

APWA Washington REPORT

TRANSPORTATION

TEA-21 Reauthorization Progress

SENATE CONFEREES NAMED; HOUSE SELECTIONS PENDING; THIRD DEADLINE EXTENDED

Several big “work zones” lie ahead before TEA-21, the nation’s highway and transit investment law is reauthorized. But one “zone” is done--naming the Senate members who will serve on the Conference Committee that must reconcile the differences between the House and Senate proposals for a new law addressing transportation infrastructure needs.

Conferee selection occurred when Senate Democrats, seeking substantive representation on the 21 member Committee, were satisfied with provision for 9 Democrats, 1 Independent and 11 Republicans.

The House will name conferees to the panel after the Memorial Day recess. Congress will return to work on June 1 and will have four weeks to work on the bill before the 4th of July week-long recess then another three weeks before the Democratic National Convention the last week of July.

Currently, surface transportation programs are operating on the third temporary extension which expires June 30, 2004. To give conferees enough time to complete their work, a fourth extension is likely. The TEA-21 Act expired September 30, 2003.

Big gaps between the two measures must be spanned in Conference. The Senate approved a six-year, \$318-billion bill (S 1072), SAFETEA, on February 12, 2004 by a vote of 76-21, and the House passed a \$275-billion, six-year bill (HR 3550), TEA-LU, on April 2, 2004 by a vote of 357-65. The Administration supports a six-year bill totaling \$256 billion and has threatened a veto against the House and Senate bills because of their funding levels and other provisions. Republican leaders are committed to not sending a bill to the President that he will veto. (Observers point out that the House and Senate bills were passed by sufficient margins to override a veto.)

Also, Congressional leadership initially had planned to agree on a total six-year funding level with Administration officials before beginning conference proceedings. But when meetings with the Administration failed to achieve this agreement, Congressional leaders decided to go to conference to work out funding differences between the two bills.

Another big issue that conferees must iron out is the demand of 26 so called “donor states,” whose motorists send more in gasoline excise taxes to the Highway Trust Fund than they get back for road projects in their states. The House bill has drawn anger from donor-state lawmakers because about \$11 billion in “high-priority project”- earmarked projects requested by individual members- and \$6.6 billion in “projects of regional and national significance” are not included in the 95 percent guaranteed to states. The Senate bill would not set aside money for high-priority or regional and national projects, and would divide money among the states in a fundamentally different way.

The House bill also includes a “reopener” clause that would require Congress to revisit funding levels for the last four years of the bill to ensure there are adequate funds to meet the minimum guarantees. There is little support for that measure in the Senate bill.

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AMERICAN PUBLIC WORKS ASSOCIATION • WASHINGTON OFFICE

Peter B. King, Executive Director • 1401 K Street, NW, 11th Floor, Washington DC 20005
(202) 408-9541 • (202) 408-9542 fax • apwa.dc@apwa.net • www.apwa.net/govtaffairs

Some lawmakers are concerned by the bill's number of categorical grant programs which set aside funds for specific uses such as stormwater mitigation or bike paths. Some senators believe that each dollar set aside for a categorical program limits states' flexibility in applying for and using scarce funds as they see fit. Senators named to the Conference Committee are:

REPUBLICANS: James M. Inhofe (OK), John W. Warner (VA), Christopher S. Bond (MO), George V. Voinovich (OH), Orrin G. Hatch (UT), Charles E. Grassley (IA), Don Nickles (OK), Trent Lott (MS), Richard C. Shelby (AL), John McCain (AZ) and Mitch McConnell (KY).

DEMOCRATS: Thomas A. Daschle (SD), Harry Reid (NV), Bob Graham (FL), Joseph I. Lieberman (CT), Barbara Boxer (CA), Ernest Fritz Hollings (SC), Paul S. Sarbanes (MD), Max S. Baucus (MT) and Kent Conrad (ND).

INDEPENDENT: James M. Jeffords (VT).

APWA has sent letters to Congressional leaders and the President calling for a reauthorization agreement funded at no less than \$318 billion over six years. The letters stress APWA's reauthorization priorities, developed by the APWA Reauthorization Task Force, and point out that an uncertain funding outlook undermines state and local governments' ability to plan, program and implement transportation projects.

The letters add that a \$318 billion, six-year authorization is the minimum necessary to enable local officials to meet the goals of enhancing safety, reducing congestion, repairing aging infrastructure and protecting the environment.

See the April issue of the *APWA Washington Report* for an overview of the House and Senate bills, posted on APWA's government affairs webpage, www.apwa.net/govtaffairs.

INTERGOVERNMENTAL

National Public Works Week on the Hill

APWA HOSTS SERIES OF EVENTS FOCUSING ON INFRASTRUCTURE AND SERVICES

For the first time ever, APWA took National Public Works Week (NPWW) to Capitol Hill with a series of speeches, discussions, and seminars.

NPWW "On the Hill" included sessions on the Local Technical Assistance Program (LTAP) for local highways and the Rural Transit Assistance Program (RTAP) for rural transit agencies; partnerships between APWA and the EPA; emergency management; "all-hazards" planning, and transportation issues.

The former head of FEMA, James Lee Witt, joined APWA's Judy Mueller to speak on "The Marriage of FEMA to the Department of Homeland Security: For Better or Worse?" Additionally, several Congressional representatives attended a private tour with APWA President Dwayne Kalynchuk of Public Works Showcase, a display of the latest technologies in the field of public works on Thursday May 20. A reception followed the showcase.

Members of the Virginia, District of Columbia, and Maryland chapter joined the activities and held a luncheon on Capitol Hill where Rep. Bobby Scott (D-VA) and Del. Eleanor Holmes Norton (D-DC) spoke about the federal budget and updated attendees on the reauthorization of TEA-21.

National Public Works Week in the States

TWENTY-FIVE GOVERNORS SIGN PROCLAMATIONS FOR PUBLIC WORKS WEEK

Governors in twenty-five states declared May 16-22, 2004 as National Public Works Week. Governors in Arizona, Arkansas, Colorado, Connecticut, Delaware, Georgia, Hawaii, Indiana, Kansas, Maine, Massachusetts, Michigan, Missouri, Nebraska, New Hampshire, North Carolina, North Dakota, Ohio, Oklahoma, Tennessee, Texas, Virginia, Washington, Wisconsin, and Wyoming signed proclamations declaring National Public Works Week and recognized the hard work and efforts of public works officials in their states.

APWA worked with Chapter Presidents or Representatives in each of these states/provinces to assist them in receiving a proclamation from the Governor or Premier. Special thanks goes to the Arizona chapter, Arkansas chapter, Colorado

chapter, Delaware chapter, Georgia chapter, Hawaii chapter, Indiana chapter, Kansas chapter, Maine chapter, Michigan chapter, Missouri chapter, Nebraska chapter, New England chapter, North Carolina chapter, North Dakota chapter, Ohio chapter, Oklahoma chapter, Rocky Mountain chapter, Tennessee chapter, Texas chapter, VA/DC/MD chapter, Washington chapter and the Wisconsin chapter.

Proclamations and pictures of activities occurring during National Public Works Week are available on the APWA website: <http://www.apwa.net/About/npww/celebrations04.asp>.

Please contact hdoucet@apwa.net if your state or province was not listed.

Internet Taxation

SENATE PASSES COMPROMISE BILL TO EXTEND TAX MORATORIUM FOR FOUR YEARS

By a 93-3 vote, the Senate passed an internet tax bill which would place the taxation of internet access beyond state and local control. The bill as passed is a modified version of the Internet Tax Non-Discrimination Act (S. 150). Instead of implementing a permanent ban as originally proposed, the bill would extend the moratorium on internet access taxes for four years and allow 11 states which had taxed internet access before 1998, when the moratorium was first imposed, to continue levying their taxes. It also expands the definition of internet access. Senator John McCain (R-AZ) sponsored the compromise. The internet tax moratorium expired last year.

Efforts to amend the bill with an alternative proposal, the Internet Access Ban Extension and Improvement Act (S. 2084), supported by state and local governments, were unsuccessful. Senators Lamar Alexander (R-TN), Tom Carper (D-DE) and George V. Voinovich (R-OH) offered a substitute which would have extended the ban for two years to allow state and local governments, Congress and the Federal Communications Commission time to determine the appropriate tax treatment of emerging telecommunications technologies.

The Senate passed the bill April 29, 2004 after four days of debate. It will need to be reconciled in conference with the House-passed bill, HR 49, which calls for a permanent ban on internet access taxes.

Public Rights-of-Way

APWA SUBMITS COMMENTS SUPPORTING LOCAL AUTHORITY TO MANAGE ROW

APWA joined the US Conference of Mayors, the National Association of Counties and other local organizations in filing comments with the Federal Communications Commission (FCC) regarding deployment of advanced telecommunications capabilities.

The comments address key APWA advocacy positions regarding rights-of-way management, including: respect for local authority to manage the public rights-of-way; the impermissibility of preempting local regulations; local authority to charge reasonable compensation; and the important point that appropriate rights-of-way management is not a barrier to entry.

The comments were in response to the FCC's fourth Notice of Inquiry regarding the deployment of advanced telecommunications capability pursuant to section 706 of the Telecommunications Act. FCC must make a report to Congress on the status of advanced services deployment.

GAC Meeting

MEETING IN DC, APWA GOVERNMENT AFFAIRS COMMITTEE ADVOCATES PRIORITIES

Focusing attention on senior federal agency officials and members of Congress filled the two day agenda of APWA's Government Affairs Committee (GAC) when they gathered in Washington, DC April 19-20, 2004, for their spring meeting.

Members spent a day meeting with their congressional representatives to advocate APWA priorities on reauthorization of TEA-21, investment in drinking water and wastewater infrastructure and funding for emergency relief and infrastructure security.

Additionally, they engaged in dialogues with senior officials from the Department of Homeland Security, the Environmental Protection Agency, the Federal Transit Administration and the Federal Highway Administration.

GAC members also completed work on a number of business items, including a final review of all APWA position statements, which have been reformatted for consistency, clarity and uniformity. The APWA Board of Directors approved in September 2003 a new streamlined process for developing and reviewing APWA position statements. A description of the new process is posted on APWA's government affairs webpage, www.apwa.net/govtaffairs. GAC is chaired by Don LaBelle, Public Works Director, Alameda County, CA. Members include: Richard Berning, Jim Coppola, Ray Funnye, Andy Haney, Ken Hill, Barbara Lawrence, Diane Linderman, Bob Murnane, John Okamoto, Linda Page, Richard Ridings, Mickey Sullivan and Win Westfall.

ENVIRONMENT

Expanded Water Sources

NEW BILL ENCOURAGES DESALINIZATION FACILITIES

A new House bill, HR3834, with bipartisan support if enacted, would contribute up to \$200 million to facilities currently desalinating seawater and underground brackish water.

Introduced by Representative Jim Davis (D-FL), the bill would encourage communities not currently using the desalination process to try it. Though the process has been around for many years, it had not been economically viable due to high electricity costs involved. Improvements in technology, using reverse osmosis, have significantly lowered the cost. What used to cost \$2,000 per acre foot of water (325,851 gallons), now only costs about \$900. The bill would narrow the cost differential between desalination and more commonly practiced methods.

The bill would allow the Secretary of Energy to make incentive payments in the amount of \$.62 for every thousand gallons of desalinated water produced and sold to the owners or operators of qualified desalination facilities to partially offset the cost of electrical energy required to operate such facilities.

The bill is on APWA's Legislative Action Center: <http://capwiz.com/apwa/issues/bills/?bill=5819046>

Drinking Water Security

EPA TO GRANT \$5 MILLION FOR DRINKING WATER COUNTER-TERRORISM ACTION

Environmental Protection Agency (US EPA) has announced the allocation of nearly \$5 million in State and Tribal Assistance Grants to assist drinking water systems across the nation to support counter-terrorism coordination with state, local, and federal governments.

This coordination, which began under a 2002 grant program, is to ensure drinking water utilities receive technical assistance and training on homeland security issues, including vulnerability assessments and emergency response plans. Utilities seeking assistance should consult with their state drinking water program to learn what assistance their state is offering. For more information, please contact Andy Bielanski at 202-564-3824 or bielanski.andrew@epa.gov.

Energy Bill

DEADLOCK CONTINUES OVER MTBE; COMPROMISE UNLIKELY

The comprehensive energy bill remains in Congressional deadlock due to the "safe harbor" provision that grants liability exemption to manufacturers of the fuel additive methyl tertiary butyl ether (MTBE).

House Republicans insist on the MTBE defective product liability waiver while Senate Republicans know that an energy bill will never pass if the waiver is included. There appears to be little room for compromise on the issue, which could derail the bill entirely. MTBE contamination has been documented in 36 states across the country, affecting nearly 41 million Americans. Experts estimate cleanup costs to hover around \$29 billion.

APWA has been actively involved in asking Congress to strip the MTBE language from the energy bill. APWA along with the National League of Cities, the U.S. Conference of Mayors, the National Association of Counties and others,

placed an ad in The Hill, a Capitol Hill newspaper asking members of Congress not to, "Contaminate Energy Legislation with MTBE." The ad points out that the MTBE safe harbor provision offers blank check protection to those responsible for contaminating the nation's water supply and places the cleanup costs on local communities, public water systems and the general public. To read the Energy Bill, got to APWA's Legislative Action Center: <http://capwiz.com/apwa/issues/bills/?bill=5764556>.

Water Infrastructure Needs

HOUSE HOLDS HEARING ON AGING WATER INFRASTRUCTURE

America's aging water infrastructure was the subject of an April 28, 2004, House Water Resources and Environment Subcommittee hearing. The subcommittee under Chair John Duncan, Jr. (R-TN) and ranking member Jerry Costello (D-IL) heard testimony from four expert witnesses, each representing a unique part of the public water sector.

Representatives from the U.S. Conference of Mayors' Urban Water Council (USCM), Association of Metropolitan Water Agencies (AMWA), American Water Works Association (AWWA) and the National Rural Water Council (NRWA) outlined the growing water infrastructure needs facing the nation's large and small communities.

Recognizing the gap between current funding levels and current needs, the hearing then focused on possible solutions to get the resources needed to rebuild, repair and replace aging water infrastructure. Solutions suggested included: grants to municipalities; 30-year no interest loans under the State Revolving Loan Fund program (SRF); modifying current tax law by removing Private Activity Bonds (PABs) used for water and wastewater infrastructure from state volume caps; rate increases; a significant increase in the SRF level; asset management; consolidation and privatization; and efficient use of water.

While sympathetic to the need for additional infrastructure investment, the House is not expected to bring legislation to the floor at this time.

Lead-Free Drinking Water

SAFE DRINKING WATER ACT AMENDMENTS OFFERED FOR LEAD PROTECTION

Reacting to recent revelations that many homes in the District of Columbia have lead levels exceeding the Environmental Protection Agency's recommended levels, Senator James M. Jeffords (I-VT) introduced legislation May 4, 2004, to reduce lead-contaminated drinking water and to better notify the public of high lead levels. Jeffords is the Ranking Member on the Senate Environment and Public Works Committee which has jurisdiction over drinking water.

Companion legislation was introduced in the House by Representatives Henry A. Waxman (D-CA), Hilda L. Solis (D-CA), Chaka Fattah (D-PA), Albert Russell Wynn (D-MD), James P. Moran (D-VA) and Delegate Eleanor Holmes Norton (D-DC).

The identical bills would amend the Safe Drinking Water Act to require the Environmental Protection Agency to reevaluate, and revise if necessary, the federal protection level for lead.

The bills authorize \$200 million to replace lead pipes. The legislation would ban lead in plumbing fixtures, require water systems to notify customers of high lead levels, and would require public water systems to provide at home water filters where contamination has occurred. The legislation also requires annual testing of water coolers in schools and remediation if excess levels are found.

The legislation would require replacement of all lead service lines at a rate of 10 percent within 10 years once excessive levels of lead are found. Total replacement would be required of both utility and residential pipes. New water treatment chemicals would have to be tested before being put in place.

APWA is cautioning that federal legislation for replacement may not be needed and first to give utilities an opportunity to reduce lead levels by optimizing corrosion control. APWA also doubts the workability of a public utility replacing the pipes in residences.

EPA believes the bill is "premature" and does not believe that lead-contaminated water is a national problem. EPA's data shows that only eight of the 838 large utilities serving more than 50,000 people exceeded the agency's "action
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level" of 15 parts per billion during monitoring for 2003.

However, EPA is gathering data from state public health and environmental officials. Based on the results of the state information, EPA may consider targeted revisions to the existing guidance or to the 1991 rule.

Air Quality

HUNDREDS OF COUNTIES MUST MEET NEW AIR QUALITY STANDARDS

More than 470 counties have been given non attainment designations by EPA under the new stricter federal air quality standards and will be required to implement various pollution control measures.

The new standard sets a maximum ozone level of 0.08 parts per million averaged over an eight-hour period and will replace the standard which established a maximum level of 0.12 parts per million averaged over a one-hour period.

EPA issued a proposed rule to implement the new ozone standard in June 2003. Effective June 15, 2004, the final rule provides new non-attainment areas, which are in compliance with the former one-hour standard, flexibility in implementing pollution control measures.

The designations and implementation rule were published in the *Federal Register* on April 30, 2004. For more information on the non-attainment designations, contact EPA's Office of Air Quality Planning and Standards at 919-541-5284. For more information on the rule, contact EPA's Office of Air Quality and Standards at 919-541-5666.

Controlling Emissions

TRADING OR POLLUTION FEES SUGGESTED BY EPA TO CONTROL FINE PARTICLES

"Nontraditional" measures, such as emissions trading or pollution fees are being suggested by EPA in draft guidance for states on controlling emissions that form fine particles. The guidance is to help states come into attainment of a new federal air quality standard for particulate matter.

Fine particles are formed from such things as soot from diesel engines and sulfur dioxide from burning coal at power plants. Fine particles contribute to cardiac and respiratory problems

Some emissions trading program examples cited by EPA include rights to burn dry grass can be traded, permits are allowed to install new wood stoves only when permits for existing stoves are retired, fees are charged to permit sources for emitting more than 500 tons per year of Clean Air Act criteria pollutants, and truck stops provide electrical hookups to allow trucks to maintain climate controls without idling their engines.

Stormwater Guidelines for Small Communities

NPDES PERMITS TO REQUIRE TIME FOR PUBLIC COMMENT

EPA has issued a message to regional water directors regarding National Pollutant Discharge Elimination System (NPDES) permits for small communities which say that after submitting letters of intent, small municipalities that want coverage under a general stormwater permit must now allow a period of time for public comment.

This rule applies only to communities that service up to 100,000 individuals. This decision was prompted by a September 2003 Supreme Court ruling that was concerned with permit coverage becoming effective immediately upon submission of a letter of intent. The decision does not apply to other units covered under the Clean Water Act's phase II stormwater rule such as construction sites because other stringent guidelines exist for such other sites.

Electronic Waste

LACKING FEDERAL LAW, 31 STATES FORM THEIR OWN E-WASTE POLICY

Lawmakers in Washington State and 30 other states have created their own laws regarding the disposal of old and unusable electronics products because no federal action has occurred.

Washington's measure originally called for the development and implementation of an e-waste program to be complete by June 30, 2006. The state Senate amended the bill by creating a Research and Development (R&D) subcommittee to

look into implementation and financing proposals and alternatives. The industry voiced overwhelming complaints about footing the bill alone.

The electronics industry does recognize e-waste as a priority but favors a fee (to the tune of \$5 per unit) to be paid by consumers at the time of purchase.

Recycling

NYC RESUMES GLASS AND PLASTIC PICKUPS

After a two-year lapse, full-scale weekly glass and plastic recycling returned to New York City in April 2004. Mayor Michael R. Bloomberg, faced with enormous budgetary deficits following the September 11th attacks, had opted to eliminate the city's glass and plastic recycling program.

Paper product recycling had continued throughout, but pickups only occurred bi-weekly. Now recycling vendors collect recyclables for \$51 per ton – half of what the city had been paying vendors prior to the program's cut.

Unacceptable Trash

LA DEPARTMENT OF PUBLIC WORKS CRACKS DOWN ON ROGUE RECYCLERS

Los Angeles has begun a program to reprimand and punish recycling offenders. A similar program began in Seattle a few months ago. Generally an offense includes either putting unacceptable trash items in a designated recycling bin, or putting a visibly noticeable amount of recyclable material in the regular trash. Recycling bins that are "contaminated" with trash, as spotted by collectors, will not have their contents collected. Instead the bins will be tagged.

The Los Angeles tags will explain why the person's items were not picked up and will alert them to the city's hotline for information on how to correct the problem. Though it is not possible to catch all offenders, it is expected that tagging cans will help encourage better habits.

EMERGENCY MANAGEMENT/DISASTER MITIGATION

Water Contamination

EPA RELEASES DRINKING WATER SECURITY MODULES 5 AND 6

EPA has released Modules 5 and 6 of the interim final Response Protocol Toolbox: Planning for and Responding to Drinking Water Contamination Threats and Incidents (the Response Protocol Toolbox). Module 5 addresses the public health response to a credible contamination threat or confirmed incident, while Module 6 addresses remediation and recovery of a contaminated drinking water system.

Modules 1 through 4 were released in December of 2003 and address response planning, threat management, site characterization and sampling, and laboratory analysis.

The Response Protocol Toolbox modules can be found in electronic PDF format on the EPA website at: <http://www.epa.gov/safewater/security/> under Emergency Response Tools. Printed copies, in limited quantity, can be obtained from the Water Resource Center by phone: 800-832-7828 or 202-566-1729, by fax: 202-566-1736, or by e-mail: center.water-resource@epa.gov. If additional information is needed, please call the Safe Drinking Water Hotline at 1-800-426-4791.

The titles of the modules in the Response Protocol Toolbox are:

- Overview of the Response Protocol Toolbox (EPA-817-D-03-007)
- Water Utility Planning Guide - Module 1 (EPA-817-D-03-001)
- Contamination Threat Management Guide - Module 2 (EPA-817-D-03-002)
- Site Characterization and Sampling Guide - Module 3 (EPA-817-D-03-003)
- Analytical Guide - Module 4 (EPA-817-D-03-004)
- Public Health Response Guide - Module 5 (EPA-817-D-03-005)
- Remediation and Recovery Guide - Module 6 (EPA-817-D-03-006)

While all of the modules in the Response Protocol Toolbox will be of some interest and value to utilities, Modules 5 and 6 should be reviewed by other users who might support drinking water utilities in the event of a water contamination threat or incident. Module 5 will be of value to public health officials that would be responsible for making decisions regarding actions to protect the public from potentially contaminated water. Module 6 will be of value to agencies and responders that would develop and implement remediation plans to restore a contaminated water system.

These two final modules, like the entirety of the Response Protocol Toolbox, were developed primarily as planning tools. EPA recommends that users practice implementing this proposed framework and carry-out drills and training to improve preparedness. *Please contact Kristina Tanasichuk in APWA's Washington Office for additional information at 2022-408-9541 or ktanasichuk@apwa.net.*

Community Water Systems Response Plans

EPA EMERGENCY RESPONSE WORKSHOPS FOR SMALL AND MEDIUM SYSTEMS

Free, one-day workshops will cover the legislative requirements and EPA's guidance for community water systems to develop or update their emergency response plans. Registration information is available through the Web at: <http://www.horsleywitten.com/epa/>

The workshops are being offered in:
Hartford, CT on June 11, 2004
Charlotte, NC on June 21, 2004
Sacramento, CA on June 23, 2004,
Milwaukee, WI on June 25, 2004.

The course will also provide a comprehensive review of EPA's recently released Response Protocol Toolbox: Planning for and Responding to Contamination Threats to Drinking Water Systems. Additionally, the workshop will offer a description of some of the other tools EPA is providing to assist with utility security concerns. These include the 'Laboratory Compendium' that is designed to assist utilities in selection of laboratories for analysis of emergency response samples and EPA's 'Water and Wastewater Security Product Guide.'

The Public Health Security and Bioterrorism Preparedness and Response Act of 2002 requires that drinking water utilities serving more than 3,300 people update or revise their Emergency Response Plans (ERP).

While the deadline for large utilities (>100,000 customers) to submit their certification of ERP update to EPA has passed, the medium sized (50,000-100,000 customers) and small systems (3,300 to 50,000 customers) are currently within their update periods. The update should consider the various types of incidents that could occur as a result of malevolent acts (e.g. intentional contamination of water supplies, cyber attacks, physical assaults, intentional release of hazardous chemicals, etc.). The update should also address risks discovered during the utility's Vulnerability Assessment that was mandated under the same Act

Local Security Spending

REPORT FINDS DEPARTMENT OF HOMELAND SECURITY FUNDS REMAIN UNSPENT

A new report requested by Representative John Shadegg (R-AZ) says that only 15 percent of allocated FY2003 Department of Homeland Security (DHS) dollars have been spent.

Issued by the House Select Committee on Homeland Security, the report says that \$426 million out of a total of \$2.6 billion has actually been spent on local programs and equipment. "Delays caused by bureaucracy at city councils or county boards of supervisors are unacceptable," said Shadegg, chairman of the Subcommittee on Emergency Preparedness and Response.

The report also discusses the unsettling disparities in funds doled out to rural areas versus large high-risk urban areas. This is a contentious issue between lawmakers who represent small rural districts and those who serve large metropolitan areas. The report lists a variety of questionable expenditures at the state and local level that reek of "pork." The full text of the report is available online at: <http://johnshadegg.house.gov/files/firstresponderreport.pdf>.

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Emergency Operations Centers

EVEN SMALLEST COMMUNITIES NEED A PLACE AND PLAN FOR DISASTER RESPONSE

A study by DHS's Emergency Management and Response – Information Sharing and Analysis Center revealed that even the smallest communities need Emergency Operations Centers (EOCs). "EOCs should be secure, adequate for long term operations, known to all emergency responders, equipped with the fundamental tools needed to [mitigate disastrous situations] and prepared to support the requirements of incident commanders. Copies of all emergency plans, mutual or automatic aid agreements, and key personnel telephone numbers must be maintained within EOCs."

Interoperability Requirements

COMMUNICATIONS TECHNOLOGY REQUIREMENTS FOR PUBLIC SAFETY OUTLINED

The Science and Technology Directorate of the Department of Homeland Security (DHS) announced the release of the first all-inclusive Statement of Requirements outlining future technology requirements for public safety wireless communications and interoperability.

The requirements contain interoperability scenarios that range from traffic stops to cross-jurisdictional responses. The document includes the requirements for a system of interoperable first responder communications for use across all federal, state, local, and tribal emergency communication systems. Industry experts say to implement all-wireless interoperable radios nationwide could cost \$18 billion, but patching together existing systems with networking devices could happen for between \$50 million and \$350 million.

The document is a product of the DHS SAFECOM Program, which is the first national program designed by public safety specialists for the public safety community. The SAFECOM Program's mission is to serve as the umbrella program within the federal government to help improve first response through more effective and efficient interoperable wireless communications. A copy of the statement can be viewed on the web at http://www.safecomprogram.gov/files/PSCI_Statement_of_Requirements_v1_0.pdf.

Homeland Security Authorization

COX IS READY TO INTRODUCE FIRST BILL

Chairman of the House Select Committee on Homeland Security Christopher Cox (R-CA), is optimistic about passage of the first-ever Homeland Security authorization bill. It was submitted to fellow committee members during the last week of April and was expected to go to the floor in May.

The bill contains language to improve the Information Analysis and Infrastructure Protection unit of DHS as well parts about first responder funding, risk assessments, and the often criticized color-coded threat system. "DHS is very much still in formation," said Cox. "It's especially critical to have congressional oversight and authorization."

DHS Oversight

COMMITTEE APPROVES BILL TO SCRUTINIZE FINANCES OF NEW DEPARTMENT

A bill which would bring the Department of Homeland Security under closer financial scrutiny, HR4259, has been approved by the House Government Reform Committee.

Public Law 101-576, the Chief Financial Officer's Act requires all federal agencies to have a president-appointed and Senate-approved Chief Financial Officer and requires each agency to make financial information available to that individual who can conduct audits of the department he/she oversees.

The bill was sought by the House Select Committee on Homeland Security to establish an office charged with analyzing and evaluating the department's budgeting. It would require five-year projections for future operations and budget allocations based on perceived threats to the country, much like what is currently expected annually from the Department of Defense.

The Senate passed a similar bill (S 1567) in November 2003. An aide for the Government Reform Committee said that they are hoping the Senate will approve the House's version quickly, avoiding a possibly lengthy conference committee.

The White House has opposed the bill citing the difficulty with yet another Senate confirmation of a Bush appointee and the costs of such audits to the federal budget.

Transit Security

APTA CALLS FOR \$8 BILLION TO MEET TRANSIT SECURITY NEEDS

Since DHS began issuing grants in May 2003, transit agencies nationwide have received about \$115 million compared to an estimated \$11 billion for aviation security according to the American Public Transportation Association (APTA). APTA is calling for \$6 billion in security needs among its members and \$2 billion in FY2005 to help pay for security system upgrades and training.

Classified Information

SHARED COMPUTER INFORMATION TO THWART TERRORISTS IS CONTRACT GOAL

A contract to design and build a database for classified information has been awarded Northrop Grumman Corporation by DHS. The project would replace existing networks and is the first step in creating a single computer system that would link 180,000 Homeland Security employees, the Pentagon, selected intelligence agencies, state and local governments, and first responders.

The job is different from most government technology upgrades because Northrop will construct the network from a zero base, rather than patch together the existing networks of the many agencies that now make up the Department of Homeland Security.

This contract represents one of the main missions of DHS: to enable disparate federal agencies that play a role in preventing or responding to terrorist attacks to share information about threats and disaster recovery. The challenge of such a project is the sheer number of people who will have to be trained to do their jobs on a new system that has many more capabilities but also its own set of quirks.

Contributors to this month's Washington Report are: Beth Denniston, Heather McTavish Doucet, Jim Fahey, Matt Merewitz and Kristina Tanasichuk

The APWA Washington Report is edited by Beth Denniston