July 15, 2008

The Honorable Bennie G. Thompson  
Chairman  
Committee on Homeland Security  
U.S. House of Representatives  

Subject: Emergency Management: GAO Responses to Post-hearing Questions for the Record  

Dear Mr. Chairman:

On June 11, 2008, I testified before the Subcommittee on Management, Investigations, and Oversight on the Department of Homeland Security’s (DHS) Preparedness for Catastrophic Disasters.\(^1\) Members of the Committee requested that GAO provide additional comments to a number of post-hearing questions. The questions and our answers are provided in the enclosure. The responses are generally based on work associated with previously issued GAO products, which were conducted in accordance with generally accepted government auditing standards. Because the responses are based on prior work, we did not obtain comments from DHS.

We will make copies of this letter available to others upon request, and it will be available at no charge on the GAO Web site at http://www.gao.gov. If you have any questions about this letter or need additional information please contact me on (202) 512-8757 or jenkinswo@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report.

letter. Key contributors to this letter were Orlando Copeland, Christopher Keisling, and Perry Lusk.

Sincerely yours,

[Signature]

William O. Jenkins, Jr.
Director
Homeland Security and Justice

Enclosure
1. Based on your years of work, is there a time when FEMA was more successful at working within the interagency? If so, when was it and what do you think was different then?

While Federal Emergency Management Agency (FEMA) has always faced challenges in managing interagency working relationships with other federal organizations, we reported favorably on FEMA’s inter-governmental efforts as the lead federal agency responsible for consequence management in 2001 prior to 9/11 and FEMA’s incorporation into DHS. Specifically, we reviewed FEMA’s efforts to enhance preparedness for a terrorist attack and concluded that, in policy and practice, FEMA had generally addressed the key lessons learned from its experience in coordinating federal consequence management activities after the Oklahoma City bombing in April 1995. As we reported, in analyzing the lessons learned after the bombing, FEMA updated the Federal Response Plan to address how federal agencies, states, and localities would work together to respond to an act of terrorism.

In May 2001, as one approach to achieving a more integrated federal terrorism preparedness response, the President created an Office of National Preparedness within FEMA to coordinate all federal programs that support state and local preparedness. In our September 2001 testimony after the events of 9/11, we recommended a move beyond coordination—program consolidation. We believed that consolidation of assistance programs would best eliminate overlapping assistance programs and provide a single federal liaison for state and local officials. The need for consolidation of preparedness and response assistance efforts had been similarly expressed in the Gilmore Commission’s reports on assessing domestic response capabilities for terrorism involving weapons of mass destruction. Likewise, the Post-Katrina Emergency Management Reform Act of 2006 (Post-Katrina Act) restored FEMA’s preparedness functions, which DHS had transferred to another component in July 2005, thereby consolidating within FEMA the spectrum of emergency management functions from preparedness to response and recovery.

2. Do you agree that a basic “roles and responsibilities” document like the NRF is important? If so, why? And do you think it would have been useful in the days immediately before and after Katrina?

A basic “roles and responsibilities” document like the National Response Framework (NRF) is an important guiding document for national response. It is important because many stakeholders can and do have unique and potentially overlapping responsibilities. While the NRF has been a valuable tool for coordinating response efforts, it may not have been as useful in the immediate aftermath of Katrina due to the unprecedented scale and complexity of the disaster. However, its implementation and evolution since then have helped improve interagency coordination and response efforts.
responsibilities, depending on the scale of the incident and the response required. Such a document has been in place since April 1992 when FEMA issued the Federal Response Plan which outlined how the federal government would implement the Stafford Act.\(^5\) The Homeland Security Act of 2002\(^6\) required DHS to consolidate existing federal government emergency response plans, such as the Federal Response Plan, into a single, coordinated national response plan. In December 2004, DHS responded with the 2004 National Response Plan. Thus, a basic “roles and responsibilities” document was in place and was useful in the days immediately before and after Katrina and provided basic doctrine for the federal response. However, Katrina revealed unresolved issues in the National Response Plan regarding lines of authority with respect to the Secretary of Homeland Security and the FEMA Administrator, as well as the key officials reporting to them, the Principal Federal Officer (PFO) to the secretary, and the Federal Coordinating Officer (FCO) to the FEMA Administrator. For example, in response to Katrina, the Secretary of Homeland Security initially designated the FEMA Administrator as the PFO, who appointed separate FCOS for Alabama, Louisiana, and Mississippi. It was not, however, clear who was responsible for coordinating the overall federal effort at a strategic level. Our fieldwork indicated that this lack of clarity in leadership roles and responsibilities resulted in disjointed efforts of many federal agencies involved in the response, a myriad of approaches and processes for requesting and providing assistance, and confusion about who should be advised of requests and what resources would be provided within specific time frames. Because of confusion concerning the key leadership roles of the secretary, the administrator, the PFO and the FCO, we recommended in March 2006 that DHS clarify these roles\(^7\) and test, train and exercise its clarification of them.\(^8\)

On October 4, 2006, Congress enacted the Post-Katrina Act. The act designated the FEMA Administrator—the new title of the official who leads FEMA—as the principal advisor to the President, the Homeland Security Council, and the Secretary for all matters relating to emergency management. In January 2008, DHS issued the final NRF that generally describes the doctrine that guides national response actions and the roles and responsibilities of officials and entities involved in response efforts. However, the NRF is not an operational document so it is important that it be supplemented by documents that provide more detail on the operational implementation of the roles and responsibilities it describes. Accordingly, the NRF also includes Emergency Support and Incident Annexes that provide additional detail on the roles and responsibilities and functions for specific emergency support functions, such as mass care and shelter, and for catastrophic incidents (although, the catastrophic incident annex has not yet been revised to reflect the changes in the NRF). In addition, FEMA plans to include four partner guides to the NRF that

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describe key roles and actions for local, tribal, state, federal and private sector entities involved in response activities. These supplemental planning documents should enhance the usefulness of the NRF by providing needed clarification and specificity, but FEMA has set no firm date for their completion.

3. What is the impact on state, local, and tribal governments when interagency disputes break out during disaster preparedness and response?

Interagency disputes during disaster preparedness and response can impair partnership and coordination and, thereby, the speed and effectiveness of the overall response and recovery effort. After Hurricane Katrina, many states sent supplies, first responders, National Guard personnel, and other resources to assist the areas hardest hit by the disasters. But coordinating the implementation of the assistance was faulty and the timeliness of needed resources and assistance was affected. As events unfolded in the immediate aftermath and ensuing days after Hurricane Katrina’s final landfall, responders at all levels of government—many victims themselves—encountered significant breakdowns in vital areas such as emergency communications as well as obtaining and deploying essential supplies and equipment.

4. Mr. Jenkins, in your testimony you talked about DHS and FEMA working together to develop the Integrated Planning System. From what you’ve seen, are DHS and FEMA coordinating well in this area, or have you seen problems?

We have not identified any problems with DHS and FEMA coordination in developing the new integrated system, based on our discussions with FEMA and DHS officials. Officials from FEMA’s National Preparedness Directorate, in coordination with the Disaster Operations Directorate and DHS’s Office of Operations Coordination, said they have begun to develop a common federal planning process that will support a family of related planning documents; these related planning documents are to include strategic guidance statements, strategic plans, concept plans, operations plans, and tactical plans. They said the outline of the system is currently undergoing final review prior to approval. The effectiveness of DHS’s and FEMA’s coordination efforts will be reflected, in my view, in the timeliness and quality of the system that is developed and implemented.

5. Would you please elaborate on how direct line authority with respect to DHS operations centers would strengthen not just departmental coordination but also interagency coordination efforts?

While GAO has not recommended that the Operations Directorate have direct line authority for all DHS operations centers, we have reported that the Directorate, established in November 2005 to improve operational efficiency and coordination, does provide DHS with an opportunity to more fully implement the key practices that are important to enhancing and sustaining collaboration at its multi-agency operations centers. Although the Operations Directorate does not possess
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administrative, budgetary, or operational control over the other component’s operations centers, guidance from the Operations Directorate could help the other components responsible for multi-agency operations centers make key advances in each collaborative practice. To provide a setting for enhanced collaboration among the staff at each operations center, we recommended in October 2006 that the Director of the Operations Directorate provide guidance and help ensure the component agencies of the multi-agency operations centers take the following actions: define common goals and joint strategies; clarify the roles and responsibilities for watchstanders,\(^9\) apply standards, policies, and procedures for using DHS's information network; conduct staffing needs assessments; prepare mechanisms to monitor, evaluate, and report on the results of collaborative efforts; and address collaborative efforts at the four multi-agency operations centers in plans and reports.\(^{10}\)

As we reported last month, integration of operations centers is essential for effective planning and response capabilities.\(^{11}\) We noted that DHS has taken the first of three steps toward integrating its operations centers responsible for planning for, monitoring, and responding to disruptions to the communications infrastructure, including voice and data networks, and the security of data and applications that use these networks. Specifically, in November 2007, DHS moved the operations center for communications infrastructure to office space adjacent to the center for data and applications. This close proximity allows the approximately 41 coordination center and 95 readiness team analysts to, among other things, readily collaborate on planned and ongoing activities. We reported that a key factor contributing to DHS’s lack of progress in implementing the latter two steps is that completing the integration has not been a top DHS priority. Ultimately, the better DHS coordinates its own operations (and operations centers), the better equipped it will be to coordinate with other departments and agencies.

6. Based on your review, do you believe the current coordination among departmental operations centers is sufficient to avoid unnecessary duplication or confusion in response to a catastrophic incident?

In conducting the most recent assessment of DHS’s management of its operations centers in June 2008, as discussed above, we concluded that until DHS completes the integration of the two centers, it risks being unable to efficiently plan for and respond to disruptions to communications infrastructure, and the data and applications that travel on this infrastructure, increasing the probability that communications will be

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\(^9\) The term “watchstander” refers to an individual required to work full-time on a rotating 24-hour schedule, 7 days per week, to maintain situational awareness, conduct information assessment and threat monitoring to deter, detect, and prevent terrorist incidents. A watchstander may also act as a liaison between his agency and other agency representatives at the center, and may manage response to critical threats and incidents.


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unavailable or limited in times of need. The objective of our October 2006 was to assess the collaboration among the 4 operations centers that employed staff from multiple DHS organizations, rather than the effectiveness of their response capabilities. Nonetheless, we found that the centers lack joint strategies for collaboration and staffing needs assessments, and also lacked standards and procedures for using DHS's primary information-sharing network. GAO’s previous work has shown that such practices are effective in enhancing and sustaining collaboration among federal agencies. These practices could also help DHS avoid unnecessary duplication or confusion in response to a catastrophic incident.

7. According to your work reviewing DHS, in which areas do you believe the department has been most effective in leading national preparedness efforts? Has the department been more effective in leading preparedness efforts at the federal level as opposed to the state or local level?

In comprehensively assessing DHS’s progress in implementing its mission and management functions in August 2007, we concluded that DHS had made limited progress in its emergency preparedness and response efforts. DHS and FEMA have had mixed success at both the federal and state and local levels. Among the successes are the development of pre-scripted mission assignments for federal agencies that can be activated as needed following a disaster. However, DHS and FEMA are still developing operational plans to guide other federal agencies’ response efforts and metrics for assessing federal capabilities. Two essential supplements to the new National Response Framework—response guides for federal partners and an integrated planning system—are still under development and federal agencies must develop also operational plans to reflect the roles and responsibilities described in the NRF, these partner guides, and the more detailed functional and incident annexes that accompany the NRF. At the most fundamental level, DHS has not yet developed a means of measuring the nation’s overall preparedness—at federal, state, and local levels—based on a list of targeted capabilities and has not yet completed an inventory of all federal response capabilities required by the Post-Katrina Act.

8. In what areas of needed capabilities are we as a nation most prepared for a catastrophic disaster and why? In what areas are we least prepared and why?

One of the key concerns that our work has identified is that DHS, as the federal organization with primary responsibility for assessing and reporting on the status of national capabilities, cannot with any certainty answer that question. As I testified in March 2008, DHS’s and FEMA’s current efforts do not provide information on the

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12GAO-08-607.
13GAO-07-89.
effectiveness of homeland security funds in improving the nation’s capabilities or reducing risk. According to FEMA officials, DHS leadership has identified this issue as a high priority and is trying to develop a more quantitative approach to accomplish the goal of capturing and using information for the more strategic purpose of monitoring the achievement of program goals.

Following Katrina, we reported that there were major capability problems in several key areas, including: (1) situational assessment and awareness; (2) emergency communications; (3) evacuations, particularly for those who do not have transportation or otherwise have mobility limitations; (4) search and rescue; (5) logistics; and (6) mass care and sheltering. These areas continue to present challenges, although DHS and FEMA have taken actions to address the problems that surfaced in Katrina. Our recent discussions with DHS and FEMA officials indicate that FEMA has initiated a Catastrophic Disaster Response Planning Initiative to ensure that FEMA and its federal, tribal, state and local partners are well prepared to affect an appropriate, timely, and efficient response to such a catastrophic disaster. According to DHS, the Disaster Operations Directorate is continuing venue-specific catastrophic planning and disaster readiness initiatives focused on four specific areas – Southeast Louisiana, New Madrid Seismic Zone, the State of Florida, and the State of California.

Key areas of potential concern regarding national preparedness for catastrophic events include pandemic influenza and response to nuclear attack:

- In reporting on the issue of pandemic influenza preparation in 2007, we noted that federal government leadership roles and responsibilities for preparing for and responding to a pandemic continue to evolve, and will require further clarification and testing before the relationships of the many leadership positions are well understood. Although the Department of Health and Human Services’ (HHS) Secretary is to lead the public health and medical response and the DHS Secretary is to lead overall nonmedical support and response actions, the National Strategy for Pandemic Influenza Implementation Plan (Plan) does not clearly address how these roles and responsibilities are to work together or simultaneously, particularly over an extended period and at multiple locations across the country. We reported that important gaps exist that could hinder the ability of key stakeholders to effectively execute their responsibilities. State and local jurisdictions that will play crucial roles in preparing for and responding to a pandemic were not directly involved in developing the Plan, relationships and priorities among actions were not clearly described, performance measures focused on activities that are not always linked to results, insufficient information is provided about how the documents are integrated with other key related plans, and no process is provided for monitoring and reporting on progress.

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16GAO-06-618.
Regarding the nation’s preparedness for a nuclear incident, we reported in June 2008 that, while DHS and other agencies have taken steps to improve homeland defense, local first responders do not have tools to accurately and immediately identify what, when, where, and how much chemical, biological, radiological, or nuclear (CBRN) materials are released in U.S. urban areas, either accidentally or by terrorists. We reported that DHS’s Domestic Nuclear Detection Office (DNDO) is responsible for acquiring and supporting the deployment of radiation detection equipment. However, this DNDO has primarily emphasized developing and deploying radiation detection equipment to secure cargo container shipments at U.S. ports of entry to prevent smuggling radioactive material into the United States. DNDO’s Chief of Staff told us that it does not consider its mission to include the development of radiological detection equipment for local first responders to use in identifying the release of radiological materials in the atmosphere. It does not evaluate radiological detection equipment for first responder use in consequence management. Among other things, we recommended that the Secretary of Homeland Security reach agreement with other agencies on which agency should have the mission and responsibility to develop, test, and certify detection equipment that first responders use to detect hazardous material releases in the atmosphere. DHS concurred with our recommendations but stated that GAO should consider other scenarios as alternative ways of looking at the present national capabilities for CBRN response and the current status of testing and certification of detection equipment.

9. Do you believe that DHS is prepared for the 2008 Hurricane season?

Planning and exercising of capabilities at the federal, state, and local levels is essential for developing and assessing national response capabilities. Because FEMA has not yet issued its plans or the results of its recent hurricane preparedness exercises, there is no way to objectively determine whether DHS is prepared for the 2008 Hurricane season.

- **Planning:** According to FEMA officials, the agency is coordinating closely with its federal interagency partners to develop the 2008 National Hurricane Season Contingency Plan. However, we are already into the hurricane season, and have found no evidence of an approved plan.

- **Exercising:** The Department of Homeland Security's National Exercise Program (NEP), the nation's overarching homeland security exercise program, conducted a combined exercise in May 2008 to test hurricane preparedness planning, assess federal interagency Continuity of Operations procedures, exercise a response to terrorist attacks in Washington State and test Defense Support of Civil Authorities. These linked exercises were referred to as National Level Exercise 2-08. The exercise took place May 1 to 8 with a wide range of participants from federal and state departments and agencies. The

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evaluation of this exercise with regard to hurricane preparedness has not yet been released.

10. What is your assessment of the roles and responsibilities of the Principal Federal Office (PFO) and Federal Coordinating Office (FCO)? Do you believe these roles have been sufficiently clarified? Do you think DHS is taking the necessary steps to ensure that state and local responders and emergency management personnel are aware of the distinctions?

The experience of Hurricane Katrina revealed problems with the National Response Plan (NRP), identifying uncertainty and confusion regarding the roles, responsibilities and lines of authority with respect to the DHS Secretary and the FEMA Administrator as well as the key officials reporting to them, the PFO to the Secretary and the FCO to the Administrator. In our March 8, 2006 testimony, we recommended that DHS clarify these key leadership roles consistent with the provisions of the Stafford Act and the Homeland Security Act of 2002. Shortly after our testimony, in May 2006, DHS issued revisions to the NRP that addressed the PFO and FCO roles, pending a more comprehensive review of the NRP. In light of the persistent confusion regarding key leadership roles, we recommended in our September 2006 report on catastrophic disasters that DHS should rigorously re-test, train, and exercise its recent clarification of roles, responsibilities and lines of authority in the NRP and implement changes to remedy any identified coordination problems.

In October 2006, Congress enacted the Post-Katrina Act, which, among other things, addressed the PFO’s relationship with the FCO and other federal and state officials. Specifically, the Post-Katrina Act provided that the PFO shall not direct or replace the incident command structure established at the incident or have directive authority over the FCO or other federal and state officials. The enactment of the Post-Katrina Act coincided with the start of DHS’s comprehensive review of the NRP, which culminated with the issuance of the NRF in January 2008. The NRF repeats the Post-Katrina Act’s prohibition that the PFO shall not direct or replace the incident command structure or have directive authority over the FCO or other federal and state officials. The NRF also generally distinguishes between the PFO and the FCO. For example, the NRF describes the PFO as representing the Secretary of Homeland Security in the field to provide a primary point of contact and situational awareness for the secretary. The PFO’s duties include promoting federal interagency collaboration and conflict resolution where possible, presenting to the secretary any policy issues that require resolution, and acting as the primary federal spokesperson for coordinated media and public communications. The FCO, on the other hand,

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216 U.S.C. § 319(c)(2)
represents the FEMA Administrator in the field to coordinate Stafford Act support to state, local and tribal governments. The FCO’s duties include the commitment of FEMA resources and the issuance of mission assignments to other federal departments or agencies. The FCO is the primary federal representative with whom the State Coordinating Officer and other state, tribal and local response officials interact to determine most urgent needs and to set objectives for meeting them.

Whether the NRF revisions will be effective in promoting a common understanding of the PFO and FCO roles remains to be seen. As I discussed in response to Question 2, the NRF is not an operational document, so it is important that it be supplemented by documents that provide more detail on the operational implementation of the roles and responsibilities it describes—operational roles and responsibilities that must be tested and evaluated in realistic exercises. Unlike the NRP, the NRF is to include four partner guides that will supplement the core NRF document and further describe key roles for local, tribal, state, federal and private sector entities involved in response activities. These supplemental planning documents should enhance the usefulness of the NRF by providing needed clarification and specificity, but FEMA has set no firm date for their completion. In addition to the need for supplemental planning documents, FEMA also needs to engage in rigorous testing, training and exercising of the recently issued NRF, just as we recommended following the May 2006 revisions to the NRP. Without testing, training and exercising, it is a matter of speculation as to whether state and local responders and emergency management personnel have a common understanding of the revised PFO and FCO roles and responsibilities, or whether further refinements need to be made to remedy any identified coordination issues.

We have ongoing work that will assess actions FEMA and DHS have taken to define the roles and responsibilities of key governmental and nongovernmental stakeholders to promote a more consistent national response and the extent to which related issues have surfaced in national preparedness exercises. The results of this work should provide more information for evaluating the extent to which the roles and responsibilities of the PFO and FCO are clearly understood at the federal, state, and local levels.

11. What do you believe are DHS’s greatest challenges in effectively preparing for and responding to catastrophic disasters?

Effective federal preparation for and response to a catastrophic event requires planning, coordination, cooperation, and leadership within DHS and between DHS and other federal agencies—both civilian and military—as well as state and local governments, and the private and nonprofit sectors that have resources and capabilities needed for the response. The single biggest challenge is getting all those who have major responsibilities for responding to a major or catastrophic disaster to work together to identify the capabilities each participant needs for effective response, then to develop, test, and maintain those capabilities. DHS must provide leadership across a broad spectrum of stakeholders including federal agencies and departments, and DHS’s own components; state, local and tribal governments, their emergency management agencies and other state agencies; sector-specific businesses.
and industry; voluntary organizations; and academia. It is an enormous challenge and responsibility. In leading national preparedness efforts, DHS through FEMA is responsible for developing national-level policies and doctrine to guide the efforts of these stakeholders to establish operational plans to carry out their roles and responsibilities and to build, measure, and sustain their ability to do so effectively. However, DHS's efforts to develop operational plans to guide other federal agencies' response efforts and metrics for assessing federal capabilities are incomplete. In addition, DHS is still establishing a process to measure the nation's overall preparedness and has not yet developed a complete inventory of all federal response capabilities. These are significant challenges, not likely to be easily or quickly resolved.

12. What are your views on the role of detection canines in responding to catastrophes?

The 28 Urban Search and Rescue teams have detection canines (primarily to detect people in rubble). However, we have not examined the prevention (e.g., explosive detection) and response requirements for which canine teams would be needed nor have we evaluated the performance of canine teams, whether for weapon(s) of mass destruction (WMD) detection or search and rescue operations. Consequently, we have no basis on which to assess whether DHS has the appropriate number of canine teams.

However, GAO currently has a review underway of the Transportation Security Administration's (TSA) National Explosives Detection Canine Team Program whose explosives detection canine teams (each of which consist of a dog and a handler) are trained, certified, and deployed to airports and mass transit systems nationwide. Section 1307 of the Implementing Recommendations of the 9/11 Commission Act of 2007 requires increases in the number of TSA-certified canine teams over the next 3 years. The Act also requires GAO to report on the use of these teams and the capacity of TSA's canine program. Our objective is to determine if TSA has a plan to increase its number of teams as required by statute and, if so, to evaluate the extent to which TSA has the capacity to do so and is on track with its plan. We plan to report on the results of this review later this year.

13. Do you believe we have enough canine teams for the homeland security mission? If not, how many should DHS acquire?

See the response to Question 12.

14. Based on your experience, what recommendations do you have to develop training and certification standards for detection canines?

See the response to Question 12.

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