

Congresswoman Matsui Calls for Time Frames from DHS on UASI Grants

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June 20, 2006

Monday, June 19, 2006

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Washington, DC – Congresswoman Doris O. Matsui (CA-5) sent a letter (PDF) to George W. Foresman, Department of Homeland Security (DHS) Undersecretary for Preparedness, regarding the Urban Area Security Initiative (UASI) grant program. In a continued effort to hold DHS accountable for the arbitrary decisions they have made determining the risk assessment criteria for this program, the Congresswoman is calling for DHS to set specific time frames before they begin eligibility determinations for FY 07 UASI grants. This letter also serves to follow-up Undersecretary Foresman’s testimony before the House Committee on Government Reform on June 15, 2006, as well as in advance of his June 21, 2006, testimony before the House Committee on Homeland Security.

The text of the letter follows:

June 19, 2006

The Honorable George W. Foresman
Undersecretary for Preparedness
U.S. Department of Homeland Security
Washington, DC 20528

Dear Undersecretary Foresman,

This letter is to follow up on your testimony given on Thursday, June 15, 2006, before the House Committee on Government Reform hearing entitled, "Regional Insecurity: DHS Grants to the National Capital Area." During this hearing, a March 16, 2006, letter I sent Department of Homeland Security (DHS) Secretary Michael Chertoff questioning the Urban Area Security Initiative (UASI) grant program was raised, along with DHS's subsequent response letter. I would like further clarification from your office as to the time frame in which you intend to implement the changes named in this response.

Specifically, in anticipation of the House Committee on Homeland Security's hearing this Wednesday, June 21, 2006, on the UASI program, I am requesting information on the time frame in which you intend to: develop a more robust risk model; account for downstream impacts on urban areas; work directly with local authorities and the private sector; and use up to date asset data as entered into the Automated Critical Assessment Management System (ACAMS).

Risk Model

As you are aware, during the June 15, 2006, Government Reform Committee hearing, my colleague, Congressman Wm. Lacy Clay (MO-01), asked you to explain the following quote from DHS's response letter to me in April 2006:

The Department is continuing to develop a more robust risk model as it gains the capabilities to increase its knowledge of interdependencies, cascading effects and refine data sets. These issues are currently being studied by the National Infrastructure Simulation and Analysis Center (NISAC) to provide both sector-specific and cross-sector modeling through a suite of consequence analysis and decision support tools.

This quote illustrates the non-specific responses I have received from DHS regarding the risk assessment process and eligibility guidelines. Clearly, other members of Congress have found this response equally frustrating. Congressman Clay requested an immediate detailed response to this question. I would also like a response to this question as well as the following:

- A copy of the response you send him;
- A time frame for which you plan on developing a "more robust risk model";
- Information on when you expect the NISAC to report their findings to you; and
- Whether this information will be received in time and incorporated in the FY 07 grant eligibility risk analysis performed by DHS.

Overlooked Threats

In the same April 2006 response letter, DHS also acknowledged that the Department failed to take into account the catastrophic downstream impact to my district if there were an attack on Folsom Dam. The letter states:

...based on your feedback and that of your constituents, the Department will reconsider how it accounts for the potential impacts of upstream and downstream infrastructures on urban areas, dams in particular.

While I appreciate this recognition and the understanding of the need to include this information as part of its risk analysis in the future, this response heightens my concern that other critical infrastructure and threats may have been overlooked. I would like your commitment that your office will incorporate the potential impacts of upstream and downstream infrastructure, including dams in the next risk assessment.

Local Authorities and Private Sector Information Sharing

In your submitted testimony, you emphasize the effort DHS has made, based on the 9-11 Commission's recommendation, to partner with state and local authorities, as well as the private sector. While I commend this effort, according to the state and local authorities who represent California and Sacramento, there has not been a major effort by DHS to reach out to them to discuss the risk posed to our region. In a March 2006 letter to Secretary Chertoff, I inquired about DHS's failure to reach out to the people on the ground, and I am again requesting that you ensure DHS works closely with the state and local authorities when determining risk and need. I also requested information as to the extent that DHS was partnering with the private sector, which owns 85% of the infrastructure in the U.S.

In response to these questions, DHS listed a number of Councils created to engage local authorities and the private sector. The letter states:

...the Department formally reaches out to state, local, tribe, and private entities through the NIPP [National Infrastructure Protection Plan] framework by helping to create private sector-led Sector Coordinating Council (SCCs) for each of the 17 critical infrastructure sectors.

While this sounds like a good program, local homeland security officials in Sacramento were not contacted to be a part of this process, nor have they been contacted to be a part of the newly formed Critical Infrastructure Partnership Advisory Council (CIPAC). According to the letter, CIPAC was established in March 2006, and "members will be drawn from the [Private] Sector and Government Councils." While it is unclear from this who specifically would be involved in CIPAC and other Councils, it is certain that the local authorities in Sacramento have not been asked to participate in these talks.

Sacramento's local first responders and law enforcement have been called on after terrorist attacks and natural disasters, and should there be a future event would again be called on to assist, whether the government or the private sector owned the facility. These brave men and women are an asset, especially to a discussion about critical infrastructure protection and should be included in such discussions. As such, I would like to know what the Department is doing to reach out to the local first responder and law enforcement to discuss risk, threats, vulnerabilities and unmet target capabilities for Sacramento.

Asset Data

Finally, I have concerns about the asset data received and processed by DHS. To determine asset data, DHS used information from a year and a half ago, rather than use the up-to-date data in their approved Automated Critical Assessment Management System (ACAMS). It seems as well that because of outsourcing to non-government agencies, DHS was unable to provide our local authorities with backup data on the validity of the assets counted. This, combined with DHS's decision not to reach out to authorities from the Sacramento Urban Area to reconcile critical infrastructure, is of serious concern and undermines the risk assessment process by eliminating transparency.

It is extremely important that DHS reconcile these four issues before it begins eligibility determinations for FY 07 UASI grants. Since learning that Sacramento may lose Urban Area Security Initiative (UASI) funding, I have been working with DHS to secure necessary information to understand the new eligibility guidelines. What I have come to learn is that the new process lacks depth and fails to consider critical information that I believe must be addressed before next year's risk assessment process begins. I have serious concerns that DHS hastily omitted sites of significance from consideration, and neglected to obtain all of the information necessary to determine UASI eligibility. We are therefore, not wisely using our limited homeland security resources.

As I previously mentioned, I hope that you will address these concerns at the upcoming House Homeland Security Committee hearing on Wednesday, June 21, 2006. I look forward to your responses to the issues I raised in this letter, and continued discussions on the process by which DHS evaluates areas for UASI eligibility.

Sincerely,

DORIS O. MATSUI

Member of Congress

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