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**Testimony before the
United States Senate
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Integration**

on

**“Deep Impact: Assessing the Effects of the Deepwater Horizon Oil Spill on
States, Localities and the Private Sector”**

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Chairman Pryor, Senator Ensign and Members of the Subcommittee: Thank you for the opportunity to testify before you today regarding the efforts that the Department of Homeland Security (DHS) is undertaking to respond to the BP Deepwater Horizon Incident(s) in coordination with our federal, state and local partners.

As a former state homeland security advisor who now works for a former governor, I understand that state, local and tribal officials know the unique needs of their communities and environments unlike any other entity. This unique knowledge is even more relevant in situations such as the one we are here to speak about today.

Since day one, DHS and the Administration's response to the BP Deepwater Horizon oil spill has been based upon existing, tested protocols that were tailored to fit the unique circumstances of this spill. We sought to combine lessons learned from the past with the local knowledge and experience of governors, mayors, county officials and others to inform our decision making. From the outset, we knew that gaining the confidence of the state and local officials and responders closest to the events would be essential in order to effectively coordinate the assets necessary to protect the Gulf region.

Pre-Event Preparedness

DHS routinely conducts planning activities and training exercises to strengthen our ability to respond to significant, national events. Part of this planning and exercise training includes preparation for a Spill of National Significance (SONS), defined as "a spill that is so complex due to its severity, size, location, or actual or potential public impact to the public health or environment that it requires extraordinary coordination of federal, state, local and responsible party resources to contain and cleanup the discharge."

To prepare for a SONS, the Coast Guard and/or the Environmental Protection Agency (EPA) leads a full-scale exercise every three years with federal, state, local and industry partners. This past March, I participated in the Coast Guard-led 2010 SONS exercise, which examined a complex, multi-agency response spanning the East Coast.

This SONS exercise included the deployment of the Incident Command System (ICS), an organization structured around National Response Framework (NRF) and the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). The ICS provides a common strategy for developing and implementing tactical plans to efficiently and effectively manage the response to oil spills. The ICS organization can, as is the case for the BP Deepwater Horizon response, include Incident Command Posts and Unified Commands at the local level, and Unified Area Commands (UAC) at the regional level. This command structure implements the local, regional, and national contingency plans that were designed by a committee of local, state and federal officials. These same officials participate in the Unified Command, giving them direct access to the operational and strategic decision making authorities that manage the response.

As the Intergovernmental Affairs lead in the SONS exercise, I gained firsthand experience in the implementation of this collaborative command structure. During the exercise we were able to identify potential information gaps and gain a greater understanding of the needs of our state and local partners. Although I had worked similar issues as the Homeland Security Advisor for the State of Massachusetts, this exercise provided me invaluable understanding and preparation in the event of a Spill of National Significance.

Continuous DHS Response to the BP Deepwater Horizon Oil Spill

Since day one, the Administration addressed this incident(s) with an all-hands-on deck approach, starting with the search and rescue efforts the United States Coast Guard undertook in the hours immediately following the event. As the event transitioned from the initial search and rescue operation into a wider response, we engaged with our state and local partners in Louisiana, Texas, and Mississippi and then expanded to include Alabama and Florida as the oil spill projections expanded. Throughout these events, the Administration has closely coordinated our efforts with the states and local communities affected by the spill.

Prior to this incident(s), state and local partners had existing plans in place to respond to a disaster such as this, in the form of Area Contingency Plans (ACPs). These plans – written by a committee of local, state and federal officials from multiple disciplines – specify what types of actions would be taken to respond to an oil spill and what methods would be used to protect natural and economic resources. The ACPs outline all aspects of the response from establishing information lines to identifying target areas for boom deployment. After the oil rig explosion, the Federal On-Scene Coordinator (FOSC) worked with state and local leaders to review the ACPs and start deploying the resources outlined in the plans. Where the existing ACPs did not fully address the current concerns and as conditions in the region changed, the FOSC and the Unified Area Command (UAC) worked with state and local leaders to revise these plans and adjust resources accordingly.

The UAC was established on Friday, April 23 and continues to operate as the central regional authority for the response and the seat of the FOSC. Three incident command centers have been established in Houma, Louisiana (on Saturday, April 24), Mobile, Alabama (on Friday, April 30) and St. Petersburg, Florida (on Friday May 5) to provide even greater transparency to local communities.

Also on April 23, DHS organized a daily interagency intergovernmental affairs call to establish continual coordination between the different agencies involved in the response. These calls, now hosted by the White House, have expanded to include partners from the Departments of Interior, Commerce, Agriculture, Labor, and Health and Human Services, the Environmental Protection Agency, Small Business Administration, and other government agencies with existing resources and programs in place that can be used to assist the response in the Gulf region. Through this coordination, our office, working with the UAC, responds to questions and official requests from the governors, parish presidents, county executives, and mayors.

On April 26, I was forward deployed to the Unified Area Command in Robert, Louisiana at the direction of Secretary Napolitano and the recommendation of United States Coast Guard Commandant Admiral Thad Allen. Upon arriving in Louisiana, I immediately began to reach out to state and local officials and met with the governors of Louisiana, Mississippi, Alabama, and Florida. On April 27, I provided an in-person briefing to Louisiana Governor Bobby Jindal's staff and the Louisiana Homeland Security Advisor at the Unified Area Command Center. That same week, I joined Governor Jindal and Alabama Governor Bob Riley on flyovers of the affected area. Throughout these events, my staff and I have been in close contact with the governors and their staffs, communicating with them daily.

National Incident Command Structure

With the designation of this event as a Spill of National Significance (SONS) on April 29, and the designation of United States Coast Guard Commandant Admiral Thad Allen as the National Incident Commander (NIC) on May 1, the command structure was elevated to enhance operational and policy coordination across the federal government. One of Admiral Allen's first actions as the NIC was to establish the Interagency Solutions Group (IASG) under my

leadership. This working group is embedded in the National Incident Command at Coast Guard Headquarters and has representation from 17 agencies including: DHS, including Coast Guard, Federal Emergency Management Agency; Department of Health and Human Services, including the Food and Drug Administration; Department of Defense, including the U.S. Army Corps of Engineers; Department of Commerce, including the National Oceanic and Atmospheric Administration's National Marine Fisheries Service, National Ocean Service and Office of Oceanic and Atmospheric Research; Department of the Interior, including the Minerals Management Service (MMS), U.S. Fish & Wildlife Service and U.S. Geological Survey (USGS); EPA; U.S. Department of Agriculture, Department of Transportation's Maritime Administration; Department of Labor, including the Occupational Safety and Health Administration; Department of State; and Department of Energy. The IASG ensures interagency coordination on the key policy questions arising from the field. When state and local representatives have questions or concerns on issues that span across multiple agencies or departments, they are able to receive a clear, comprehensive, and timely response through the mechanism described in detail below. The IASG also serves as a conduit for communicating concerns through the ICS to senior officials throughout the administration.

Institutionalizing Communications

As the National Incident Command Structure, IASG, and Unified Command Posts were stood up, we sought a way to institutionalize our communications with our state and local partners. Initially this process was done on an as-needed basis with many of state and local briefings and meetings taking place throughout the week of April 26 and culminating in a meeting with Secretary Napolitano, Interior Secretary Ken Salazar, EPA Administrator Lisa Jackson, Assistant to the President Carol Browner, NOAA Administrator Dr. Jane Lubchenco,

and state and local officials in the Unified Area Command Center on April 30. To continue this dialogue between senior administration officials and state and local partners, on May 2 Secretary Napolitano and Secretary Salazar led a conference call with Gulf Coast governors and their staffs, and followed up with another conference call on May 4, which included NIC Admiral Thad Allen, White House Senior Advisor Valerie Jarrett and EPA Administrator Jackson.

Beginning May 5, we formalized these briefings with daily conference calls with the governors of the affected states in the morning and local officials in the afternoon. These calls offer an opportunity for the governors and local officials to obtain the most current information, engage in a dialogue with the senior administration officials who are overseeing the response, and have any concerns addressed. Through these daily conversations, we have sought to foster direct contact and access between state and local officials and experts in the federal agencies involved in the response. Our mission is to seek advice and ideas from state and local leaders and use it to help inform decision making at all levels.

In addition to our daily calls with state and local partners in the Gulf region, we wanted to be forward-leaning in providing the latest information to all potentially affected states. Thus, starting on May 6, we held a series of conference calls with Atlantic Coast governors to brief them on the latest oil trajectories and answer questions they had about regional impacts of the oil spill. We will continue to do this as new information relative to the Atlantic Coast arises and needs to be conveyed to state and local officials.

In addition to communicating via phone, we wanted to make sure there were personnel on the ground to help coordinate with our state and local partners. By May 5, intergovernmental affairs personnel were deployed to each of the command posts and the federal government had

deployed subject matter experts to each of the state emergency operations centers. To further amplify the coordinated response efforts, state governments in the affected areas sent top officials to the area command and incident command posts. This deployment has ensured seamless integration of federal, state, and local response efforts. We connected others virtually through a daily update of activities and oil trajectory projections sent out via email every evening. Seeking to create multiple channels of support at the most local levels, we established dedicated phone lines at each of the incident command posts, an effort that was announced by the President on the first local officials call. These communications outlets built upon the existing relationships between state and local officials and the field headquarters of the federal agencies in the area. The daily calls and dedicated phones lines have given officials at all levels of government a structured way to provide input and insight into the oil spill response.

Although these structures have proven useful in many ways, it soon became apparent that state and local officials required even closer coordination to handle urgent issues even more quickly than such a structured daily process could allow. As a result, DHS established a liaison program in which dedicated Coast Guard and BP personnel with decision-making authority have been assigned to parish presidents and governors specifically to handle emergent needs. The ultimate aim of this program is to move resources and solve problems in the most efficient and at the most localized level possible. To ensure the highest level of coordination, on May 27 Deputy NIC Admiral Peter Neffenger and I visited four parish presidents in Louisiana with their assigned liaison officer to discuss immediate and long-term needs. In addition, my office continues to communicate with all of the parish liaison officers daily to guarantee that the liaison officers are getting the resources necessary to carry out their missions. Since the program began, we are already seeing the results of more efficient and effective coordination to address any

issues immediately as they arise. For instance, one parish president recognized that boom was sitting on a dock waiting to be deployed. The parish president immediately called their respective Coast Guard liaison and the boom was deployed within the hour.

Our ongoing relationship with parish presidents and local officials is mutually beneficial – our local partners have helped the response effort by communicating to their residents and constituents the latest information on how to file claims for damages as a result of the BP Deepwater Horizon incident(s), and state and local officials have also informed our information-gathering and data modeling by sending us the latest information on oil and affected wildlife sightings. In turn, the parish presidents have relied on the Coast Guard and DHS officials to help expedite action on ideas to support the relief and containment efforts.

For example, on May 24, during a town hall meeting at Plaquemines Parish, a local participant suggested to BP that they use a specific skimmer used by the Dutch government in the response effort. After favorable review of demonstration videos and encouragement by the Coast Guard officials at the meeting, the suggestion was taken for action and BP was ordered to hire the skimmers. This state and local coordination and communication has proven to benefit the community and those responding to the oil spill(s) and we continue to identify new ways to improve our response and coordination.

Conclusion

We have worked hard to leverage the knowledge garnered and lessons learned from past Department response efforts in the region, as well as our long history of exercise responses. At the same time we have sought to institutionalize the involvement of state and local officials. Realizing the importance of the state and local role, my office, along with our interagency

partners, quickly developed several mechanisms to ensure state and local participation and feedback. We have done so while working with the responsible parties to ensure that information is being shared in a coordinated, effective manner. We have continued to improve and expand these mechanisms to ensure that our partners most affected by the oil spill have the information and access they need to respond to this and to address the concerns of their residents. Communication and coordination during an event like this is of prime importance, and I thank you for recognizing that by inviting me here to testify before you.

Chairman Pryor, Senator Ensign, and members of the Committee, thank you for the opportunity to address these important issues with you today. I look forward to answering your questions.