

April 29, 2003

The Honorable Tom Ridge
Secretary
Department of Homeland Security

Dear Secretary Ridge:

I am writing to express my disappointment in the Administration's apparent lack of progress in addressing a critical issue facing our nation – the inability of local first responders to communicate with one another across jurisdictions and disciplines. When you were asked about this issue during your confirmation process in January, you advised the Governmental Affairs Committee that the Administration was making “significant progress” in developing approaches to this issue via “Project SAFECOM.” However, recent comments by the Department of Homeland Security's Chief Information Officer appear to contradict this assessment, and raise questions about the Administration's ability to tackle this serious issue.

The September 11, 2001 attacks demonstrated the danger for first responders and the public when those responding to emergencies cannot communicate effectively. The inability of New York City police officers and firefighters to communicate with one another may have led to the deaths of hundreds of firefighters. Nineteen months later, firefighters from two communities here in the nation's capital region (Arlington, VA and Prince George's County, MD) told the Governmental Affairs Committee that they still cannot communicate with one another during a regional emergency. With precious few exceptions, this situation persists across the country. This is clearly a long-standing, complex and costly problem. The same issue was highlighted after the Air Florida accident over twenty years ago, the first bombing of the World Trade Center in 1993, and the bombing of the Oklahoma City Federal building in 1995. It is time we fix it once and for all.

In February 2003, the “National Task Force on Interoperability” -- which includes 18 national associations representing state and local elected and appointed officials, and public safety officials -- issued a report, “Why We Can't Talk,” stating:

In an era where technology can bring news, current events and entertainment to the farthest reaches of the world, many law enforcement officers, fire fighters, and emergency medical service personnel working in the same jurisdiction cannot communicate with one another. The inability of our public safety officials to readily communicate with one another threatens the public's safety and often results in unnecessary loss of lives and property.

The Task Force report describes five key reasons why public safety agencies can't talk: (1) incompatible and aging equipment, (2) limited and fragmented funding, (3) limited and fragmented planning, (4) lack of coordination and cooperation, and (5)

limited and fragmented radio spectrum. Overcoming each of these obstacles will require a combination of leadership and resources from all levels of government. The Task Force has estimated that, at the state level, replacing basic radio systems for a single public safety agency will cost between \$100 million and \$300 million. The Public Safety Wireless Network, a joint Treasury and Justice Department policy group, has estimated the cost of replacing all state and local communications equipment nationwide to allow our first responders to talk to each other in a crisis to be \$18 billion. That's a long-term figure—not every single state, town, and city will necessarily need new equipment. But some estimate that the overall costs would be even higher.

During your confirmation process, you indicated that the Administration's primary initiative to address the issue of communications interoperability is Project SAFECOM (Wireless Public SAFETY Interoperable COMmunications), one of 24 electronic government initiatives. The Office of Management and Budget (OMB) created Project SAFECOM in early 2002 in order to enhance public safety wireless communications – including promoting interoperability among local first responders. The program's primary goal is to enable public safety personnel to be able to communicate with other local, state, and federal personnel in the event of an emergency or other public safety response event. A business case for the establishment of SAFECOM, submitted to OMB in May 2002, indicated that 54 percent of public safety agencies have limited confidence in their ability to perform in regional response situations requiring mutual aid. Fifty-six percent of local public safety agencies expressed limited confidence in their ability to communicate with state, and 81 percent with federal, public safety agencies. Several Federal entities participate in SAFECOM, including the Department of Justice, the Department of Defense, the Federal Emergency Management Agency, the Department of Interior and the National Guard, and its partners include state and local agencies and organizations.

According to an April 2002 presentation on the Project by OMB, SAFECOM faces several challenges. These include: the extremely large, multi-faceted nature of the problem; the need for extensive interagency/intergovernmental coordination; resistance to change in business operations and concerns about loss of control among local jurisdictions; disparate, insufficient standards and spectrum resources which add to the complexity; and the fact that the program was a very low priority among funded information technology projects.

In January 2003, you responded in writing to the Committee's question about Project SAFECOM's budget by stating that the initiative is currently managed by FEMA, which is "taking the lead in addressing the issue of communications interoperability and has made significant progress" in developing short, mid and long range approaches. This included establishing processes to assist local, tribal, and state organizations with grants for the immediate implementation of existing proven interoperability technologies while planning for next generation solutions. Similarly, during his confirmation process, Deputy Secretary Gordon England's written responses also asserted that FEMA is taking the lead and has made "significant progress" in developing approaches to interoperability.

Subsequent Administration comments, however, call into question your assessment. In fact, Steve Cooper, the Department of Homeland Security's Chief Information Officer, recently appeared to directly contradict your earlier, positive statements. According to an article in *Federal Computer Week* on April 8, 2003, Mr. Cooper stated about Project SAFECOM, "we've spent a fair amount of money and I don't know that we've got a lot to show for it." The same article noted that the leadership of the program is now being shifted to the Department's Science and Technology Directorate – a major change in leadership given your report of "significant progress" while the program was under FEMA. Clearly, either Mr. Cooper's April assessment is inaccurate, or you and Deputy Secretary England in your responses to the Committee's questions about this initiative incorrectly assessed the situation.

I am also compelled to question whether Mr. Cooper is accurate in his statement that "a fair amount" of money has been expended on this initiative. According to a General Accounting Office report on the 24 e-government initiatives issued in November 2002, Project SAFECOM did not even submit estimated costs for FY 2002 and 2003 in plans submitted to OMB in May 2002. GAO stated that the work plan "did not contain information regarding estimated costs, agency partners, or required staffing." GAO noted that FEMA assumed management of the project from Treasury on May 31, 2002, and, "According to the current project manager, the scope and objectives of the project are currently being reassessed." It is also my understanding that Project SAFECOM is funded by essentially "passing the hat" among participating agencies, and that it has only minimal staff, far from the optimal capabilities for a major Administration initiative which is critical to our homeland security. My understanding is that uncertainty about agency appropriations and the continuing resolution at the end of FY 02 also contributed to agencies' inability to provide funding for the program.

Given the size and complexity of this challenge, I am convinced that solving this problem will require sustained and consistent leadership at all levels of government, starting at the top. The Federal government must exercise the primary leadership role and be prepared to provide a significant share of the resources. Despite your earlier claims about the progress under Project SAFECOM, I do not believe that the Administration has focused sufficient leadership nor has it proposed or made the investments that we need to rise to the challenge. I do believe that Congress and the Administration must work together to ensure that Project SAFECOM in fact has the capacity and resources necessary to succeed. To facilitate my own understanding of this effort, I would appreciate your response to the following questions and information requests by May 12.

- 1) Do you stand by your assessment that FEMA has made significant progress in the SAFECOM program? If so, how do you reconcile that conclusion with the views attributed to Mr. Cooper (i.e. the work under SAFECOM has not produced any useable results)?
- 2) Do you agree that focused and sustained leadership from the Federal government is essential to help local jurisdictions systematically achieve communications

- interoperability? Please describe your vision for the Federal government's leadership role.
- 3) Please explain why the leadership of Project SAFECOM – which you have indicated is the Administration's primary initiative with respect to communications interoperability – has changed at least twice since the program's inception. If you believe that FEMA was making significant progress, why are you moving the leadership over the program elsewhere? Why has it proven so difficult to provide stability in the leadership of this effort?
 - 4) Please explain the decision to move SAFECOM into the Science and Technology Directorate, and describe how the Under Secretary for Science and Technology plans to provide leadership to this project while also implementing the many important statutory responsibilities of the Directorate.
 - 5) Please describe how Project SAFECOM, no matter where it is located, will be able to provide broad leadership that essentially reaches across the country, across thousands of jurisdictions, and across many public safety disciplines.
 - 6) Please describe the total resources devoted to Project SAFECOM, including the number of senior executives, contractors, and other staff working full time on the project since its inception. Also, how many full time staff, including senior executives, do you envision working on this initiative in the Science and Technology Directorate?
 - 7) Please enumerate the overall operating budget for Project SAFECOM, including the sources of its funding, since its inception. Why has the Administration chosen to solicit funds from other programs and agencies by in effect "passing the hat" to support this key initiative, rather than propose and seek a dedicated budget?
 - 8) Please provide a description of the current resource strategy for the program, including how funds will be obtained, from what sources, and for what periods of time, and how staffing commitments, if any, will be obtained from partner agencies.
 - 9) Please describe the current schedule and milestones for Project SAFECOM, including key deliverables and timetables.
 - 10) Please describe other initiatives, such as the National Institute of Justice's AGILE program and Public Safety Wireless Network (PSWN), designed to promote communications interoperability among local, state, and federal public safety organizations. How do these initiatives differ from Project SAFECOM? Also, please describe the Administration's vision for and efforts towards improving coordination among these efforts.

- 11) Has the Administration developed an estimate of the total amount of funding for grants necessary to ensure that interoperability solutions – both short term and long term – are implemented across the country? What is the Administration's position on the appropriate federal share of such expenditures?
- 12) Please describe the current process for providing grants to local jurisdictions for communications interoperability. Which Federal agencies and programs make these grants? Do you envision proposing any changes in these programs?
- 13) Do you believe any changes in the law are needed for the Federal government to provide the leadership, guidance, and resources necessary to solve this problem? If so, are you developing such a proposal?
- 14) A number of new technologies that allow for more efficient use of spectrum are now emerging which, in effect, sharply increase spectrum availability. Please describe the Administration's approach to solving the problem of spectrum allocation as it affects interoperability for first responders and indicate whether and how these new technology-based solutions are being considered. Also, to what extent are Department of Defense and Federal Communications Commission experts on these technologies being consulted concerning spectrum efficiency opportunities?

cc: The Honorable Susan Collins
Chairman