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SENATE COMMITTEE ON HOMELAND SECURITY
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Statement by

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INTRODUCTION

Chairman Lieberman, Senator Collins, distinguished members of the Committee: thank you for the opportunity to address you today regarding the progress made in the Department of Defense's disaster response capabilities since Hurricane Katrina.

CBRNE CONSEQUENCE MANAGEMENT

The Threat

The greatest threat in today's security environment is the nexus between transnational terrorism and chemical, biological, radiological, and nuclear (CBRN) weapons proliferation. Successful operations in Iraq and Afghanistan have resulted in the death or capture of numerous senior al-Qa'ida leaders and many operatives, but al-Qa'ida has proven resilient. Despite being forced to decentralize its network, al-Qa'ida retains the ability to organize and inspire attacks. Al-Qa'ida continues to aspire to inflict mass casualties upon the people of the United States, whom they consider the center of gravity in a global conflict, as well as others.

The most likely al-Qa'ida attack method is the use of conventional explosives. The thwarted United Kingdom aviation plot of last summer and other major threat reports all involve conventional explosives. However, intelligence reports and public pronouncements continue to indicate that al-Qa'ida and other groups are attempting to acquire CBRN weapons or materials.

Unlike our adversaries during the Cold War, rational nation-states who considered CBRN weapons "weapons of last resort," our terrorist adversaries today consider CBRN weapons "weapons of first resort." Whether al-Qa'ida or other transnational terrorists develop CBRN weapons or acquire them from rogue nation-states, we can be certain that they will use such weapons against the United States at their first opportunity, especially, if they can, on American soil to kill our

citizens, destroy our property, disrupt our economy, and attempt to break our national will to resist their extremist objectives.

The Military Defense

The first line of defense against a CBRN weapon attack in the United States must remain in the front yard of our adversaries, not in Americans' front yards. As noted in the 2005 National Defense Strategy, DoD's first priority is to secure the United States from a direct attack. DoD gives top priority to dissuading, deterring, and, if necessary, defeating those who strive to harm our nation, with emphasis on adversaries potentially armed with CBRN weapons.

To our adversaries this conflict is a global one. Therefore, the defense of our nation, the prime target of our adversaries, must be part of a global, active, and layered defense-in-depth that seeks to halt attacks against our nation as far from our own shores as possible. Such an active defense is a powerful deterrent, dissuading adversaries and denying them the operational initiative.

We have, in conjunction with our international partners, taken the fight to the extremists, disrupting transnational terrorist planning and preparation before they can launch attacks. Here at home, DoD's first responsibility is to employ our nation's warfighting capabilities, subject to constitutional and statutory authority, in a military defense of American lives, property, and individual freedom.

The Military Response

DHS is responsible for the coordinated U.S. national effort to prepare for, prevent, protect against, respond to, and recover from terrorist chemical, biological, radiological, nuclear, and high-yield explosive (CBRNE) attacks. If a CBRNE incident should occur within the United States, DoD, at the direction of the President or the Secretary of Defense, as appropriate and consistent with the law and the imperative to maintain military readiness, will provide critical

CBRNE consequence management support to civil authorities as part of the comprehensive national response to a CBRNE incident.

Military Response Forces and Capabilities

With few exceptions, DoD's consequence management capabilities are designed for the wartime protection of DoD's personnel and facilities. With the exception of a dedicated command and control element (Joint Task Force Civil Support) and National Guard Weapons of Mass Destruction-Civil Support Teams, DoD relies on dual-capability forces to support civil authorities in domestic CBRNE consequence management. In accordance with the 2005 Strategy for Homeland Defense and Civil Support, DoD "will be prepared to provide forces and capabilities in support of domestic CBRNE consequence management, with an emphasis on preparing for multiple, simultaneous mass casualty incidents."

Military response forces include:

- National Guard Weapons of Mass Destruction - Civil Support Teams (WMD-CSTs). Consisting of 22 high-skilled, full-time members of the Army and Air National Guard who are federally resourced, trained, and certified, and operate under the command and control of a State governor (Title 32, U.S. Code), the WMD-CSTs support civil authorities at a CBRNE incident site by identifying CBRNE agents/substances, assessing current and projected consequences, advising on effective response measures, and assisting with appropriate requests for State and Federal support. Section 1403 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314) authorized 55 WMD-CSTs and required DoD to ensure that of these 55 teams there is at least one team established in each State and territory. Currently, 52 of the authorized 55 WMD-CSTs have been certified by the Secretary of

Defense. The remaining three teams, in Guam, Puerto Rico, and the Virgin Islands, are expected to be certified in Fiscal Year 2008.

- National Guard CBRNE Enhanced Response Force Packages (CERFPs). The CERFPs are task-organized units with combat support and service support mission essential tasks that, in conjunction with WMD-CSTs, assist local, State, and Federal authorities in CBRNE consequence management (e.g., casualty search and extraction, medical triage, casualty decontamination, and emergency medical treatment). CERFPs, which operate on State Active Duty, on duty under Title 32, U.S. Code, or, in extraordinary circumstances, on duty under Title 10, U.S. Code, are designed to fill the 6-72 hour gap in capabilities between the first response and the Federal response following a CBRNE incident. There are currently 17 CERFPs (California, Colorado, Florida, Georgia, Hawaii, Illinois, Massachusetts, Minnesota, Missouri, Nebraska, New York, Ohio, Pennsylvania, Texas, Washington, Virginia, and West Virginia), of which 12 are trained and ready to respond to CBRNE incidents in each of the 10 FEMA regions.
- Joint Task Force Civil Support (JTF-CS). JTF-CS, headquartered at Fort Monroe, Virginia, and its components, Joint Task Force Consequence Management East (headquartered at Fort Gillem, Georgia) and Joint Task Force Consequence Management West (headquartered at Fort Sam Houston, Texas), is a deployable, standing task force of 160 assigned military personnel led by a two-star Army National Guard general officer serving on active duty, who is under the command of the U.S. Northern Command (USNORTHCOM) commander. The mission of JTF-CS is to deploy, when directed, to a CBRNE incident site to exercise

command and control of assigned Federal military forces to support civil authorities.

- U.S. Marine Corps Chemical-Biological Incident Response Force (CBIRF). The CBIRF, which consists of 117 personnel, 21 vehicles and necessary equipment, and follow-on forces of 200 additional personnel and 22 additional vehicles and equipment, is a deployable force capable of responding to a CBRNE incident in support of local, State, or Federal authorities and designated combatant commanders' consequence management operations by providing capabilities for agent detection and identification; casualty search and rescue; personnel decontamination; emergency medical care; and stabilization of contaminated personnel.
- U.S. Army Explosive Ordnance Disposal Teams, which can provide assistance to detect, identify, render safe, and dispose of unexploded ordnance such as improvised explosive devices and CBRNE weapons.
- U.S. Army Technical Escort Units (TEUs). The TEUs' mission is to provide a worldwide response for escorting, rendering safe, disposing, sampling, verifying, mitigating, and identifying weaponized and non-weaponized chemical, biological, and other hazardous materials. One TEU company supports the National Capital Response Force.
- CBRNE Consequence Management Response Forces (CCMRF). The CCMRF includes elements of all of these capabilities and can be quickly tailored to provide a coordinated response to specific CBRNE incidents. The CCMRF are Title 10, U.S. Code, joint forces capable of responding to a wide range of CBRNE attacks

against the American people with a wide range of services, including decontamination and security of a contaminated site or area; medical triage, treatment, and care; and transportation and logistical support.

DoD's CBRNE consequence management capabilities include specialized agent detection, identification, and dispersion modeling systems as well as casualty extraction and mass decontamination abilities. DoD also can provide emergency medical support such as equipment, mobile hospitals, aeromedical evacuation, medical personnel, engineering support, and mortuary services.

Exercises

Homeland security and homeland defense exercises are critical to ensuring readiness and identifying gaps and potential weaknesses within each agency and across agencies in responding to terrorist attacks, including multiple, simultaneous challenges. These exercises support the DHS National Homeland Security Exercise Program established by Homeland Security Presidential Directive-8 (HSPD-8), "National Preparedness" (December 17, 2003). DoD either sponsors or is a major participant in no less than four major interagency exercises per year. In the past these have included UNIFIED DEFENSE (2003, 2004), DETERMINED PROMISE (2003, 2004), ARDENT SENTRY (2005, 2006, and 2007), DILIGENT ENDEAVOR (2003), DINGO KING (2005), DILIGENT WARRIOR (2004), NORTHERN EDGE (2003), SCARLET SHIELD (2004), DARK PORTAL (2004), CYBER STORM (2006), and TOP OFFICIALS (TOPOFF) II and III (2003, 2005). All recent scenarios for DoD and interagency exercises have included the challenge of countering and responding to CBRNE threats such as radiological dispersion devices in the northeast and western United States, improvised nuclear device attacks in the western US, nuclear weapon and recovery in the western and mid-western United States, chemical and improvised explosive device attacks on the East Coast, and biological attacks in the Northeast, Midwest, and Pacific Northwest.

HURRICANE PREPAREDNESS

Additionally, DoD is prepared to assist in responding to natural disasters such as 2005's Hurricane Katrina.

Hurricane Katrina Lessons Learned

In terms of people displaced, businesses disrupted, and economic effect, Hurricane Katrina was one of the most devastating hurricanes in U.S. history. Appropriately, the DoD and State response was the largest, fastest deployment of military forces and resources to support civil authorities in our nation's history:

- More than 70,000 military personnel -- 50,000 National Guard and 22,000 Active Duty personnel;
- More than 2,000 health care professionals;
- 293 medium and heavy lift helicopters;
- 68 aircraft;
- 21 U.S. Navy ships;
- 13 mortuary affairs teams;
- 2 joint task force headquarters to support FEMA planning;
- Space-based imagery support;
- More than 80,000 Gulf Coast residents evacuated;
- 15,000 residents rescued;
- 10,000 medical evacuations by land and air;
- More than 5,000 sick and injured persons treated; and
- 30,000,000 meals and 10,000 truckloads of ice and water delivered.

DoD performed well, but we can do better. Afterwards, DoD supported the White House, House of Representatives, and Senate examinations of the response to Hurricane Katrina. More importantly, DoD has heeded and acted upon the lessons learned identified in the reports produced by these reviews. If the Committee does not object, I would like to enter into the record a report (attached) provided by DoD to the Armed Services Committees of the House and Senate in April 2007 on DoD's implementation of the recommendations identified in the White House and the House of Representatives reports.

DoD actions to implement these recommendations include:

- Helped DHS/FEMA improve its ability to lead the Federal response to hurricanes and other catastrophic incidents;
- Collaborated with DHS in planning and preparing for catastrophic incidents in which DoD will play a significant supporting role;
- Published a standing Execute Order (EXORD) that provided the commanders of U.S. Northern Command (USNORTHCOM), U.S. Pacific Command (USPACOM), and U.S. Southern Command (USSOUTHCOM), as supported commanders, more responsive and flexible mechanisms for providing DoD support to civil authorities, including authorization to deploy a Defense Coordinating Officer and a Defense Coordinating Element to support the Principal Federal Official and/or Federal Coordinating Officer and coordinate DoD assistance. This EXORD also permitted these combatant commanders to place specified personnel and resources in a "Prepare-to-Deploy" status in anticipation of a large-scale incident that could have overwhelmed civil authorities. Personnel and resources specified included:

- Defense Coordinating Officers and Defense Coordinating Elements;
 - DoD installations that could have been used for FEMA mobilization centers;
 - Medium and heavy lift helicopters;
 - Search aircraft for disaster area reconnaissance;
 - Robust, deployable communications support packages;
 - Joint task forces to command and control Federal military forces;
 - Combatant Commander Assessment Elements;
 - Patient movement evacuation/transportation;
 - Forward Surgical Teams; and
 - The Defense Logistic Agency's (DLA's) Deployment Distribution Center.
- Attached a Defense Coordinating Officer and Defense Coordinating Element to each of the 10 FEMA Regional Headquarters;
 - Developed pre-scripted requests for assistance, essentially “fill-in-the-blank” request forms using FEMA’s mission assignment template. Current DoD-FEMA pre-scripted requests for assistance include support in several critical resource areas, including transportation, communications, debris removal, incident management, mass care and shelter, resources support, and medical support;
 - Developed a USNORTHCOM Reconnaissance Concept of Operations (CONOPS) to facilitate coordination of DoD wide-area

damage assessment support. This CONOPS was tested and validated during Exercise ARDENT SENTRY '06;

- Reengineered and improved the process for civil authorities to request imagery and analysis;
- Approved a Standing Proper Use Memorandum for national technical and commercial imagery support in January 2006. This memorandum was successfully used during Exercise ARDENT SENTRY '06;
- Validated the National Guard Joint Force Headquarters State (JFHQ-State) as a DoD Joint Capability when activated;
- Provided planners and liaison officers to DHS and FEMA to assist with planning for the 2006 hurricane season, particularly for the Gulf Coast region; and
- Established a memorandum of agreement (MOA) between DLA and FEMA. Under this MOA, FEMA has provided \$70,000,000 to DLA to procure, store, rotate, and provide supplies, including Meals-Ready-to-Eat (MREs), commercial meal alternatives, health and comfort kits, tents, generators, fuel, medical supplies, construction items and other equipment, to be used in the event of a catastrophic incident.

DoD Preparedness for Hurricane Season 2007

In addition to actions taken last year to prepare for hurricane season, we have gone further. Specifically:

- FEMA has already provided DoD with a request for assistance for the 2007 severe weather season, including:

- Defense Coordinating Officers and Defense Coordinating Elements to coordinate and facilitate DoD assistance;
 - DoD installations for use as Federal Mobilization Centers and Operations Staging Areas to support Federal disaster response operations;
 - Aircraft for aerial reconnaissance, damage assessment, search and rescue with hoist rescue capability, and command and control;
 - Heavy lift aircraft capable of moving critical supplies, equipment, and personnel;
 - Search aircraft with crew capable of conducting aerial reconnaissance (visual observation, still photography, and video download);
 - Communications capabilities, interoperable with the FEMA Mobile Emergency Response System (MERS), to support initial coordination, first responders, FEMA, State emergency operations centers (EOCs), and deployed DoD forces;
 - Fixed wing medical evacuation and transport capability to support evacuation and/or transport of non-critical patients from the disaster area; and
 - Forward Surgical Team to provide initial emergency medical treatment.
- USNORTHCOM is prepared to exercise the responsive authorities provided by the standing EXORD, including authorities to:
 - Deploy a Defense Coordinating Officer and a Defense Coordinating Element to support the Principal Federal

Official and/or Federal Coordinating Officer and coordinate DoD assistance;

- Place specified personnel and resources in a “Prepare-to-Deploy” status in anticipation of a large-scale incident that may overwhelm civil authorities. Personnel and resources specified include:
 - Defense Coordinating Officers and Defense Coordinating Elements for up to 60 days;
 - DoD installations that may be used for FEMA mobilization centers for up to 60 days;
 - 8 Modular Airborne Firefighting Systems (MAFFs);
 - Medium and heavy lift helicopters;
 - Search aircraft for disaster area reconnaissance;
 - A Joint Airborne Communications Center Command, Control, Communications, Computers, and Intelligence planning team;
 - A robust, deployable communications support package;
 - Joint task forces to command and control Federal military forces;
 - Combatant Commander Assessment Elements;
 - Patient movement evacuation/transportation;
 - Forward Surgical Teams; and
 - DLA’s Deployment Distribution Center.

- USNORTHCOM is prepared to coordinate DoD reconnaissance of the disaster area;
- The National Geospatial Intelligence Agency is prepared to provide imagery and analysis support;
- DoD is prepared to order strategic life support for patient evacuation; and
- In accordance with the MOA, DLA is prepared to provide, via FEMA, MREs and commercial meal alternatives (approximately 58 million individual meals), health and comfort kits, tents, generators, fuel, medical supplies, construction items and other necessary equipment.

DoD has executed or participated in numerous exercises to prepare for this year's hurricane season. For instance:

- DoD has participated in several Cabinet-Level Exercises (CLE) (formerly known as Catastrophic Assessment Task Force exercises). The CLEs are Cabinet-level tabletop exercises focused on catastrophic events – events that challenge the Federal Government's ability to respond, including in 2006 and 2007 hurricanes in the southeastern United States;
- USNORTHCOM Exercises ARDENT SENTRY '06 and '07, were based on Category III hurricanes in the eastern United States;
- DoD participated in FEMA-led hurricane preparedness tabletop exercises, designed to validate improvements in hurricane response plans based on 2005 hurricane season after-action reports, and to identify immediate coordination and preparedness improvements that needed to be made prior to the 2006 hurricane season. The first tabletop exercise, which focused on FEMA Region III (Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia), was held in Philadelphia,

Pennsylvania, May 3-4, 2006. The second tabletop exercise, which focused on FEMA Region VI (Arkansas, Louisiana, New Mexico, Oklahoma, and Texas), was held in New Orleans, Louisiana, May 17-18, 2006;

- DoD also participated in three additional tabletop exercises in 2006 in Atlanta, Georgia, for FEMA Region IV (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee), New York City, New York, for FEMA Regions I (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont) and II (New Jersey, New York, Puerto Rico and the U.S. Virgin Islands);
- In April 2007, the U.S. Army held synchronization drills to assist in the development of a sourcing strategy for equipment for the hurricane season;
- DoD hosted a logistics exercise, May 23-24, 2006, at Peterson Air Force Base, Colorado, with FEMA, Department of Transportation, DLA, the Joint Staff, North American Aerospace Defense Command-USNORTHCOM, and U.S. Transportation Command to assist with hurricane disaster logistics planning; and
- DoD increased the fielding of non-lethal capabilities sets to the National Guard of the various States.

COMMISSION ON THE NATIONAL GUARD AND RESERVES SECOND REPORT TO CONGRESS

The Strategy for Homeland Defense and Civil Support reflects a Total Force approach to homeland defense and domestic support to civil authorities that uses the capabilities of trained and equipped Active Duty, National Guard, and Reserve forces. This approach preserves the historic relationships among the Federal, State, and local governments and recognizes the unique capabilities of each component of the Total Force to respond swiftly to aid American citizens

desperately in need. The National Guard of the States, in particular, provide unique capabilities from 3,200 communities throughout the nation.

The John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364) directed the Commission on the National Guard and Reserves to examine and report on proposed National Guard enhancements. On March 1, 2007, the Commission released its second report to Congress, providing 23 recommendations.

Upon release of this report, the Secretary of Defense established a DoD working group to provide an assessment and recommended implementation plan regarding the Commission's recommendations. Based on the assessment and recommendation of this working group, the Secretary of Defense concurred in whole or substantially with 20 of the Commission's recommendations and directed DoD to begin implementation of recommendations that could be accomplished through changes in policies and procedures and draft legislative proposals for those recommendations that require a change in law. On the three recommendations with which the Secretary disagreed, he directed an alternative approach to address the shortcomings identified by the Commission.

In addition to supporting other DoD leads in 8 of the Secretary's directed actions, my office was assigned the lead for 4 actions to be accomplished collaboratively with DHS:

- Provide recommendations to the Secretary regarding DoD's policy on programming and budgeting for civil support capabilities;
- Draft an executive order establishing a "Council of Governors" to advise the Secretary of Defense and the Secretary of Homeland Security on homeland security issues, matters involving the National Guard of the various states, and other matters of mutual interest;

- Submit an annual report to Congress describing those civil support requirements generated by DHS and those validated as well as those executed by the respective Secretaries of the Military Departments; and
- Revise the MOA with DHS on the exchange of personnel. The revised MOA will ensure that DoD personnel with significant knowledge and experience in National Guard and Reserve matters are detailed to DHS and that personnel detailed from DHS have the opportunity to enhance their knowledge of National Guard and Reserve capabilities. The exchange program also will include involvement in planning, training, and exercises that could assist in validating requirements for support to civil authorities.

As directed by the Secretary, we are pursuing these actions aggressively.

CONCLUSION

Throughout our history, U.S. military forces – Active Duty, Reserves, and National Guard -- have defended our nation against its enemies on land, at sea, and in the air, adapting continuously to engage threats to our nation, and assisted in domestic man-made and natural disasters.

Mr. Chairman, I commend you and the members of the Committee for your leadership, continued interest, efforts, and support in the Department's defense of the United States and support to civil authorities here at home. The citizens of this nation, especially our brave men and women in uniform, have repeatedly demonstrated the patriotism, toughness, innovation, determination, and resiliency to face threats whether posed by man or nature. There is no doubt in my mind that those capabilities will be called upon again -- nor is there any doubt that the armed forces of the United States will again answer that call.