

**Testimony by Mayor Michael R. Bloomberg
Before The National Commission on Terrorist Attacks Upon the United States**

Wednesday, May 19, 2004
Check Against Delivery

Governor Kean and members of the Commission: Welcome back to New York, and thank you for asking me to testify before you today.

Over the last two days, these hearings have explored, in thorough and often painful detail, what the City endured on September 11th, 2001. The images have been vivid, the memories have been heart- wrenching, and the questions have been pointed. I know that for the families who lost loved ones, these hearings have undoubtedly re-opened the wounds. Our thoughts and prayers are with them.

Understanding what happened on 9/11 is crucial to our success in winning the war against terror and to explaining to those families why so many were lost. That's why you have been empowered to make these inquiries. This investigation is also a measure of our society's inherent strength and confidence. The willingness to openly examine our institutions in order to improve them demonstrates why, as former Mayor Giuliani has pointed out, democracies are strong, and why free people will prevail over terror.

Our Administration has shown a similar willingness to thoroughly and openly examine the events of 9/11. Shortly after taking office, we asked the management-consulting firm of McKinsey & Company to critically analyze how the Police and Fire Departments responded that day. We made the results of that study public, and we have turned them over to the staff of this Commission.

That's because we, like you, are determined to learn from this tragedy. I was sworn in less than four months after those savage attacks. After the ceremony, the smoke was still rising as I watched members of the Fire Department pull the body of one of their brothers out of the rubble. It was clear to me and to my Administration that it was our job to make sure the City learned the lessons of 9/11, so it would be better prepared in the future.

We have worked hard to do just that—to build on the proud traditions of service and sacrifice that have characterized our Police and Fire Departments since their founding in the 19th century, and that still animate those who protect our city today.

Yesterday you reviewed once again the heroic actions of our City's firefighters and police officers on 9/11, many of whom gave their lives in the greatest rescue effort in our history. The bravery and professionalism they demonstrated never cease to amaze and inspire us. And the firm leadership Mayor Giuliani showed that day and in the days that followed gave us all the strength to endure, and the will to prevail.

Building on their achievements and example, our task now is to achieve a new level of preparedness and teamwork at all levels of government. I am happy to say that President Bush, Governor George Pataki and their Administrations have established just such a spirit of cooperation with our city.

Today, almost 14 months after my first appearance before this Commission, I want to describe what our Administration is doing to keep New York City safe and free. I also want to urge this Commission in its final report to recommend desperately needed reforms in the nation's system of funding homeland security. It is a system that was irrational the first time I testified. It remains tragically misguided today, creating grave hazards not just for New Yorkers, but for all Americans.

There is no need for me to repeat in detail the testimony you heard yesterday from Commissioners Kelly, Scoppetta, and Bruno. Suffice it to say that today, New York is the safest big city in the nation, better prepared than at any time in its history to prevent and respond to any danger, no matter what its source.

Building on Mayor Giuliani's eight years of success, crime in New York is nearly 16% lower than it was at this time three years ago. Fire fatalities are at levels not seen since the 1930s. We've achieved these results despite a fiscal crisis, despite the need to divert precious resources to anti-terrorist activities, and despite the need to protect the civil liberties of everyone who lives and works in our city, even as we remain vigilant against terror. That's as it must be, because the freedom to express our views, pursue our dreams, and worship God as each sees fit is fundamental to our democracy. Sacrificing those liberties—or making us fearful and keeping us in our homes—would give the terrorists a victory without their firing a shot. That's a victory we will never grant them.

All the agencies that protect our city are as well-led today as they have ever been.

Yesterday, Commissioner Kelly described the threats against this City, and the outstanding work of the New York Police Department in counteracting and deterring them. Likewise, Commissioner Scoppetta testified about the Fire Department's success in rebuilding from the devastation of 9/11.

Yesterday's testimony also presented the steps we have taken to improve communications within and between the Police and Fire Departments. The Fire Department, for example, has new and more powerful radios that permit more traffic during incidents, and enable Fire Department officials to communicate directly with their Police counterparts. Detailed new management policies and protocols have improved cooperation between these departments.

Our ongoing counter-terrorism efforts also include a broad range of other agencies, including our Departments of Health and Environmental Protection. And many other City agencies, including but not limited to the Departments of Sanitation, Transportation, Design and Construction, have played instrumental roles in helping New York City recover and rebuild since 9/11, and would be called on again should we be attacked.

Multi-agency training exercises also take place on a regular basis. On Sunday, for example, we conducted “Operation Transit Safe,” an exercise involving more than 20 public agencies and private partners. It tested our response to a simulated terrorist incident in the City’s subway system. The terrorist attack in Madrid on March 11th underscored the vital importance of protecting a mass transit system used by seven million riders each day.

Our Administration also has adopted a Citywide Incident Management System, or “CIMS,” that is consistent with Federal guidelines. It provides a framework of action for emergency responders and enhances interagency decision-making and communication.

We all seek clarity in complex situations. But that doesn't mean we should seek simplistic solutions to complex situations. CIMS establishes clear-cut lead agencies in the more day-to-day emergency situations. Extraordinary catastrophes, such as explosions and plane crashes, require robust responses with more than one primary agency. By setting up unified command posts staffed by top-level chiefs, we can ensure that the responses of all agencies are coordinated and effective, and that each agency’s core competency will be fully utilized. This sets up a structure that requires inter-agency cooperation and coordination without sacrificing the intra-agency chains of command that are crucial to any emergency operations.

CIMS builds on a system promulgated under Mayor Giuliani, and integrates lessons learned from 9/11 and its aftermath. In many respects, it formalizes and improves the type of emergency response that New York City has engaged in for many years, exemplified on 9/11. On that day, the Fire Department took the lead in fighting the fires in the towers and effecting the heroic rescue of civilians. The Police Department addressed security concerns downtown and throughout the City. Other agencies understood their responsibilities, and executed them very well.

Perhaps the most impressive and comforting statistic is that on 9/11, while 25,000 people were being evacuated from the World Trade Center towers and many thousands more were being directed out of Lower Manhattan to safety, response times by the police and firefighters to calls elsewhere in the five boroughs were barely affected. If that isn’t a testament to organization, capability, training, communication, dedication, creativity, and bravery—I don’t know what is.

In the two years and eight months since 9/11, New York City has had a number of emergencies—a fuel barge explosion on Staten Island, a chemical explosion at a warehouse here in Manhattan, and others. On each occasion, the relevant agencies successfully worked together to protect New Yorkers—evidence of their training and professionalism.

When the city was blacked out last August, City agencies performed superbly. More than 132,000 calls were logged into 911 during the outage, almost three times more than average. Emergency Medical Services personnel responded to more than 5,000 calls for help on August 14th, a record for one 24-hour period and 60% more than usual. Firefighters put out 60 serious fires—six times the expected number on a summer night. Because of their skill and cooperation, order and safety were maintained under extraordinarily difficult conditions. And after the blackout, I directed a full evaluation of the events of those days, just as was the case with the

McKinsey reports following 9/11, so that we could learn what we could have done better. Like the McKinsey reports, that report was made public when completed.

The armchair quarterbacks forget that New York City Police Officers and Firefighters work together hundreds of times a day on such incidents as building collapses, fires, and traffic accidents. Although much has been made of the so-called “battle of the badges,” these are isolated episodes that are the result of individual, low-level breakdowns in discipline. They are not the product of systemic problems and don’t occur higher up where it would jeopardize the mission of each agency. Even the shortcomings that have been identified by the Commission in the City’s response to 9/11 were the result of problems in communications, not the result of any battle of the badges.

Certainly any system can be improved. CIMS is no exception. We will be constantly evaluating and monitoring CIMS in order to do just that. There will be extensive, on-going training to ensure its success. We will adopt new technologies, match resources to changes in population density and other conditions, and reduce duplicative services.

Several weeks ago, in my Executive Budget for the next fiscal year, I set aside \$1 billion in capital funds for a comprehensive overhaul of the City’s 911 dispatch system. What was the cutting edge system of the 70s is now obsolescent. We will take advantage of new technology to centralize dispatch of our Police, Fire and EMS departments. By using new technologies such as GPS, we will be able to better track our assets and their deployment across agencies. This will make them more efficient, eliminate duplication, and do a better job of protecting the public. But even now, as we are improving the dispatching system, 911 operators now have the ability, training, and supervision to disseminate relevant rescue information to 911 callers.

We have taken, and will take, all of these measures because we recognize that New York faces far greater risk of terrorist attack than any other City, other than perhaps our nation’s capital. Senator Kerrey, you asked Police Commissioner Kelly why NYC is different. Let me add to what he said yesterday.

We are indeed “in the crosshairs.” To people around the world, New York City embodies what makes this nation great. That’s a function of our status as the world’s financial capital, driven not only by Wall Street but our international prominence in such fields as broadcasting, the arts, entertainment and medicine. Such is New York’s importance that, to a great extent, as goes its economy, so goes the country’s. If Wall Street is destroyed, Main Street will suffer.

Beyond that, New York’s embrace of intellectual and religious freedom and cultural diversity makes us truly the World’s Second Home. We are a magnet for the talented and ambitious from every corner of the globe. In short we embody the strengths of America’s freedom—and that makes us an inevitable target of those who hate our nation and what we stand for.

New York City has already been targeted by terrorists six times since 1993. Yet inexplicably, today New York State ranks 49th among the 50 states in per capita Homeland Security funding.

During Fiscal Year 2004, New York State received \$5.47 per capita in Homeland Security grants. Nebraska got \$14.33 per capita; North Dakota \$30.42; Wyoming \$38.31; and American Samoa \$101.43.

The same problem plagues the distribution of bio-terror preparedness funding provided by the Department of Health and Human Services to local hospitals and public health systems. In Fiscal Year 2003, New York City received \$4.19 per capita and New York State \$4.16 per capita, making them 45th and 46th respectively of the 50 states and four local jurisdictions eligible for funding. By comparison, Nebraska got \$7.03 per capita and Wyoming \$15.69.

And what does it say of our national resolve to combat terrorism that after everything this Commission has learned in the past year, our City has been advised that Congress has reduced our proposed Homeland Security funding for Fiscal 2004 by nearly half—from \$188 million to \$96 million?

This is pork barrel politics at its worse. It's the kind of shortsighted "me first" nonsense that gives Washington a bad name. It also, unfortunately, has the effect of aiding and abetting those who hate us and plot against us.

In the budget for Fiscal 2005 submitted to Congress, President Bush and Homeland Security Secretary Ridge took steps to put Homeland Security footing on a fair and rational basis, discarding per capita distribution in favor of allocations based on actual risk and threat. In addition, that proposed budget would increase to 54% the percentage of Homeland Security funds distributed on a high-threat basis. But even the distribution system based on threat analysis is being undermined as more areas and cities are added. So far, the number of high-threat areas has mushroomed from seven to 80. We cannot allow this to continue or we will be back where we started.

This Commission must challenge Congress to follow the Bush Administration's lead, and stop treating Homeland Security and bio-terror preparedness funding as political pork. They should be allocated on the basis of the real risks that we face. I urge this Commission to recommend that in the strongest possible way. Any other formula defies logic and undermines the seriousness of the country's counter-terrorism efforts.

Washington has the whole Federal government protecting it. We need to make sure that New York City, the economic engine that drives the entire region, and arguably the country, has the resources it needs to protect itself. As a nation, we must come to each other's aid in a manner that protects us all.

The September 11th attacks took an enormous economic toll on New York and New Yorkers. They contributed to a decline in City tax revenues totaling almost \$3 billion in fiscal years 2002 and 2003. The Bush Administration and Congress responded with assurances of approximately \$20 billion in aid to help us rebuild. Because of that assistance, and because of the hardiness and intrepid spirit of the eight million people of New York, our economy is now growing again.

New Yorkers are grateful for the Federal assistance we have received. We will never forget how the rest of the nation stood by us. Yet there is still much to be done. So in addition to revising the allocation of Homeland Security and bio-terror preparedness funding, there are several additional recommendations. They would benefit any city that suffers a terrorist attack. I would like to quickly summarize them for the committee. I know your staff has been briefed on these previously, but I believe their importance warrants my reviewing them now.

Amendments to the Stafford Act—the law that governs FEMA’s ability to reimburse localities—must be made to help cities that may be confronted with the fiscal consequences of terrorist attacks in the future. The amendments we have suggested would permit the reimbursement of local expenditures associated with a response to terrorist activities, which is not the case under present law. These include overtime costs for emergency responders who are not at the actual site of an attack, including those providing increased security at airports, bridges, tunnels, and rail lines. The process for citizens to obtain various forms of financial assistance must be streamlined so as to avoid the long waits that occurred after 9/11. Increased funding over a longer period of time for local mental health treatment must also be provided.

As we learned in New York, there can also be astronomical litigation costs associated with the response to a terrorist attack. Fortunately for New York and the private contractors who assisted us, the Federal government ultimately funded an insurance program providing coverage for claims brought by workers at Ground Zero who were not eligible for the Victim Compensation Fund.

Such protection must be formalized rather than done on an ad hoc basis. Congress should pass legislation now creating insurance that will protect both employers and employees who someday may be asked to provide their assistance in response to a terrorist attack. An incredible public/private partnership at Ground Zero enabled so much to be done so well and so swiftly. We must not deter such a similar response in the future. That means ensuring that those who selflessly come forward to provide their assistance after such attacks know they will be adequately protected by insurance.

I want to commend the Commission for its assiduous efforts in analyzing what led up to the attacks of September 11th, the response to those attacks, and what needs to be done in light of them. I know your staff has spent thousands of hours interviewing well over a hundred members of our Fire and Police departments and the Office of Emergency Management in an effort to get a complete picture of the day’s events, and of our current needs.

Like you, New York City has learned, and continues to learn, the lessons of 9/11. To protect us, we clearly need well-trained and equipped uniformed services, managed by experienced, intelligent and innovative leaders. We must plan, and train, study and learn.

But we must also recognize that no matter how exhaustive our efforts, or how realistic our simulations, the dynamics affecting the next real world incident—the time of day or night, extremes of weather conditions, and myriad other factors—will be different from what we’ve experienced before.

Using hindsight, self-styled experts will always be able to say that we should have done things differently. But in the real world, you experience “the fog of war”—with sirens wailing, communications systems overloaded, and rumors of all sorts flying about. It is easy to make decisions when you know all the facts; the challenge is making decisions when you don't have the facts. Those are the dynamics I bear in mind when I conclude that on 9/11, it is amazing how well everyone performed.

The world is a far more dangerous place that we thought it was on September 10th, 2001. But we were not defenseless then, nor are we now. From Mayor Giuliani on down, those in charge on in our city on 9/11 showed us what must be done. Following their example—and showing the willingness at the local and national levels to put aside parochial interests in the service of our common good—can and will keep us safe and free.

I would be happy to answer any questions that you may have.

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