

September 14, 2005



Kean-Hamilton Statement on Release of 9/11 Public Discourse Project Report on Implementation of Recommendations

Good morning.

On July 22, 2004, the 9/11 Commission released 41 recommendations to make our country safer and more secure.

These recommendations were unanimous and bipartisan. They flowed directly from the findings of our investigation of the September 11 attacks.

The President and the Congress responded positively to the Commission's report. Many of our recommendations were enacted in the Intelligence Reform Act signed into law by the President in December 2004. These included the creation of a Director of National Intelligence, a National Counterterrorism Center and sweeping reform of the Intelligence Community.

Four years have passed without another major attack on American soil. That is a credit to the diligence of many courageous Americans. But the threat has not abated.

Today we reconvene as former Commissioners, in accordance with a promise we made last year: to begin to assess the status of our recommendations. What steps have been taken – and not taken – to make our country safer and more secure?

This is the first of several reports we will issue over the next three months. Future reports will assess the status of recommendations on institutional reform, foreign policy, and securing nuclear materials. We will announce the date and topic of each report as soon as they are available.

Today we report on emergency preparedness and response, and homeland security issues. We address these issues first:

- Because major reforms in this area are pending before the Congress; and
- Because Hurricane Katrina points up serious flaws in our emergency preparedness and response. We saw many of those same problems on 9/11.

There is a great opportunity between now and the end of the year to make progress on common-sense 9/11 Commission recommendations, whose implementation will improve the security of the American people.

First, we need to provide sufficient and reliable radio spectrum for first responders.

On 9/11, better communications could have saved many lives. Now we see that communications have been a huge problem in Katrina as well. Emergency responders in New Orleans and the nearby parishes all use different radio systems operating on different spectrum bands. They had problems talking to each other, and to state and federal authorities. It is a scandal that four years after 9/11, we have not yet set aside radio spectrum to ensure that police, firefighters, and emergency medical technicians can communicate reliably during another major attack or disaster.

Congress now has a golden opportunity to act. As part of upcoming budget reconciliation process, the Congress should turn over the broadcast spectrum frequencies long-promised to first responders. This should happen at the earliest possible date. The date now under discussion for turnover of spectrum to first responders is January 1, 2009. That's too long for our first responders to wait.

We urge the Congress to pass this important reform now.

Second, emergency response agencies nationwide must adopt the Incident Command System.

Disarray in command structures hurt emergency response to both 9/11 and Hurricane Katrina. There was confusion at all levels of government. No agency was clearly in charge. Search and rescue operations—both in the Twin Towers and the flooded streets of New Orleans—were duplicative and not coordinated. Poor command structures cost lives.

When multiple agencies or multiple jurisdictions are involved in emergency response, they must designate one agency to lead the response. They must have a plan – not just on paper; it must be exercised regularly. All agencies must know to whom they report and what they are expected to do. All federal preparedness grants should be contingent on the adoption and use of unified incident command procedures.

Third, the federal government must allocate homeland security grants strictly on the basis of risk and vulnerability, not politics.

We recommended that federal funds for emergency preparedness be distributed strictly on the basis of risks and vulnerabilities, not as political pork. Whether it is terrorism, or natural disasters, funds must be allocated on risk and vulnerabilities, not politics. It is up to the Congress to write these principles into law.

A very good bipartisan bill reforming these funding formulas passed the House in May. A constructive amendment passed the Senate in June. We strongly prefer the House provision.

What we need, above all, is an agreement that the dollars are distributed based on risk. An agreement that takes the best of both bills will be a major step forward for our national security. This essential reform should be completed before this session of Congress adjourns.

Fourth, the Department of Homeland Security needs to complete the critical reports recommended by the Commission and required by the Intelligence Reform Act. These reports are:

- **A National Strategy for Transportation Security; and**
- **A report assessing the vulnerability of the national's critical infrastructure.**

The first report was due on April 1st, the second was due on June 15th. These reports are overdue. We have no information when they will be complete.

Why do these reports matter?

You cannot protect against risk unless you have analyzed risk. You cannot assign priorities for the protection of the transportation system, or other critical infrastructure, without an analysis of vulnerabilities.

The President is right to insist that the Congress revise funding formulas based on risk. But until the Department of Homeland Security completes these assessments, the American people have no assurance that the money is being spent for maximum benefit.

Creating these strategies is not easy—it is hard. Setting priorities means that you might be wrong. But trying to protect everything means that you end up protecting most things inadequately, or not at all. Tough decisions are necessary.

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.

Some progress has been made on a number of the Commission's other homeland security recommendations, such as putting in place a comprehensive entry-exit border screening system, and screening for explosives at airport checkpoints. Unfortunately, this progress is still too slow. The terrorists will not accommodate a bureaucratic timetable. The urgency of action should match the urgency of the threat.

Let us return to what we believe can be accomplished now, this year, on homeland security.

- First, providing sufficient and reliable broadcast spectrum for public safety purposes;
- Second, nationwide adoption and regular use of the Incident Command System for emergency response;
- Third, allocating homeland security grants—emergency preparedness grants—on the basis of risk, not politics;
- Finally, completing a National Transportation Security Strategy; and a report assessing the vulnerability of the national's critical infrastructure.

Congress and the Executive branch need to step up to the plate. They need to respond with a necessary sense of urgency to adopt the reforms we recommend on emergency preparedness and response.

All levels of government –local, state and federal – need to adopt unified command structures to prepare for the next attack or natural disaster. Never again should they be asking each other during an emergency: “Who’s in charge?”

As former 9/11 Commissioners, we believe these common-sense steps will make our country safer and more secure.

As American citizens, we urge our government to act without delay.

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The 9-11 Public Discourse Project is the nonprofit organization founded by the former 9/11 Commissioners, to continue their work to make the American people safer and more secure. For more information, please see www.9-11pdp.org.