



Minutes Nevada Homeland Security Commission

ATTENDANCE

DATE	7 June 2011
TIME	9:30 AM – 12:00 PM
LOCATION	NHP Southern Cmd, 4615 W Sunset Las Vegas DEM, 2478 Fairview, Carson City NV
METHOD	Conference
RECORDER	Larry Casey

Committee Members	Present	Legislative & Ex-Officio Members, Staff and Others	Present
Governor Sandoval, Chairman	X		
Dr. Dale Carrison, Vice-Chairman	X	Assemblyman John Ocegquera	
Jerry Keller		Gonzalo Cordova	X
Maureen Peckman		Kevin Favreau	X
Andy Flock	X	Karen Burke	X
Robert Fisher	X	Chris Ipsen	X
Bertral Washington	X	Karen Coyne (Pending appointment)	
Bill Welch			
Michael Haley		Jess Campbell (ILO Karen Coyne)	X
Adam Garcia	X	Michael Emerson (ILO Sheriff Haley)	X
Doug Gillespie	X		
Troy Wade	X		
Tom Lozich	X		
		Larry Casey, (Staff)	X
		Samantha Ladich, (AG rep)	X

CALL TO ORDER AND ROLL CALL

At 9:30 am Chairman Sandoval called the meeting to order. Larry Casey called the roll and a quorum was established.

COMMENTS BY THE CHAIRMAN

Governor and Chairman Sandoval opened the meeting

APPROVAL OF MINUTES

Chairman Sandoval entertained a motion to approve the minutes of the 5 April 2011 Commission on Homeland Security Meeting. It was noted by staff that Ms. Coyne's name was misspelled in the draft. Hearing no further comments or requested changes Dr. Dale Carrison motioned to approve the minutes with the change in spelling for Ms. Coyne's name, Sheriff Doug Gillespie

seconded the motion. After a unanimous voice vote the minutes were approved.

REPORT ON OPEN MEETING LAW PROCEDURES

Ms. Samantha Ladich, Deputy Attorney General, Public Safety Division provided a briefing to the Commission on Open Meeting Law (OML). As part of her briefing she supplied hard copies of the current Attorney General's findings on OML. She then touched on some specific areas that the Commission needed to pay close attention to:

- Agendas – Ms. Ladich stated that an agenda dictates what a meeting can discuss or act on. Agenda items have to be specific and cannot be generic in nature.
- Meetings – Ms. Ladich began by quoting the NRS definition of a meeting “The gathering of members of a public body at which a quorum is present to deliberate toward a decision or to take action on any matter over which the public body has supervision, control, jurisdiction or advisory power.” She then went on to expand on the where and when a meeting can occur to include the exchange of email. Using email to discuss information between all the members of the Commission constitutes a quorum and would become a meeting which would require an agenda and all the other procedures associated with an open meeting. The recommendation is to not use the “reply all” key when responding to messages sent to the whole commission.

Sheriff Gillespie asked what would be the proper way to respond to information that is passed to everyone by email.

Ms. Ladich stated a way to do this would be to respond to staff with comments then staff could redistribute them as a separate message. At this time email has not been addressed in case law. The important thing to take from this briefing is we need to be careful with our agendas and how we handle email communications.

Governor Sandoval asked if there was a review process for the Commission's agendas (Answer – yes there is a process in place).

REPORT FROM 2 MAY MEETING OF THE FINANCE COMMITTEE CONCERNING REQUESTS TO REALLOCATE HOMELAND SECURITY GRANT PROGRAM (HSGP) FUNDS

Finance Committee Chairman Gillespie briefed the Commission on the recommended changes to HSGP projects discussed during the 2 May meeting of the Finance Committee. The program managers came to the Finance Committee to request these reallocations of grant funding. All four requests were unanimously approved and if any members of the Commission have any questions the program managers are present and prepared to provide answers.

Governor Sandoval, hearing no questions from the Commission stated he had a few questions for the program managers.

The first question concerned signatures needed for several of the requests (Mr. James Wright indicated that the originals are in hand and as soon as the requests are approved they will be signed).

The second question concerned NCHS-17 (Tribal Interoperable Communications administered by the Indian Health Board of Nevada (IHBN)). He asked about the nature of the grant request and program. Mr. Wright advised that (absent the program manager who was not at the meeting) Ms. Kelli Anderson was the person who could speak to the specifics of this project and request.

Ms. Kelli Anderson stated this project is to perform a Gap analysis of the interoperability communications needs between the tribes in Nevada. The original budget always had only one line item for planning and it was felt that a more detailed budget was needed.

Governor Sandoval expressed his concern with spending \$250,000 on analysis and asked if there was any kind of report on this progress of this project so we could see what sort of gap the

\$250,000 would be expected to fill.

Ms. Anderson indicated that the Tribes currently do not have the means to link with the current communications systems in Nevada.

Ms. Bob Wideman (Statewide Interoperable Communications Coordinator) provided additional information on this project. He identified that the Tribes possess a number of different communications systems. The purpose of this project is to bring the Tribes into the current public systems in Nevada. The gap analysis provides information needed to determine how to make those connections.

Governor Sandoval asked if there was going to be a follow on project for equipment. (Answer – there are two additional parts to this project. One part is provided free from the DHS Office of Emergency Communications and the other involves seeking other sources of funding).

Governor Sandoval wanted to know if there was a document he could review that talks to this project. (Answer – Not that Mr. Wideman knew about). The Governor then asked if the project was in its beginning stages. (Answer – The DHS funded part has started and is making progress but the other part has to go out to a Request For Bid (RFB). It was also stated as a general understanding that the Tribal staff for this project have been working hard (contacting 23 of 27 tribes) so it is now getting on time to develop an engineering study on what is needed to complete the project.

Mr. Adam Garcia asked about the “Fusion Core” program in NCHS-19.

Mr. Martin Roberto (Nevada Threat Analysis Center – NTAC) replied that Fusion Core is an information management systems used by fusion centers. The cost involved is the install on the Department of Public Safety (DPS) servers. He detailed how Fusion Core works as an information management system and mentioned the other two fusion centers in Nevada already have this system. The intended goal is to use “Fusion Core” as a platform to link information sharing with the other fusion centers in the state.

Mr. Bob Fisher, returning to the discussion on NCHS-17 (Tribal Interoperable Communications) asked a procedural question on if it might be a good idea to table this request until a report has been received.

Finance Committee Chairman Gillespie stated that the Finance Committee heard quite a bit of discussion on this item from both Terry Bohl (the program manager) and Bob Wideman and they were comfortable with the progress being made with this project. But the program manager is still responsible for reporting on the progress of their projects. He went on to recommend that during the August meeting Mr. Bohl report to the Commission on the status of this project. (the Governor concurred with this recommendation).

Vice-Chairman Carrison made a motion to accept the recommendations of the 2 May 2011 Finance Committee meeting and approve reallocation requests NCHS-15,16,17,19. Sheriff Gillespie seconded the motion. Hearing no further discussion the Governor called for a vote and the recommendation was passed unanimously.

REPORT ON THE 2 JUNE 2011 MEETING OF THE FINANCE COMMITTEE TO EVALUATE THE FFY 2011 HOMELAND SECURITY GRANT PROGRAM (HSGP) PROJECTS.

Finance Committee Chairman Gillespie provided a brief overview of this years HSGP process. The Commission discussed and prepared a set of priorities for the 2011 grant cycle. The purpose was to clarify priorities for Homeland Security Working Group (HSWG). The Urban Area Working Group (UAWG) and the HSWG both held a number of meetings which resulted in a listing of projects for the 2011 grant cycle. As part of this process they had program managers develop budgets and proposals. Due to the delay in passing the budget DHS was late in providing

guidance and funding levels to the states.

The Finance Committee held an in depth meeting on 18 May (before the budget was passed) with the program managers and went over in detail what was involved in the proposed projects. During this meeting some feedback was given to the program managers on their programs as well as discussions on where funding requests could be reduced.

When the actual guidance for the 2011 program was released by DHS the Finance Committee was given a very short window to review the projects. As a result a meeting was called for 2 June to go over the final project budgets and form a recommendation for the Commission. Thanks to the hard work from the program managers and the members of the Finance committee we were able to complete the work on the recommendation in a record time of under two hours (historically in the past this process has taken a whole day to complete). We had a number of entities that stepped forward and made significant reductions in their requests. Because of that the recommendation you have before you is good and takes into account the Commission and DHS's priorities.

As the chairman of the Finance Committee he wanted to address some aspects of the process to the Commission.

- 1) There has to be a continued focus on the Prevention and Awareness aspects of Homeland Security for what we do in the state. There are some requests for communications and other equipment but each year this amount gets less and less. We have spent a lot of funding on Response and Recovery this is important but now we really need to focus on prevention and awareness.
- 2) We need to look at the fusion centers in the state- the number of them and the allocation of resources to them. We have done a great deal of good things in regards to the exchange of information. The overall funding continues to be reduced and members of the Committee are beginning to question what we are getting for the process. We as a Commission need to look at this over the next few months so when we start the 2012 process we can provide clear direction.
- 3) It is important for the Commission to understand how the reductions in funding have impacted Nevada. We are probably looking at probably less the \$10 million for the next cycle. It is important that we as a Commission are very pointed in providing guidance for where we need to go with programs in Nevada.

In closing this recommendation is the result of an exceptional amount of work by a whole lot of people. Special thanks needs to go out to the staff of DEM, Irene Navis and the Urban Area Working Group.

Mr. Wright indicated that after the 2 June meeting DEM was asked by the Washoe County Coroners Office to pull the request for the "Fatality Management and Identification" project (Project "GG" on the roster). This will free up \$255,000.

Governor Sandoval asked Finance Committee Chairman Gillespie for his options on what to do with this funding. Finance Committee Chairman Gillespie recommended to the Commission that he be tasked to work with the Finance Committee and come up with some options on how to allocate these funds at the August Commission meeting.

Mr. Wright pointed out the application to DHS was due to them by 13 June so in line with the Chairman there would not be time for a full set of meetings to reallocate these funds. Considering the amount of work that has to be done he suggested allocating the funds to a single project rather than spreading it out to all of the projects in this year's application.

Finance Committee Chairman Gillespie asked if we have time to consider options before the application has to be submitted to DHS. (Answer – Ms. Anderson stated that when Project GG was pulled they had not sent in an application so at this time we could not submit them and

reallocate the \$255,000 later).

Vice-Chairman Carrison pointed out that the Governor has the authority to make changes on funding so he could, after hearing recommendations, direct funding to different projects.

Governor Sandoval asked if this requires another series of meetings to resolve the issue. (Answer – Ms. Anderson answered that he has the authority to make a decision on the reallocation of funds without having to hold meetings with the Finance Committee).

Mr. Fisher stated that one of the Commission's priorities for 2011 was "Public Awareness". When we talked to the Legislature about our legislation they did not have any idea what we do. We have a lot of work to do to raise public awareness on what we do and why it is important.

Finance Committee Chairman Gillespie asked what should we do with the \$255,000. What process should we use to get a recommendation to the Governor. (Answer – Mr. Wright suggested that you, representing the Finance Committee, and himself (as the SAA) get together and formulate a recommendation and deliver that to the Governor).

Mr Bob Fisher made a motion to approve agenda item 6 as recommended by the Finance Committee with the exception of Item "GG", the motion was seconded by Chief Washington. Hearing no further comments Governor Sandoval called for a vote. After a unanimous voice vote the motion was passed.

REPORT FROM THE CRITICAL INFRASTRUCTURE COMMITTEE (CIC)

1) Mr. Bob Dorsey provided a briefing on the 17 May meeting of the Critical Infrastructure Committee. This was the first meeting that Captain Brett Primas (LVMPD Counter-Terrorism Bureau) as the Chairman of the CIC. At the start of the meeting CPT Primas outlined the direction of the CIC, as well as setting assignments to members of the committee.

The Committee was given an update on the results of the FY2012 DHS Data Call that submitted Critical Infrastructure (CI) information on locations statewide. The prioritization of these elements of CI was part of the discussions during the meeting and CPT Primas assigned a team to work on expanding and refining the current draft prioritization list of CI.

The next thing the committee worked on was an assignment of individuals to reach out to specific CI sectors and how these outreach efforts overlap with other outreach efforts from Nevada Threat Analysis Center (NTAC), Northern Nevada Counter-Terrorism Center (NNCTC) and Southern Nevada Counter-Terrorism Center (SNCTC). CIC membership was also discussed and the committee was asked to consider possible future members for the committee.

The Committee also involved the DHS Homeland Security Grant Program (HSGP) Project Manager's (from the NTAC, NNCTC, and SNCTC) and how those roles relate to the Silver Shield program and CI. They were assigned specific tasks, with due dates, to report on the progress of their programs that will need to be reported to the CIC.

Also discussed were sustainment strategies and stakeholder involvement for the Silver Shield Program. Committee Chairman Primas assigned committee members to work on this issue and be prepared to present recommendations during the July 19, 2011 CIC meeting. The project leads were tasked to, within their parts of the State, come up with ways on how to sustain this program. The intent is to have the program managers develop and report on these options to the CIC and how to handle future CI/KR programs without grant funding.

Last of all the Annual Report on CI was discussed with the intent of setting a definition for the purpose of the annual report and to identify the areas to be included within the report for the Nevada Commission on Homeland Security. The intended purpose of this report is to be an all inclusive, factual, straightforward report that outlines the history of the Silver Shield program, the

current status and future recommendations – from a statewide perspective, yet with regional representation and accountability.

Sheriff Gillespie asked Mr. Dorsey to expand on the Silver Shield sustainment plan. There was extensive discussion made during meetings of the Finance Committee on this program.

Mr. Dorsey stated that at this meeting the committee did not go into great detail beyond agreeing that they were going to reexamine the needs for the centers and this program.

Sheriff Gillespie asked the Committee to put the sustainment of the Silver Shield program on the agenda for their next meeting in July and report to the Commission in August what their findings and recommendations. We as a commission need to have a candid discussion on this issue for the next grant cycle in 2012.

Mr. Dorsey indicated the committee would have a report from them in August.

Governor Sandoval noted that there was some funding reductions in this program and asked how this ties to this issue of sustainment of the program.

Sheriff Gillespie stated the Finance Committee agreed to fund this program this year but there was discussion on if it should be continued in areas outside of Clark County. From his perspective it is a needed part of what we do. Outside of Clark maybe you can make a case not to continue but in Clark County we need this program.

Governor Sandoval noted the \$456,000 for the Silver Shield program in Washoe County and asked about how this money should be used.

Sheriff Gillespie noted that this has been an ongoing issue for some time. The original Silver Shield program got off to a slow start. When Urban Environmental Research (UER) was brought in to manage the program things started to take off. UER has turned the program around and it now enjoys full support from myself and Sheriff Haley. However when you show large amounts of money going out without a clear picture where it is going and what you are getting for it the question comes up if we should continue to fund the program.

Governor Sandoval asked the CIC to include in their report to the Commission in August the validity of the program in Washoe County.

Vice-Chairman Carrison noted that most of the concerns with the program came from the smaller counties that are not participating in the Silver Shield program. Washoe County has participated in this program and considers it worthwhile.

Mr. Tom Lozich indicated that from the private sector's standpoint this program is spot on. For the first time we have our plans in a secure, usable, electronic format.

Governor Sandoval indicated he is not concerned with the program in Clark County. His main focus is on the \$455,000 for Washoe County.

Sheriff Gillespie stated that 92% of the CI falls within Clark County, 4.8% in Washoe and the rest is spread around the other parts of the state. He went on to say that over the years more funding has gone into the southern part of the state, right now the bulk of the Washoe county funding is to catch them up with where they should be. He also stated that over the years a lot of money has gone into the fusion centers. The finance committee had questions on where we should be spending our money – interoperable communications systems in the rural counties or into the Southern Nevada Counter Terrorism Center. It is important that Silver Shield and the CI committee come back to the Commission and make their case for future funding and sustainment. Every program manger comes to the Finance Committee with reasons why their

programs should be funded. We can't fund them all so it becomes important for the Commission to hold open discussions on programs like Silver Shield.

Governor Sandoval directed that the CI committee come back to the Commission in August with a report on the Silver Shield program.

REPORT FROM THE NEVADA COMMUNICATIONS STEERING COMMITTEE (NCSC) ON THE CURRENT STATUS OF COMMUNICATIONS INTEROPERABILITY AND OTHER COMMUNICATIONS ISSUES IN NEVADA.

Mr. Wideman reported a strategic perspective of interoperable communications in Nevada. There is an ongoing need to maintain and develop systems that allow first responder agencies to communicate with each other. It is a complicated system. We have a variety of systems that use different frequencies. The number of these frequencies is finite and public safety agencies have to compete with private industry and communications for use of these frequencies.

This leaves us with two ways to achieve interoperability.

- a) Use a single large network that all agencies are on. This will cost in excess of \$250 million to change.
- b) The other method is to use computer technology to convert the signals into a digital format and use a computer network to communicate. This is the strategy the state has been working under.

Mr. Wideman discussed a number of ways and means that are currently being used in Nevada. He noted that even with the large amount of funding going out each year each project can really only work on a small part of the whole project. This means progress seems very slow. However we are approaching the point where we can communicate across the state.

He also touched on the issue of Narrowbanding. Narrowbanding is an FCC requirement requiring a reduction in the number of VHF frequencies and the re-licensing of the available ones by public safety agencies. Many public safety agencies have completed the process in Nevada. Unfortunately others haven't completed the process or haven't even gotten started. The whole process has to be completed by January of 2013.

Vice-Chairman Carrison asked if this is going to impact on the "Core-Four" radio systems that are used around the state.

Mr. Wideman stated there will be basic communications except with some of the rural parts of the state. We are working gateway interconnects that will help work around this situation.

Chief Washington asked if there were enough resources available to meet the narrowbanding deadline.

Mr. Wideman indicated that the FCC has given plenty of notice so they are not going to be receptive for any extensions to this requirement. We can use the Public Safety Interoperable Communication (PSIC) grant funds – although at the moment there isn't a lot of that money remaining.

Mr. Fisher mentioned that \$750,000 had been allocated for the construction of a media room in the capitol. This would be used by the Governor to directly communicate to everyone statewide. That room is not totally finished and he felt it would be a good idea to finish the project.

REPORT ON AB549 LEGISLATION

Mr. Bob Fisher provided an update to the Commission on the status of AB549 (Homeland Security Commission) legislation. The bill has passed and will be sent to the Governor to be signed into law. Over the last year the Legislative and By-Laws committee has spent quite a bit of time and effort reaching out to as many stakeholders as possible. Their involvement, coupled with

support from the Governor, his staff, members of the Legislative Council Bureau (LCB), the Attorney Generals Office and some key legislators brought this bill to the Governor's desk.

There were some lessons learned. We did not do well in involving McCarran Airport, the LCB or legislators. We made an early decision to make an all inclusive change to the NRS which resulted in a large bill. We also needed to have this bill presented at the front end of the session.

We now need to determine what will go into the next bill. He identified key players that need to be involved in the process. The next bill has to meet realistic goals and we have to work with everyone possible to secure passage.

Mr. Fisher recommended that Senator Lee be approached to represent the Senate as a member of the Commission.

Vice-Chairman Carrison stated that Mr. Fisher's leadership made the passage of this bill possible.

Governor Sandoval agreed and thanked Mr. Fisher for all the numerous hours and hard work he put into the passage of this legislation.

DEPARTMENT OF HOMELAND SECURITY (DHS) INFORMATION BRIEFING ON CYBER-SECURITY

Mr. Adam Zoller, from the National Cybersecurity and Communications Integration Center's Analysis Group, provided a briefing to the Commission on national level coordination for cybersecurity issues.

He defined cyberspace as composing thousands of globally interconnected computers and systems. The internet is part of cyberspace but it also includes local and wide area networks as well as users connected to the internet. Cyberspace contains a wealth of information on all sorts of private and public data.

The United States has a comprehensive framework to respond to incidents. The National Cyber Incident Response Plan (NCIRP) provides the concepts for that response. The National Cybersecurity Integration Center (NCCIC) – which contains a number of agencies – provide assistance to federal, state and local authorities when an incident occurs.

Mr. Chris Ipsen state that DHS has been working closely with both counties and the state and reminded everyone that cyber touches all levels of business and government. We have become dependent on the operation of our technology.

Mr. Gonzalo Cordova indicated that both the public and private sector have been taking advantage of these services in Nevada.

Mr. Fisher stated that in a recent meeting it was stated that cybersecurity has become more difficult because of the lone wolf who operates on his own.

Mr. Zoller stated the internet provides a very high level of anonymity which makes it very difficult.

Mr. Ipsen mentioned that there is also an ongoing effort from other nation states that constantly attack both the private and public sectors. From a state perspective we have over a million attacks a day.

DISCUSSION ON CHANGES TO DIRECTIVE 1.1 (REALLOCATION/REDIRECTION OF HOMELAND SECURITY GRANT PROGRAM (HSGP) FUNDS).

Governor Sandoval asked Mr. Wright that given the passage of AB549 what would impact does this legislation have on Directive 1.1.

Mr. Wright stated that until they get a chance to analyze the impact of this legislation on Directive 1.1 they are not really prepared to discuss it. We need to take a hard look at the directive and come up with some solid recommendations. He went on to recommend that this issue be moved to the next Commission meeting.

Vice-Chairman Carrison agreed and wanted to make sure that grant change NCHS-18 (Southern Nevada Counter-Terrorism Center) be brought up before the August Commission meeting.

Sheriff Gillespie noted that it was not on the agenda and that he would need to work on it at the same time as the reallocation of the funds from project "GG".

Governor Sandoval asked if there were any objections to tabling this agenda item until the August meeting and after hearing none directed staff to put this item on the August agenda.

PUBLIC COMMENT

Chairman Sandoval called for public comment.

Ms. Irene Navis made a comment on the last agenda item (Directive 1.1) and stated the Urban Area is looking into ways to reallocate Urban Area Security Initiative (UASI) funds and would like to use directive 1.1 as a framework for their procedures. She is looking forward to hearing the final version of this directive.

Mr. Cordova noted that on 22 June the Assistant Secretary for Infrastructure Protection is visiting the SNCTC and would like to invite members of the Commission to come and meet with him.

Hearing no further comments from the public Chairman Sandoval called for a motion to adjourn. Sheriff Gillespie made the motion which was seconded by Vice-Chairman Carrison and after a unanimous vote the meeting was adjourned.

Meeting notes completed by Larry Casey, for questions call (702) 486-0797 or email LFCasey@dhs.nv.gov.