

## TESTIMONY

Before the Democratic Task Force  
on Homeland Security

June 24, 2003

Commissioner David H. Fischler  
Suffolk County Department of Fire, Rescue and Emergency Services  
P.O. Box 127  
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My name is David H. Fischler. I have served as the Commissioner of Fire, Rescue and Emergency Services for the County of Suffolk, New York since 1995. In that position, I also serve as the county's Emergency Manager. I have been an active volunteer firefighter and former chief in the St. James Fire Department since 1966 to the present. I have been an Emergency Medical Technician since 1973 and a Critical Care Technician since 1975. I entered the career fire service in 1977. I have a Bachelor of Arts degree and a Masters degree in Biology, a Master of Arts degree in Health Education and a Juris Doctorate. I have a small practice in Elder Law.

Suffolk County is 911 square miles with a population of over 1.4 million people. The county is protected by 109 volunteer fire departments and 27 volunteer EMS agencies. Total fire /EMS responses for 2002 were over 149,000. Approximately, 10,000 volunteer firefighters and 3,000 EMS personnel operate within the system. On 9/11, at the request of New York City and through our mutual aid agreements, Suffolk County supplied New York City with engine companies, ladders companies, heavy rescue companies, technical rescue teams and EMS units. Our County Fire/Rescue personnel operated at the Police/Fire Command Post and the Emergency Operations Center for six weeks.

With the support of Suffolk County Executive Robert J. Gaffney, a Terrorism Response Task Force was formed in 1999. I co-chair this task force along with Suffolk County Police Department Chief of Patrol Thomas Compitello.

## EQUIPMENT

The equipment programs have been very successful for the county. During 1999 and 2001, Suffolk realized almost \$800,000 in direct funding from the US Department of Justice. Thereafter, Congress enacted legislation that provided funding to the states for distribution to the local responders. Again, excluding New York City, the county has received significant funding that has supplied equipment to local fire, law enforcement, EMS and District Attorney personnel.

New York State's program is quite unusual. No direct funds go to the responders. Instead, based on an organized plan supported by information from the county performing a vulnerability assessment and needs assessment, the state purchases the equipment for the counties. Therefore, emergency response personnel can be deployed anywhere in the state and the same equipment will be available on which they have been trained.

Suffolk County is also unique in that under the strong leadership of County Executive Gaffney, a former FBI agent, and the county legislature, the county has committed close to \$3 million to provide equipment and training to our emergency responders. The county has strategically placed throughout the county 16 trailers of monitoring equipment, entry and operational equipment, and decontamination equipment. We have also supported six certified Hazardous Materials Response teams within the county.

The equipment program is working. We urge that funds are not used to meet budget shortfalls or supplant local funds. These dollars need to continue so that the appropriate equipment is available when needed.

## FIRE ACT

The message about the FIRE ACT is simple:

1. It needs to be fully funded at the authorized \$900 million level.
2. The FIRE ACT cannot be incorporated into any other funding mechanism, such as WMD funding. It needs to stand alone.

3. The mechanism of awards needs to be maintained as is. FEMA and the United States Fire Administration must be involved with the process in which fire service peers make the decision on the awards. This program has been recognized as one of the most successful grant programs getting the money to the end users. Do not tamper with it.

### UNITED STATES FIRE ADMINISTRATION

In the organization of the new Department of Homeland Security, the USFA lost some of its significance. In particular, the position of US Fire Administrator was deleted. The fire service is the backbone of each and every community. These are the true first responders who can muster the most equipment and personnel in the shortest period of time. Firefighters and EMS personnel serve as our soldiers against the terrorism threat. The US Fire Administration has served as the critical, influential voice of our members. We cannot and should not lose our representation. The USFA and the US Fire Administrator needs to be continued with a place of prominence in the new DHS.

### INTEROPERABILITY

We have already discussed one form of interoperability with New York State standardizing response equipment throughout the state. This discussion now continues related to communications. One of the most frequent and common criticisms of a disaster is communications. Communications fail, as we observed on 9/11, when emergency response agencies cannot speak to each other. No common frequencies exist as well as the lack of standardized radio equipment. This problem cannot continue.

Within Suffolk County, we are taking steps to address this issue. Our police have an 800MHz system. Our EMS agencies will begin operating on the 800MHz system this year. Unfortunately, the fire service operates on lowband and has no place to go.

The solution is easy. Congress needs to pass H.R. 1425 - THE HERO ACT. This legislation has bipartisan sponsorship and was introduced by Members of Congress Jane Harman and Curt Weldon. Congress in part has created this problem by passage of legislation authorizing additional radio spectrum in the 746-806 MHz band with one large loophole. The loophole

is that the TV stations currently utilizing this spectrum do not have to leave this band until 85% of the American households have digital TV. The HERO ACT closes this loophole and sets a firm date by which the TV stations must vacate this spectrum. Currently, this bill has over 200 sponsors. I ask that all of you commit today to become a sponsor to this key bill. It shall make a tremendous to all emergency responders. If this bill fails, we can only expect future disasters with significant loss of lives of emergency responders because no interoperable communication system was available.

### TRAINING AND PERSONNEL

While the equipment program needs to be continued, funding for training and personnel has to increase. New, sophisticated equipment is nice, but if personnel do not have the proper training and experience, then the equipment is useless. Additionally, funding for interagency tabletops and practical, multi-agency exercises has to increase. We can throw all the equipment in the world at a terrorism incident and we can have the most elaborate, printed response plans, they are meaningless unless the pre-incident training has occurred.

Using a small FEMA grant, Suffolk County has developed and implemented multi-jurisdictional tabletop exercises for chemical and biological incidents. These tabletops are not for the bosses but for the firefighters on the first due engine, the EMTs on the first ambulance, the police officer in the first police car, and the hospital emergency department personnel. These responders are the ones that need the information on operational concerns so as to recognize the problem, take appropriate protective actions for themselves and the citizens, know the local support services and who to call. These responders make the difference and need to be trained.

Personnel are needed to maintain and service the sophisticated equipment and to train response personnel on the equipment use. These functions must be ongoing and cannot be ignored. Funding is needed to hire additional personnel to perform these activities. Funding for these positions cannot supplant a municipality's funding of positions.

### NATIONAL INCIDENT MANAGEMENT SYSTEM

On February 28, 2003, President Bush issued Presidential Directive 5 charging the Secretary of Homeland Security with the establishment of a

national incident management system. This action has been a continuing demand of the fire service. We are extremely pleased that this step has been taken. The fire service has been the leader in incident command. The EMS service and law enforcement have implemented incident command but at a slower pace. No other response groups have become as proficient in the IMS as fire, EMS and law enforcement. Creating a national system will assure that all responders will operate under the same, recognized command and organizational structure. Funding for the full implementation of this effort must be created.

In 1996, New York Governor George Pataki issued an Executive Order that all state agencies will operate under an incident management system. In March of this year, Suffolk County became the first county in the state to require the use of incident command when County Executive Robert J. Gaffney issued such a directive.

Operating under a National Incident Management System will assure a more coordinated, effective and efficient response to a terrorism incident or other disaster. We urge you to fully support the National Incident Management System and to take the necessary steps for quick implementation.

I thank you for the opportunity to present the concerns and the issues of local emergency responders.

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