

Testimony of  
**The Honorable Patrick Leahy**

September 3, 2003

Statement of Senator Patrick Leahy  
Ranking Member, Senate Judiciary Committee  
Subcommittee on Terrorism, Technology and Homeland Security on  
"Terrorism: First Responders"  
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As we prepare to mark the second anniversary of the attacks of Sept. 11, 2001, it has never been clearer that the role of our country's state and municipal emergency first responders is as demanding and dangerous as ever. It is also clearer than ever that these real-life heroes out on the front lines every day are lacking the federal support they need and deserve to protect us.

The "First Responders Partnership Grant Act of 2003," which I introduced at the outset of this Congressional session, would strengthen the federal partnership with first-responder agencies by helping equip these men and women with the tools they need to do what the Federal Government is asking them to do for us. This bill would expand the federal money available to state and local government units by between \$4 billion and \$5 billion a year so that they could fund overtime and pay for equipment, training and facility expenses to support first responders. I am delighted that after many months of calling for action on this all-important issue, the Republican leadership has finally decided to broach the topic. It is long overdue, particularly for the local and state police, fire and rescue agencies that we have tasked with new duties, which are augmented whenever Washington elevates the color-coded threat level.

The gap between Federal directives to state and local governments and the help actually offered was highlighted in a revealing review led by former Senator Warren Rudman, who has augmented his distinguished service in the Senate with continuing public service. I welcome Sen. Rudman's insights today as he testifies before the subcommittee on his findings.

The Warren Rudman-Richard Clarke-Jamie Metzl June 2003 report, "Emergency Responders: Drastically Underfunded, Dangerously Unprepared," concludes that the U.S. will fall approximately \$98.4 billion short of meeting critical emergency responder needs over the next five years, if current funding levels are maintained. Currently the federal budget to fund emergency responders is \$27 billion for the next five years, beginning in 2004. Clearly, the domestic preparedness funds available are still not enough to protect from, prepare for and respond to future domestic terrorist attacks anywhere on American soil.

Since March 12th of last year, the federal Homeland Security Advisory System has kept state and local first responders on "yellow" alert, an elevated threat level, which is declared when there is a significant risk of terrorist attacks and which requires increased surveillance of critical locations. And from Sept. 10 to Sept. 24 last year, Feb. 7 to Feb. 27 this year, and May 20 to May 30 this

year, Attorney General Ashcroft and Homeland Security Secretary Ridge declared our country at "orange" threat level, a "high condition" when there is high probability of a terrorist attack and when additional precautions by first responders are necessary at public events.

In this climate, first responders in communities across the country are being stretched too thin. Many of our police officers are struggling to get through unduly long shifts, firefighters remain unprepared to respond to a biochemical attack and hospitals around the country are ill-equipped to handle the fallout of a terrorist attack.

At the same time, Washington is buzzing about the literally hundreds of billions of additional dollars that may be requested of Congress to finish the job in Iraq. Unfortunately, the same urgency from the Administration is not apparent for strengthening security here at home.

Law enforcement chiefs and sheriffs also shudder when they hear that the President's budget requests aim to drastically cut or eliminate altogether COPS Program funding and Byrne and Local Law Enforcement grants. These are funds police departments need to carry out their day-to-day duties on which the public relies: to put officers on the streets, to purchase crime-fighting technologies, and to combat violent crime and serious offenders and enforce drug laws. Police officers across the country also lack protective gear to safely secure a site following an attack with weapons of mass destruction. Fire departments and EMS providers have been able to acquire with homeland security grants new equipment to respond to emergency situations, but lack the funds to train responders on how to use that new equipment.

According to the Rudman-Clarke-Metzl report, on average, fire departments across the country have only enough radios to equip half the firefighters on a shift, and breathing apparatuses for only one third. Only 10 percent of fire departments in the United States have the personnel and equipment to respond to a building collapse. Most states and communities do not have the necessary equipment to determine what kind of hazardous materials emergency responders may be facing.

The federal government has failed to provide our first responders with the additional support they need to meet these new federal demands. Indeed, the National Governors Association estimated that states incurred about \$7 billion in security costs in the past year alone. As a result, the national threat alerts and other federal homeland security requirements have become unfunded federal mandates on our state and local governments.

When terrorists strike, emergency first responders are and will always be the first people we turn to. We put our lives and the lives of our families and friends in the hands of these officers, trusting and knowing that when called upon they will protect our families and secure our communities. All they ask is for the tools they need to do their jobs for us. And for the sake of our own security, that is not too much to ask.

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