuclear and radiological materials, while decreasing the probability of falsely alarming on NORM or innocent radioactive materials (such as granite tiles, ceramics, and kitty litter) or incorrectly dismissing nuclear material. ASP systems use their ability to identify the source of detected radiation through spectroscopic isotopic identification to accomplish this.

With current-generation systems, which only indicate the presence of radiation but provide no information as to its identity, operational requirements often require a 'sensitivity threshold' to be set to alleviate the need for labor-intensive and time-consuming secondary inspections. ASP systems do not implement this type of threshold. Rather, ASP portals systems automatically detect all sources of radiation—and use the identification capability to sort the threat material from the innocent sources of radiation. The use of spectroscopic identification will dramatically reduce false positives—and allow for considerably improved throughput at high-volume ports, while simultaneously improving our security.

Question. According to the DNDO budget, qualification tests for a rail portal monitor system will occur in May of 2007. When does DNDO anticipate a full rate production decision?

Answer. Contingent upon ASP contract award in the summer of fiscal year 2006, the DNDO is currently anticipating systems qualification testing for rail variants of the ASP system by May 2007. Given this timeline, the DNDO anticipates a full rate production decision for the rail variant by the summer of fiscal year 2007.

Question. Does DNDO plan to pursue similar systems to screen air cargo? If so, is this work being coordinated with the Transportation Security Laboratory?

Answer. If operational requirements to screen air cargo emerge (beyond what is currently being done at international mail facilities and planned at international airports), and these requirements necessitate additional capabilities provided by ASP systems when compared to current-generation technologies, the DNDO would pursue ASP variants for this mission. If this occurs, the DNDO would fully coordinate with TSL (as well as TSA, S&T, and CBP) to incorporate ASP systems, as appropriate, into other technology solutions currently under development.

Question. The fiscal year 2007 budget proposes a $7 million increase for red teaming. Within that budget request, what specific exercises to identify vulnerabilities in Federal, State, and local operations are planned?

Answer. The fiscal year 2007 budget request includes funding for both the Preparedness Directorate's National Exercise Program and for DNDO activities. The DNDO intends to conduct red teaming exercises across the entire global nuclear detection architecture, to include both operational assets such as RPMs at the Nation's borders and support assets such as technical reachback and the Nuclear Assessment Program. The exact exercises to be conducted in fiscal year 2007 have yet to be identified. The DNDO anticipates standing up a red teaming "cell" by April 2006. This cell will develop adversary playbooks (without prior knowledge of DNDO capabilities) that can be used to evaluate all portions of the deployed and operated architecture. As part of this effort, the DNDO red team will participate in the Top Officials 4 Exercise (TOPOFF 4) in November 2007. Beyond these red teaming activities, the budget request will also fund a series of net assessment activities, including an analysis of open source information.

Question. Will any of the funding be used for red teams to penetrate border entry points?

Answer. While the exact nature of the exercises to be conducted in fiscal year 2007 is still under development, the DNDO intends to conduct red teaming exercises against multiple components of the global detection architecture, including border entry points. In addition, aspects of the TOPOFF 4 exercises, in which the DNDO will participate, will likely involve the evaluation of border entry point operations and their overall effectiveness.

Question. The budget request includes $21 million for the "SURGE" program. What equipment and systems will be purchased with the funding?

Answer. The DNDO is currently conducting a requirements analysis for the "Surge" program, with a targeted completion date of April 2006. Following this analysis, the DNDO will identify standardized equipment that would be acquired, with a goal of initiating procurement in early October 2006. The DNDO anticipates that equipment will primarily consist of a mix of vehicle-based and human portable detection systems.

Question. What type of capacity to rapidly respond will this funding provide?

Answer. The "Surge" program is still in the planning and requirements analysis phase, and final determinations for overall capacity have yet to be made. Initial planning estimates focus on providing the appropriate amount of detection systems to equip approximately 250 operators with vehicle-based mobile systems and human-portable (backpack and handheld) systems. The requested funding will also allow the DNDO to pre-train a number of operators that can then be leveraged to train additional operators rapidly in the event of a heightened alert. The DNDO is still in the process of exploring several operational concepts for the fielding of equipment, including Federal/State/local hybrids and concepts for full State and local operations using Federally-loaned equipment.

Question. Where will these systems be stored?

Answer. The "Surge" program is still in the planning and requirements analysis phase, but initial DNDO plans focus on pre-positioning assets with DOE Radiological Assistance Program (RAP) teams, so as to leverage existing USG infrastructure. If this option ultimately proves to not be viable, additional options that might be available for consideration include DOE National Laboratories, DOD storage and logistics facilities, and FEMA storage locations.

Question. What measures are being taken to coordinate with Federal, State, and local governments to prepare for scenarios where rapid deployment of these systems would be necessary?

Answer. The DNDO will begin engaging with select State and local agencies to develop a range of scaleable deployment strategies based on various potential threat scenarios in late fiscal year 2006. Based on these interactions, the DNDO plans to conduct the first full-scale "Surge" training program by December 2006, with the first systems validation test occurring in January 2007. The DNDO will then expand this training to additional State and local operators in preparation for TOPOFF 4 in November 2007.

Question. The budget request includes $13.5 million for Systems Architecture development. Based on the fact that other Federal Departments such as Energy, State, and Defense are all part of the global nuclear detection and interdiction structure, are those agencies contributing funding towards the development of the global architecture?

Answer. While multiple agencies across the Federal Government are part of the global nuclear detection architecture, the responsibility for developing and documenting the architecture resides with the DNDO. Other agencies, however, play an important role in the development of the nuclear detection architecture. The Departments of Energy and Defense, as well as the Nuclear Regulatory Commission, CBP, and the U.S. Coast Guard have each detailed staff members to the DNDO Office of Systems Engineering and Architecture to ensure that input and concerns of each agency are represented in architecture development and recommendations. However, because the DNDO is the lead agency responsible for the design of the global nuclear detection architecture, all funds for its development are included in the DNDO budget request.

QUESTIONS SUBMITTED BY SENATOR PATRICK J. LEAHY

BORDER CROSSING CARD—THE WESTERN HEMISPHERE TRAVEL INITIATIVE (WHTI) IMPLEMENTATION

Question. Open Ultra High Frequency (UHF) was designed to track pallets—it is not a secure technology. Why then is the Department of Homeland Security (DHS) supporting an open UHF standard for the border crossing card?

Answer. DHS is working with the Department of State to evaluate the type of reader technology that will most cost-effectively keep border traffic moving at acceptable response times while also protecting privacy and enabling future functionality (e.g., potentially documenting land border exit from the United States). Existing, proven CBP land border trusted traveler programs (NEXUS, SENTRI and FAST), as well as US VISIT's I–94 card pilot, currently use a UHF standard in primary lanes. Abandoning the current technology for a different one would require a change in standards at land border primary lanes for these existing programs. Moreover, even a proximity detection standard for a PASS card would likely differ from the ePassport technology that the Department of State is currently planning to implement. The ePassport requires Basic Access Control (BAC) and can only be accessed through a two-step process initiated by first running the document across a Machine Readable Zone (MRZ) reader, which effectively unlocks it, and then running it across a platen to read it. Utilizing BAC could thus be expected to increase response times, with corresponding implications for land border thru-put.

We are also considering whether documents containing personal data, such as the e-Passport, merit different levels of protection vice documents that contain no personal data but merely serve as a pointer to information in a database. To further address privacy concerns, DHS and the State Department are exploring other mitigation strategies such as a storage pouch to shield a card when it is not in use.

Question. Why will DHS not support the ISO 14443 standard that is being used on ePassports?

Answer. DHS is working with the Department of State to evaluate the type of reader technology that will most cost-effectively keep border traffic moving at acceptable response times while also protecting privacy and enabling future functionality (e.g., potentially documenting land border exit from the United States). Existing, proven CBP land border trusted traveler programs (NEXUS, SENTRI and FAST), as well as US VISIT's I–94 card pilot, currently use a UHF standard in primary lanes. Abandoning the current technology for a different one would require a change in standards at land border primary lanes for these existing programs. Moreover, even a proximity detection standard for a PASS card would likely differ from the ePassport technology that the Department of State is currently planning

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Question. DHS will have to install readers for the ePassport that is based on the secure ISO 14443 technology, which is not compatible with open UHF technology. How much more will an entirely second set of readers and interface cost if DHS selects an open UHF standard for the PASS card?

Answer. DHS is working with the Department of State to evaluate the type of reader technology that will most cost-effectively keep border traffic moving at acceptable response times while also protecting privacy and enabling future functionality (e.g., potentially documenting land border exit from the United States). Existing, proven CBP land border trusted traveler programs (NEXUS, SENTRI and FAST), as well as US VISIT's I–94 card pilot, currently use a UHF standard in primary lanes. Abandoning the current technology for a different one would require a change in standards at land border primary lanes for these existing programs. Moreover, even a proximity detection standard for a PASS card would likely differ from the ePassport technology that the Department of State is currently planning to implement. The ePassport requires Basic Access Control (BAC) and can only be accessed through a two-step process initiated by first running the document across a Machine Readable Zone (MRZ) reader, which effectively unlocks it, and then running it across a platen to read it. Utilizing BAC could thus be expected to increase response times, with corresponding implications for land border thru-put.

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Question. When will a final decision be made on the PASS card technology?

Answer. This is still being discussed between DHS and DOS, but the goal is to begin issuing the new passport cards by the spring of 2007.

Question. I have several questions about how DHS plans to fund the implementation of the border crossing card, which are as follows:

How much money in fiscal year 2007 has DHS requested for border crossing card implementation?

Answer. The budget doesn't request specific funding for issuing the new passport cards.

Question. I have noted several areas that will require significant resources, including information technology; hardware, including the PASS Card readers at borders; road work and other infrastructural improvements; and training for DHS, CBP and other staff who will try to make this program work efficiently on the border.

Please tell me your plans and budget requests in the specific areas of information technology; hardware, such as the card readers; infrastructure; and training, as related to WHTI.

Answer. Up-front funding needs associated with PASS Card infrastructure are currently being assessed and were not included in the fiscal year 2007 budget.

Question. How does DHS propose to implement WHTI and have it operational by January 1, 2008?

Answer. We are working with the Department of State to get a Notice of Proposed Rule Making published and to develop the best strategies to implement the technology piece of WHTI, taking into account privacy issues as well as comments from the public from the Advance Notice of Proposed Rule Making.

Question. Is that deadline realistic?

Answer. DHS believes that it will be able to implement required elements by January 1, 2008. DHS is working with Department of State to get the Notice of Proposed Rule Making published and to develop the best strategies to implement the technology piece of WHTI, taking into account privacy issues as well as comments from the public from the Advance Notice of Proposed Rule Making.

Question. If that deadline is unrealistic, then should Congress consider modifying it?

Answer. DHS believes that WHTI is an important border security initiative that will standardize and secure travel document requirements and believes that it will be able to implement required elements by January 1, 2008.

Question. I would like to work with you to ensure that WHTI is implemented in a manner that considers security, commerce and community ties.

In your opinion, does agency discretion allow for implementation in phases, such that the government can assess what works and what does not?

Answer. DHS and the State Department have proposed to implement WHTI in two phases, first for the air and sea environment, and second for the land border environment. Both agencies believe that this will allow for an orderly implementation, since more travelers in the air and sea environments currently possess travel documents and due to the complexities of the land border environment, where additional technology must be part of the solution. The regulatory rule making process requires the government to evaluate and consider comments from the public, giving us the opportunity to review potential solutions to help implement WHTI. DHS is also evaluating existing programs and pilots for potential solutions.

Question. In your opinion, does agency discretion allow you to test pilot programs before implementing the WHTI?

Answer. Yes. We expect to build upon existing pilots and programs such as FAST (Free and Secure Trade) and NEXUS, which are currently operational at many CBP facilities.

NORTHERN BORDER AND BORDER PATROL AGENTS

Question. I have fought hard since September 11, 2001, to increase the number of border patrol agents on the Northern Border and was glad to see a request for approximately 1,500 new agents in the President's budget. It was unclear to me, however, whether the request includes any new agents for the Northern Border.

Of the roughly 1,500 new positions, how many are designated for the Northern Border?

Answer. The 1,500 new Border Patrol Agents requested in fiscal year 2007 will be deployed initially to the Southwest Border where there is the largest concentration of apprehensions and gaps in terms of our ability to secure the border. While the focus of the new hires is the Southwest Border, consideration is given to relocate experienced agents to the Northern Border based on current deployment levels and threat assessments. It is anticipated that up to 10 percent of the new hire amount could be considered for relocation to the Northern Border, again, depending on deployment levels, technology, organizational capacity and threat assessment at the time the deployments are being considered.

LAW ENFORCEMENT SUPPORT CENTER

Question. I was pleased to see that the President's budget request included an additional $4 million for operations at the Immigration and Customs Enforcement (ICE) Law Enforcement Support Center (LESC). The LESC responds to over 600,000 annual inquiries on criminal illegal aliens from local, State and Federal law enforcement agencies throughout the country 24 hours a day, 365 days a year. The workload at the LESC is growing significantly as DHS and ICE are tasking the center with additional duties to assist even more local, State and Federal law enforcement authorities.

Please provide to me the details for what these additional funds will be used at the LESC.

Answer. The funding will support the hiring of 66 additional employees at the LESC.

Question. Due to the ICE hiring freezes over the past several years, I would imagine that the staffing levels at the LESC have fallen below authorized levels of FTEs. Will some of the additional funds be used to hire additional full time employees at the Center?

Answer. Yes. The funding will support the hiring of 66 additional employees at the LESC.

DERBY LINE

Question. While reviewing the General Services Administration (GSA) budget submission for the coming year, I noticed that no money is included in the President's proposal for the Derby Line port expansion project. In fact, there are seven Southern Border stations on the list and not one from the Northern Border. While GSA submits the formal request for projects, I understand that DHS compiles and prioritizes the list.

Senator Jeffords and I worked very hard last year to secure the money needed by the State of Vermont to upgrade its road network leading up to the Derby Line port. We fought hard to ensure Federal funds were available to address what was otherwise an unfunded mandate, so I therefore have several questions about this situation.

Is DHS committed to completing the Derby Line project? If so, is there enough money available currently to continue the port expansion?

Answer. DHS is committed to the Land Ports of Entry Modernization Program. Derby Line was a priority project, which we forwarded in our fiscal year 2005 request to the General Services Administration (GSA). GSA has completed the Feasibility Study and Design. Unfortunately, GSA must weigh their entire project for all Federal agencies and Derby Line was not submitted in their fiscal year 2007 budget. DHS has notified GSA that Derby Line will be its highest priority project in its fiscal year 2008 submission to GSA.

Question. What is your timetable for upgrading the facilities at border stations across Vermont—especially those for which funding was reprogrammed last year?

Answer. The DHS and CBP Capital Investment Program (CIP) is undergoing continuous modifications as Strategic Resource Assessments (SRAs) are completed. We have just recently completed site surveys for all land ports of entry located in the New England States. The SRAs will assess the current facility conditions and use updated land ports of entry (LPOE) standards to determine the facility's operational requirements. We will then extend our models out 30 years and see what our total requirements should be in the future. The SRA will help guide us in establishing our priorities based on data collected and conditions of the land ports of entry (LPOEs) and rank them accordingly.

Currently, our Capital Improvement Plan has proposed the following: Derby Line, VT, as top priority for fiscal year 2008; Richford, VT, in fiscal year 2009; Beebe Plains, and Richford (Pinnacle Road), VT, in fiscal year 2010; Norton, VT, in 2011 and Highgate Sprints, VT, in 2012. The CIP is updated annually based on the results of the SRA. We will be updating the CIP in the 3rd quarter of fiscal year 2006 for the fiscal year 2008 program and initiate the formulation of the fiscal year 2009 program with the General Services Administration.

Question. What commitment can we expect from DHS make to upgrade the Northern Border when it has not requested any funding for construction projects?

Answer. DHS has recently completed design standards for small ports of entry. The completion of the design standards will allow DHS and the General Services Administration to compress the project delivery schedule, and will allow DHS to seek funding for the replacement of more than 102 small ports along our northern border over the next 15 years.

Question. Will you keep me informed on the progress of border upgrades in Vermont?

Answer. DHS, in concert with General Services Administration (GSA), will provide program updates at critical points along the program planning and construction delivery process.

I–91 CHECKPOINT

Question. As you may recall, DHS established a temporary checkpoint on Interstate 91 in Hartford, Vermont, from December 2003 to May 2005. While we occasionally heard about CBP making a drug-bust or identifying an expired visa there, it seemed to me that the checkpoint did far more to harass law-abiding Vermonters than to protect their security. I was not the only person who felt this way. In fact, former Republican Speaker of the House, Newt Gingrich, criticized the Hartford checkpoint as an unnecessary government intrusion.

Last May, DHS announced that the temporary checkpoint would be dismantled and the Border Patrol agents there redeployed to the Southern Border. You can imagine my surprise, then, when I recently learned that DHS has quietly begun conducting a feasibility study to see whether it should build a permanent checkpoint on I–91. I understand that the study was initiated about a month ago and should be complete in 6 months.

What about the situation on the Southern Border has changed so much that shifting 25–30 Border Patrol agents to a checkpoint 92 miles from the border with Canada makes any sense?

Answer. Border Patrol tactical traffic checkpoints, such as the one located on Interstate 91, are a critical component of CBP's multi-layered border security strategy. This strategy was developed to maximize resources and increase the certainty of arrest of anyone attempting to illegally enter the United States. The Border Patrol traffic checkpoint on Interstate 91 is operated intermittently as a strategic com-

ponent, meaning that there may be extended periods of time that the checkpoint is not operational. Available resources and intelligence dictate when the tactical traffic checkpoint on Interstate 91 will be operational. When the Interstate 91 Traffic Checkpoint was "dismantled," it was in fact temporarily not operational. Since the tactical Border Patrol checkpoint was instituted on Interstate 91 in December of 2003, apprehensions have included 688 illegal alien apprehensions, 27 illegal aliens from special interest countries, and 154 pounds of marijuana valued at $693,000. These apprehensions include numerous criminal aliens with convictions and outstanding warrants for rape of a child, arson, fraud, assault & battery, domestic assault, burglary, fraudulent documents, re-entry after deportation and multitude of others with serious immigration or criminal records. Furthermore, when the national threat level was raised post September 11, 2001 the Interstate 91 checkpoint was operational 24 hours a day 7 days a week. Staffing to facilitate this operation required that detailed agents be brought into Swanton Sector to augment the normal cadre of agents. Once the threat level was lowered the detailed staff were returned to their normally assigned Sectors and the responsibility of manning the Interstate 91 traffic checkpoint was returned to Swanton Sector. There have never been plans to cease Border Patrol tactical checkpoints on Interstate 91 nor were there any plans to permanently reassign Northern Border agents to the Southern Border during 2005. Since the national threat level was lowered the agents that operate the Interstate 91 traffic checkpoint are permanently assigned to the Newport Border Patrol Station in Swanton Sector. These agents are assigned routine Border Patrol duties when they are not assigned to the checkpoint.

Question. How do you intend to pay for the construction and redeployment?

Answer. If permission to build permanent checkpoints were granted, the construction would be identified and submitted as an unfunded requirement. The local Sector Chief would address the redeployment of personnel as needed.

Question. Will you keep me informed on the progress of your study and decision-making?

Answer. The Interstate 91 Border Patrol traffic checkpoint feasibility and environmental impact study was funded and initiated on January 13, 2006. It is estimated that the study will be completed in Spring 2006. The results of the study and any decisions on project advancement will be shared with your office through CBP's Office of Congressional Affairs.

HURRICANE KATRINA

Question. It is difficult to locate hard numbers about the numbers of dead or missing resulting from Hurricane Katrina. The press has reported that 1,300 persons are dead and that approximately 3,200 individuals are still listed as "missing" or "whereabouts unknown."

Almost 6 months after the hurricane hit, these numbers are staggering. It may be that more people were killed in the hurricane than were killed in the terrorist attacks of September 11.

Why are so many names still listed as missing? What is the government doing to locate them?

Answer. As and initial matter, it must be noted that the States have the sovereign responsibility for declaring deaths and investigating reports of missing individuals. The State medical examiner, in particular, is usually responsible for declaring deaths and all numbers come from the States.

DHS supportes the effort to collect data on missing people through the Find Family National Call Center (FFNCC), the national collection point for information on missing family members or those who may have perished in Hurricanes Katrina or Rita from the State of Louisiana. The center seeks to reunite families and to help locate and recover the remains of loved ones. The FFNCC is a joint effort between the State of Louisiana, the U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA) and the U.S. Department of Health and Human Services.

Callers to the FFNCC are asked to provide any available information about their missing loved ones, including:

—A physical description;

—Doctors' and dentists' names;

—A medical history, including any dental work or joint replacements; and

—Unique characteristics like tattoos, scars and birthmarks.

In, addition, Family members may be asked to release dental records, as they are particularly useful in identifying the deceased. The health professionals, staff and volunteers at the FFNCC are trained to provide sensitive, confidential assistance.

All information gathered by the FFNCC is held in the strictest confidence and used only for the purpose of identifying and reuniting family members.

The Center also coordinates with other organizations including, the Salvation Army, Louisiana Nursing Home Association and the National Center for Missing and Exploited Children.

In addition, FEMA has opened a Victim Identification Center (VIC) in Carville, LA. The VIS is on a 32-acre site that is designed to process, identify and store human remains found following the hurricanes. The center replaces a temporary facility that had been operating in St. Gabriel for almost 3 months.

The VIC began the processing of human remains on November 29. The facility works with the FFNCC to help identify the remains of individuals who perished as a result of Hurricanes Katrina and Rita.

Forensic data obtained at the VIC is cross referenced against data collected from calls to the FFNCC. This includes fingerprints, X-rays and dental records to identify victims.

DNA analysis may also be used to identify victims when all other means have been exhausted. Once a body's identification is confirmed, the parish coroner must sign the death certificate. The State medical examiner will then authorize the release of the body to the funeral home of the next of kin's choice.

FEMA has also supported the American Red Cross's Family Links Registry program which provides evacuees with family reunification support. FEMA promoted this effort and other similar family linkage efforts by including web linkages on the FEMA Katrina webpage and in press releases appropriate.

In addition, FEMA has worked with the National Center for Missing and Exploited Children (NCMEC) since last October. FEMA facilitated the sharing of information in its disaster assistance database with NCMEC to enable contact between separated family members.

As of June 1, 2006 the FFNCC lists 210 persons still missing or unidentified.

AVIAN BIRD FLU

Question. Two years ago, we had a shortage of winter flu vaccine. We never received satisfactory answers from the Bush Administration about why it had not planned and prepared better.

If it cannot prepare for the seasonal flu, which is an annual occurrence, what does that tell us about the government's ability to prepare for large scale pandemics or biological terrorist attacks?

Answer. The shortage of influenza vaccine experienced 2 years ago occurred when a manufacturer encountered production problems and could not fulfill its orders for vaccine. The Centers for Disease Control (CDC) and Prevention, within the Department of Health and Human Services (HHS), provided leadership in working with the provider community and State and local Health Departments to target early stocks of vaccine to high-risk groups most vulnerable to influenza. HHS/CDC also acquired more vaccine on international markets to bring our vaccine supply levels near to the previous year's totals.

This incident highlighted a need to create a robust vaccine manufacturing capacity within this country, which was one of the keystones of the President's $7.1 billion pandemic flu Emergency Supplemental Appropriations request to Congress. In fiscal year 2006 Congress provided $3.8 billion for the President's plan and a portion of these funds will be used to stimulate U.S. vaccine manufacturing capacity.

The future benefits of the investment include having contractual arrangements with these companies to manufacture enough pandemic influenza vaccine whenever a pandemic emerges; having a healthy influenza vaccine manufacturing industry in the United States, capable of making enough annual influenza vaccine for every person in the United States which is the current recommendation of public health experts; U.S. vaccine manufacturers would be able to sell influenza vaccines abroad (a good business proposition and international public health situation); and some cell-based vaccine manufacturers may also be able to use their new technologies for production of needed childhood vaccines.

Question. Now, we see the bird flu migrating westward. What assurance can you give to the American people that the United States will be prepared should this deadly virus reach our shores?

Answer. The U.S. Government is prepared to provide a scalable, tailored Federal response that capitalizes on the lessons learned from the recent SARS events in Asia and Canada. Individual Departments are preparing Pandemic Influenza-specific plans to implement their roles and responsibilities under the Pandemic Strategy. The Department of Homeland Security is the lead for overall domestic incident management and will coordinate the Federal response; HHS is responsible for the

U.S. medical response; USDA is the lead for a domestic veterinary response; and DOS coordinates with international partners.

The Federal Government intends to utilize a regional command, control, and coordination structure to coordinate Federal response activities. Joint Field Offices will be pre-identified and will be activated based on the outbreak trends and requests for assistance. The Secretary of Homeland Security is prepared to pre-designate and deploy a Principal Federal Official as required. Timely, factual, and consistent public messaging will be coordinated across the USG through the use of a National Joint Information Center (JIC) located at DHS and a local JIC in the vicinity of the outbreak. Communications will be maintained 24/7 with State, local, tribal, private sector, and international entities through established coordinating mechanisms.

Question. By when will the government be fully prepared?

Answer. Preparedness for a pandemic requires the establishment of infrastructure and capacity, a process that can take years. The Strategy affirms that the Federal Government will use all instruments of national power to address the pandemic threat. The HSC Implementation Plan outlines three hundred and twenty-five specific tasks that must be completed. Each task has a lead agency and coordination agencies identified, with the majority of items having a timeline for implementation which range from 3 to 36 months. For a small number of the items, no timeline has been identified.

Question. The H5N1 avian flu virus strain was initially identified in Southeast Asia, but has rapidly spread across the rest of Asia, into Africa, and outbreaks in birds have now been found in seven European nations. The United Kingdom has also positively identified the virus in quarantined birds coming from Southeast Asia. It may only be a matter of time until it reaches our shores, which leaves many of us concerned that the United States is not doing nearly enough to assist with surveillance and prevention of and preparation for this deadly virus abroad and at home.

The fiscal year 2006 Defense Appropriations Act reserved for international avian flu efforts $3.8 billion, of which $47.3 million was designated for the Homeland Security Department for necessary expenses to train, plan and prepare for a potential outbreak of highly pathogenic influenza. However, the fiscal year 2006 Emergency Supplemental Appropriations request that the Administration recently submitted to Congress included no request to continue our national efforts to combat the avian flu and prepare for a possible avian flu epidemic.

I was surprised to see no request for such funding, given that we had heard rumors that the Administration planned to ask Congress to devote an additional $2.3 billion this year for prepare for a bird flu epidemic.

Secretary Chertoff, does the Administration plan to submit to Congress a request later this year to continue our national efforts to help in global efforts to combat the avian flu, as well as prepare for a possible avian flu epidemic here at home?

Answer. The Department has five active working groups that are defining additional actions and requirements based on emerging data and information. Our first priority is to ensure that the $47 million already provided achieve the objectives laid out by the Administration, and we will also leverage other DHS programs in support of these efforts.

Question. If so, please describe the request that you anticipate submitting as a supplemental related to detection and prevention of avian flu.

Answer. At this point, the Department does not envision requesting a supplemental in 2007. However, any budgetary needs for fiscal year 2007 and beyond will be determined and, if necessary, requested by the Administration through its normal processes to address all relevant agencies' needs.

Question. What resources and strategies will be deployed by the Department to help States and local officials cope with the possibility of an outbreak?

Answer. Recognizing that the Federal Government will be equally degraded during an actual pandemic event and will be limited in its ability to provide on-the-ground medical resources, DHS and other agencies are assisting State and local officials with preparedness activities. DHS has developed a planning guide geared to businesses which will very shortly be available on the United States Government Pandemic Flu website (www.pandemicflu.gov). The Department, in close coordination with the Departments of Agriculture, Commerce, Health and Human Services, and Treasury, continues to develop initial plans and pilot projects to address State, local, and private sector preparedness for this possible event. Full-scale deployment of comprehensive training and exercise programs will increase public and private sector readiness and overall preparedness across the entire Nation. These programs will also assist with development and validation of State, local, and private Sector mitigation strategies to ensure efficient and effective use of all available public and

private sector resources to minimize national economic impacts and associated national security implications.

The Federal response structure is designed to be scalable and tailored to the outbreak; therefore, its command, control, and coordination structure can expand as required. This structure is based on concepts outlined in the National Incident Management System (NIMS) and further defined in the National Response Plan (NRP). The Department is working to ensure that appropriate DHS leaders are in place to assist in the coordination of a Federal response during a pandemic. We have pre-identified five locations across the Nation where Joint Field Offices could be established should the situation warrant, and will pre-designate a national pandemic coordinator. As in any disaster, these Joint Field Offices will be the primary conduits through which States and local governments request support from the Federal Government.

Question. By all accounts, the current capacity to develop an avian flu vaccine is inadequate. Even if a vaccine is developed, it will take time to produce the millions of doses needed to protect our citizens. Some health officials have urged the need for other countermeasures such as medications that would fight an infection or increased usage of personal protective equipment.

What steps is the Administration taking to not only increase vaccine manufacturing capacity, but to research and stockpile other countermeasures?

Answer. A portion of the funds Congress provided in the Emergency Supplemental pandemic appropriation will be used to stimulate a robust U.S. vaccine manufacturing capacity.

The Department of Health and Human Services (HHS) has plans to purchase or subsidize the purchase of 81 million treatment courses of antivirals over a 2 year period, much of which will be stored in the Strategic National Stockpile (SNS). The fiscal year 2006 HHS budget allows HHS to purchase 20 million treatment courses of antivirals for subsequent distribution States and localities and to subsidize the purchase of 31 million treatment courses by them (HHS will provide a 25 percent subsidy; $170 million has been designated for this).

To further encourage the development of new medical countermeasures against chemical, biological, radiological and nuclear (CBRN) agents and to speed their delivery and use should there be an attack, President Bush, in his 2003 State of the Union address proposed and Congress subsequently enacted Project BioShield. Project BioShield provides the Department of Health and Human Services with several new authorities to speed the research, development, acquisition, and availability of medical countermeasures to defend against CBRN threats. In exercising the procurement authorities under Project BioShield, HHS has launched acquisition programs to address each of the four threat agents deemed to be Material Threats to the U.S. population by the Department of Homeland Security [Bacillus anthracis (anthrax), smallpox virus, Botulinum toxins, and radiological/nuclear agents]. For example, HHS has used Project BioShield to award two contracts for vaccines against anthrax and one contract for a liquid formulation of a drug to protect children from radioactive iodine exposure following nuclear events. These countermeasures are being added to the SNS that currently includes vaccines, antibiotics to counter infections caused by anthrax, plague, and tularemia, antitoxins, chemical antidotes and radiation emergency medical countermeasures. However, we recognize that more can and must be done to aggressively and efficiently implement Project BioShield.

Finally, with regard to Personal Protective Equipment (PPE), that could be used to handle a pandemic, the current SNS inventory contains 1,006,830 N95 respirators and 1 million pairs of gloves.

As part of the Emergency Supplemental allocation for pandemic influenza, funds have been targeted to acquire supplies and equipment to enhance preparedness for a response to a Pandemic Influenza event, including personal protective equipment (PPE) for healthcare providers such as N95 respirators, surgical masks, gloves, and face shields, as well as syringes and needles. Decisions on what items to procure are being made by subject matter experts in HHS.

Personal Protective Equipment (PPE). The initial target of providing for 25 million people has been staged over a 2 year cycle. Based on the assumption of 4 masks and 4 pairs of gloves per individual, acquisitions in fiscal year 2006 will provide PPE for in excess of 20 million people. The balance of the targeted coverage (5 million people) will be acquired in the following year.

Low Waste Syringes and Needles. Initial procurement includes low waste syringes and needles to support the administration of the proposed 20 million H5N1 vaccines doses.

Question. When Hurricane Katrina hit, and in the days and weeks after, many Federal officials took a "blame the locals" approach for what went wrong with dis-

aster response. Last week, Department of Health and Human Services Secretary Michael Leavitt told both the National Governors' Association and the Maryland Pandemic Influenza Summit not to count on Federal agencies to save them should a flu pandemic strike. Specifically, Secretary Leavitt said, "Any community that fails to prepare with the expectation that the Federal Government will come to the rescue will be tragically wrong."

I am concerned that, rather than preparing adequately for the bird flu, Federal officials are lowering expectations and hinting that a lack of preparedness will be the fault of State and local authorities. However, like with Katrina, we have been warned well in advance of the potential for disaster.

Secretary Chertoff, is the Administration advocating an "every State for itself" approach? Where is the Administration's leadership on this issue?

Answer. If a pandemic should strike this country, every sector of society could fall victim. It would affect infrastructure from our ability to keep grocery store shelves stocked, to keeping the lights on and communications systems working. It would affect local and State government workers as well as Federal Government workers. Many of the same people we would depend on for help and services in time of an emergency will be affected by whatever disease strikes us.

When Secretary Leavitt told both the National Governors' Association and the Maryland Pandemic Influenza Summit not to count on Federal agencies to save them should a flu pandemic strike, he was giving State leadership a simple and honest message. The message needs to be heard by all local and State officials who have any responsibility for local or State emergency response. Additional questions regarding the context of Secretary Leavitt's message should be directed to HHS.

ALL-STATE MINIMUM

Question. I am disappointed that once again President Bush's proposed budget for fiscal year 2007 reduces from 0.75 percent to 0.25 percent the all-state minimum formula, which I authored. This is a base amount used for the distribution of funding under the State Homeland Security Grant Program and the Law Enforcement Terrorism Prevention Program. This formula assures that each State receives a minimum of 0.75 percent of those grants to help support their first responders' basic preparedness needs.

Not only would this change result in the loss of millions in homeland security funding for the fire, police and rescue departments in small- and many medium-sized States, but also deal a crippling blow to their efforts to build and sustain their terrorism preparedness.

Mr. Secretary, does this Administration want to shortchange rural States and roll back the hard-won progress we have begun to make in homeland security by slashing the protections provided to us by the all-State minimum?

Answer. The President's fiscal year 2007 request for the State Homeland Security Program proposes a 0.25 percent minimum allocation for all States, territories, and the District of Columbia to ensure funding to address basic preparedness needs with the balance of the funding to be allocated based on risk and need. Since the threats confronting the Nation respect neither jurisdictional nor geographic boundaries, limited resources must be allocated and applied in an effective and efficient manner to achieve the greatest return on our national investment in homeland security by addressing the greatest risks and needs.

The 9/11 Commission has recommended that "Federal homeland security assistance should not remain a program for general revenue sharing. It should supplement State and local resources based on the risks and vulnerabilities that merit additional support."

All States, whether small, medium, or large, have been provided over $14 billion in DHS preparedness funding since the attacks of 9/11 to build and sustain preparedness capabilities. A 0.25 percent minimum allocation would be coupled with any additional funding based on risk and need. That allocation process would address the risks and needs of both large and small States, and would not be calculated soley based on population.

Question. Would you agree that homeland security is a national responsibility shared by all States, regardless of size?

Answer. Yes, homeland security is a national responsibility shared by all levels of government. The National Preparedness Goal is truly national in scope, communicating a vision that engages Federal, State, local, and tribal entities, their private and non-governmental partners, and the general public to achieve and sustain risk-based target levels of capability to prevent, protect against, respond to, and recover from major events in order to minimize the impact on lives, property, and the economy. The Expanded Regional Collaboration National Priority included in the Goal

highlights the need for embracing partnership across multiple jurisdictions, regions, and States in building capabilities cooperatively. Successful regional collaboration allows for a multi-jurisdictional and multidisciplinary approach to building capabilities for all four homeland security mission areas, spreading costs, and sharing risk across geographic areas.

Question. Do you agree that each State has basic terrorism preparedness needs and, therefore, a minimum amount of domestic terrorism preparedness funds is appropriate for each State?

Answer. While there is no consistent defintion of "basic terrorism preparedness needs" a minimum allocation of domestic terrorism preparedness funds for each State is appropriate.

The 0.25 percent minimum allocation proposed in the President's fiscal year 2007 request will provide States, territories, and the District of Columbia with funding continuity. However, since the threats confronting the Nation respect neither jurisdictional nor geographic boundaries, limited resources must be allocated and applied in an effective and efficient manner to achieve the greatest return on our national investment in homeland security by addressing the greatest risks and needs.

Question. Mr. Secretary, would you agree that the mission of the Department of Homeland Security extends beyond terrorism threats, and that States must prepare for and have the ability to respond to all types of homeland security threats, such as natural disasters and other emergencies?

Answer. The mission of the Department of Homeland Security includes safeguarding the Nation from acts of terrorism, natural disasters, or other emergencies and leading national response and recovery efforts to acts of terrorism, natural disasters, or other emergencies. The National Preparedness Goal, which outlines preparedness priorities for Federal, State, local governments, private sector, and the general public, is all-hazard in nature and is predicated on the importance of capabilities-based planning as a means to enhance our preparedness. Capabilities-based planning is not focused on a particular scenario or threat, but rather pushes us as a Nation to plan under uncertainty to provide capabilities suitable for a wide range of threats and hazards while working within an economic framework that necessitates prioritization and choice.

Question. If you do not support applying the 0.75 percent minimum to the State Formula Grants Program, what compromise between 0.75 percent and 0.25 percent for the distribution of funds would you support?

Answer. As indicated in the President's fiscal year 2007 budget request, the Administration supports the .25 percent minimum, which will allow over 85 percent of the State Homeland Security Grant Program to be awarded based on risk, need, and potential effectivness.

STATE AND LOCAL FIRST RESPONDERS

Question. President Bush often says that he wants to ensure that our State and local first responders receive the resources necessary to do the job the American public expects them to do. I find that hard to believe, though, when I read that he proposes nearly $400 million in overall cuts to funds for State Homeland Security Grant Program, Emergency Management Performance Grants and other programs administered by the Office of State and Local Government Coordination and Preparedness that directly benefit police, fire and medical rescue units. Furthermore, the President's budget eliminates funding for the Law Enforcement Terrorism Prevention program. The Administration justifies these cuts by stating it does not believe those funds are "targeted" to homeland security capabilities.

I believe, however, that the current Administration has failed to make first responders a high enough priority by consistently underfunding homeland security efforts of every State.

The Hart-Rudman Terrorism Task Force Report argued that our Nation will fall approximately $98.4 billion short of meeting critical emergency responder needs through this decade's end if current funding levels are maintained. Clearly, the domestic preparedness funds available are still not enough to protect from, prepare for and respond to future domestic terrorist attacks anywhere on American soil.

Would you agree, Mr. Secretary, that to be truly protected from, prepared for and able to respond to terrorist attacks we must look to increase the funds to our Nation's State and local first responders, rather than decrease them, as proposed by the President?

Answer. The fiscal year 2007 budget request is a strong commitment to the Nation's first responders. As always, the Department believes that homeland security is a shared mission and thus a shared responsibility between the Federal Government and our State and local partners. The Federal Government should not be ex-

pected to bear all homeland security costs. Instead, the Department expects and anticipates that States and localities will devote significant funds to enhance their security and thereby help to improve the Nation's level of preparedness.

ADMINISTRATION PLANS FOR DUBAI PORTS WORLD TO TAKE CONTROL OF SIGNIFICANT OPERATIONS AT SIX U.S. PORTS

Question. I have several questions about the Administration's controversial decision to approve the takeover by Dubai Ports World (DPW) of significant operations at six U.S. ports.

I was pleased by the Administration's recent decision to accept DPW's request that the U.S. government conduct a proper full 45-day security review, a review that the President previously said was unnecessary. This review may reassure a concerned public that DPW's management of port operations in the United States will not affect our Nation's safety. However, this development does not excuse the Administration from its earlier decision to ignore a mandate in the law for a thorough review process. Yet again, on an issue of national security, the Administration chose to go it alone, operated in secret on a national security issue, and then said to the American people, "just trust us." Like with the domestic spying program and prior assertions on interrogation policy, this Administration operates as if it is above the law.

Mr. Secretary, you are a member of the Committee on Foreign Investment in the United States (CFIUS), which expedited what review was conducted. That leads me to ask for the following information from you:

What role did you play in the CFIUS review of the proposed transaction?

Answer. The Department of Homeland Security was represented in the CFIUS review of the DPW case by Assistant Secretary Stewart Baker, who coordinated across the Department with the relevant intelligence, operational, and legal components.

Question. Please describe the role the Department of Homeland Security in the negotiation and review of the deal.

Answer. In these cases, DHS considers whether the acquisition may affect national security broadly construed, focusing in particular on the acquisition's potential impact on critical infrastructure and other homeland security factors, as well as traditional measures of national security. In the CFIUS process DHS determines: (1) whether DHS already has sufficient legal or regulatory authority to address any threat to homeland security that might be raised by the transaction; (2) whether DHS has homeland security concerns about the parties to the transaction; and (3) whether the homeland security concerns can be resolved with binding assurances from the parties to the transaction.

In this particular case, DHS and other CFIUS member agencies requested and received intelligence assessments about DPW and received briefings from the company. Further, as a matter of prudence, DHS sought and received binding assurances that, among other things, (i) P&O, the subject of the acquisition, would continue to participate at not less than the current level in certain port security programs and best practices, and (ii) P&O would provide any records upon DHS's request.

With these assurances, DHS believed that there was no basis for contesting the transaction.

As you know, DPW has agreed to sell the U.S. component of P&O to an unrelated U.S. buyer and to ensure that it is managed independently of DPW until that time.

Question. Did you or anyone else on behalf of the Department of Homeland Security raise any national security concerns about this transaction?

Answer. DHS did not have specific concerns about this transaction. In reviewing DPW's proposed acquisition of P&O, DHS concurred with the intelligence community and the other CFIUS agencies reviewing the transaction that DPW's acquisition presented no current threat to U.S. national security. Nevertheless, given DHS's responsibility for critical infrastructure protection and port and maritime security, DHS wanted to ensure, to the extent possible, that DPW would not present a future risk to national security by taking adverse action sometime in the future and therefore obtained certain written assurances from DPW, including: (i) that DPW would participate in certain port security programs that are voluntary for other companies but would become mandatory for DPW because of its written assurances; and (ii) that DPW would provide, upon request, any records maintained regarding DPW's operations in the United States.

Question. What security precautions, if any, were requested?

Answer. As indicated above, DHS decided that it would be prudent to obtain certain security assurances from DPW. DPW committed to participate in various U.S. cargo inspection and security programs that are only voluntary today. These pro-

grams include DHS's Customs-Trade Partnership Against Terrorism ("C–TPAT") and Container Security Initiative ("CSI"), and the related Department of Energy Megaports program. These programs protect U.S. ports by screening cargo before it approaches U.S. shores.

DPW also agreed to assist U.S. law enforcement agencies (Federal, State, and Local) and to disclose any information concerning the operation of the company's U.S. facilities, equipment, or services and to provide any relevant records that may exist of foreign efforts to control operations in any of its U.S. facilities.

DPW further agreed to maintain P&O's existing security policies and procedures at the U.S. facilities—including security personnel—and provide written notice to DHS if those policies or procedures change so that DHS can address any concerns.

Finally, DPW also agreed to operate any facilities they would own or control in the United States as a result of the acquisition with the current U.S. management structure, to the extent possible.

Question. In an undated document released yesterday, the Coast Guard expressed concerns about intelligence gaps concerning foreign ownership of port assets. Were you aware of these concerns? Did you act upon them?

Answer. The referenced concerns must be placed in context. The U.S. Coast Guard resolved its intelligence concerns in the context of the original CFIUS review. Further, DHS considered the intelligence community reporting on this case and no unresolved concerns were raised.

Question. Why did the Administration decide to not adhere to the 45-day review process established by the Byrd Amendment?

Answer. The Department of the Treasury, as Chair of the CFIUS, is better positioned to respond to questions regarding CFIUS's interpretation of the Byrd Amendment.

Question. What led to the January 6, 2006, letter of assurances to the Department of Homeland Security in connection with this transaction?

Answer. In reviewing DPW's proposed acquisition of P&O, DHS concurred with the intelligence community and the other CFIUS agencies reviewing the transaction that DPW's acquisition presented no current threat to U.S. national security. Nevertheless, given DHS's responsibility for critical infrastructure protection and port and maritime security, DHS wanted to ensure, to the extent possible, that DPW would not present a future risk to national security by taking adverse action sometime in the future.

Question. Is the January 6, 2006, letter intended to be a binding contractual obligation? If so, how would it be enforced and by whom?

Answer. The January 6, 2006 assurances letter from DPW to DHS constituted a legally binding agreement. If DPW were to have breached the agreement, DHS had full authority to conduct detailed inspections of all containers or other cargo handled by the operator and authority over the terminal itself so that DHS could protect national security.

Both the terms of the assurances letter and the CFIUS regulations provide CFIUS with authority to reopen its review of a transaction where the parties have made a material misrepresentation or omitted material facts.

DHS would have had recourse to all available remedies under contract law. For example, the Government could have asked a court to order DPW to perform any provision that the Government believed DPW had breached, or to pay damages for costs that resulted from such breach.

Question. What subject matter and personal jurisdiction would our courts have over the Dubai principals?

Answer. As noted in our response to QFR 3683, above, U.S. courts would have had subject matter and personal jurisdiction over any of the terms of the assurances letter entered into between DP World and DHS. In addition, DHS would have had other available remedies that would not have required resort to a court, including the full authority to conduct detailed inspections of all containers or other cargo handled by the operator and authority over the terminal itself so that DHS could protect national security.

Question. What would remedies be available to the United States if the contractual obligations were not fulfilled?

Answer. As stated above, DHS would have had recourse to all available remedies under contract law. In addition, DHS could have reinstituted CFIUS proceedings and potentially ordered the transaction to be unwound.

Question. Was legal analysis conducted to ascertain whether the special assurances offered in the January 6 letter could be enforced? Please provide any such analysis and related documents.

Answer. While not obtained in every case, it is not unusual for one or more CFIUS agencies to obtain an assurances letter from a party in CFIUS. These letters

are contractual arrangements between the parties, and terms are enforceable like other contracts.

DHS's Office of General Counsel reviewed the terms of the January 6, 2006 assurances letter but did not issue a specific, written opinion relating to the ability of DHS to enforce any or all of the contract terms.

Question. Who is the "responsible corporate officer" who will serve as a point of contact for DHS in each U.S. facility owned or controlled by Dubai Ports World, Ports, Customs and Free Zone Corporation, and Thunder FZE?

Answer. Dubai Ports World announced in February 2006 that it would sell the P&O facilities in the United States to an American company. Until that point, the P&O security officer continues to serve as the point of contact at the formerly P&O U.S. facilities.

SUBCOMMITTEE RECESS

Senator GREGG. The subcommittee will stand in recess.

[Whereupon, at 11:35 a.m., Tuesday, February 28, the subcommittee was recessed, to reconvene subject to the call of the Chair.]