

**JOINT LEGISLATIVE AUDIT AND REVIEW COMMISSION  
OF THE VIRGINIA GENERAL ASSEMBLY**

**Review of  
Homeland Security  
Funding and  
Preparedness  
in Virginia**

## In Brief...

### **Review of Homeland Security Funding and Preparedness in Virginia**

The Joint Legislative Audit and Review Commission directed staff to conduct a review of homeland security funding and preparedness in Virginia. Specifically, staff were to determine the extent and sufficiency of homeland security funding, the adequacy of coordination and direction of federal grants going to localities and State agencies, whether security improvements are appropriately implemented, and the adequacy of the authority and resources of the Office of Commonwealth Preparedness to direct security efforts in Virginia.

Since 1999, Virginia has received \$532 million in federal homeland security funds. With this and additional funding, numerous actions have been taken to strengthen Virginia's preparedness for all hazards. JLARC staff found that the State's overall management of homeland security efforts and funding has been effective, although implementation of the existing strategic plan has been uneven—particularly with respect to improving regional coordination of efforts. The allocation of funds to localities could be improved by incorporating risk and response capabilities into the formula, and by alerting localities of funds in a timelier manner. To ensure continuity, the Office of Commonwealth Preparedness should be established in statute and provided with permanent funding.

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## Preface

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At its December 2004 meeting, the Joint Legislative Audit and Review Commission (JLARC) directed staff to conduct a review of homeland security funding and preparedness in Virginia. Staff were directed to determine: the amount Virginia has received in homeland security grants; whether the grant money was distributed to localities and State agencies in accordance with their critical needs; the obstacles that State agencies and localities confront when attempting to obtain the grants; the adequacy of the resources and authority of the Office of Commonwealth Preparedness to direct the coordination of homeland security efforts; the oversight mechanisms in place to ensure that homeland security funds are being used for their intended purposes; and whether security improvements are implemented in a timely manner.

Since 1999, Virginia has received \$532 million in federal homeland security funds. Virginia has used this money, in addition to State and local funds, to strengthen preparedness for all hazards – including terrorist attacks and natural disasters. JLARC staff found that the State's overall management of homeland security efforts and funding has been effective, although several steps should be taken to improve the allocation of federal grants and coordination of security efforts.

The allocation of federal grant funds could be improved by incorporating risk into the allocation formula to localities and by aligning allocations to State agencies with the goals of the State homeland security strategy. The State should alert localities of their awards in a timelier manner by determining the allocation formula prior to notification of the total State amount from the Department of Homeland Security.

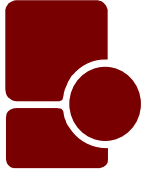
The coordination of security efforts could be improved through the creation of regional working groups consisting of local emergency managers, first responders, and other local officials to foster regional cooperation, minimize redundancies, and eliminate gaps in local capabilities. The State should also conduct an assessment of local capabilities to identify gaps in preparedness and to assist in directing future grants to those areas. Finally, in order to ensure continuity of leadership and adequate funding, the General Assembly may wish to establish by statute the Office of Commonwealth Preparedness.

On behalf of the Commission staff, I would like to express our appreciation of the staff at the Office of Commonwealth Preparedness, the Virginia Department of Emergency Management, the Virginia Department of Health, and the various other State agencies and localities for their assistance during this study.



Philip A. Leone  
Director

September 12, 2005



# **JLARC Report Summary:**

## **Review of Homeland Security Funding and Preparedness in Virginia**

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Virginia's homeland security strategy and apparatus were quickly established in the fall of 2001, building on prior efforts. The Secure Commonwealth Panel and an Assistant to the Governor for Commonwealth Preparedness were established by executive order, with important coordinative and strategic planning duties. Since that time, federal homeland security initiatives have directed \$532 million in federal funds into Virginia that has enabled the State, localities, and private sector entities to take numerous actions to strengthen security and preparedness.

At its December 2004 meeting, the Joint Legislative Audit and Review Commission (JLARC) approved a study of homeland security, directing staff to determine the extent and sufficiency of homeland security funding, and the adequacy of the coordination and direction of federal funds going to State agencies and localities within Virginia. This report responds to that mandate.

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### **Homeland Security Is a Priority**

Homeland security has entered everyday language since the terrorist attacks of September 11, 2001. Those attacks and the anthrax outbreaks later that fall directly affected Virginia. The Pentagon, located in Arlington County, was hit by one of the hijacked planes, causing 189 deaths and hospitalizing more than 100 persons. Local and State personnel were among the first to respond to the incident. Later that year, "weaponized" anthrax powder led to the deaths of two postal workers in Virginia and hospitalization of more than 20 persons in Virginia and other states. Several postal facilities in Virginia were subsequently found to be contaminated.

Virginia has seen other serious and terrorist-related incidents since 2001. The "Washington snipers" terrorized much of the mid-Atlantic, including Virginia, for several weeks in the fall, 2002. In 2004 eleven members of a "Virginia jihad network" were convicted in federal court of conspiring to aid an international terror organization. Members of the group had trained in small unit military tactics at a paintball facility in Spotsylvania County.

The diverse locations of incidents within the State as well as the ongoing prospect for weather-driven events such as 2003's Hurricane Isabel and Tropical Storm Gaston in 2004 emphasize the need for preparedness throughout the Commonwealth. These events underscore the importance of a comprehensive "all-hazards" approach to emergency response, which Virginia policy has traditionally stressed.

Actions to strengthen security and preparedness in Virginia have been taken at a variety of levels and by a variety of actors. These include:

- The federal government undertook one of the largest reorganizations since World War II and established several major financial assistance programs for homeland security, bioterrorism and other public health threats, port security, and related purposes. These programs have funded significant improvements in Virginia.
- The Governor created the Virginia Preparedness and Security Panel to analyze security threats and recommend steps to strengthen the State's ability to protect citizens. An Assistant to the Governor for Commonwealth Preparedness was appointed to head the State's efforts.
- The General Assembly has approved a variety of legislation aimed at strengthening security and preparedness, and has provided funding for initiatives such as interoperable communications (allowing for cross-agency communications) and a terrorism intelligence (fusion) center within the Department of State Police.

***The JLARC staff findings in this report are consistent with a recent report of the U.S. Government Accountability Office that concluded "it is still too early to determine how well the complete framework will function in coordinating an effective response."***

Numerous additional actions have been taken by a variety of federal, State, local, and other entities. Some of these are noted in the exhibit on the next page. Virginia's homeland security efforts continue to evolve. The JLARC staff findings in this report are consistent with a recent report of the U.S. Government Accountability Office that concluded "it is still too early to determine how well the complete framework will function in coordinating an effective response."

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### **Virginia Has Received \$532 Million in Federal Grants but Future Sustainability Is an Issue**

Since the 2001 terrorist attacks, Virginia has received about \$532 million in federal grants to help prepare for and prevent future attacks (see table on page iv). Localities and State agencies are using these grants to purchase equipment and

## Recent Accomplishments that Improve Preparedness

Source: JLARC staff analysis of information from various State and local agencies.

**Critical infrastructure:** Key infrastructure has been identified based on the Department of Homeland Security analysis system, and mitigation plans, often including physical buffer zones, are in place. Security concerns are now routinely included in the design of new infrastructure. Many pre-existing buildings and facilities have been retrofitted with additional layers of security, including surveillance cameras, guards, and controlled access.

**Health care:** Virginia has met current benchmarks for hospital surge capacity for beds, isolation, personal protective equipment, decontamination, and communications. Regional teams and regional hospital coordinators oversee emergency planning, training, public information, and other functions. Each health district now has an epidemiologist who conducts daily "syndrome surveillance" and a planner who coordinates with local health resources and organizes practice drills and exercises. The additional staff enabled the State to respond rapidly to recent infectious disease outbreaks and anthrax episodes.

**Highways:** Emergency action plans have been developed for all tunnels and major bridges. All new structures are reviewed for security concerns during the design stage. "Smart traffic centers" integrate traffic cameras, variable message signs, and other information to inform the traveling public of incidents.

**Ports:** Using an automated system, all cargo is screened by the U.S. Customs and Border Protection agency 24 hours prior to vessel loading in foreign ports. The screening is to assess the risk associated with the cargo and determine the level of additional required inspections. The U.S. Coast Guard requires ships to give notice of arrival 96 hours prior to entering an American port, to screen the vessel's crew and verify cargo. Upon arrival, high-risk ships (for example, U.S. warships and liquefied natural gas carriers) are escorted using federal, State (Virginia Marine Police), and local (for example, Virginia Beach, Norfolk) armed vessels. Numerous physical security enhancements at the ports have been completed, including perimeter fencing, closed circuit television monitoring systems, automated gates, radiation screening of all cargo prior to departing the port facility, and credentialing of all port personnel.

**Fusion Center:** The State Police, the Department of Emergency Management, and other agencies and localities are participating in a terrorism intelligence center for the central repository of information about terrorists, terrorist groups, and terrorist events. This center, called the Fusion Center, will be housed in a portion of a new facility, due to open in December 2005, which will also house the new State emergency operations center (EOC) at the existing State Police headquarters. Both the Fusion Center and the EOC will be staffed by personnel from several agencies.

**Localities:** Police, fire, and emergency medical personnel are being trained in the national incident command system. Federal funding has provided training and equipment for first responders, and some localities have added emergency personnel. Most localities have acquired base-level quantities of personal protective equipment for their public safety personnel. Several localities have strengthened or added hazardous materials response and other specialized teams.

**State Government:** The Governor has required all State agencies to develop a continuity of operations plan and test it prior to December 2005. Several agencies have allocated staff and realigned job duties to place added emphasis on preparedness. Various agencies, including the Virginia Department of Transportation, have required all employees to complete terrorism awareness training.

## Federal Homeland Security and Preparedness Grants to Virginia since 1999 (\$ in millions)

Source: Virginia Department of Emergency Management, Virginia Department of Health, Virginia Department of Transportation.

<u>Grant Source</u>	<u>FFY 2005</u>	<u>Cumulative</u>
Homeland Security Grant Program:		
State Homeland Security Program	\$ 23.9	\$ 107.9
Urban Areas Security Initiative *	27.3	124.4
Law Enforcement Terrorism Prevention Program	8.7	19.9
Emergency Management Performance Grants	3.9	23.2
Citizen Corps Program	0.3	2.0
Metropolitan Medical Response System	1.4	9.4
Subtotal	\$ 65.5	\$ 286.7
2002 Direct Congressional Appropriation	0	62.5
Port Security Grant Program	NA	21.8
Buffer Zone Protection Program	2.1	4.4
CDC Bioterrorism Grant	20.0	71.4
HRSA Bioterrorism Hospital Preparedness Program	11.7	34.9
Assistance to Firefighters Grant Program	NA	33.1
State Equipment Grant (1999-2002)	0	11.8
Other	0	4.9
<b>Total</b>	<b>\$ 99.3</b>	<b>\$ 531.6</b>

\* Urban Areas Security Initiative grant to Virginia is estimated portion of grant to National Capital Region.

supplies, conduct training and exercises, and (in some cases) hire staff to improve the State's ability to deter, detect, prevent, and respond to various types of attacks.

These grant sources provide the funds for most preparedness initiatives in Virginia. They provide money to (1) first responders (fire, police, and emergency medical services) and the healthcare community to purchase equipment and supplies to prepare for attacks involving weapons of mass destruction; (2) critical facilities to bolster security at the sites; and (3) targeted areas of concern such as aviation, mass transit, and port facilities. The grants are described briefly below.

- **Homeland Security Grant Program** – This is the major source of funds for first responders. The program includes six sub-grants. The program provides money for equipment, training, exercises, and planning. At least 80 percent of the funds are passed through to localities.
- **2002 Direct Congressional Appropriation** – This was a one-time allocation to localities in the Northern Virginia region and the Virginia State Police following the 9/11 attack on the Pentagon. The money was used to

compensate local agencies for overtime costs incurred after the attack and for filling emergency needs.

- **Port Security Grant Program** – This program is dedicated to securing port facilities. It is a competitive grant that individual facilities and organizations must apply for. Matching funds may be required to receive an award.
- **Buffer Zone Protection Program** – This program is dedicated to hardening critical infrastructure to prevent terrorist attacks. Virginia currently has 47 facilities on the national critical infrastructure list. Each facility received \$50,000 to improve security at the site.
- **CDC Bioterrorism Grant** – Funds from this program are provided to the Virginia Department of Health to improve the public health capability in preparing for bioterrorism incidents and disease outbreaks. The program funds health planners and epidemiologists to develop mass pharmaceutical treatment plans and track diseases to isolate the source and mitigate the spread of pathogens.
- **HRSA Bioterrorism Hospital Preparedness Program** – This program provides money to hospitals to increase surge capacity for the mass treatment of patients following a terrorist incident. Hospital regions are required to demonstrate surge capabilities for various types of disease outbreaks, as well as for chemical and radiological illnesses.
- **Assistance to Firefighters Grant Program** – This program, which pre-dates 9/11, provides funds to local fire departments to purchase needed equipment to respond to routine fire and rescue incidents.
- **State Equipment Grant** – This program was the precursor to the State Homeland Security Program. Funding increased dramatically beginning in FFY 2003.

The future sustainability of most of these initiatives will require additional State and local funding to maintain training and readiness, and to replace aging equipment and supplies.

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## Funding Allocations Should Include Measures of Risk

Because federal grants represent such a large part of Virginia's preparedness efforts, it is crucial that the grants are allocated efficiently and spent wisely in order to maximize their effectiveness. For the grants to be most effective in preparing the Commonwealth to prevent, protect, respond, and recover from all likely hazards, allocation of the funds should be weighted towards the places that are most at risk. Currently, most grant funds are allocated to localities based on population. Grants are allocated to State agencies based on competition between the agencies, but the competition does not necessarily direct funds to those projects that address the State's greatest needs. Developing and using risk-based formulas for the allocation of homeland security grants would improve the probability that Virginia will be prepared for all probable hazards, including the risk of terrorist attack.

**Recommendation (1).** The Office of Commonwealth Preparedness (OCP) should develop a formula for allocating State Homeland Security Program funds to localities based on risk. In developing the formula, OCP should consider population density, transient populations, economic impact, identified targets, local capabilities, and funds from other sources.

**Recommendation (2).** The Department of Criminal Justice Services should develop a risk-based formula for the allocation of Law Enforcement Terrorism Prevention Program funds. The formula should be similar to that proposed in recommendation (1).

**Recommendation (3).** The Office of Commonwealth Preparedness should develop a criteria-based approach to allocating State Homeland Security Program funds to State agencies. Criteria for selecting projects to fund should include alignment with the goals of the statewide security strategy and a priority ranking of identified risks.

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## Problems with the Federal Urban Areas Security Initiative

The Urban Areas Security Initiative (UASI) is a federal program that directs homeland security funds to densely-populated high-risk metropolitan areas. The Department of Homeland Security (DHS) has not disclosed the formula it uses to distribute the funds, although it is thought to be based in part on population, population density, identified targets, and the presence of terrorist activity. Only 12 Northern Virginia localities are currently involved in the UASI program, although the Richmond region was part of the program in 2003.

According to staff in several Northern Virginia localities, Virginia's representatives to the National Capital Region (consisting of localities in Virginia, Maryland, and the District of Columbia) do not adequately consult with local officials and emergency management personnel. This has contributed to the Northern Virginia localities not receiving funding for local project priorities, according to the local staff.

Although it is the responsibility of DHS, the Hampton Roads region appears to warrant UASI funds, given its overall population, existence of critical infrastructure, and its strategic national importance as home to the largest U.S. Navy base and second-largest marine terminal on the East Coast. Extensive tourism also swells the population of portions of the Hampton Roads area. It is even more important that the State Homeland Security Program grant allocation be based on risk so that funds are directed to high-risk areas such as Hampton Roads.

**Recommendation (4).** Virginia's members of the National Capital Region senior policy group should meet regularly with emergency response and other local officials concerning local funding priorities for the National Capital Region Urban Areas Security Initiative.

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## Short Time Frames Hamper Strategic Planning

***One persistent problem with the administration of the Homeland Security Grant Program is the short amount of time localities have to determine how they plan to spend the funds allocated to them.***

One persistent problem with the administration of the Homeland Security Grant Program is the short amount of time localities have to determine how they plan to spend the funds allocated to them. In 2004, localities were given about two weeks from the time of their award notice to the time when they had to submit their spending plans to the Virginia Department of Emergency Management (VDEM). This problem has made it difficult for localities to plan appropriately and to coordinate their plans with the statewide security strategy. VDEM claims this is a problem with the DHS time frame, but it appears the State could do a better job informing the localities quickly of their anticipated awards. VDEM and OCP required 32 days to develop the State's allocation formula and alert localities once DHS informed Virginia of the total State award. If the State developed its formula prior to award notification from DHS, localities would be afforded more time to develop their plans, which should better ensure that the funds address their greatest needs and are in-line with the statewide security strategy.

**Recommendation (5).** The Office of Commonwealth Preparedness and the Virginia Department of Emergency Management should develop a percentage-based allocation formula prior to receiving notification of the award amount from the Department of Homeland Security.

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## **Most Grant Money Supports All-Hazards Approach to Emergency Management**

Much of the equipment and training that enable an adequate response to terrorism also help enable responses to natural events and accidents. All of the 16 localities examined by JLARC indicated that they take an all-hazards approach to emergency management, and nearly all of the homeland security grants in these localities have been spent on equipment and training that can be used for responding to incidents other than terrorism.

The 16 localities sampled by JLARC staff varied in how they spent their grants, but there was one common theme. The localities spent a majority of their funds on improving the capabilities of their fire, police, and EMS departments to respond to incidents, while less money was spent on preventing or deterring incidents. Smaller localities typically focused on purchasing personal protective equipment (PPE) and interoperable communications equipment. Larger localities also purchased PPE and interoperable communications equipment, but also used the funds for high-priced items such as incident response and command vehicles, search and rescue equipment, and explosive device mitigation equipment.

***Many checks and balances in the process help ensure that the grant funds are spent appropriately.***

Many checks and balances in the process help ensure that the grant funds are spent appropriately. The federal government provides a list of approved expenditures, which VDEM checks to approve local spending plans and purchases. This State-level review ensures that all purchases comply with federal rules. Perhaps the most important control on homeland security spending occurs at the local level, where spending plans are approved by fire and police chiefs, city managers or county administrators, and finally by locally elected officials. These checks and balances may help to explain why JLARC staff discovered no obvious instances of frivolous or unapproved spending.

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## **Planning and Organization for Homeland Security and Preparedness**

The Department of Homeland Security (DHS) is developing the national homeland security strategy. DHS requires state strategic plans to address four key mission areas, summarized as prevention, protection, response, and recovery. Federal guidance also directs state plans to focus more specifically on

implementing the National Incident Management System, expanding regional collaboration, implementing the national infrastructure protection plan, and strengthening information sharing and interoperable communications capabilities. In addition, the guidance directs states to strengthen medical surge capabilities; decontamination capabilities; chemical, biological, radiological, nuclear, and explosive detection; and mass prophylaxis capabilities.

Virginia's homeland security strategy and management apparatus was quickly established in the fall of 2001. The Commonwealth's management of the effort has generally been effective, although implementation of the existing strategic plan, adopted in 2003, has been uneven. Significant progress has been made on several of the plan's goals, and little if any progress on others. For example, progress has been made in improving response and recovery capabilities through the purchase of equipment and the provision of training to many responders, in large part due to the federal grants.

***There has been little progress towards goals calling for more effective regional response capabilities and for working groups at the regional level.***

On the other hand, there has been little progress towards goals calling for more effective regional response capabilities and for working groups at the regional level similar to the State-level Commonwealth Preparedness Working Group. JLARC staff interviews with numerous State and local officials indicated that such State-led regional working groups could be useful but have yet to be established. Weak regional cooperation can lead to unintentional redundancies, duplications, or gaps in capabilities. Localities in several areas have joined in effective regional efforts on their own initiative. OCP should establish regional working groups of emergency response agency representatives, and identify and resolve questions of availability of emergency response assets in the various regions.

A revised State strategic plan is due in the fall of 2005. Weaknesses in Virginia's existing strategic plan need to be addressed in the revised plan. Problems include a narrow focus on State agencies and their immediate concerns (which has hindered localities in applying for federal grants), and allocation of federal funds within the State based simply on population instead of taking measures of risk or capabilities into account.

JLARC staff also noted opportunities for greater State involvement in helping determine priorities for both grant-related and local spending. Examples include access to specialized emergency response teams (for example, bomb squads, search and rescue teams, hazardous materials teams, etc.) and technical assistance concerning interoperable communications.

The revised plan should also define the desired level of State and local response capability for all hazards and spell out how to get there. To adequately assess risk and direct funding toward priority needs, the plan should incorporate a comprehensive statewide assessment of emergency response capabilities. An assessment of local capabilities would help identify important gaps in equipment, training, personnel, response times, and related factors. Future funding could then be directed toward filling these gaps.

**Recommendation (6).** The State strategic plan should re-emphasize a commitment to establishing local and regional preparedness working groups, consisting of local emergency managers, police, fire, health, emergency medical service providers, public transportation, and others.

**Recommendation (7).** The Office of Commonwealth Preparedness should take the lead in establishing regional working groups. These groups should meet regularly and focus on regional initiatives in training, equipment, and strategy, and work toward ensuring all localities in the regions have access to specialized response teams.

**Recommendation (8).** The Virginia Department of Emergency Management should conduct a statewide assessment of local and regional capabilities, including equipment, training, personnel, response times, and other factors. Regional working groups could assist in assessing local response capabilities.

**Recommendation (9).** The revised strategic plan should indicate how the statewide assessment of local and regional capabilities will be used in the future allocation of funding.

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## Access to Specialized Resources Should be Improved

A variety of specialized resources are necessary for effective emergency response. Ensuring that all localities have appropriate access to resources such as bomb squads, search and rescue teams, building collapse and technical rescue teams, and hazardous materials teams is key to effective emergency response. Personnel in several localities noted the extensive training, equipment, and expense involved with such teams, and questioned the statewide availability of such teams. Some localities also noted they were not sure they had access to State personnel who are subject matter experts in various specialized topics, such as communications interoperability.

All jurisdictions need access to specialized teams, but not every jurisdiction needs or can afford to have them. The Department of State Police, for example, operates bomb squads and other special teams located around the State that are available to localities as needed. Ensuring that all localities have access to other types of specialized assets should be part of the statewide assessment of local and regional capabilities, discussed above.

Major communications interoperability initiatives are underway at the State level, through the Statewide Agencies Radio System (STARS) administered by the Department of State Police, and are expected to be completed in 2009; activities are also underway in various localities. Personnel in several localities told JLARC staff they felt they were “on their own” in determining radio communications needs locally, and in working toward interoperability. Some were unaware of any activity in this area other than STARS. Other local staff were concerned about “vendor-driven” equipment purchases that may not meet objectives such as regional coordination.

The Commonwealth Interoperability Coordinator is an important asset available to assist State and local agencies in achieving interoperable communications. The availability of the position as a resource for localities should be publicized by OCP as well as by the coordinator. When established, the regional working groups should serve as forums for identifying needs as well as publicizing State resources. Consideration should also be given to relocating the coordinator from the Secretary of Public Safety to OCP. The position is currently grant-funded, yet interoperability is a long-term objective that will take the State until 2009 to achieve, and may take localities longer. The coordinator will also likely have an ongoing role in providing technical assistance under recent legislation, which requires localities to comply with the State interoperability plan by 2015.

**Recommendation (10).** The Commonwealth Interoperability Coordinator should review all communications-related grant requests from State agencies and localities. The key concern should be using the federal grants to enhance interoperability.

**Recommendation (11).** The General Assembly may wish to consider relocating the interoperability coordinator’s position to the Office of Commonwealth Preparedness.

**Recommendation (12).** The Office of Commonwealth Preparedness should ensure that the technical expertise of State agencies is publicized and made available as needed by the localities. Areas of expertise may include communications interoperability and needs assessments for specialized response teams. Regional working groups should serve as forums for identifying such needs as well as publicizing the resources.

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## Virginia's Homeland Security Initiative Needs a Statutory Basis

The Office of Commonwealth Preparedness has a unique role in State government. Established by executive order, it is described as having "Cabinet-level rank," and has been grant-funded through the Department of Criminal Justice Services.

There are two problems with the current arrangement. First, OCP is not established in statute, and has instead been authorized under executive order. While executive orders are appropriate for authorizing a short-term activity, it is clear that homeland security has become a long-term governmental function. The General Assembly may wish to establish the Office in statute. A sunset clause would compel a reassessment in a few years, and provide an opportunity to make adjustments.

The second problem is that the Office and its staff have been funded through a federal grant set to expire December 31, 2005. It is unclear what funding will be used to continue the office beyond that date. Permanent funding, perhaps from the general fund, should be considered.

**Recommendation (13).** The General Assembly may wish to establish by statute the Office of Commonwealth Preparedness as an office within the Governor's Office. A sunset clause may also be appropriate to ensure timely review of the reporting and structural arrangement. Necessary funding to staff and equip the office should also be provided.

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# Introduction

## In Summary...

Virginia's homeland security strategy and apparatus were quickly established in the fall of 2001. The Secure Commonwealth Panel and an Assistant to the Governor for Commonwealth Preparedness were established by executive order, with important coordinative and strategic planning roles. Sixteen State agencies routinely participate in a working group intended to improve and enhance coordination and communication about preparedness issues. Since 2001, Virginia has received \$532 million in federal funds that, when added to State and local funding, has enabled the State, localities, and private sector entities to take numerous actions to strengthen security and preparedness.

Homeland security has entered everyday language since the terrorist attacks of September 11, 2001. The term encompasses many things: an awareness of the vulnerabilities inherent in an open and mobile society, a renewed focus on security in everyday life, the ability to identify and defeat terrorist threats to society, a new federal funding program, and the most massive federal reorganization since the 1940s. Homeland security and preparedness also includes more traditional capabilities such as responding to weather-driven disasters and hazardous materials events.

At its December 2004 meeting, the Joint Legislative Audit and Review Commission approved a study of homeland security, directing staff to determine the extent and sufficiency of homeland security funding, and the adequacy of the coordination and direction of federal grants going to State agencies and localities within Virginia. (A copy of the study mandate is included as Appendix A.) This report responds to that mandate.

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## OVERVIEW OF HOMELAND SECURITY AND PREPAREDNESS

The terrorist attacks of September 11, 2001, and the anthrax outbreaks later that fall, directly affected Virginia. The Pentagon, located in Arlington County, was hit by one of the hijacked planes, causing 189 deaths and hospitalizing more than 100 persons. Local and State personnel were among the first to respond to the incident. "Weaponized" anthrax powder

mailed to members of Congress and the press in September and October, 2001, led to the deaths of two postal workers in Virginia and hospitalization of more than 20 persons in Virginia and other states. Several facilities operated by the U.S. Postal Service, including one at Dulles Airport and one in Sterling, Virginia, were subsequently found to be contaminated.

Virginia has seen other serious and terrorist-related incidents since 2001. The diverse locations of these incidents within the State underscore the need for preparedness throughout the Commonwealth. For example, the “Washington snipers” terrorized much of the mid-Atlantic, including Virginia, for several weeks in the fall of 2002. In 2004 eleven members of a “Virginia jihad network” were convicted in federal court of conspiring to aid an international terrorist organization. Members of the group had trained in small unit military tactics at a paintball facility in Spotsylvania County. In another case, anthrax was initially detected at postal facilities in Fairfax County in March 2005, although subsequent testing did not confirm the initial results.

***Virginia's emergency response policy has historically stressed a comprehensive "all-hazards" approach.***

Virginia's emergency response policy has historically stressed a comprehensive “all-hazards” approach. The *Code of Virginia* acknowledged this when it conferred emergency powers on the Governor and required the establishment of the Department of Emergency Management (VDEM):

. . . because of the ever present possibility of the occurrence of disasters of unprecedented size and destructiveness resulting from enemy attack, sabotage or other hostile action, resource shortage, or from fire, flood, earthquake, or other natural causes, and in order to insure that preparations of the Commonwealth and its political subdivisions will be adequate to deal with such emergencies, and generally to provide for the common defense and to protect the public peace, health, and safety, and to preserve the lives and property and economic well-being of the people of the Commonwealth. (*Code of Virginia* §44-146.14)

The Governor and the Department of Planning and Budget also have certain limited authority to adjust agency appropriations in case of a threat to life, safety, health, or property.

The benefits of Virginia's all-hazards approach have been seen in the responses to terrorist incidents as well as to hazardous materials incidents (of which there were 2,188 reported to VDEM in 2004). In addition, weather-driven events such as 2003's Hurricane Isabel and Tropical Storm Gaston in 2004 have required evacuations, activation of emergency shelters, and many other response activities.

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## The National Response

Among the many steps taken in the wake of the 2001 attacks, one of the most significant was the federal Homeland Security Act of 2002 and the substantial federal funds dedicated to this function. The new law established the U.S. Department of Homeland Security (DHS), pulling together 22 federal agencies and 180,000 personnel from seven secretariats and providing a focus for preparedness and emergency response. The new Department includes traditional emergency response agencies such as the Federal Emergency Management Agency (FEMA) as well as entities newly defined as conducting homeland security functions: the Secret Service, the Coast Guard, the Transportation Security Agency, and a portion of the Immigration and Naturalization Service.

DHS has established a National Preparedness Goal:

. . . to achieve and sustain risk-based target levels of capability to prevent, protect against, respond to, and recover from major events in order to minimize the impact on lives, property, and the economy.

To meet this goal, State and local responders will be required, as a condition of receiving federal funds, to have specific capabilities typically required in emergency situations, such as interoperable communications (allowing for cross-agency communication), search and rescue capability, critical infrastructure protection, and on-site incident management. Not every entity will be expected to develop and maintain every capability to the same level, according to DHS.

A recent report from the Government Accountability Office (GAO) noted that the national response framework continues to evolve. The GAO report stated that “it is still too early to determine how well the complete framework will function in coordinating an effective response.”

A second important national response was an investigation into the events of 2001. The resulting report from the National Commission on Terrorist Attacks upon the United States (the 9/11 Commission) outlined a broad three-point strategy which continues to frame the nation’s response: attack the terrorists and their organizations, prevent the continued growth of terrorism, and protect against and prepare for terrorist attacks. It is this last goal where State government can perhaps do the most.

The *9/11 Commission Report* noted that the response to the Pentagon attack was relatively successful:

***Prior experience working together on regional events and training exercises was key to the September 11 response in Northern Virginia.***

While no emergency response is flawless, the response to the 9/11 terrorist attack on the Pentagon was mainly a success for three reasons: first, the strong professional relationships and trust established among emergency responders; second, the adoption of the incident command system, and third, the pursuit of a regional approach to response. Many fire and police agencies that responded had extensive prior experience working together on regional events and training exercises.

Yet the Pentagon response encountered difficulties that echo those experienced in New York. There were significant problems with both self-dispatching (individuals and response units proceeding on their own initiative directly to the site without the knowledge or permission of the incident commander) and communications.

It is a fair inference that the problems in command, control, and communications that occurred at both sites will likely recur in any emergency of similar scale. The task looking forward is to enable first responders to respond in a coordinated manner with the greatest possible awareness of the overall situation.

The *9/11 Commission Report* goes on to recommend several specific actions important to the states: (1) improved information sharing, (2) the allocation of resources based on an assessment of risks and vulnerabilities, (3) the use of “layered” security systems (based on the idea that if one security layer is penetrated, the next layer may yet stop an incident), (4) the nationwide adoption of an incident command system (which requires a unified command and response to an emergency situation), and (5) the adoption of the American National Standards Institute’s (ANSI) recommended standard for private preparedness. This new standard defines and establishes homeland security terminology and requirements, such as a requirement for all private and public entities to engage in continuity of operations planning. According to DHS, as much as 80 percent of the nation’s critical infrastructure is privately owned. Concerning the ANSI standard, the *Report* noted,

***As much as 80 percent of the nation's critical infrastructure is privately owned, according to DHS.***

We believe that compliance with the standard should define the standard of care owed by a company to its employees and the public for legal purposes. Private-sector preparedness is not a luxury; it is a cost of doing business in the post-9/11 world.

***Congress has provided substantial funding to enhance security and improve preparedness around the country.***

Also as part of the national response, Congress provided substantial amounts of funding to DHS to enhance the security and state of preparedness of numerous facilities and programs around the country. The DHS annual budget in federal fiscal year (FFY) 2005 was \$38.2 billion. For FFY 2006, the President has requested \$41.1 billion. Homeland security-related grant programs will be discussed in more detail in Chapter 2.

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## **Actions in Virginia to Strengthen Security and Preparedness**

***Virginia has had an emergency response capability and personnel dedicated to this activity for many years.***

Virginia has had an emergency response function and personnel dedicated to this activity for many years, and public safety has always been a priority for State government. The Governor has had broad powers to direct a large-scale response to emergency situations, whether natural or man-made.

Virginia took a leadership role in planning for major incident response prior to the events of September 11, in part due to then-Governor Gilmore's chairmanship of the federal Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction. This panel, established by federal law in 1998, issued five reports from 1999 through 2003 on its findings and recommendations for improving federal, State, and local domestic emergency preparedness to respond to incidents involving weapons of mass destruction. The panel's second report, for example, issued in 2000, recommended creating a "national office for combating terrorism" to develop a national anti-terrorist strategy, with a director to be appointed by the President and confirmed by the Senate.

After the September 11 attacks, State and local governments took numerous actions to strengthen Virginia's security. To develop a coordinated State and local response to terrorism, the Governor established two panels. The Virginia Preparedness and Security Panel was charged with analyzing security threats within the State and recommending steps to strengthen the State's ability to protect its people. The second panel was the Virginia Post-Attack Economic Response Task Force, which recognized the economic aftermath of the attack on the Pentagon, estimated at approximately \$1.8 billion in 2001. This panel was to coordinate State activities related to long-term economic recovery and provide technical assistance to affected businesses and communities.

Through Executive Order 7 (2002), Governor Warner continued the emphasis on security, establishing the Secure Virginia Initiative. This included the Secure Virginia Panel (subsequently renamed the Secure Commonwealth Panel), whose duties include the ongoing review of emergency preparedness at all levels including the private sector, ensuring cabinet-level

coordination, and coordination of federal grants related to preparedness and homeland security. In 2004, Governor Warner issued Executive Order 69, which extended the framework for Virginia's homeland security response and instituted a requirement for a strategic preparedness plan.

Additional actions to bolster security and preparedness have included new legislation, additional funding, and enhanced physical security of many State assets. Some of the more significant actions are listed below and in Exhibit 1.

**Legislative Actions.** Significant legislation and additional State funding have been approved relating to a variety of security and preparedness initiatives. These initiatives include:

- Expanding the list of successors to the office of the Governor, in case an emergency prevents the House of Delegates from meeting to elect a governor, as provided in the *Virginia Constitution*. (Approved by the voters at the 2004 general election.)
- Authorizing and funding a terrorism intelligence (fusion) center within the Department of State Police as a central repository of information regarding terrorists, terrorist groups, and terrorist events. The State Police, VDEM, and other agencies and localities are to participate in the facility, due to open in December 2005.
- Authorizing the implementation of the Statewide Agencies Radio System (STARS), a major initiative to ensure interoperable communications between all State agencies, and approving funding of \$159 million for the project.
- Making it easier for the State and localities to conduct background checks on prospective employees in sensitive positions.
- Providing that the Health Commissioner may require the quarantine, isolation, decontamination, or vaccination of individuals in certain emergency situations, and setting procedures to be followed in such cases.
- Requiring VDEM to assist State agencies in developing continuity of operations plans. The Governor has directed agencies to develop and rehearse such plans by December 2005.
- Requiring the Governor to annually review and update the statewide interoperability strategic plan, and also requiring all State agencies and localities to comply with the plan by 2015 to remain eligible to receive State or federal funding for communications programs.

## Exhibit 1

### Recent Accomplishments that Improve Preparedness

Source: JLARC staff analysis of information from various State and local agencies.

**Critical infrastructure:** Key infrastructure has been identified based on the Department of Homeland Security (DHS) analysis system, and mitigation plans, often including physical buffer zones, are in place. Security concerns are now routinely included in the design of new infrastructure. Many pre-existing buildings and facilities have been retrofitted with additional layers of security, including surveillance cameras, guards, and controlled access.

**Health care:** Virginia has met current benchmarks for hospital surge capacity for beds, isolation, personal protective equipment, decontamination, and communications. Regional teams and regional hospital coordinators oversee emergency planning, training, public information, and other functions. Each health district now has an epidemiologist who conducts daily “syndrome surveillance” and a planner who coordinates with local health resources and organizes practice drills and exercises. The additional staff enabled the State to respond rapidly to recent infectious disease outbreaks and anthrax episodes.

**Highways:** Emergency action plans have been developed for all tunnels and major bridges. All new structures are reviewed for security concerns during the design stage. “Smart traffic centers” integrate traffic cameras, variable message signs, and other information to inform the traveling public of incidents.

**Ports:** Using an automated system, all cargo is screened by the U.S. Customs and Border Protection agency 24 hours prior to vessel loading in foreign ports. The screening is to assess the risk associated with the cargo and determine the level of additional required inspections. The U.S. Coast Guard requires ships to give notice of arrival 96 hours prior to entering an American port, to screen the vessel’s crew and verify cargo. Upon arrival, high-risk ships (for example, U.S. warships, liquefied natural gas carriers) are escorted using federal, State (Virginia Marine Police), and local (Virginia Beach, Norfolk) armed vessels. Numerous physical security enhancements at the ports have been completed, including perimeter fencing, closed circuit television monitoring systems, automated gates, radiation screening of all cargo prior to departing the port facility, and credentialing of all port personnel.

**Fusion Center:** The State Police, the Department of Emergency Management, and other agencies and localities are participating in a terrorism intelligence center for the central repository of information about terrorists, terrorist groups, and terrorist events. Called the Fusion Center, this center will be housed in a portion of a new facility, due to open in December 2005, which will also house the new State emergency operations center (EOC) at the existing State Police headquarters. Both the Fusion Center and the EOC will be staffed by personnel from several agencies.

**Localities:** Police, fire, and emergency medical personnel are being trained in the national incident command system. Federal funding has provided training and equipment for first responders, and some localities have added emergency personnel. Most localities have acquired base-level quantities of personal protective equipment for their public safety personnel. Several localities have strengthened or added hazardous materials response and other specialized teams.

**State Government:** The Governor has required all State agencies to develop a continuity of operations plan and test it prior to December 2005. Several agencies have allocated staff and realigned job duties to place added emphasis on preparedness. Various agencies, including the Virginia Department of Transportation, have required all employees to complete terrorism awareness training.

**Note:** The future sustainability of most of these initiatives will require additional State and local funding to maintain training and readiness and to replace aging equipment and supplies.

Numerous additional actions have been taken by a variety of State, local, and other entities. Some of these are noted in Exhibit 1.



Bollards deter vehicle access

**Facility Protection.** The enhancement of security has received new emphasis in the planning and construction of capital projects, including transportation projects and the renovation and construction of State-owned buildings. For example, Virginia Department of Transportation (VDOT) staff indicate that increased security concerns are now a part of routine project design. The renovation of the State Capitol includes several provisions for enhanced security.

Another example of increased facility protection is the “hardening” of many public buildings. Typically, a “layered security” approach is employed, which combines several layers of heightened security. The idea is that if one layer is penetrated, there remain additional layers that may prevent someone from actually gaining entry. A typical example of these layers may include bollards, perimeter fences and intrusion detection systems (which might include surveillance cameras on the outside of a building or along a perimeter fence), security officers stationed at building entrances, and locked doors once beyond the entrance. These security enhancements are generally paid for by the building owner. Federal homeland security funding can only be used for these improvements in limited cases.



Personal protective equipment is used in response to hazardous materials incidents

**Funding for First Responders.** Federal homeland security funds distributed in Virginia have primarily been spent to enhance the capabilities of first responders. Examples include:

- personal protective equipment for use when responding to hazardous materials incidents,
- radio equipment that is interoperable with first responders and emergency personnel in other jurisdictions,
- mobile command vehicles for use by fire, police, and emergency managers, and
- bomb disabling equipment, including robots that can pick up and move a potential bomb to a safe place for closer examination and possible detonation.

Training in the use of this and other new equipment has been a commonly funded item.

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## VIRGINIA'S ORGANIZATION FOR PREPAREDNESS

The way Virginia is organized for preparedness involves numerous participants and extensive coordination among State and local agencies. The basic structure was put in place soon after the September 11 attacks. With some modifications, this structure continues in place. Participants indicate that the structure has served the State well through such events as the hurricanes and tropical storms in 2003-2004, and in responding to events since 2001.

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### Centralized Coordination and Control



An explosives transport vehicle ("bommbot")

The Governor has appointed an Assistant to the Governor for Commonwealth Preparedness and assigned this position the lead coordinating role in Virginia's homeland security initiative. Through executive orders, the Governor has assigned this position Cabinet rank as well as the chairmanship of the Secure Commonwealth Panel. The assistant also serves as the single point of contact for the U.S. Department of Homeland Security and coordinates federal homeland security grants coming into the Commonwealth. A key activity for the office in 2005 has been the development of a strategic plan for the State's response to emergencies and disasters, including terrorist acts. It is important to note that the assistant's position, staff, and operations are not permanently funded, and are established by executive order rather than by statute.



A State Police bomb squad member wearing personal protective equipment, with a "bommbot" in the background (left)

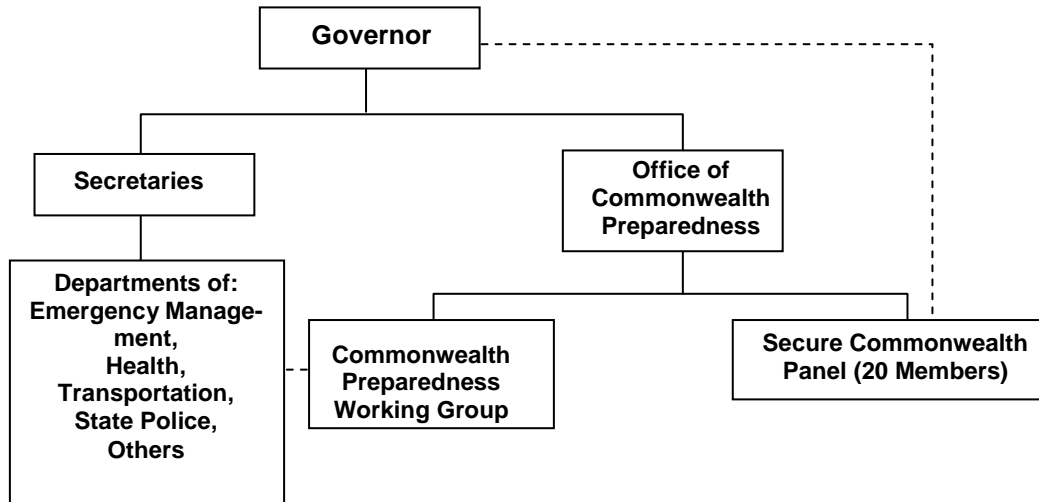
The Assistant to the Governor for Commonwealth Preparedness chairs the 20-member Secure Commonwealth Panel, which was created by the Governor under Executive Orders 7 (2002) and 69 (2004). These executive orders charge the panel with reviewing overall preparedness of the State and providing quarterly reports to the Governor, along with recommendations for strengthening security and facilitating State government as well as private sector preparedness and communication. Figure 1 illustrates the overall organizational structure for homeland security and preparedness.

The 20 members of the Secure Commonwealth panel include the Lieutenant Governor, Attorney General, four members of the Governor's Cabinet, six legislators, the Chief Justice of the Virginia Supreme Court, CEOs from several Virginia firms, and others. The panel is further divided into nine sub-panels with additional personnel, which focus on specific topics such as agribusiness, health and medical services, transportation, and technology.

A second organizational structure, the Commonwealth Preparedness Working Group, serves as the operations team of

**Figure 1**  
**Commonwealth Preparedness Structure**

Source: Executive Order 69 (2004), Office of Commonwealth Preparedness.



State government and meets regularly to coordinate and assess the State's preparedness and readiness. Representatives from at least 16 State agencies participate in the working group (Table 1), which is co-coordinated by the Deputy Secretary for Public Safety and the Deputy Assistant to the Governor for Commonwealth Preparedness.

The Office of Commonwealth Preparedness (OCP) has no direct or formal authority over State agencies, but interacts with them through the working group and the Secure Commonwealth Panel. Informally, there is extensive interaction on a regular basis between personnel in several agencies and OCP staff.

The Assistant to the Governor for Commonwealth Preparedness also works with the Virginia Commission on Military Bases. The Commission on Military Bases, established by executive order in 2003, coordinates statewide strategic activities to support Virginia-based military installations throughout the 2005 federal Base Realignment and Closure Commission process.

**Table 1**  
**Participants in the Commonwealth Preparedness Working Group**

Source: Office of Commonwealth Preparedness.

• Office of Commonwealth Preparedness	• Secretary of Public Safety
• Department of Environmental Quality	• Department of Emergency Management
• Department of Transportation	• Department of Health
• Department of State Police	• Virginia Information Technologies Agency
• Department of Fire Programs	• Department of Military Affairs
• Department of Agriculture and Consumer Services	• Department of Criminal Justice Services
• Department of Game and Inland Fisheries	• Department of Forestry
• Virginia Capitol Police	• Virginia Port Authority

## Agency and Local Involvement

The first persons to respond to emergencies and disasters of all kinds are typically local government employees or volunteers, although several State agencies – notably the State Police and VDOT – have employees throughout the State who are often first responders. State law (*Code of Virginia* §§44-146.13 to 44-146.29:2) requires that State and local governments develop and maintain current emergency operations plans in order to be prepared for such events. These plans are intended to designate how a coordinated response to an emergency or disaster will take place. Personnel use these plans as training tools during exercises.

Several State agencies have specific units or staffs with important coordination and communication roles related to preparedness and homeland security. These include the Departments of Emergency Management, Health, Transportation, State Police, Agriculture and Consumer Services, and others. Each of these agencies is represented on the Commonwealth Preparedness Working Group. The State also has several agency-based emergency operations centers and is establishing a centralized “Fusion Center” to receive and coordinate terrorist- and emergency-related intelligence and information.

***Emergency Management.*** The Virginia Department of Emergency Management (VDEM) administers a comprehensive program for the State and local governments to prepare for emergencies and disasters throughout the State. It coordinates activities among localities and State agencies to prepare for, respond to, and recover from disasters and emergencies. Headed by the State Coordinator, VDEM operates 24/7 emergency operations, communications, and warning systems for localities and provides planning, training, and assistance with emergency exercises. VDEM is authorized to have 108 full-time personnel, with an annual budget of about \$11 million. Approximately 30 percent of its budget goes to localities. VDEM staff also serve as the “State Administrative Advisor” for the federal Department of Homeland Security, meaning that most DHS grants pass through VDEM.

***Health.*** The Virginia Department of Health (VDH) licenses and oversees emergency medical services throughout the State, and manages other preparedness and response programs. VDH also manages approximately \$32 million each year in federal homeland security-related funds. For example, the Centers for Disease Control and Prevention (CDC) provided VDH with about \$20 million per year since 1999; part of this funding has been used to add an epidemiologist and health planner in each of the 35 health districts and five regional offices. Additional federal funding from a \$12 million annual grant from the Health Resources and Services Administration is allocated by the Virginia Hospital and Healthcare Association, under contract with VDH. This funding is mostly allocated to hospitals to develop the capacity to handle a “surge” of patients in the wake of an emergency, to develop and enhance decontamination and isolation facilities, and for related equipment, training, and activities.

***Transportation.*** The Virginia Department of Transportation (VDOT) has long played a role in highway-related accidents and problems. For example, VDOT initiated a 24/7 emergency operations center in 1994. In 2001 the VDOT Commissioner established the Division of Security and Emergency Management, funded with highway maintenance dollars.

Currently, the division has 28 staff positions in two programs. The personnel surety program conducts background checks on all VDOT employees, contractors, and subcontractors, and others who may have routine access to key facilities, information, and systems. The critical infrastructure and information program determines what infrastructure and information within the agency is identified as “critical,” and how it is safeguarded, used, stored, reproduced, disposed of, and transmitted.

**State Police.** The Department of State Police plays many roles in homeland security and preparedness. It serves as a first-response agency, conducts criminal background checks, manages a major project to upgrade communications and interoperability throughout the State, and is establishing the Fusion Center, a multi-agency intelligence center to receive and coordinate terrorist-related intelligence. The idea is to improve the prospects that key information will be interpreted quickly and accurately, and disseminated to persons and agencies who can take the appropriate actions. The Fusion Center will be operated in cooperation with VDEM.

**Other State Agencies.** Many other State agencies participate in the Commonwealth Preparedness Working Group and have their own roles in preparedness. The Department of Fire Programs, for example, not only provides matching funds for equipment purchases by local fire departments, but also provides firefighter training and technical assistance. The Department of Criminal Justice Services has revised entry-level law enforcement officer training to include homeland security objectives such as incident command systems and anti-terrorism information, and has helped to develop a terrorism awareness training program for all State employees.

The amount of staff resources statewide that are dedicated to the function is increasing. For example, the Department of Agriculture and Consumer Services has recently created an emergency services management position to supplement the traditional food safety and security functions of the agency.

**Local Involvement.** Each locality manages the first responders in its jurisdiction. Because of differences in the size and complexity of the localities, the first responder structure varies considerably among the localities. For example, some localities have municipal fire and rescue departments, while others rely on volunteers for these functions. Also, some localities have municipal emergency medical services departments (EMS), while other localities rely on volunteers or private EMS companies to fulfill the function.

Localities also have representation on the Secure Commonwealth Panel. Executive Order 69 specifies that the Governor appoint two local first responders and three locally elected officials to the panel.

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## JLARC REVIEW

The JLARC review focuses on several key issues identified in the study mandate:

- How much money has the State received in homeland security grants? How much have localities received?
- Which State and local agencies are receiving homeland security grants?
- Are homeland security grants awarded to State and local agencies in accordance with their critical needs?
- What obstacles do State and local agencies confront when attempting to obtain homeland security grants?
- Does the Office of Commonwealth Preparedness have sufficient authority and adequate resources to effectively direct the coordination of homeland security efforts?
- What oversight mechanisms are in place to ensure that homeland security funds are being used for their intended purposes?
- Are the security improvements anticipated by the grants implemented in a timely and effective manner?

The research activities to address these concerns are discussed in Appendix B.

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# Allocation and Use of Homeland Security Grants

## In Summary...

Virginia has received \$532 million through a variety of federal grants to prepare for and prevent future terrorist attacks. Much of this money has been passed through to local jurisdictions through the Homeland Security Grant Program, while other grants have gone to local health departments, hospitals, commercial ports and airports, and State agencies. This review of the allocation and use of homeland security grants found two major problems with the process: (1) allocations are not based on risk, and (2) localities are not given enough time to adequately prepare their spending plans. The review also found that most of the grant money spent by localities has been used to improve response capabilities to all hazards, while less money has been spent to detect and prevent terrorist incidents.

Federal homeland security grants are the primary source of funding for State and local preparedness efforts beyond routine police, fire, health, and emergency services. Since the terrorist attacks on September 11, 2001, Virginia has received \$532 million in federal grants to help prepare for and prevent future attacks. Localities and State agencies are using these grants to purchase equipment and supplies, conduct training and exercises, and (in some cases) hire staff to improve the State's ability to deter, detect, prevent, and respond to various types of attack.

Because federal grants represent such a large part of Virginia's preparedness efforts, it is crucial that the grants are allocated efficiently and spent wisely in order to maximize their effectiveness. This chapter provides a brief overview of the different federal grants available to Virginia, examines the processes by which the grants are allocated, and describes how the grants are utilized to make Virginia more secure.

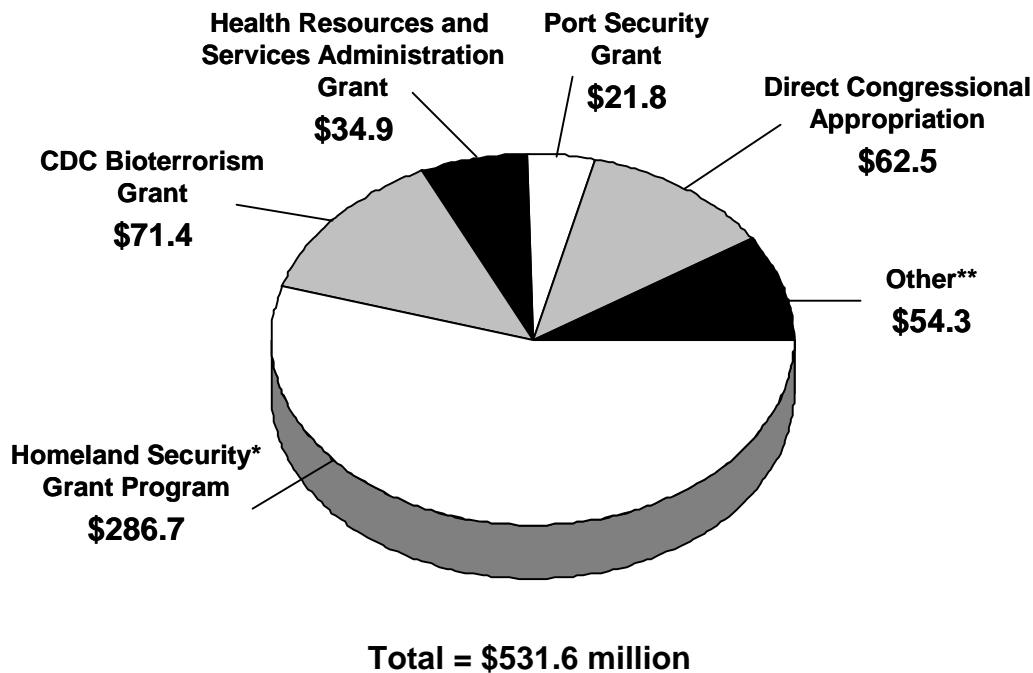
## OVERVIEW OF FEDERAL HOMELAND SECURITY GRANTS

Virginia has received several different federal grants in recent years to help the State with its preparedness efforts. The major provider of these grants is the U.S. Department of Homeland Security (DHS). The majority of the DHS grants go to localities, where they are used to improve the capabilities of police, fire, and emergency medical services departments to

prevent and respond to terrorist attacks. DHS also provides grants to secure ports and harden critical infrastructure. The Centers for Disease Control and Prevention (CDC) and the Health Resources and Services Administration (HRSA) provide grants to the health care community to prepare for bioterrorist attacks and increase the capacity of hospitals to handle a surge of patients following an attack.

Virginia has received approximately \$532 million from the federal government through grants aimed at increasing the State's level of preparedness. Figure 2 and Table 2 show the breakdown of these grants. More than half the funds have come from the Homeland Security Grant Program, which comprises six separate sub-grants and is the primary source for aid to local first responders. The individual grant sources are described briefly below.

**Figure 2**  
**Federal Homeland Security Grants to Virginia FY 1999-FY 2005 (\$ in millions)**  
 Source: JLARC staff analysis of data from Virginia Department of Emergency Management and Virginia Department of Health.



\* Includes estimate of 2005 Urban Areas Security Initiative funds to Northern Virginia.

\*\* Includes \$33.1 million from Assistance to Firefighters Grant and \$11.8 million from 1999-2002 State Equipment Grant.

**Table 2**  
**Federal Homeland Security and Preparedness**  
**Grants to Virginia since 1999 (\$ in millions)**

Source: Virginia Department of Emergency Management, Virginia Department of Health, Virginia Department of Transportation.

<u>Grant Source</u>	<u>FFY 2005</u>	<u>Cumulative</u>
Homeland Security Grant Program:		
State Homeland Security Program	\$ 23.9	\$ 107.9
Urban Areas Security Initiative *	27.3	124.4
Law Enforcement Terrorism Prevention Program	8.7	19.9
Emergency Management Performance Grants	3.9	23.2
Citizen Corps Program	0.3	2.0
Metropolitan Medical Response System	1.4	9.4
Subtotal	\$ 65.5	\$ 286.7
2002 Direct Congressional Appropriation	0	62.5
Port Security Grant Program	NA	21.8
Buffer Zone Protection Program	2.1	4.4
CDC Bioterrorism Grant	20.0	71.4
HRSA Bioterrorism Hospital Preparedness Program	11.7	34.9
Assistance to Firefighters Grant Program	NA	33.1
State Equipment Grant (1999-2002)	0	11.8
Other	0	4.9
<b>Total</b>	<b>\$ 99.3</b>	<b>\$ 531.6</b>

\* Urban Areas Security Initiative grant to Virginia is estimated portion of grant to National Capital Region.

## Homeland Security Grant Program

The Homeland Security Grant Program, administered by DHS, is the largest grant program for assisting states and localities in preventing and responding to terrorist attacks. The program actually consists of six sub-grants: the State Homeland Security Program, the Urban Areas Security Initiative, the Law Enforcement Terrorism Prevention Program, the Citizen Corps Program, the Emergency Management Performance Grants, and the Metropolitan Medical Response System. With the exception of the Metropolitan Medical Response System, which is administered by VDH, these grants are administered in Virginia by VDEM. The State is required to pass at least 80 percent of the funds through to local jurisdictions.

***Virginia has received approximately \$108 million through the State Homeland Security Program.***

***State Homeland Security Program.*** The State Homeland Security Program (SHSP) is the primary source of federal assistance available to first responders in all local jurisdictions. Since September 11, 2001, Virginia has received approximately \$108 million through this source, including approximately \$24 million in FFY 2005. SHSP funds may be used for planning, equipment, training programs, the development and evaluation of CBRNE (chemical, biological, radiological, nuclear, and explosive) and cybersecurity exercises, and man-

agement and administration costs. Localities are not allowed to use the funds to pay staff salaries.

Before receiving the grant, local jurisdictions are required to submit their spending plans, which demonstrate how their expenditures will support the statewide security strategy. Under federal rules, localities are allowed to purchase equipment from an approved list of 21 categories, such as personal protective equipment, interoperable communications, detection and decontamination equipment, physical security enhancements, and CBRNE incident response vehicles. VDEM is responsible for reviewing the spending plans and approving the purchases.

Up to 20 percent of the grant funds are available to State agencies, colleges and universities, commercial and general aviation airports, and independent authorities. These entities are bound by the same rules governing the localities in how they spend the funds.

**Urban Areas Security Initiative.** The Urban Areas Security Initiative (UASI) program provides additional assistance to high-threat, high-density urban areas. The purpose of the UASI grant program is to develop regional approaches for enhancing security in these high-threat areas. Urban areas are required to develop an urban area homeland security strategy that supports the statewide homeland security strategy. All allowable purchases under SHSP are also allowable under the UASI program. Urban areas may also use up to 25 percent of the UASI funds to pay overtime and backfill costs associated with heightened levels of security.

DHS determines which urban areas receive UASI funds based on a risk model that incorporates population density, critical infrastructure, and other factors. Currently, only the Northern Virginia region, as part of the National Capital Region, receives UASI funds. However, the Richmond metropolitan region received \$6.5 million in 2003, and the Virginia Railway Express received approximately \$800,000. The Northern Virginia region has received approximately \$120 million through federal fiscal year (FFY) 2005.

***The Northern Virginia region has received approximately \$120 million through the UASI program.***

**Law Enforcement Terrorism Prevention Program.** The Law Enforcement Terrorism Prevention Program (LETPP) is directed toward local and state law enforcement communities with the intent of providing them with assistance to detect, deter, disrupt, and prevent acts of terrorism. Grantees are directed to use LETPP funds for information sharing to preempt terrorist attacks, target hardening to reduce vulnerability, threat recognition, intervention activities, and interoperable commu-

nications. Virginia has received approximately \$20 million through LETPP in FFY 2004 and FFY 2005.

Unlike the State Homeland Security Program and the Urban Areas Security Initiative, which may be distributed to local fire and EMS departments, LETPP funds are dedicated to law enforcement agencies. Therefore, VDEM has delegated the management of LETTP to the Department of Criminal Justice Services (DCJS). DCJS distributed FFY 2004 funds to the 36 localities that contain facilities on the State's critical infrastructure list. In FFY 2005, the remaining localities will receive LETPP funds. The Department of Homeland Security may eliminate the LETPP grant beginning in FFY 2006.

***Citizen Corps Program.*** The Citizen Corps Program (CCP) is designed to promote active involvement by private citizens in hometown security through training, volunteer service, and personal preparedness. This grant is used by localities to support Citizen Corps Councils, which provide public outreach and training to prepare citizens for all hazards. The councils are also encouraged to recruit volunteers to support local law enforcement, fire, and EMS divisions.

Virginia has received slightly less than \$2 million in CCP funds through FFY 2005. The CCP is voluntary for localities, and the money was distributed to those localities that were interested in establishing the program in their communities. In FFY 2004, the grant was distributed to 49 localities as well as the Northern Neck and Shenandoah Planning District Commissions.

***Emergency Management Performance Grants.*** The Emergency Management Performance Grants (EMPG) program pre-dates September 11, 2001, and is the primary federal support mechanism for state and local emergency management systems. The EMPG program is used to support personnel services, equipment costs, operating expenses, and other routine expenses at state and local emergency management divisions. Unlike the other programs, the EMPG program requires state matching funds (50 percent federal, 50 percent state cost-share). Virginia's EMPG allotment for FFY 2005 was \$3.9 million. Since 1999, Virginia has received approximately \$23.2 million through EMPG.

***Since 1999, Virginia has received approximately \$23.2 million through EMPG.***

Beginning in FFY 2005, EMPG was folded into the Homeland Security Grant Program. Now, states must ensure that the strategic goals and objectives of EMPG are in line with the State Homeland Security Strategy and the Urban Area Homeland Security Strategy in areas receiving UASI funds.

***Metropolitan Medical Response System.*** The Metropolitan Medical Response System (MMRS) program provides aid to

designated urban areas to help prepare for mass casualties immediately following a terrorist attack or natural disaster. The MMRS program is designed to increase cooperation between emergency responders, medical treatment facilities, public health departments, emergency management offices, volunteers, and other resources to help limit mortality and morbidity following a catastrophic incident. In Virginia, the MMRS jurisdictions are in Northern Virginia, Hampton Roads, and the Richmond area. Localities in these jurisdictions have received approximately \$9.4 million since September 11, 2001, including \$1.4 million in FFY 2005.

The MMRS program was folded into the Homeland Security Grant Program beginning in FFY 2005. In prior years, the funds went directly to the MMRS regions, but now the funds flow through VDEM. VDEM has delegated administrative duties of the MMRS program to the Virginia Department of Health (VDH). VDH allocates 100 percent of the funds to the regions.

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## **2002 Direct Congressional Appropriation**

Following the attacks on September 11, 2001, Congress appropriated funds to assist the state and local law enforcement agencies in New York, Virginia, and Pennsylvania that were affected by the attacks. Virginia received \$62.5 million following the attack on the Pentagon. These funds were to be used to compensate for overtime costs incurred immediately following the event, and for terrorism preparedness measures. Virginia State Police received \$13.9 million, while the remainder went to several localities in the Northern Virginia region. Arlington County received the most of any locality (\$16 million). Fairfax County received \$12 million, and the city of Alexandria received \$8 million. The counties of Loudoun and Prince William, and the cities of Fairfax, Falls Church, Manassas, and Manassas Park also received funds from this appropriation.

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## **Port Security Grant Program**

***The Port Security Grant Program has provided nearly \$22 million to Virginia since 9/11, nearly all of which has gone to Hampton Roads.***

The Port Security Grant Program, administered by DHS, offers competitive grants for the purpose of aiding seaports in their ability to prevent harmful cargo from entering the country, and for improving the security at the ports to prevent the disruption of commerce. The Port Security Grant Program has provided nearly \$22 million to Virginia since 9/11, nearly all of which has gone to Hampton Roads. The Virginia Port Authority has received over \$11 million from this grant to improve surveillance, add perimeter security, and install radiation detectors for all containers leaving the international terminal. The Hampton Roads Planning District Commission and several private terminals also received Port Security grants.

Port Security grants flow directly from DHS to the grantee. The State does not direct the allocation of these grants. Because the grants are competitive, grantees often must demonstrate their commitment through matching funds in order to secure the grant. The Virginia Port Authority, for example, has matched its grant with \$11 million of its own funds.

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### **Buffer Zone Protection Program**

The Buffer Zone Protection Program (BZPP) is intended to help secure the nation's critical infrastructure sites by providing assistance for additional layers of security at these sites. DHS determines which facilities are deemed to be critical and therefore eligible for BZPP funds. Critical infrastructure sites in the national database include:

- major financial centers,
- chemical and hazardous material manufacturing plants,
- commercial assets (such as large shopping malls and sports arenas),
- electric substations and grid assets,
- petroleum refineries,
- nuclear power plants,
- government facilities and national icons,
- mass transit systems, and
- rail bridges over major waterways.

Currently, Virginia has 47 sites deemed to be critical infrastructure. The list of sites on the critical infrastructure list is not available to the public. The BZPP directs money to these sites to enhance their protection and to deter threats or incidents of terrorism aimed at those sites. Prior to FFY 2005, the BZPP provided \$50,000 to each of the sites. In FFY 2005, Virginia received an additional \$2.1 million for the program to provide additional security enhancements to those sites that require additional funds.

The administration of the BZPP has been delegated to the Virginia Department of Transportation (VDOT). VDOT's Security and Emergency Management division works with local police departments and private facilities to help identify security risks at the sites and develop plans for hardening the potential targets.

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### **Assistance to Firefighters Grant Program**

The Assistance to Firefighters Grant Program provides direct grants from the U.S. Fire Administration to the local fire departments to assist in purchasing fire trucks and other equipment. Between 2000 and 2004, Virginia fire departments re-

ceived more than \$33 million through this program. This program pre-dates 9/11 and is technically not a homeland security program. The other homeland security grants listed here are for measures beyond routine incidents, while the Assistance to Firefighters Grant Program is used to equip fire departments to handle routine incidents. However, because the equipment purchased through this grant can aid fire departments in responding to terrorist attacks, and because the U.S. Fire Administration is now part of DHS, it is included here as part of the federal assistance for preparedness in Virginia.

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### **Centers for Disease Control Bioterrorism Grant**

***Virginia has received \$71 million through the CDC Bioterrorism Grant.***

The Centers for Disease Control and Prevention (CDC) Bioterrorism Grant is used for planning, epidemiology, lab equipment, training, and information technology. VDH has received approximately \$71 million through the CDC grant over the past three years. Most of this money has been spent on hiring a health planner and an epidemiologist at each of the 35 health districts, and in creating five regional health planning offices. In total, 140 new positions have been funded at VDH through the CDC grant. In addition, VDH used a portion of the money for dispersing large quantities (caches) of pharmaceuticals to the health districts to prepare for a possible disease outbreak from terrorism or natural causes.

The major initiative accomplished with the CDC grant was to install full-time health planners and epidemiologists at each of the 35 local health departments and five regional offices. The health planners develop training guidelines and exercises to prepare for the mass treatment of patients following a bioterrorism, chemical, or radiological incident. The health planners also work with emergency management to identify shelters and develop isolation and quarantine procedures. The epidemiologists are responsible for disease tracking in order to identify spikes that might signal an epidemic. Epidemiologists have daily access to regional hospital patient data in order to detect possible outbreaks and minimize the spread of the disease. In addition, epidemiologists track health demographics, such as obesity among school children, to identify public health issues in the community.

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### **Health Resources and Services Administration Bioterrorism Hospital Preparedness Program**

The Health Resources and Services Administration (HRSA) grant is used to provide hospitals with the capability to enhance decontamination and isolation facilities, purchase protective equipment, increase surge capacity, and stock their pharmaceutical caches. In the event of a terrorist attack or natural disaster causing a large surge of patients, hospitals

must treat the patients with their own staff and supplies and house the surge of patients for at least 72 hours. The HRSA grant is intended to help enable hospitals to manage this surge.

***Virginia has received \$35 million through the HRSA grant to increase hospital surge capacity.***

Virginia has received approximately \$35 million through the HRSA grant since FFY 2003. VDH contracts with the Virginia Hospital and Healthcare Association to allocate more than 80 percent of the funds to hospitals. The HRSA grant is allocated to six regions composed of the five level one trauma centers (located in Norfolk, Fairfax, Richmond, Charlottesville, and Roanoke) and Bristol. These regional hospitals then allocate HRSA funds among the hospitals within their respective regions. The regional boundaries coincide with Virginia's health planning regions, except the southwest region was split into two regions (Roanoke and Bristol).

HRSA requires healthcare systems to meet minimum capabilities for treating a surge of patients. For example, regions must be able to provide triage treatment and initial stabilization, above the daily staffed bed capacity, at the level of 500 cases per million population for patients with acute infectious disease such as anthrax, smallpox, or plague. The capability must be ready within three hours of a terrorism attack or other public health emergency.

According to VDH, Virginia's hospitals have attained the prescribed capabilities listed in the 2004 HRSA grant. However, these federal guidelines do not provide for a very large surge of patients from a truly catastrophic event, where there may be thousands of casualties.

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### **State Equipment Grant**

Between 1999 and 2002, Virginia received \$11.8 million through the State Equipment Grant. This grant program provided funds to first responders for the purchase of equipment to prepare for terrorist attacks and other hazards. The State Equipment Grant was abolished in FFY 2003 with the initiation of the State Homeland Security Program (SHSP), which provided significantly more money to the states and allowed for training and exercise expenditures. Like the SHSP, at least 80 percent of the funds were passed through to localities.

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### **GRANT ALLOCATIONS SHOULD BE BASED ON RISK**

For federal homeland security grants to be most effective at preparing the Commonwealth for terrorist attacks, most of the grants need to go to the places that are most at risk of an attack. Currently, most of the grant funds are allocated to localities based on population. Grant allocations to State agencies

are competitive, but the competition does not necessarily direct funds to those projects that address the State's greatest needs.

Developing risk-based formulas for the allocation of homeland security grants would improve the probability that Virginia will be prepared for the various terrorist attack scenarios. The 9/11 Commission recommended that such allocations should be based on risk, as opposed to spreading the money too thinly to all areas.

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### **State Homeland Security Program Grant Allocation to Localities Is Based Mostly on Population**

Although some funds are withheld for competitive grants to localities, Virginia basically follows the federal example of allocating homeland security grant funds. That is, each jurisdiction receives a base amount of the funds, and the remainder is allocated according to the populations of the jurisdictions. (Appendix D contains the local grant awards from the 2003 and 2004 SHSP grant.) This method ensures that grant funds are distributed fairly equitably, and that each jurisdiction receives at least a base amount that will enable it to address some of its need. However, it also may cause grant funds to be spread too thinly.

By funding low-risk areas of the State at the same level as areas that have known targets, localities with such targets may not be funded adequately. For example, a locality with a relatively small population, but which contains a heavy concentration of chemical facilities, may be at greater risk than other localities that have a similar population but without the heavy industry or other identified targets. Since one locality may be a more likely target, more funding should go to that jurisdiction to better address its security needs.

Another example of localities being underfunded due to the population-based allocation method is the central city that has a high-employment business district. While surrounding jurisdictions may have larger residential populations during nights and weekends, they may not be at the same risk of a daytime terrorist attack. Terrorist attacks have mostly occurred in densely populated cities, as was the case in the attack on the World Trade Center in New York or the train bombings in London. However, the high workforce population of central cities is not taken into account under the current distribution of homeland security funds in Virginia.

The extensive number of tourists in Virginia represents another way in which census-based allocation formulas do not adequately account for risk. The population actually in a given

***An allocation method based on risk instead of population alone would better ensure that homeland security funds are directed to the areas of the State that have the most security needs.***

locality may vary during the day, and during the season, as indicated by the 2.7 million visitors to Virginia Beach during 2003, according to the Virginia Beach Convention and Tourism Bureau. The 2000 Census indicated a population of 425,257 for Virginia Beach. Another example is Williamsburg, a city with a 2000 census population of 11,998; the Colonial Williamsburg Foundation reported more than 720,000 tickets sold during 2004, adding substantially to the small city's daily population.

An allocation method based on risk instead of population alone would better ensure that homeland security funds are directed to the areas of the State that have the most security needs. By directing funds to areas that have the most needs, the State will be better prepared to deter, detect, prevent, and respond to terrorist attacks.

According to the Assistant to the Governor for Commonwealth Preparedness, grant allocations will be based on a risk formula beginning with the 2006 grant cycle. While the formula has yet to be developed, factors being considered include population density, economic impact, local capabilities, and the existence of strategically important targets, such as communications centers and power grids. This type of risk-based allocation formula should be encouraged.

It should be noted that the SHSP grant is not the only source of federal funds for localities' preparedness efforts. Some localities also receive UASI, LETPP, and Buffer Zone Protection Program funds, which direct more funds to high-risk areas. These other sources should be taken into account when developing the risk-based formula.

***Recommendation (1).*** The Office of Commonwealth Preparedness (OCP) should develop a formula for allocating State Homeland Security Program grant funds based on risk. In developing the formula, OCP should consider population density, transient populations, economic impact, identified targets, local capabilities, and funding from other sources.

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## **LETPP Funds Were Allocated Based on the Existence of Critical Infrastructure**

The Department of Criminal Justice Services (DCJS) used a risk-based approach in awarding FFY 2004 Law Enforcement Terrorism Prevention Program (LETPP) grants to local law enforcement agencies. Because of the short time between when DCJS was notified of the grant and when it needed to allocate the money, DCJS awarded \$9.4 million in LETPP grants to the 36 localities that contained facilities on the national critical infrastructure list. The 36 localities were then awarded grant

funds based on their population. This allocation method ensured that funds were concentrated among localities that had high-risk targets. For example, Louisa County received \$117,612 due to the presence of the North Anna nuclear power plant, while Fluvanna County received no FFY 2004 LETPP funds because it has no sites on the critical infrastructure list.

However, DCJS then allocated approximately \$7 million in FFY 2005 LETPP grants to the 99 localities that did not receive LETPP funds in 2004. Thus, a smaller amount of funding went to nearly three times as many localities in 2005, and these localities did not contain critical infrastructure (as defined by DHS). In 2004, the average award for the 36 localities was approximately \$261,000. In 2005, the average award for the 99 localities was approximately \$71,000.

It may be argued that the FFY 2005 LETPP funds were spread too thinly to be effective. It may also be argued that each locality should be entitled to at least some portion of the homeland security funds, as every locality has some level of risk of a terrorist incident. Considering the two-year period of the LETPP program, the funds were still concentrated among those localities that had identified risks, because the larger amount of funding was divided among fewer localities.

To ensure continuity of funding and an allocation of grants that directs money according to relative risks, DCJS should develop a risk-based formula similar to that of the proposed SHSP grant allocation formula for any future LETPP funds. Such a formula would better ensure that funds are directed in the most effective manner.

**Recommendation (2).** The Department of Criminal Justice Services should develop a risk-based formula similar to that of the proposed State Homeland Security Program grant allocation formula for any future Law Enforcement Terrorism Prevention Program funds.

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## HRSA Allocation to Hospital Regions Incorporates Risk Factor

The HRSA Bioterrorism Hospital Preparedness Program grant is allocated to the six hospital regions via a formula that incorporates risk. The Virginia Hospital and Healthcare Administration (VHHA) consulted with representatives from the six regions and the Office of Commonwealth Preparedness to develop a formula that considers population, number of hospital beds, number of emergency visits, and a risk factor. The risk factor weights the distribution of HRSA funds to those re-

***Three regions were assigned a high risk rating, and the other three were assigned a moderate risk rating.***

gions that are perceived to be at greater risk of attack and in greater need of additional hospital surge capacity.

In developing the risk factor, the VHHA consulted with the Office of Commonwealth Preparedness. The VHHA asked OCP to rate the relative risks of the six regions on a scale of one to three, with three being the most at risk. OCP determined that no region of the State has a low risk, so every region received at least a moderate risk rating. In the final analysis, three regions were assigned a high risk rating, and the other three were assigned a moderate risk rating.

While this method of applying a risk factor to the allocation of funds is somewhat crude, it at least recognizes the perceived risk levels of the regions and directs more funds to where they appear to be needed most. Also, hospital surge capacity is directly related to population, as the greater the population, the more likely there will be a greater number of patients following a major incident. Thus, the formula appears to be a reasonable method of distributing the funds.

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### **State Agencies Are Awarded Grants on a Competitive Basis**

Each year, up to 20 percent of State Homeland Security Program (SHSP) funds are allocated to State agencies. Unlike the allocation of SHSP funds to localities, the SHSP grants awarded to State agencies are based on a competitive process. This competitive process is conducted by the Commonwealth Preparedness Working Group (working group). Each agency representative on the working group has three votes, and upon the conclusion of all proposed project presentations, the members cast their votes for the projects that they believe to be most vital to the Commonwealth's security needs. Each agency on the working group has one voting representative, and the representatives are not allowed to vote for their own agency's projects. The projects with the most votes are recommended for funding to the Assistant to the Governor for Commonwealth Preparedness, who then determines the allocation. The final allocations are based almost entirely on the recommendations of the working group.

***The State agency award process is vulnerable to agencies colluding to get their projects funded.***

The agency grant award process appears to be a fairly useful method of allocating the funds across agencies, because it informs the relevant agencies of the security needs of each agency, and it promotes a sense of buy-in in the process. However, there are some deficiencies in the process. One problem is that the process is vulnerable to agencies colluding to get their projects funded. Another problem is that there does not appear to be a direct link between the strategy developed by the Secure Commonwealth Panel and the projects selected by the working group.

***There is no scoring mechanism for deciding which projects will best further the goals of the statewide strategy.***

According to some of the working group representatives, some agencies may have attempted to bargain with other agencies to get their projects funded. That is, they may agree with another agency to vote for each other's projects. Also, some agencies have more representatives in the room than others, and even though each agency only gets one vote, the additional members "work the room" to campaign for their projects. These actions may result in some projects getting funded ahead of more important projects.

Development of the statewide security strategy is the responsibility of the Secure Commonwealth Panel and OCP. Although the recommendations of the Secure Commonwealth Panel appear to be a factor taken into consideration by working group members when voting for projects, there is no direct link between the statewide strategy and the projects that receive funding. The voting is conducted quickly following the presentations, and there is no scoring mechanism available to representatives for deciding which projects will best further the goals of the statewide strategy.

While most working group members are satisfied with the agency grant award process and genuinely believe the group has fostered close working relationships between agencies, the process could be improved by incorporating a criteria-based scoring system to rank projects. Criteria in the scoring system could include a project's relevance to the statewide security strategy, the risk of the terrorism scenario that the project addresses, and other relevant factors, such as recommendations of the working group.

**Recommendation (3).** The Office of Commonwealth Preparedness should develop a criteria-based approach to allocating State Homeland Security Program funds to State agencies. Criteria for selecting projects to fund should include alignment with the goals of the statewide security strategy and a priority ranking of identified risks.

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## **Northern Virginia Is the Only Region of the State that Receives UASI Funds**

The Urban Areas Security Initiative (UASI) program directs federal homeland security funds to densely populated high-risk metropolitan areas. The formula that DHS uses to distribute UASI funds has not been disclosed, but it is thought to be based at least in part on population, population density, identified targets, and the presence of terrorist activity in the area. Northern Virginia is the only urban area of the State to have continuously received UASI funds (although the District of Columbia is the fiscal agent for the grant). The Richmond region

received some UASI funds in 2003; the Hampton Roads area has never received UASI funds.

***UASI Funding in Northern Virginia.*** The large amount of UASI funds allocated to Northern Virginia projects (\$124 million over the three-year period) helps ensure that localities and private entities in the region are funded at a higher level, based on the potential for a terrorist incident. According to staff in several Northern Virginia localities, however, Virginia's representatives to the National Capital Region do not adequately consult with local officials and emergency management personnel concerning project priorities. This has contributed to the Northern Virginia localities not receiving funds for the projects that they consider to be most needed.

One emergency management official in a Northern Virginia locality believes that projects are picked more on a political basis than on objective criteria or according to any real strategy. For example, \$30 million went to an interoperability project at the University of Maryland in 2003. According to the official, there is still no product, and even when it is completed, it will not enhance the abilities of local fire and police departments to respond to incidents.

While balancing the needs and concerns of two states, the District of Columbia, and 12 local jurisdictions is complex, regular meetings between Virginia's representatives to the National Capital Region and key local emergency response officials would seem critical to ensure that funds are directed to the highest priority projects.

***Recommendation (4).*** Virginia's members of the National Capital Region senior policy group should regularly meet with emergency response and other local officials concerning local funding priorities for the National Capital Region Urban Areas Security Initiative.

***Hampton Roads has the second-largest marine terminal and the largest naval base on the East Coast.***

***The Hampton Roads Region Should Also Be in the UASI Program.*** The Department of Homeland Security determines annually which metropolitan areas receive UASI funding. The Hampton Roads region appears to warrant UASI funds, given its overall population, the existence of critical infrastructure, and its strategic importance as the second-largest marine terminal and the largest naval base on the East Coast. As noted earlier, extensive tourism also swells the population of some portions of the Hampton Roads area. In addition, several urban areas of similar or smaller size in the United States have received UASI funds, even though they do not appear to have the same security risks as Hampton Roads. Table 3 shows selected urban areas that received UASI funds in 2005.

**Table 3**  
**Selected Urban Areas Receiving FFY 2005 UASI Grant**

Source: U.S. Department of Homeland Security and U.S. Census Bureau

<b>Urban Area</b>	<b>Population (2000 Census)</b>	<b>Population per Square Mile of Land Area</b>	<b>UASI Award</b>
Sacramento, CA	1,628,000	399	\$ 6,085,663
Indianapolis, IN	1,607,000	456	5,664,822
<b>Hampton Roads, VA</b>	<b>1,570,000</b>	<b>668</b>	<b>0</b>
Columbus, OH	1,540,000	490	7,573,005
Charlotte, NC	1,499,000	444	5,479,243
Buffalo, NY	1,170,000	747	7,207,995
Jacksonville, FL	1,100,000	418	6,882,493
Louisville, KY	1,026,000	495	5,000,000
Toledo, OH	618,000	453	4,307,598
Baton Rouge, LA	603,000	380	5,226,495

Given the fact that Hampton Roads receives no UASI funds, it is even more important that the SHSP grant allocation be based on risk so that funds are directed to high-risk areas such as Hampton Roads.

## **LOCALITIES HAVE SHORT TIME FRAME FOR MAKING SECURITY DECISIONS AND SPENDING GRANT FUNDS**

One persistent problem with the allocations under the State Homeland Security Program is the short time frame that localities are given to decide how they want to spend the money. Generally, localities have about two weeks from the time of their award notice until they must submit their spending plans. This short time frame presents problems for planning their expenditures and aligning their local security strategies with the statewide security strategy. In addition, some localities have had a difficult time spending their funds within the allotted grant period. As of August 2005, nine localities still had not spent at least 30 percent of their FFY 2003 awards.

### **Short Time Frame Hampers Strategic Planning**

The State Homeland Security Program (SHSP) requires localities to submit their spending plans to the State in order to receive the grant. The local spending plans must demonstrate how their security strategies are compatible with the statewide security strategy. VDEM receives the plans and determines if they are acceptable. The goal of this process is to ensure that local spending, which comprises 80 percent of the total State award, addresses the gaps in the State's overall preparedness. However, it is difficult for localities to develop a plan that addresses its identified needs and is in line with the statewide

strategy when they only have about two weeks to develop the plan.

Local spending plans must be approved by the city council or county board of supervisors. Because these governing bodies meet on a bi-monthly or monthly basis, the two-week period does not always give localities enough time to adequately develop a plan, have it approved by the city manager or county administrator, and then have it approved by the elected officials. For localities to meet the deadline, they often must hastily choose projects among identified needs and then determine how the project fits in with the statewide strategy. Ideally, the statewide strategy should be a guiding principle for local spending plans – not a bureaucratic hurdle to satisfy the State and federal agencies administering the SHSP.

According to VDEM, the State has little control over the timing of grant notifications and spending plan submittals. VDEM has 60 days from the time it is notified of the grant by DHS to the time it must collect and report on the spending plans to DHS. VDEM and OCP use this time to develop the allocation method (that is, what the base amount to each locality will be, how much will be retained for competitive grants and statewide initiatives, and how they will distribute the remainder). VDEM was able to notify localities 32 days after receiving notification from DHS.

The State could enable the localities to have more time to develop their spending plans if localities were notified quickly after receiving the award from DHS. This could be accomplished if the State had an allocation formula already in place at the time it is notified by DHS. Although OCP and VDEM do not know how much they will receive, they could develop a formula based on percentages. For example, they could have predetermined that 80 percent would go to localities, and of that 80 percent, 20 percent would be withheld for competitive interoperable communications grants. Having a predetermined formula should not be difficult to accomplish, and the extra time would be beneficial for localities to develop their spending plans most effectively.

It should be noted that the SHSP grant is still a relatively new program, and the annual process has become easier for most localities. Many localities have by now developed their lists of unmet preparedness needs from experience with the process in 2003 and 2004. Now, once they are notified of the funding available, they can, for the most part, quickly determine which needs they can address for the current funding cycle.

**Recommendation (5).** The Office of Commonwealth Preparedness and the Virginia Department of Emergency Management should develop a percentage-based allocation formula for allocating State Homeland Security Program grants prior to the notification of the award amount from the Department of Homeland Security.

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### **Several Localities and State Agencies Have Experienced Difficulties in Spending Their Grant Funds within the Allotted Time Period**

Localities and State agencies have encountered several obstacles to spending their grant awards in a timely manner. These obstacles include the public procurement process, the complexity of certain information systems projects, and vendor backlogs on ordered equipment. Because of these obstacles, some localities and State agencies are in danger of losing their funds. In general, the localities have been able to spend their funds at a quicker pace than the State agencies that received SHSP grants.

***Six of the 19 State agencies that received FFY 2003 SHSP awards have spent less than 30 percent of their funds.***

As of August 2005, nine localities still have not spent at least 30 percent of their FFY 2003 SHSP awards. Six of the 19 State agencies that received FFY 2003 SHSP awards have spent less than 30 percent of their funds, and one agency's award has been reallocated after it determined it would not be able to spend the funds within the allotted time period. The deadline for spending these funds is October 31, 2005, and this deadline is the result of a six-month extension granted by DHS.

According to VDEM, the primary problem with State agencies spending their money in time is the State procurement system. The system helps ensure fairness and competition, but it is time-consuming. Agencies must develop the request for proposals, receive and evaluate bids, and agree to a contract. Furthermore, many of the projects take time to develop and implement. Projects cannot be paid for until they are completed. VDEM has stated, however, that funds that have been obligated to a project will not be revoked.

Another problem experienced by both State agencies and localities is that private vendors have backlogs on ordered equipment. The equipment desired by Virginia localities and State agencies is also desired by localities and agencies in the other 49 states. This has placed huge demands on vendors to meet the demands of all the local and state first responders. The vendor backlog is likely one reason why DHS has granted the extension on the FFY 2003 grant, and will likely extend the deadline on the FFY 2004 grant as well.

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## **MOST GRANT MONEY SUPPORTS ALL-HAZARDS APPROACH TO EMERGENCY MANAGEMENT**

Terrorism is one of many threats faced by Virginians. Local first responders must be able to respond to many different types of events in addition to terrorist attacks. To date, non-terrorist events, such as hurricanes, disease outbreaks, and chemical spills, have occurred much more frequently in Virginia than terrorist attacks. Fortunately, much of the equipment and training that enable adequate response to terrorism also help enable response to natural events and accidents. All of the 16 localities examined by JLARC staff indicated that they take an all-hazards approach to emergency management, and nearly all of the homeland security grants have been spent on equipment and training that can be used for responding to incidents other than terrorism.

The 16 localities sampled by JLARC staff varied in how they spent their grants, but there was one common theme – the localities spent most of their funds on improving the capabilities of their fire, police, and EMS departments to respond to incidents. Less money was spent on preventing or deterring incidents.

Another aspect of local spending of federal homeland security funds is that there are many checks and balances to help ensure that the money is spent appropriately. These checks and balances help explain why JLARC staff discovered no obvious instances of frivolous or inappropriate spending.

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### **Majority of Funds Have Been Used for Response**

Virginia localities received \$273.6 million in federal homeland security grants through 2004. Although a full accounting of all expenditures was not conducted for this study, a review of 16 localities was conducted to gain an understanding of the types of action taken by localities to improve preparedness. This sample included large-, medium-, and small-sized cities and counties (both urban and rural).

Each locality indicated that they take an all-hazards approach to emergency management. This all-hazards approach involves coordination among law enforcement, fire and rescue, EMS, and other relevant agencies to assess risks and determine preparedness needs. Terrorism preparedness is one aspect of all-hazards management, and while it requires some additional unique capabilities, the basic approach of first responders is unchanged. For example, a terrorist attack is a criminal activity for which law enforcement agencies are charged with attempting to detect and prevent the incident, and to track down and arrest the criminals. Similarly, fire and

rescue departments must be prepared to respond to fires, the destruction of buildings, and injury to people from a terrorist incident, just as they would to a similar incident involving a non-terrorist event. Thus, much of the equipment purchased through homeland security funds improves the localities' preparedness for all hazards.

A few case examples are shown below to illustrate how the localities spent their federal grant money.

*The City of Hampton had long been aware of natural disaster risks from flooding as well as from the Surry nuclear power plant. Since 9/11, the city has also prepared for chemical and bioterrorism risks and mass casualty events. In 2003 the city used the majority of its SHSP funds to purchase personal protective equipment for its police and fire units to respond to chemical or biological incidents. This equipment included suits, gloves, boots, masks, and self-contained breathing apparatus. Having filled its basic equipment needs, Hampton used its 2004 money to improve incident detection and prevention capabilities and to further enhance its ability to respond to incidents. The city bought a patrol boat to support waterway security, established its own hazardous materials (hazmat) team to augment the regional hazmat team in Newport News, equipped all police cars with mobile data systems, and set aside money for exercises and training for all first responders.*

\* \* \*

*The City of Roanoke determined after 9/11 that it needed to prepare for the risk of building collapse resulting from a bomb. Thus, the city spent much of its federal funds on equipment and training for confined space emergency rescue. The city also purchased a retrofitted mobile command center and a reverse 911 system to alert residents of a threat or incident. The City of Roanoke shares mass casualty equipment, confined space emergency rescue equipment, and training facilities with neighboring localities. The neighboring localities also have compatible 800-megahertz communications systems.*

Table 4 shows the major purchases made by the 16 localities with federal homeland security funds. As can be seen in the table, most of the purchases went to improve the localities' response capabilities, such as upgraded interoperable communications, incident response vehicles, and personal protective equipment. These initiatives are described briefly below:

**Table 4**  
**Local Homeland Security Spending from FFY 2003-04 Federal Homeland Security Grants**

Source: Initial Strategy Implementation Plans, Structured Interviews, and VDEM purchase records.

Locality	Federal Grants*	Major Purchases
Alexandria	\$ 9,070,191	Interoperable communications; mobile command and other incident response vehicles; personal protective equipment and logistical support devices for response to chemical, biological, radiological, nuclear, and explosives incidents; hardened security at emergency operations center; personal data assistants for police; monitoring and detection equipment; medical supplies; training.
Appomattox	\$165,293	Interoperable communications.
Arlington	\$17,784,310	Interoperable communications; mobile command center; bomb trailers; hazmat vehicles; personal protective equipment; upgraded computer-assisted design and 911 systems; upgraded emergency operations center; medical supplies; enhancements to regional response team; intelligence/early warning system; training.
Carroll	\$256,235	Interoperable communications; personal protective equipment, all-terrain incident response vehicle, search and rescue equipment, infrastructure hardening.
Chesterfield	\$2,221,617	Mobile command vehicle; hazmat response vehicle; infrastructure hardening; interoperable communications; preparedness exercises and planning.
Fairfax County	\$18,976,494	Establish/enhance emergency operations center; interoperable communications; mass casualty and disaster unit; personal protective equipment; incident response equipment and vehicles; terrorism intelligence/early warning system; preparedness exercise and training; infrastructure hardening.
Hampton	\$1,387,203	Interoperable communications equipment; personal protective equipment; incident response watercraft; hazmat equipment; mobile computers for police; preparedness exercise and training programs.
Henrico	\$2,184,012	Hazmat response vehicle; infrastructure hardening; personal protective equipment; incident prevention and response equipment.
Hopewell	\$339,994	Mobile command center; personal protective equipment; biological and chemical detection equipment; interoperable communications equipment.
King & Queen	\$128,889	Interoperable communications equipment; personal protective equipment; all-terrain incident response vehicle; search and rescue equipment.
Louisa	\$360,674	Interoperable communications equipment; incident detection equipment; infrastructure hardening; personal protective equipment.
Manassas Park	\$657,608	Interoperable communications equipment; personal protective equipment; emergency generator; enhancements to emergency dispatch center.
Norfolk	\$1,940,117	Mobile command vehicle; enhancements to emergency operations center; hazmat trailer and equipment; interoperable communications equipment; emergency alert system; personal protective equipment; detection equipment
Richmond City	\$1,659,321	Incident response vehicles; enhanced emergency operations center; personal protective equipment; infrastructure hardening; emergency notification system.
Roanoke City	\$933,930	Retrofitted mobile command center; search and rescue equipment; emergency notification system; interoperable communications equipment; preparedness exercise and training programs; infrastructure hardening.
Virginia Beach	\$3,418,893	Incident response vehicles (including watercraft and SWAT vehicle); search and rescue equipment (including hazardous duty robot and dive team gear); personal protective equipment; interoperable communications; emergency notification system; infrastructure hardening; preparedness exercise and training programs.

\* Includes FFY 2003-2004 SHSP, LETPP, CCP, and 2002 Congressional appropriations. Does not include EMPG or UASI funds.

- *Interoperable Communications* – enable police, fire, and EMS to communicate directly during response to an incident. In most cases, especially in urban areas, these efforts also enable first responders of neighboring jurisdictions to communicate directly to coordinate response. The 9/11 Commission noted the lack of effective communication as a problem following the attacks on the World Trade Center and the Pentagon, and Virginia has incorporated interoperable communications into its homeland security strategy.
- *Incident Response Vehicles* – includes mobile command centers, hazmat vehicles, bomb squad vehicles, SWAT team vehicles, all-terrain vehicles, and watercraft. The cost of some of these vehicles is considerable (mobile command centers may cost in excess of \$500,000), and the purchase of these vehicles was generally limited to the large localities that received significant funds.
- *Personal Protective Equipment* – includes hazmat and CBRNE suits, respirators, boots, gloves, and helmets, in addition to supporting equipment. This equipment enables first responders to enter hazardous areas to perform their functions following an incident.
- *Search and Rescue Equipment* – includes a broad range of equipment to respond to various incidents, such as a building collapse or submerged vessel.

Several localities also purchased detection and monitoring equipment, and several used a portion of their funds to make some critical facilities more secure, but the majority of the funds were clearly spent on response preparedness. One explanation for the emphasis on response is that it is exceedingly difficult to prevent all acts of terrorism, but localities would be required to respond to all acts. One local official stated, "You can't prevent all terrorist acts, but you can prepare for them and respond in such a way as to mitigate the damage." Another explanation has to do with the localities' role in homeland security. As one local official noted, "Detection and prevention are the roles of the federal and state governments. The local role is that of response."

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### **State and Local Procedures Help Ensure that Grant Funds Are Used for Approved Purposes**

Many checks and balances exist in the federal homeland security grants to help ensure that the funds are being used for approved purposes. These procedures begin with federally approved categories of expenditures, and continue through local approval processes and State review.

The federal government (DHS, CDC, or HRSA) issues guidelines to the states and localities concerning allowable expenditures for each grant, which includes equipment, training, exercises, planning, and administrative costs. The states must comply with these guidelines in order to receive the funds, and therefore must ensure that the localities and other subgrantees are complying with the guidelines.

In Virginia, VDEM ensures that localities and other entities are complying with the SHSP grant by reviewing spending plans and collecting copies of receipts for items purchased. According to VDEM staff, if an item is not on the approved list, it is rejected. For example, one locality submitted a request to purchase a bomb-sniffing dog, which was approved. However, the locality also wanted to spend thousands of dollars to construct a shelter for the dog. VDEM rejected this request, as the structure was not on the federally approved equipment list. The process is similar for the HRSA grant, with the VHHA reviewing hospital expenditures, and VDH auditing the VHHA. This State-level review ensures that at least the funds are being spent in compliance with federal requirements.

***Perhaps the most important control on homeland security spending is at the local level. Within each locality, spending is reviewed and approved at several levels.***

Perhaps the most important control on homeland security spending is at the local level. Within each locality, spending is reviewed and approved at several levels. The grants administrator must work with police, fire, EMS, and other local departments to develop the plan and choose the expenditure items. Once the plan is developed, it then must be approved by the city manager or county administrator, who is likely familiar with the needs of the first responders and could determine if the proposed spending is compatible with their needs. Finally, the spending must be approved by locally elected officials, who must answer to the public for any expenditure that is deemed to be unwise. Together, these steps help ensure that all expenditures are for approved purposes and contribute to improving homeland security.

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### **Comprehensive Statewide Security Strategy Would Help Direct Grant Allocations and Expenditures**

Much of this chapter has dealt with the need to incorporate risk into the allocation of homeland security funds to ensure that Virginia receives the most benefit from the funds. Another main point of the chapter is that preparedness efforts need to be directed toward those areas of highest priority. However, to adequately assess risk and direct funding toward priority needs, there must be a comprehensive assessment of attack

scenarios and a statewide strategy that will guide Virginia toward preparing for those scenarios. Chapter III will examine the State's efforts in assessing risk and coordinating efforts to meet the preparedness goals.

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## Planning and Organization for Homeland Security and Preparedness

### In Summary...

The new emphasis on homeland security and preparedness has had a significant effect on State government. The new focus has expanded the scope of some State agencies, and has required more interagency coordination and cooperation. The Commonwealth's management of the effort has generally been effective, although implementation of the existing strategic plan has been somewhat uneven. Progress has been made on improving response and recovery capabilities statewide, and more should be done to assist localities. A statewide assessment of response capabilities which identifies gaps in equipment, training, and personnel should be a factor in the future allocation of funding. Regional working groups of local personnel should help set priorities for equipment purchases and training, and should help assure local access to specialized resources. To ensure continuity of the overall effort, the Office of Commonwealth Preparedness should be established through statute and provided with permanent funding.

The new emphasis on homeland security and preparedness has had a significant effect on State government. The new focus has expanded the scope of some State agencies, and has required more interagency coordination and cooperation. Since 1999, \$532 million in federal funding has been distributed to State and local agencies in Virginia. The Commonwealth's management of the overall effort has generally been effective, although there have been some difficulties in coordinating such an extensive effort.

The State, localities, and many private sector entities have undertaken many preparedness and security-related initiatives since 2001. In many localities, staff dedicated to law enforcement, firefighting, emergency management, and public health (among others) have worked together in new ways to coordinate the local response. Localities have bolstered their homeland security efforts by using the federal funds to upgrade first responder capabilities. Some localities have reorganized to give new focus to the activity. Additional staff, training, procedures, and equipment have been put in place at both the State and local level that together strengthen the Commonwealth's ability to respond to any type of emergency event that may occur.

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## VIRGINIA'S STRATEGY FOR PREPAREDNESS

Planning to ensure security and preparedness involves the federal government, many State agencies, localities, and private entities. Much of the overall homeland security strategy is driven by federal requirements, which continue to evolve. Virginia is currently revising its strategic plan for preparedness, and the State as well as localities have developed planning documents that respond to requirements in federal homeland security legislation.

Ensuring a coordinated homeland security response is one of OCP's most important responsibilities. The independence of Virginia's cities and counties as well as the historical separation and independence of state and local agencies like police, fire, and health, means that effective coordination between these disciplines is a core objective for homeland security preparedness. The State can better ensure a coordinated response by addressing weaknesses in the current strategic plan, assessing local and regional response capabilities, fostering regional coordination, and improving access to specialized services.

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### Federal Strategic Planning Requirements Continue to Evolve

The Department of Homeland Security (DHS) has issued several documents that outline the national homeland security strategy. The 2002 *National Strategy for Homeland Security*, for example, stated that homeland security is:

. . . an exceedingly complex mission that requires coordinated and focused effort from our entire society – the federal government, state and local governments, the private sector, and the American people. America's first line of defense in the aftermath of any terrorist attack is its first responder community – police officers, firefighters, emergency medical providers, public works personnel, and emergency management officials.

According to a 2005 DHS statement of homeland security strategy, the National Preparedness Goal:

. . . presents a collective vision for national preparedness and establishes national priorities that will help guide the realization of that vision. The vision set forth by the goal encompasses the full spectrum of activities necessary to address a broad range of threats and hazards, including terrorism.

The vision of the National Preparedness Goal is to engage federal, State, local and tribal entities, their private and nongovernmental partners, and the general public to achieve and sustain risk-based target levels of capability to prevent, protect against, respond to, and recover from major events in order to minimize the impact on lives, property and the economy.

DHS requires state strategic plans to address four mission areas (summarized as prevention, protection, response, and recovery) and reflect seven national priorities, according to 2005 federal guidance. These priorities include:

- Implement the National Incident Management System and national response plan.
- Expand regional collaboration.
- Implement the interim national infrastructure protection plan.
- Strengthen information sharing and collaboration capabilities.
- Strengthen interoperable communications capabilities.
- Strengthen chemical, biological, radiological, nuclear, and explosive (CBRNE) detection, response, and decontamination capabilities.
- Strengthen medical surge and mass prophylaxis capabilities.

According to federal guidance, states and urban areas will be asked later in 2005 to analyze their homeland security programs and capabilities in several key areas, evaluate where capabilities should be strategically located, and develop regional approaches for leveraging all available funding sources.

Concerns about the federal guidance have been voiced nationally. For example, Congressional testimony has questioned whether the strategy emphasizes the risk of terrorism and weapons of mass destruction at the expense of preparedness for weather-driven incidents, and how compliance with existing national standards will relate to the new national mission areas and priorities.

Concern has also been expressed to Congress that the national strategy may rely too heavily on volunteerism and services that may not exist in some areas. For example, a vice-president of the American Red Cross testified that while the Red Cross:

. . . has the expertise, experience, commitment and organizational structure to implement key parts of the overall initiative, and in fact has primary responsibilities to provide food, shelter, emergency first aid, etc., it is not the responsibility of the charitable public to fund the responsibilities that the government requires and the American people will need, in the event of a major catastrophe.

The Red Cross spokesperson went on to request federal funding for these activities as a way to ensure that the capabilities will exist.

***Regional coordination and cooperation are necessary to effective response under the national strategy.***

A Virginia local official interviewed for this project summarized the overall national strategy as moving from traditional “target and hazard” based planning (like planning for localized floods) toward regional capability-based planning. Under this approach, he explained, no one locality needs to have all the equipment and training to respond to every possible event, as long as there are regional assets such as equipment and trained personnel that can be mobilized when needed. Regional coordination and cooperation are necessary to effective response under the national strategy.

Some local officials expressed a concern to JLARC staff that the overall national strategy is too top-down in approach, and does not adequately recognize that local personnel are generally the first to know about and respond to any emergency that happens. Citing delays and other operational problems with the federal-State-local chain of communications about terrorist actions, a staff member in one locality stated that “we are in trouble if the plan is that we wait for some guy in Washington to tell us there’s anthrax in our back yard.”

***A key concern about planning is the amount of federal funding that will be available in future years.***

A key concern about planning is the amount of federal funding that will be available in future years. As noted in Chapter 2, federal funds have decreased significantly and in unpredictable fashion, making effective planning more complex. In addition, changes in the federal UASI program that led to the deletion of the Richmond area, and the fact that the Hampton Roads area was never classified as a UASI, have been significant obstacles for assuring adequate preparedness.

Another concern with the federal strategic planning requirements is the somewhat arbitrary announcement of deadlines and changed requirements which have complicated State and local planning. For example, OCP intended to hold public meetings on a draft State strategic plan in August 2005 and release the plan in September. Because DHS issued new guid-

***The GAO report stated that "it is still too early to determine how well the complete framework will function in coordinating an effective response."***

ance for aligning strategies with national goals in late July, OCP decided to defer the meetings and the State plan.

A recent report from the Government Accountability Office (GAO) noted that the national response framework continues to evolve. The GAO report stated that "it is still too early to determine how well the complete framework will function in coordinating an effective response."

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## **Virginia's New Strategic Plan Should Address Weaknesses**

***One local official said, "We're much more likely to have a hurricane or ice storm, but we must be prepared for the results of terrorism as well."***

Traditionally, Virginia's emergency planning has taken an "all-hazards" approach, preparing for many possible emergency situations. Emergency planning has generally focused on identifying the potential hazards and threats in an area, assessing the area's vulnerability to these hazards, and identifying strategies and methods to mitigate the consequences of emergency situations. It is also clear that planning must address the concern expressed by one local official: "We're much more likely to have a hurricane or ice storm, but we must be prepared for the results of terrorism as well."

Following the development of the initial national strategy in 2002, Virginia put in place an initial State homeland security strategic plan in January 2003. This plan identified 19 goals aimed at the overall purpose of improving "the Commonwealth's prevention preparedness, response, and recovery capabilities for natural disasters and emergencies of all kinds, including terrorist attacks" (Exhibit 2). The plan outlines the State's overall approach to preparedness and focuses on activities to be undertaken primarily by State agencies.

OCP is currently revising Virginia's strategic plan. The revised plan for Commonwealth preparedness is due to be released in the fall, 2005. Weaknesses in Virginia's existing strategic plan need to be addressed in the revised plan.

Problems with the 2003 plan include an unclear link to pre-existing agency plans and capabilities, and a narrow focus on State agencies. This focus has hindered localities in developing their applications for federal funds. Another problem is the allocation of federal funds within the State based simply on population instead of an assessment of risk and response capabilities. These problems were discussed in Chapter 2.

***Eight of the plan's goals reference weapons of mass destruction, and none explicitly references weather-driven events, although these are far more common.***

It is not clear how the 2003 plan relates to Virginia's all-hazards approach to emergency planning. For example, eight of the plan's goals reference weapons of mass destruction, and none explicitly references weather-driven events, although these are far more common. The plan also has an unfinished

## Exhibit 2

### **Goals of Virginia's 2003 Strategic Plan for Homeland Security and Preparedness**

Source: Virginia Department of Emergency Management.

1. Institutionalize weapons of mass destruction (WMD) and terrorism preparedness (prevention, outreach, response and recovery capabilities) by policy, program and operational processes within the logical context of the full range of risks facing Virginia.
  2. Enhance the ability to detect and prevent future acts of terrorism.
  3. Develop, review, maintain, and update state agency plans addressing WMD and terrorism.
  4. Assist local governments with WMD and terrorism preparedness planning efforts.
  5. Continue to build a regional response capability among local governments and state agencies developed around Virginia's seven regions.
  6. Mirror Commonwealth Preparedness Working Group at the regional level to implement regional WMD and terrorism prevention and response initiatives.
  7. Use federal and other relevant funding to improve prevention, response and recovery capabilities at the local governments through the purchase, maintenance, and rotation of eligible equipment.
  8. Continue to improve state-level response and recovery capabilities through the purchase of eligible equipment.
  9. Continue to provide WMD and terrorism preparedness training to local government personnel.
  10. Continue to provide WMD and terrorism preparedness training to state agency personnel.
  11. Continue development of WMD and terrorism preparedness training courses for Virginia.
  12. Continue a statewide WMD and terrorism preparedness exercise program for state agencies and local governments.
  13. Coordinate with federal agency exercise activities.
  14. Coordinate state agency support for and participation in local exercises.
  15. Educate the public about the risk of terrorism and the steps individuals and families can take to protect themselves.
  16. Improve local and State public information capabilities when responding to terrorism and disasters.
  17. Support and strengthen Virginia's cyber-security efforts.
  18. Strengthen Virginia's continuity of operations and continuity of government capabilities among and between all three branches of state governments.
  19. Develop, support and enhance Virginia's Citizen Corps programs as a means to increase community-based citizen preparedness efforts.
-

***Implementation of the existing Commonwealth Preparedness strategic plan has been somewhat uneven.***

tone that makes the plan read more like a draft than a final document. For example, several of the goals (such as goals 9 through 12) could probably be combined into a single broader goal.

Implementation of the existing Commonwealth Preparedness strategic plan has been somewhat uneven. Significant progress has been made on several of the plan's goals, yet little if any progress has been made on others. For example, progress has been made in improving response and recovery capabilities through the purchase of equipment and training for many responders, in large part due to federal grants.

On the other hand, there has been no progress in implementing working groups at the regional level similar to the State-level Commonwealth Preparedness Working Group. Regional cooperation was an objective in the 2003 strategic plan, reflected in two goals:

Goal #5: Continue to build a regional response capability among local governments and state agencies developed around Virginia's seven regions.

Goal #6: Mirror the Commonwealth Preparedness Working Group at the regional level to implement regional weapons of mass destruction and terrorist prevention and response initiatives.

***State-led regional working groups could be very helpful but have yet to be established.***

While overall response capabilities have improved statewide, little progress has been made in implementing the regional dimensions of these two goals. JLARC staff interviews with numerous State and local officials indicated that such State-led working groups could be very helpful but have yet to be established. Several regional interdisciplinary efforts are under way, but these stem primarily from local initiatives and existed prior to the State's strategic planning process. Additionally, such efforts do not appear to exist in all regions of the State. The Assistant for Commonwealth Preparedness acknowledged to JLARC staff that the lack of progress in implementing regional cooperation was a disappointment, although much progress has been made at the local level.

The JLARC review found that regional cooperation varies around the State. The localities in Hampton Roads have strong regional coordination across the principal emergency response disciplines of fire, police, and health (including emergency medical services). Examples include monthly meetings of emergency managers from throughout the region to coordinate planning, training, equipment procurement, and related activities. Mutual aid agreements are in place between several jurisdictions so one will "back fill" for another if that fire

department is called out. Neighboring localities have filed joint grant applications for specialized training. The Planning District Commission is overseeing a major communications interoperability project for the region.

In another region, staff in adjacent localities said there is an effort to avoid duplication, although its effectiveness is unclear because there is no formal coordination between the jurisdictions. “We don’t necessarily consider or care what other neighboring localities have purchased or how they are equipped,” said one local chief. “No one has time to coordinate with the other jurisdictions anyway,” he said. The emergency coordinator in another of the jurisdictions thought they might not be able to establish regional coordination without legislation requiring it. Staff in a third neighboring locality suggested there was good regional coordination.

Staff in several localities suggested that OCP should take the initiative to identify and resolve questions of availability of emergency response assets in the various regions and ensure that there is sufficient coordination and cooperation between neighboring localities so they will know how to access each other’s capabilities. This could help minimize duplication and gaps in local capabilities.

**Recommendation (6).** The State strategic plan should re-emphasize a commitment to establishing local and regional preparedness working groups, consisting of local emergency managers, police, fire, health, emergency medical service providers, public transportation, and others.

**Recommendation (7).** The Office of Commonwealth Preparedness should take the lead in establishing regional working groups. These groups should meet regularly and focus on regional initiatives in training, equipment, and strategy, and work toward ensuring all localities in the regions have access to specialized response teams.

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### State Strategy Should Be Based on a Statewide Assessment of Capabilities

The initial Virginia strategic plan fell somewhat short of expressing a comprehensive statewide security strategy because of a narrow focus on State-level capabilities, an overemphasis on some hazards instead of all hazards, and its uneven implementation. The revised plan should address these weaknesses, and define the desired level of State and local response capability for all hazards and specify how to get there. In order to adequately assess risk and direct funding toward priority needs, the plan should incorporate a comprehensive statewide assessment of emergency response capabilities.

There is a wide variation in the response capability of localities, although capabilities statewide have been considerably improved due to the federal funding, according to VDEM staff. OCP staff have indicated that they are considering inclusion of a measure of local emergency response capability in a formula for allocating federal funds in the future. It is unclear how such a measure would be derived without a solid base of information about local capabilities.

As discussed in Chapter 2, homeland security-related grant allocations should be weighted toward areas that have the highest risks, instead of distributing funds based solely on population. An assessment of response capabilities would help identify important gaps in equipment, training, personnel, response times, and related factors. Future funding could then be directed toward filling these gaps.

**Recommendation (8).** The Virginia Department of Emergency Management should conduct a statewide assessment of local and regional capabilities, including equipment, training, personnel, response times, and other factors. Regional working groups could assist in assessing local response capabilities.

**Recommendation (9).** The revised State strategic plan should indicate how the statewide assessment of local and regional capabilities will be used in the future allocation of funding.

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### Access to Specialized Resources Should Be Improved

A variety of specialized resources are necessary to effective emergency response. Depending on the type of emergency, bomb squads, search and rescue teams, building collapse and technical rescue teams, hazardous materials teams, and others may be required.

Ensuring that all localities have appropriate access to such resources is key to effective emergency response. JLARC staff did not find specific localities that lack such access, but personnel in several localities did point out the extensive training, equipment, and expense involved with developing such teams, and questioned the statewide availability of such teams. Some localities also noted that they were not sure they had access to State agency personnel who are subject matter experts in various specialized topics, such as communications interoperability. These personnel could serve as important resources for localities as well as for State agencies.

**Specialized Response Teams.** One area that could benefit from increased regional cooperation as well as from State-level expertise is the assessment of local needs for specialized response teams. In interviews with JLARC staff, personnel in several localities indicated they felt like they were “on their own” in deciding whether they needed, for example, specialized law enforcement and firefighting teams (such as bomb squads, search and rescue teams, and hazardous materials response teams).

***While all jurisdictions may need access to specialized teams, not every jurisdiction needs or can afford to have their own.***

While all jurisdictions may need access to specialized teams, not every jurisdiction needs or can afford to have their own. The Department of State Police, for example, operates bomb squads and other special teams located around the State that are available to localities as needed. Several of the larger localities also have bomb squads and hazardous materials teams, although their availability to other jurisdictions may be problematic.

Norfolk provides an example of a somewhat problematic availability of bomb squads. In addition to an increasing number of incidents, Norfolk is concerned about assuring the availability of trained personnel and reducing the time spent waiting for personnel from other areas, during which a site must be evacuated and secured. As a result, Norfolk is now in the process of forming a bomb squad. Funding from DHS was used to purchase equipment, and the Norfolk Police Department is currently attempting to arrange for the necessary training. The Federal Bureau of Investigation (FBI) recently denied Norfolk’s request to attend the Bureau’s hazardous devices training program in Alabama, citing the availability of other squads in the area. Norfolk now relies primarily on a Department of State Police technician, located in Chesapeake. Hampton has a squad, but traffic on the Hampton Roads Bridge Tunnel could prevent or delay an effective response from Hampton. Virginia Beach also has a squad, although staffing is somewhat limited due to attrition. Norfolk intends to both appeal and re-apply for the FBI training.

Due to the presence of specific targets or vulnerabilities, smaller communities may also need access to specialized teams and equipment but may be unable to afford them. A regional approach may make sense in these cases.

Determining access to such specialized teams should be part of the statewide assessment discussed above. Working with State and other experts, the assessment could help ensure that appropriate specialized teams are initiated and developed.

***The Commonwealth has committed to a \$329 million interoperability project, the Statewide Agencies Radio System.***

Increased access to specialized emergency response resources was part of the impetus behind the regional hazmat response teams developed in the 1980s. Ensuring that all localities had access to this specialized asset prompted the State to provide general fund financial support for regional teams. Limited State financial support continues for the 13 regional hazmat teams.

***Interoperability Assistance.*** There is often an urgent need for responders from multiple agencies or jurisdictions to communicate effectively at the scene of an incident. “Interoperable communications” refers to the ability of personnel to talk across disciplines and jurisdictions via radio communications systems, exchanging voice and/or data with one another on demand, in real time. It creates inter-communications that support effective incident management and emergency management activities; these in turn support the continuity of operations and government functions during emergencies.

Achieving interoperable communications is a complex and expensive task. For example, the Commonwealth has committed to a \$329 million interoperability project, the Statewide Agencies Radio System (STARS). This project, administered by the Department of State Police and expected to be completed in 2009, will provide two-way digital communications links for 21 State agencies and several other entities.

Major interoperability initiatives are underway in several regions. As noted earlier, personnel in several localities told JLARC staff they felt they were “on their own” in determining radio communications needs locally, and in working toward interoperability. Some were unaware of any State-level activity in this area other than STARS. Other local staff were concerned about “vendor-driven” equipment purchases that may not meet objectives such as regional coordination.

An important asset is available to assist State and local agencies in achieving interoperable communications. The position of Commonwealth Interoperability Coordinator was established in the office of the Secretary of Public Safety in 2003. The coordinator has developed a plan that includes several objectives pertaining to increasing local awareness, funding, and technical competence. However, the coordinator has no control over the award of federal grants which are generally administered by VDEM or DCJS and flow directly to individual localities. This process potentially undercuts a regional emphasis. Better coordination between the coordinator, localities, VDEM, and DCJS could address this problem. For example, the coordinator could review all communications-related local funding requests for interoperability concerns.

To enhance the position's role in the grant process and to clarify the availability of the position as a resource for localities as well as State agencies, consideration should also be given to relocating the coordinator from the Secretary of Public Safety to OCP. The position is currently grant-funded, which underscores the temporary nature of the function.

Because the STARS project has a long time frame (completion in 2009), it may be appropriate to consider permanent funding for the coordinator's position. In addition, legislation enacted in 2005 (SB 963) requires localities to comply with the State interoperability plan by 2015 to remain eligible for State and federal financial assistance for communications. The Commonwealth Interoperability Coordinator will likely have an ongoing role in providing technical assistance under this legislation.

State agencies with technical expertise in areas such as communications interoperability and specialized response teams should provide technical assistance to localities. OCP should publicize the availability of preparedness-related technical expertise through the regional working groups.

**Recommendation (10).** The Commonwealth Interoperability Coordinator should review all communications-related grant requests from State agencies and localities. The key concern should be using the federal grants to enhance interoperability.

**Recommendation (11).** The General Assembly may wish to consider relocating the interoperability coordinator's position to the Office of Commonwealth Preparedness, and provide a permanent source of funding.

**Recommendation (12).** The Office of Commonwealth Preparedness should ensure that the technical expertise of State agencies is publicized and made available as needed by the localities. Areas of expertise may include communications interoperability and specialized response teams. Regional working groups should serve as forums for identifying the needs as well as publicizing the resources.

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## VIRGINIA'S HOMELAND SECURITY INITIATIVE NEEDS A STATUTORY BASIS

States have established a variety of organizational structures for homeland security and preparedness. Federal law places no restrictions on how states organize other than the requirement of federal homeland security grant programs that only the designated State administrative agency may apply for the funding.

A few states, such as Georgia and Alabama, established new State agencies in response to the renewed emphasis on homeland security. Similar to the federal government's example, these states reorganized agencies into a new structure, pulling functions such as emergency management and intelligence development and dissemination out of existing state agencies. Most other states (including North Carolina, Tennessee, and Maryland) took actions more like Virginia, establishing a homeland security coordinating office as a single, statewide focal point without major reorganizations of their government structures.

In 2001 Virginia established a preparedness office within the overall purview of the Governor's office. The current structure of OCP is a "cabinet level" office reporting to the Governor. Established by executive order, this arrangement is subject to change with each Governor, and has no permanent source of funding. The current federal grant (which is not a DHS grant, but instead comes from the U.S. Department of Justice through the Department of Criminal Justice Services) supporting the office will expire December 31, 2005. It is uncertain how the office will be funded beyond that date.

***The current arrangement is subject to change with each Governor, and has no permanent source of funding.***

***OCP Should Be Established in Statute.*** The current structure of OCP is that of a "cabinet level" office located in the Governor's office. The Assistant to the Governor for Commonwealth Preparedness reports to the Governor. As noted earlier, this arrangement is subject to change with each Governor, and has no permanent source of funding.

A high-level reporting relationship is appropriate for Virginia's homeland security coordination for several reasons. It facilitates a working relationship with federal agencies such as the Departments of Homeland Security and Defense. Quick access to key federal and State personnel is critical for Virginia, given the State's participation in the National Capital Region, its location adjacent to the District of Columbia, and the numerous federal facilities and assets located within the Commonwealth. Homeland security also involves a wide range of cross-cutting issues, such as immigration, information security and sharing, and extensive private sector ownership of critical infrastructure. Quick access to the Governor tends to assure

persons outside State government that these concerns have priority.

***Consideration should be given to establishing OCP in statute.***

OCP is not established in statute, but has instead been authorized under executive order. While executive orders are appropriate for authorizing a short-term activity, it is clear that homeland security has become a long-term governmental function. Executive orders may change with each Governor, and management and coordination of the State's preparedness function needs continuity. Consideration should be given to establishing OCP in statute. A sunset clause would provide an opportunity to make necessary organizational adjustments after several years of experience with the structure.

***OCP Needs a Permanent Source of Funding.*** A second problem is that the Office and its staff have been funded through a federal grant set to expire December 31, 2005. It is unclear what funding will be used to continue the office beyond that date.

***Permanent funding, perhaps from the general fund, should be considered.***

Permanent funding, perhaps from the general fund, should be considered. Part of the rationale for using federal grant funding (from the U.S. Department of Justice) was to avoid funding OCP with DHS funds, thus ensuring the maximum amount was passed through to localities and State agencies for direct services. As the key concern is to provide a stable source of funding for an office that should be established in statute, general funds may be the most appropriate source for OCP's budget.

***Recommendation (13).*** The General Assembly may wish to consider adopting legislation establishing the Office of Commonwealth Preparedness as an office within the Governor's Office. A sunset clause may also be appropriate to ensure timely review of the reporting and structural arrangement. Necessary funding to staff and equip the office should also be provided.

# Appendixes

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# A

## Study Mandate

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### **Study of Homeland Security Efforts and Funding in Virginia**

(Approved December 13, 2004)

Since the terrorist attacks of September 11, 2001 on the World Trade Center and the Pentagon, the federal government has initiated a concerted effort to help states and localities improve the safety and security of citizens. Federal homeland security grants are the primary method of assistance to states and localities. Virginia has received more than \$400 million in federal funding since 9/11. In order to direct homeland security efforts and funding in the Commonwealth, the Governor issued the Secure Virginia Initiative (Executive Order #7, 2002) and created the Office of Commonwealth Preparedness. The Office serves as the point of contact with the U.S. Department of Homeland Security and is charged with coordinating policy development and information exchange between federal, State, and local branches of government. The Office is also charged with reviewing and developing all disaster, emergency management, and terrorism management plans for the State.

Given the amount of money received by Virginia and localities in the State for homeland security efforts, and the recent creation of the Office of Commonwealth Preparedness, a review should determine the extent and sufficiency of homeland security funding, as well as the adequacy of the coordination and direction of federal grants going to State and local agencies. The proposed study would address the following questions:

- How much money has the State received in homeland security grants? How much money have localities in Virginia received?
  - Which State and local agencies are receiving homeland security grants?
  - Are homeland security grants awarded to State and local agencies in accordance with their critical needs?
  - What obstacles do State and local agencies confront when attempting to obtain homeland security grants?
  - Does the Office of Commonwealth Preparedness have adequate resources to effectively direct the coordination of homeland security efforts?
  - Does the Office of Commonwealth Preparedness have sufficient authority to direct the coordination of homeland security efforts?
  - What oversight mechanisms are in place to ensure that homeland security funds are being used for their intended purposes?
  - Are the security improvements anticipated by the grants implemented in a timely and effective manner?
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## Research Activities

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Staff undertook a number of research activities to complete the review of homeland security.

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### Structured Interviews and Site Visits

Structured interviews were conducted with State and local personnel as indicated in Table 1. JLARC staff met with more than 100 people for this project. The team interviewed people who served as emergency coordinators for the agency or locality. Additional personnel also attended many of the meetings, including representatives from law enforcement, fire-fighting, and public health.

Interviews were conducted with staff from the State agencies that are members of the Commonwealth Preparedness Working Group. Staff at additional agencies were also interviewed.

Localities were chosen to visit based on the amount of their 2004 homeland security grant awards. Localities were grouped into three categories: those receiving relatively small grants (up to \$65,000), those receiving larger amounts (\$65,000 - \$125,000), and large-grant localities (over \$125,000). Three localities were selected at random within the small- and middle-amount groups. The team decided to “over-weight” the large-amount recipients, visiting more of them, since they represent localities with higher profile targets and critical infrastructure. Three localities each from Northern Virginia, Hampton Roads, and central Virginia were selected, along with the city of Roanoke. This procedure generated the list shown in the following table.

Questions for State agencies focused on accomplishments, the process for obtaining and spending federal funds, and on relations with localities, other State agencies, and with the Office of Commonwealth Preparedness. Agencies were also asked about equipment and training purchased with the federal funds, and whether any additional resources have been dedicated to preparedness.

### State Agencies (17)

- Office of Commonwealth Preparedness
- Department of Emergency Management
- Department of Environmental Quality
- Department of Fire Programs
- Department of Agriculture & Consumer Services
- Department of Game & Inland Fisheries
- Virginia Port Authority
- George Mason University
- Department of Rail and Public Transportation
- Department of Transportation
- Department of Health
- Department of State Police
- Virginia Information Technologies Agency
- Department of Military Affairs
- Department of Criminal Justice Services
- Department of Forestry
- Virginia Capitol Police

### Localities (16)

- Richmond City
- Chesterfield County
- Arlington County
- Fairfax County
- Norfolk City
- Hopewell City
- Louisa County
- Appomattox County
- Henrico County
- Roanoke City
- Alexandria City
- Hampton City
- Virginia Beach City
- Carroll County
- King & Queen County
- Manassas Park City

### Other

- Virginia Hospital & Healthcare Association

Questions for localities covered these same topics, plus discussion of relations with any nearby military installations, mitigation plans for critical infrastructure located within the jurisdiction, and related concerns.

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## **Data Analysis**

Data from VDEM were used to determine the total amount of federal homeland security grants received by Virginia, the breakdown of grants by source, the distribution of grants across localities and State agencies, and how localities have spent or plan to spend their grants. Local expenditures were analyzed by examining the purchase records of the 16 localities from the FFY 2003 State Homeland Security Program, and by examining the FFY 2004 Initial Strategy Implementation Plans of the 16 localities sampled for this report. By reviewing the spending data, JLARC staff were able to determine the types of equipment purchased by localities and identify the areas in which the localities concentrated their preparedness efforts.

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## **Document Reviews**

Numerous documents were consulted in developing this report. The U.S. Department of Homeland Security has issued a variety of strategic planning and guidance documents, available at the agency's website. Staff also reviewed congressional testimony to the Subcommittee on Economic Development, Public Buildings and Emergency Management of the House Transportation and Infrastructure Committee. Reports from the Government Accountability Office were also considered.

Documents issued by most State agencies and several of the localities listed in the above table were also collected and reviewed. The Auditor of Public Accounts' May 2005 review of the Commonwealth's homeland security funding was also reviewed.

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## **Attendance at Meetings**

JLARC staff attended several meetings of the Secure Commonwealth Panel and the Commonwealth Preparedness Working Group. Staff also attended the State emergency management conference and terrorism awareness training offered by VDOT personnel.

# Glossary of Terms and Acronyms

BZPP	Buffer Zone Protection Program, a grant program administered by the Department of Homeland Security
CBRNE	Chemical, biological, radiological, nuclear, and explosive
CCP	Citizen Corps Program, a grant program administered by the Department of Homeland Security
CDC	U.S. Centers for Disease Control and Prevention
DCJS	Virginia Department of Criminal Justice Services
DHS	Department of Homeland Security
EMPG	Emergency Management Performance Grants, a grant program administered by the Department of Homeland Security
EMS	Emergency medical services
EOC	Emergency operations center
FFY	Federal fiscal year, which runs from October 1 through September 30
Fusion Center	A terrorism intelligence center for the central repository of information about terrorists, terrorist groups and events, located in new quarters at the Department of State Police headquarters
Hazmat	Hazardous materials
HRSA	Health Resources and Services Administration, a part of the U.S. Department of Health and Human Services
Interoperability	The ability of personnel to talk across disciplines and jurisdictions via radio communications systems, exchanging voice and/or data with one another on demand, in real time.
LETPP	Law Enforcement Terrorism Prevention Program, a grant program administered by the Department of Homeland Security
Mitigation plan	A plan that identifies policies, actions, and tools that can be used to reduce or eliminate long-term risk to life and property from a disaster or hazard event
MMRS	Metropolitan Medical Resources System, a grant program administered by the Department of Homeland Security, as of FFY 2005
OCP	Virginia Office of Commonwealth Preparedness
Prophylaxis	Treatment to prevent the onset of a particular disease ("primary" prophylaxis), or to prevent the recurrence of symptoms in an existing infection that has been brought under control ("secondary" prophylaxis, maintenance therapy).
SHSP	State Homeland Security Program, a grant program administered by the Department of Homeland Security

Surge capacity	A healthcare system's ability to rapidly expand beyond normal services to meet the increased demand for qualified personnel, medical care, and public health in the event of bioterrorism or other large-scale public health emergencies or disasters
UASI	Urban Areas Security Initiative, a grant program administered by the Department of Homeland Security
VDEM	Virginia Department of Emergency Management
VDH	Virginia Department of Health
VDOT	Virginia Department of Transportation
WMD	Weapons of Mass Destruction

# Local Grant Awards

## State Homeland Security Program Awards to Virginia Localities (FFY 2003-2004)

Source: Virginia Department of Emergency Management.

<b>Jurisdiction</b>	<b>FFY 2003</b>	<b>FFY 2004</b>	<b>Total</b>
Accomack County	\$ 173,409	\$ 140,848	\$ 314,257
Albemarle County	399,304	280,754	680,058
Alexandria City	601,878	424,717	1,026,595
Alleghany County	116,522	69,311	185,833
Amelia County	100,838	55,966	156,804
Amherst County	156,116	115,622	271,738
Appomattox County	107,055	58,238	165,293
Arlington County	695,418	617,701	1,313,119
Augusta County	337,723	222,007	559,730
Bath County	83,705	30,926	114,631
Bedford City	87,080	34,873	121,953
Bedford County	232,927	205,463	438,390
Bland County	88,622	36,677	125,299
Botetourt County	152,345	111,211	263,556
Bristol County	116,933	69,791	186,724
Brunswick County	179,714	78,110	257,824
Buchanan County*	142,856	0	142,856
Buckingham County	112,229	64,289	176,518
Buena Vista City	87,214	35,030	122,244
Campbell County	207,861	176,145	384,006
Caroline County	229,755	84,789	314,544
Carroll County	148,971	107,264	256,235
Charles City County	88,771	41,851	130,622
Charlotte County	103,730	54,348	158,078
Charlottesville City	276,982	141,350	418,332
Chesapeake City	607,346	648,401	1,255,747
Chesterfield County	821,589	839,962	1,661,551
Clarke County	104,215	54,916	159,131
Colonial Heights City	115,665	73,308	188,973
Covington City	87,090	34,885	121,975
Craig County	83,821	31,061	114,882
Culpeper County	162,503	123,092	285,595
Cumberland County	94,410	43,448	137,858
Danville City	200,668	167,731	368,399
Dickenson County	114,311	66,724	181,035
Dinwiddie County	136,262	97,399	233,661
Emporia City	85,369	37,872	123,241
Essex County	97,032	51,514	148,546
Fairfax City	128,075	87,824	215,899
Fairfax County	2,702,687	3,079,439	5,782,126

<b><u>Jurisdiction</u></b>	<b><u>FFY 2003</u></b>	<b><u>FFY 2004</u></b>	<b><u>Total</u></b>
Falls Church City	\$ 110,254	\$ 52,738	\$ 162,992
Fauquier County	218,815	188,957	407,772
Floyd County	107,511	58,771	166,282
Fluvanna County	124,161	78,246	202,407
Franklin City	92,600	46,331	138,931
Franklin County	197,633	164,182	361,815
Frederick County	371,703	201,797	573,500
Fredericksburg City	205,423	75,823	281,246
Galax City	88,530	36,570	125,100
Giles County	115,017	67,551	182,568
Gloucester County	163,901	129,727	293,628
Goochland County	115,574	73,201	188,775
Grayson County	118,417	71,526	189,943
Greene County	111,206	63,093	174,299
Greensville County	101,270	56,470	157,740
Halifax County	170,846	132,850	303,696
Hampton City	547,071	481,991	1,029,062
Hanover County	302,919	292,329	595,248
Harrisonburg City	413,255	142,672	555,927
Henrico County	777,587	847,524	1,625,111
Henry County	271,843	197,762	469,605
Highland County	76,930	23,001	99,931
Hopewell City	130,384	90,524	220,908
Isle of Wright County	150,274	113,788	264,062
James City County	199,834	171,756	371,590
King and Queen County	87,972	40,917	128,889
King George County	198,744	68,011	266,755
King William County	105,548	61,474	167,022
Lancaster County	101,288	56,492	157,780
Lee County	141,807	98,885	240,692
Lexington City	88,611	36,665	125,276
Loudoun County	527,546	555,064	1,082,610
Louisa County	139,212	95,850	235,062
Lunenburg County	105,548	56,474	162,022
Lynchburg City	319,519	220,916	540,435
Madison County	103,859	54,499	158,358
Manassas City	164,858	130,847	295,705
Manassas Park City	97,844	52,464	150,308
Martinsville City	157,170	63,636	220,806
Mathews County	94,923	49,047	143,970
Mecklenburg County	157,427	117,155	274,582
Middlesex County	96,878	51,334	148,212
Montgomery County	295,660	278,839	574,499
Nelson County	109,051	60,572	169,623
New Kent County	106,400	62,471	168,871
Newport News City	556,005	588,351	1,144,356
Norfolk City	713,766	759,513	1,473,279
Northampton County	105,404	61,307	166,711
Northumberland County	103,155	58,676	161,831
Norton City	80,620	27,317	107,937
Nottoway County	112,504	69,610	182,114
Orange County	139,897	96,651	236,548
Page County	132,604	88,121	220,725
Patrick County	122,435	76,227	198,662
Petersburg City	161,096	126,446	287,542

<b><u>Jurisdiction</u></b>	<b><u>FFY 2003</u></b>	<b><u>FFY 2004</u></b>	<b><u>Total</u></b>
Pittsylvania County	\$ 236,633	\$ 209,798	\$ 446,431
Poquoson City	101,286	56,489	157,775
Portsmouth City	341,341	337,270	678,611
Powhatan County	130,446	90,597	221,043
Prince Edward County	123,279	77,214	200,493
Prince George County	159,226	124,259	283,485
Prince William County	827,522	905,931	1,733,453
Pulaski County	164,837	125,821	290,658
Radford City	112,865	65,033	177,898
Rappahannock County	88,925	37,031	125,956
Richmond City	603,586	644,003	1,247,589
Richmond County	93,850	47,791	141,641
Roanoke City	333,642	314,433	648,074
Roanoke County	301,457	285,619	587,076
Rockbridge County	126,214	80,647	206,861
Rockingham County	252,763	228,664	481,427
Russell County	151,838	110,618	262,456
Salem City	136,839	93,074	229,913
Scott County	133,213	88,834	222,047
Shenandoah County	217,869	125,657	343,526
Smyth County	159,318	119,367	278,685
Southampton County	117,243	75,154	192,397
Spotsylvania County	397,243	300,185	697,428
Stafford County	319,443	311,656	631,099
Staunton City	134,427	90,253	224,680
Suffolk City	241,844	220,893	462,737
Surry County	88,509	41,545	130,054
Sussex County	103,816	59,449	163,265
Tazewell County	190,382	155,701	346,083
Virginia Beach City	1,217,130	1,361,634	2,578,764
Warren County	208,453	114,644	323,096
Washington County	207,929	176,224	384,153
Waynesboro City	122,740	76,583	199,323
Westmoreland County	115,182	72,743	187,925
Williamsburg City	102,451	57,852	160,303
Winchester City	288,065	89,408	377,473
Wise County	178,312	141,583	319,895
Wythe County	144,532	102,071	246,603
York County	321,938	197,610	519,548
<i>Total</i>	<i>30,575,896</i>	<i>24,531,200</i>	<i>\$ 55,107,096</i>

\* Buchanan County was not eligible for FFY 2004 funds because it did not complete local needs assessment.

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## Agency Response

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As a part of the extensive validation process, State agencies and other entities involved in a JLARC assessment effort are given the opportunity to comment on an exposure draft of the report. Appropriate technical corrections resulting from comments provided by these entities have been made in this version of the report. This appendix contains the written response of the Office of Commonwealth Preparedness.

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# COMMONWEALTH of VIRGINIA

*Office of the Governor*

George W. Foresman  
Assistant to the Governor for  
Commonwealth Preparedness

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September 7, 2005

Mr. Philip A. Leone  
Director, Joint Legislative Audit and  
Review Commission  
Suite 1100, General Assembly Building  
Capitol Square  
Richmond, Virginia 23219

Dear Mr. Leone:

Thank you for the opportunity to review the Exposure Draft of the JLARC Review of Homeland Security Funding and Preparedness in Virginia. This report is very well done and captures most of the specific themes of challenges facing the Commonwealth and its communities. I am not aware of any other states that have done this level of comprehensive independent review and I applaud these efforts.

We are in general agreement with the JLARC findings and offer several specific observations:

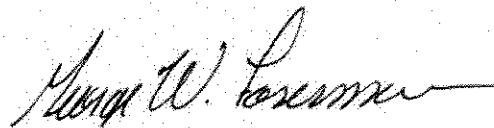
- Adding permanency to the Office of Commonwealth Preparedness, at least in the near term, is appropriate and we endorse a "sunset clause". The Office does not replace existing structures and organizations but instead synchronizes and orchestrates existing entities towards common focuses of preparedness. Given the recent tragic events with Hurricane Katrina we should expect additional national (local, state and federal) changes that will underscore the need for this type of high-level coordination.
- We believe the idea of measurable performance is critical to the success of Virginia's efforts over the longer-term. There are a plethora of state and federal funds that are supplementing important local and private sector preparedness efforts. These efforts are not simply limited to "homeland security or emergency preparedness" dollars. For instance, base investments made in law enforcement, fire, Emergency Medical Services and public health provide for day-to-day services as well as core competencies needed during emergencies and disasters. These are integrated activities and must be measured as such.

Mr. Philip A. Leone  
September 7, 2005  
Page Two

- Finally, Virginia's "all hazards" risk management focus serves us well and we need to maintain our efforts accordingly. Our ability to share critical information, coordinate prevention, response and recovery efforts and ready citizens for the next crisis should not be hazard specific. There are many scenarios that could affect the Commonwealth and its communities. We must be effectively prepared with well-understood and shared plans, procedures and capabilities, irrespective of what causes the next crisis.

I want to thank you and the Commission for undertaking this analysis. The findings will assist us with our efforts to further strengthen the safety and security of Virginia. Rest assured that action will be initiated to address the recommendations provided by JLARC.

Sincerely,

A handwritten signature in cursive script, appearing to read "George W. Foresman".

George W. Foresman



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