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Sept. 11's unfinished business

COMMISSIONERS SAY HURRICANE IS FURTHER EVIDENCE U.S. IS NOT AS PREPARED AS IT SHOULD BE FOR TERROR

By Thomas H. Kean and Lee H. Hamilton

Four years after the attacks of Sept. 11, and one year after the Sept. 11 Commission issued its final report, the desperate aftermath of Hurricane Katrina reminds us how much remains to be done to improve homeland security and emergency preparedness across our country.

To be sure, our government is better equipped to disrupt terrorist plots before they occur than it was four years ago. But Katrina raises the question of how prepared we are to respond to another massive terrorist attack that would surely occur without warning. The answer is: not nearly as prepared as we should be.

For Californians, this is not a theoretical worry. An Al-Qaida cell plotted to destroy Los Angeles International Airport in late 1999 -- the so called "Millennium Plot" -- and was stopped only by an alert customs agent at the U.S.-Canadian border. And in 2002, surveillance videos of the Golden Gate Bridge and other California locations were seized from an Al-Qaida operative in Spain.

Some progress has been made, most notably the Intelligence Reform and Terrorism Prevention Act of 2004, passed by Congress in response to the findings and recommendations made by the Sept. 11 Commission in its final report. That bill created a new director of national intelligence to coordinate the efforts of the nation's 15 intelligence agencies, a National Counterterrorism Center where agencies engaged in the fight against terrorism are sharing critical information, and a board to ensure that these powerful new actors respect civil liberties as they conduct their important work.

Suggestions stalled

But much work remains to be done. A number of the Sept. 11 Commission's key recommendations to help our nation better prepare for and respond to terrorist attacks and other major disasters remain stalled and have not yet been implemented.

Even when commission recommendations have been acted upon, change is slow in coming. Only 17 of the nation's 441 commercial airports, for instance, have deployed equipment to check passengers for explosives, even though in 2004 Chechen terrorists wearing explosive devices destroyed two Russian airliners in midflight. And while the US-VISIT program now registers foreign visitors when they enter the country, exit tracking is just beginning to be deployed. This means that we don't know which foreign visitors have overstayed their visas, or why.

In September 2004, the 10 former members of the commission formed the 9/11 Public Discourse

Project, a non-profit organization dedicated to bringing the case for security reforms directly to the American people. Commissioners and former commission staff have brought this message to more than 400 gatherings across the United States.

Over the past four months, the Public Discourse Project has also held a series of seven fact-finding public panels to assess what steps have been taken -- and not taken -- to make the American people safer and more secure. Based on these findings, the former commissioners will reconvene Wednesday to issue the first of several reports on the implementation of the commission's recommendations. Future reports will assess the status of recommendations on institutional reform, foreign policy and securing nuclear materials.

Status report

The first report will assess the status of commission recommendations on homeland security that can improve the safety of the American people, including:

- *Allocate "first responder" funding on the basis of risk, not politics.*

When terrorists strike, state and local public-safety personnel are the first line of defense. Since 2001, the federal government has distributed more than \$8 billion to help police, firefighters and other "first responders" pay for equipment and training to prepare for terrorist attacks, including nuclear, radiological "dirty bomb," chemical or biological strikes. Unfortunately, these grants have been allocated using a flawed formula that distributes funds widely but does not account for threat levels, vulnerability or the consequences of an attack. As a result, in fiscal year 2005 California received \$8.05 per person in first-responder grants, while Wyoming received \$27.80 per person.

The Sept. 11 Commission recommended that these funds be deployed where the threat is greatest -- not according to pork-barrel politics as usual. California politicians, including Gov. Arnold Schwarzenegger and Sen. Dianne Feinstein, have been vocal in their bipartisan support of this commonsense recommendation. Homeland Security Secretary Michael Chertoff has also embraced the concept of risk-based funding, and sent a constructive proposal to Congress.

After this issue was dropped from last year's Intelligence Reform Act, Congress has again begun to move toward a solution. In May, the House passed a very good bipartisan bill that allocates all of these funds based on risk assessment. The Senate passed its own version in July that includes constructive provisions to ensure responsible use of these grants.

Unfortunately, the political process is stuck as the two chambers negotiate differences on the bills and related legislation. Members of Congress must break the deadlock and send first-responder funding-reform legislation to the president for his signature before they adjourn this year.

- *Complete critical risk assessments mandated by the Intelligence Reform Act.*

The Sept. 11 Commission recommended that the Department of Homeland Security conduct nationwide assessments of risk and vulnerability to guide the deployment of homeland security resources, including first-responder grants. In response to that recommendation, the Intelligence Reform and Terrorism Prevention Act mandated that the Department prepare studies of the threats to the nation's transportation system and to critical infrastructure such as nuclear plants.

The department has missed statutory deadlines for the completion of these studies by several months. We understand that setting priorities is difficult, especially for the elected officials who sign off on these

judgments; setting priorities means accepting that your best guess might, in the end, be wrong.

But without a comprehensive assessment of risks and vulnerabilities, the American people have no assurance that homeland security resources are being deployed for maximum benefit. We elect our leaders to make these tough decisions. They owe us their best analysis and judgment as to where we deploy scarce resources to secure our homeland.

- *Provide reliable radio spectrum for emergency responders.*

The commission's report documented the unreliability of communications systems available to first responders. The radio frequencies dedicated to New York public-safety agencies were overloaded by the hundreds of police and fire personnel converging on the World Trade Center on Sept. 11, 2001, and were too weak to penetrate the many floors of the towers above. Those failures led to the unnecessary loss of many lives.

Four years after that terrible day, it is a scandal that public-safety agencies across the United States still do not have access to sufficient radio spectrum to ensure reliable communications among police, firefighters and others during a major crisis.

Last July, the Sept. 11 Commission recommended reallocating spectrum that had been temporarily loaned by the federal government to broadcasters in 1996 to facilitate the transition to digital TV. Using this high-quality spectrum would enable public-safety agencies to deploy more powerful, more reliable communications equipment during disasters, such as Sept. 11 or the aftermath of Hurricane Katrina.

Now that broadcasters have dropped their opposition to the return of the spectrum, Congress should take legislative action this year and set a hard deadline for the transition.

- *Establish a unified Incident Command System.*

The responses to both Sept. 11 and Hurricane Katrina revealed disarray in command structures for emergency response. Federal, state and local responsibilities on the Gulf Coast were not clearly defined. Confusion costs lives.

The commission recommended that emergency-response agencies nationwide adopt the Incident Command System, which defines who is in charge and what agencies' responsibilities are in a crisis. The federal government has already pushed back the deadline for municipalities to set up such a system to qualify for first-responder grants. That deadline must not slip any further.

The greatest responsibility of our government is to protect the American people. As American citizens, we all share the responsibility to hold our government to account for keeping us safe. We issue the Public Disclosure Project's reports in that spirit, as private citizens committed to working in a bipartisan fashion for positive change. We urge Congress and the executive branch to do the same, and adopt these commonsense recommendations to make the American people safer and more secure.

THOMAS H. KEAN and LEE H. HAMILTON are the former chair and vice chair of the National Commission on Terrorist Attacks Upon the United States (the Sept. 11 Commission). They wrote this article for Perspective.