HOW EFFECTIVELY ARE FEDERAL, STATE AND LOCAL GOVERNMENTS WORKING TOGETHER TO PREPARE FOR A BIOLOGICAL, CHEMICAL OR NUCLEAR ATTACK

HEARING

BEFORE THE

SUBCOMMITTEE ON GOVERNMENT EFFICIENCY, FINANCIAL MANAGEMENT AND INTERGOVERNMENTAL RELATIONS

OF THE

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HOUSE OF REPRESENTATIVES

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HOW EFFECTIVELY ARE FEDERAL, STATE AND LOCAL GOVERNMENTS WORKING TOGETHER TO PREPARE FOR A BIOLOGICAL, CHEMICAL OR NUCLEAR ATTACK

FRIDAY, MARCH 1, 2002

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON GOVERNMENT EFFICIENCY, FINANCIAL MANAGEMENT AND INTERGOVERNMENTAL RELATIONS,
COMMITTEE ON GOVERNMENT REFORM,
Nashville, TN.

The subcommittee met, pursuant to notice, at 10:15 a.m., in the Wyatt Center Rotunda, Vanderbilt University, Nashville, TN, Hon. (chairman of the subcommittee) presiding.

Present: Representatives Horn, Wamp, Clement and Bryant.

Staff present: J. Russell George, staff director and chief counsel; Bonnie Heald, deputy staff director; and Justin Paulhamus, clerk.

Mr. HORN. A quorum being present, the hearing of the Subcommittee on Government Efficiency, Financial Management and Intergovernmental Relations will come to order.

On September 11, 2001, the world witnessed the most devastating attacks ever committed on the soil of the United States. Despite the damage and enormous loss of life, the attacks failed to cripple this Nation. To the contrary, Americans have never been more united in their fundamental belief in freedom and their willingness to protect that freedom.

The diabolical nature of these attacks and then the deadly release of anthrax sent a loud and clear message to all Americans: We must be prepared for the unexpected. We must have the mechanisms in place to protect this Nation and its people from further attempts to cause massive destruction.

The aftermath of September 11th clearly demonstrated the need for adequate communication systems and rapid deployment of well-trained emergency personnel. Yet despite billions of dollars in spending on Federal emergency programs, there remain serious doubts as to whether the Nation is equipped to handle a massive chemical biological or nuclear attack.

Today, the subcommittee will examine how effectively Federal, State and local agencies are working together to prepare for such emergencies. We want those who live in the great State of Tennessee and the good people of Nashville to know that they can rely on the system, should the need arise.

We are fortunate to have witnesses today whose valuable experience and insight will help the subcommittee better understand the

needs of those on the frontlines. We want to hear about their capabilities and their challenges, and we want to know what the Federal Government can do to help.

We welcome all of our witnesses and look forward to their testimony.

I'm delighted that Bob Clement, who is the U.S. Representative for Nashville, will be our host. Ed Bryant and Zack Wamp are the U.S. Representatives in Tennessee and without objection all of these Members will be members of the subcommittee for the purposes of this hearing.

I now yield the time for an opening statement by Mr. Clement who is highly respected in Washington and here. I am glad to have any statement that he would like to put in the record and any other comments that he might want to make.

[The prepared statement of Hon. Stephen Horn follows:]

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Opening Statement
Chairman Stephen Horn
Subcommittee on Government Efficiency,
Financial Management and Intergovernmental Relations
March 1, 2002

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Today, the subcommittee will examine how effectively federal, state and local agencies are working together to prepare for such emergencies. We want those who live in the great State of Tennessee and the good people of Nashville to know that they can rely on these systems, should the need arise.

We are fortunate to have witnesses today whose valuable experience and insight will help the subcommittee better understand the needs of those on the front lines. We want to hear about their capabilities and their challenges. And we want to know what the federal government can do to help.

We welcome all of our witnesses and look forward to their testimony.

Mr. CLEMENT. Thank you, Mr. Chairman. I ask that my statement be accepted into the record as if read.

Mr. HORN. Without objection, it will be exactly that way.

Mr. CLEMENT. Mr. Chairman, it is great having you in Nashville, TN, Country Music, U.S.A. I might say about Chairman Horn, I have known him a long time and he is a good, effective Member of Congress, as a lot of you know, from the great State of California. Congressman Horn has distinguished himself in many ways, but he is also a former college president like myself. We have three former college presidents as members of the U.S. House of Representatives now, so when we see each one another in the hallway, naturally we refer to one another as Mr. President. [Laughter.]

I also want to thank Chancellor Ghee and Chancellor Jacobson, as well as Mel Bass, being here at Vanderbilt University, such a great university and internationally renowned. My colleagues, Congressman Zack Wamp from East Tennessee, from Chattanooga, and Congressman Ed Bryant from West Tennessee. So the entire State of Tennessee is well represented today. And, Mayor Purcell, good to see you. I know you are going to be our opening speaker today. It is great to be here in your city, as well as mine, for this most important hearing.

It is an important hearing because this hearing has to do with chemical, biological and nuclear attacks and what is our preparation, what are we doing, or what are we failing to do in order to ensure the people of Tennessee and this great country are protected. A lot of these variables are uncertainties for the future because we really do not know what to expect. We know with chemical and biological it could impact us and we do not even know what has happened until after the fact. That is why we need knowledgeable people and people that are truly experts to advise and counsel us. You are going to hear from many of them today from all over the State of Tennessee to bring us up to date on what we are doing. Because we at the Federal level want to do everything humanly possible to accomplish these goals and objectives. We want to make sure that the Federal Government is doing its part. Are we or are we not working together? Do we or do we not have the authority that is needed at the Federal, state and local level to handle emergencies if they happen. Do we have enough trained, educated people in place in order to get the job done? And also, what about turf fights? That can always happen at the Federal, State or local levels. Rather than helping other agencies get the job done, we become obstructionists. We don't want that to happen.

A lot of you also know that the Bush administration has proposed a budget of $37 billion. We are now spending $19 billion on homeland security. So if we are going to have that big of a jump, are we going to spend those taxpayer dollars wisely? We need to ask that question because we know that in the cold war we had a massive buildup in our defense capability during the cold war and not all of those dollars were spent wisely. The same thing could happen with homeland security if we let it happen. That is why these investigatory hearings that Chairman Horn is having, not only in Tennessee—and I am proud to be able to say the first congressional field hearing anywhere in the United States is in Tennessee, because we are strategically important, are we not?

Mr. HORN. Absolutely.

Mr. CLEMENT. Because we border more States, as you know, Mr. Chairman, than any other State in the United States. We have six interstate highway systems going throughout our State. We have got a waterway system, you know, the Tennessee River system, the Cumberland and the Mississippi River system, we have got TVA, we have got Oak Ridge. We have all of this in Tennessee. If we have got all of these assets here, we have got to make sure that we are doing everything we possibly can for the sake of our people in Tennessee, and not just for Tennessee, but for this great country.

Thank you, Mr. Chairman.

Mr. HORN. Thank you.

[The prepared statement of Hon. Bob Clement follows:]

Opening Statement of Rep. Bob Clement
Government Reform Bioterrorism Preparedness Hearing
Nashville, Tennessee
March 1, 2002

March 1, 2002

Ladies and gentleman, Chairman Horn, members of the Tennessee Congressional delegation, and distinguished guests, thank you for your participation in today's hearing. Allow me to also thank Vanderbilt University for their cooperation and the use of this lovely building. I know I can speak for the entire panel in saying we thank you for your hospitality.

In today's hearing, "How Effectively are Federal, State and Local Governments Working Together to Prepare for a Biological, Chemical or Nuclear Attack?" we will hear from a number of experts about their views on government coordination and cooperation. We, members of Congress and members of the public need to ask questions such as: Are government authorities working in the most effective manner? Is there duplication? Is there redundancy? What can the federal government do to better assist state and local authorities? Are Tennessee's and the nation's public health capabilities ready to meet the test of a widespread biological or chemical attack? These questions and answers will allow us to have a better understanding of the strengths and weaknesses confronting our preparedness capabilities.

When I approached Chairman Horn about holding this field hearing in Nashville, I was confident that Tennessee was an ideal place for the inaugural field hearing on the coordination between local, state and federal entities. First, as we all know, Tennessee is truly a crossroads of the nation. Tennessee borders eight states, has six major interstates, an extensive freight rail network, major waterways, such as the Mississippi, Tennessee and Cumberland Rivers, and international airports. A massive amount of traffic, both people and goods, moves through Tennessee on a daily basis. Additionally, the power provider for Tennessee, the Tennessee Valley Authority has several power plants: coal-fired, hydroelectric, and nuclear plants at various locations throughout Tennessee. Our state's population has increased by 16% since the 1990 census and there are now approximately 5.69 million people that call Tennessee home. Take all of these things together, and I think that many would agree that Tennessee is a state with a complex infrastructure and growing population. This means we are in a position to be a leader in emergency preparedness coordination and planning at the local, state and federal levels.

Right in our own backyard we find a depth of knowledge and a field of experts to discuss problems and search for solutions. From all the different agencies and the different disciplines, we have the cream of the crop right here in Tennessee. Just looking at our panels of witnesses, it is obvious that we will have a rich, meaningful dialogue with administrators, law enforcement, emergency management personnel, and the important first responders. This dialogue will help us to find ways to better communicate in the instance of an attack. This hearing will help in the national debate over ways to streamline our systems, avoid

redundancy and duplication, and simply establish the best possible practices to ensure public health and safety. Indeed I am proud of the Tennessee record and feel that we have an awful lot to contribute to the homeland security of America.

And while today's hearing is in Nashville, truly we are exploring the need for improved preparedness statewide and nationwide. This need spreads from Johnson City to Memphis, from Chattanooga to Clarksville; from East Coast to West Coast and every community and city in between. A potential bioterrorism or chemical attack knows no borders and is an issue for all Americans. Nationwide we all must be aware of the potential threats and ensure that our first responders are prepared.

September 11th and the subsequent anthrax mailings in Washington D.C. were a wake up call to the emergency response community. Unlike an attack of the scale of September 11th, biological or chemical attacks could take place without the victims immediately knowing it. That is why we must fully develop a system where first responders are able to recognize, identify and then respond to a biological, chemical or nuclear terrorist emergency rapidly and without hesitation. In a matter of seconds, a successfully contained bioterrorism attack can be stopped and defeated, saving thousands of lives.

In response to the September 11 attacks Congress quickly approved federal aid to help with the clean up and emergency assistance for those affected by the terrorists acts in New York and at the Pentagon. Then to specifically work to combat bioterrorism, the House of Representatives on December 12, 2001 passed H.R. 3448, the Public Health Security and Bioterrorism Response Act of 2001. This bill passed by a vote of 418-2, with my support.

Specifically H.R. 3448 authorizes more than $1 billion in grants to states, local governments, and other public and private health care facilities and other entities to improve planning and preparedness activities and enhance laboratory capacity. It would also fund education and training of health care personnel and the development of new drugs, therapies, and vaccines. It also has provisions to further protect our food and water supply, and authorizes $450 million for the Centers of Disease Control and Prevention to upgrade their own capacities to deal with public health threats, to renovate their facilities, and improve their security.

While this bill still has to be approved in a Senate-House conference, when enacted these authorizations will reinforce the President's budget initiatives to dramatically increase funds for homeland security. In fact, the President's fiscal year 2003 budget has proposed $37.7 billion for homeland security, up from $19.5 billion in 2002.

With regard to preparedness, I believe that we must pay particular attention to the various shortfalls facing our health care system. That is why I applaud President Bush's budget provisions calling for strengthening America's public health system and infrastructure needs. Funds are desperately needed for education and training for medical and emergency personnel. According to the Office of Homeland Security, many of our health care systems are simply not adequately prepared for a large-scale attack. We must make the necessary investments to reinforce our health care system and have professionals in place that are adequately trained and prepared for a biological or chemical attack.

>But unless there is a sophisticated local, state and federal plan in place for responding to such attacks, throwing money at new programs won't solve coordination problems. And that's why the testimony of our witnesses is so critical. Tell us what you see as the major hurdles. Tell us what you think needs to be changed and tell us what you think is right on track. We rely on your expertise, your years of service and experience. We rely upon you for direction and advice.

I would like to formally thank our witnesses today who are truly the front-line in our battle. They are the men and women who can lead Tennessee and the nation in realizing our goal of dealing with potential enemy attacks. Bioterrorism is not new to the world, nor is it new to America. What we need to figure out is how to manage each potential situation and how to protect and care for our fellow citizens in the event of such an attack. That is what I look forward to discussing today. Thank you.

Mr. HORN. Now, Mr. Bryant, if you wish to have an opening statement we would be glad to have it.

Mr. BRYANT. Thank you, Mr. Chairman. I used to not speak very much. That is somewhat unusual for a lawyer, but after being in Washington, I learned that you never turn down an opportunity to speak before a crowd of TV cameras and a crowd of people. Mr. Chairman, I will take just a short-time here. I know we have some outstanding witnesses to listen to today and there is a great deal to be learned from them as opposed to what we might have to say in terms of knowledge.

I do want to welcome you to Tennessee. You have been here before. It is a great State, as Bob Clement says, and I know Zack Wamp agrees. We may have some disputes among ourselves as to what part of the State is most beautiful, but I can tell you, we probably have the main target in West Tennessee for possible terrorism, and that is Graceland. [Laughter.]

That goes to the heart of Tennessee and our Nation as a matter of fact. But Tennessee and Nashville is especially a hospitable place and I want to thank all of the folks that have made it out today, but especially our great mayor of Nashville, Mayor Bill Purcell, who will have some comments here in a few minutes. I want to tell you, Nashville, I think, is a good choice because it is so representative of the South. We have got so many things here, as we have across the South, that are important to us, but also important to a would-be terrorist. So I think this is a good area to hold a hearing, and what you hear today will be consistent with, I suspect, the rest of the South and probably the Nation as a whole.

Our job in Washington—and one of the things that we are trying to learn today from these experts down here, the city, county, State folks, the fire departments, the police departments, the first-responders, those folks; we need to learn how we can best help them. We do a lot in Washington, mainly surrounding money. Money is really what drives Washington. How we spend that money is so important in responding to this problem. In looking over the statements, I can give you the preview that what they're going to tell us is how we construct this manner of distributing Federal money to help the State's money and the local money. This is going to be the key to our success in battling—in preparing for potential counter-terrorism.

Also, I will tell you, as I wind down my remarks, that coordination is so important among the Federal folks, the State folks and the local folks that, as Bob alluded to, the turf battles that sometimes come up. That is going to be very important, as well as coordinating the efforts between the people who are out there trying to prevent these types of actions happening, as well as coordinating with the folks that are out there who are responding when bad things do happen. Through acts of terrorism we see and we learned very clearly from September 11th that it clearly overlaps very quickly. We do not have time in some cases to sit down and say what do we do. So it is going to take coordination among the State, Federal and local authorities, as well as among the people out there already in those positions who prevent these things from happening, as well as who will respond, so there is not any overlapping and we can be most effective.

I conclude by telling you that my goal in all of this would be, when I go out to my town meetings and talk to people, that I do not sound silly when I tell them that I want them to live a normal life, yet do it with vigilance. Sometimes that sounds like a mixed message out there, I am telling them two different things. I think we all understand that what we are about here is trying to find a way that we can all work together so we can get back to a normal life in America, as much as we can, but knowing always that we are going to have to be vigilant from now—from this day forward.

Again, thank you, Mr. Chairman, for hosting this hearing. I yield back the balance of my time.

Mr. HORN. And now we will have the gentleman from the other part of Tennessee, Mr. Wamp, for an opening statement.

Mr. WAMP. Thank you, Mr. Chairman. I, too, want to thank Chairman Horn for choosing Nashville and our State for the first field hearing on this most important topic, and Congressman Clement for his leadership and his fairness. I have thoroughly enjoyed the 7½ years I have had an opportunity to work with you, Congressman. We have a very good working relationship and put the interest of our State ahead of any other interest together. And, of course, I admire Congressman Bryant so well. You have got a diversity of experiences here among the members and our respective committee assignments that I think is helpful, and certainly an excellent slate of witnesses.

Mayor Purcell, I admire you so much. Thank you for being with us and for hosting us. To our friends here at Vanderbilt University as well, thank you.

A friend of mine named Oz Guinnes told me not too long ago that we need to remember that the power to convene is greater than the power to legislate. That is a profound thought. If you are a Member of Congress and you recognize that sometimes you should use your positions to bring people together for a common cause, not just what bills can we pass to somehow legislate our way out of the problems that we face. Often times you cannot legislate your way out of problems, but we can bring people together to talk about solutions that need to be pursued at every level of government, private and public sectors. That is why we are here today.

I am also here today, because we now know what we have always suspected, and that is, reality is more horrible than fiction can ever be. We saw that on September 11th, and we actually saw it in other ways following September 11th with the anthrax scare. It has awakened a new mindset in our country.

I also thought on the way over here of 50 years ago when a famous Tennessee U.S. Senator named Estes Kefauver was holding field hearings all across America to try to root out crime and stop the growth of organized crime in our country. History repeats itself as we begin these field hearings across America to deal with terrorism, which is crime of the worst order in the world today. It is a generation call to courage that we all face to coordinate, work together, communicate and be brave like never before.

I do come from East Tennessee where we are rich in what these professionals would call target assets for terrorism. When you think of Oak Ridge, as Congressman Clement said, or the TVA nuclear facilities, or even the hydropower system in abundant water-

sheds in east Tennessee where we have numerous dams that could be targeted. We have, though, I think fairly—it would be fair to say that we have made great preparation in the past on those assets because the Federal Government has been so involved in East Tennessee with our security. So I come today to learn more about and help us all pursue solutions to biological and chemical threats because what briefings I've had tell me that the biological and chemical threats are actually much greater than the nuclear threats, and that the damage that could be inflicted from biological and chemical terrorism is much greater than even nuclear terrorism. I think we need to focus in on these unknown areas, which have not been focused on enough in recent years. I also want to open by saying I do not think we can overdo this. We cannot overemphasize the criticality of the issues that are before us today. We could meet like this every week and have the best experts we could summon and we still would not do enough because this is so critical and the timing is so critical.

There are a few lessons learned, even in a micro sense from the anthrax situation that the Congress itself faced in just how to prepare—not how to totally prevent it from happening, because that is impossible to totally prevent it from happening. We can help prevent it from happening, but we cannot totally eliminate it. What we can do is prepare for how we respond better to this incident. Terrorism will never bring this country to its knees. It will not. It will hurt us if it happens again, but how we respond is what we are here today to address. We have got to do better to prepare for the response. I thank Senator Frist, as much or more than any person in our State, for the leadership that he has demonstrated in preparing our public health infrastructure and bringing about legislation for bioterrorism responses at every level because we need his kind of expertise and leadership in Washington more today than at any time in the history of our country.

So I am here very encouraged, but also very thirsty to learn and to cooperate and to participate in a most important process for the good of not just the United States of America, but the entire free world. I thank our panel and look forward to a very healthy process of working together in the future. Thank you, Mr. Chairman.

Mr. HORN. Thank you.

The colleague from Nashville has spoken about college presidents and we are on a college campus. I should say that there was a third member, and that was Ray Thornton, the president of the University of Arkansas and Arkansas State University. Then he decided to run for Congress, and the paper in the town said Thornton goes to Washington in big World War II type. An old timer was just crushed because he liked Ray so much, and he came over to tell Ray—he said "Well, Ray, why are you leaving us? You live in that house up there we give you that looks like Mount Vernon and you make as much as a Member of Congress, why are you leaving us?" And he said, "I want to get away from politics." [Laughter.]

All university types will understand what I am saying.

Mr. CLEMENT. That is right.

Mr. HORN. OK, we will now have—we will not swear in the Mayor because we will have him with a greeting here. We are delighted to have the Honorable Bill Purcell, mayor, city of Nashville.

STATEMENT OF BILL PURCELL, MAYOR, CITY OF NASHVILLE, TN

Mayor PURCELL. Thank you, Mr. Chairman. To Chairman Horn and my Congressman, our Congressman, Bob Clement, with whom we have an outstanding relationship—a collaborative relationship to Congressman Wamp, who I know has that same relationship with the new mayor of Chattanooga, Bob Corker, as well as the mayor and officials of Oak Ridge. That area is so critical to this discussion today. And to Congressman Ed Bryant, who will soon after the elections this fall—I am sure after the elections this fall will be representing a portion of Davidson County, and as a result of which, I know we will see even more of in the months and years ahead.

Mr. Chairman, let me first take this opportunity on behalf of all the people of Nashville to thank you and the Subcommittee on Governmental Efficiency, Financial Management and Intergovernmental Relations here to Nashville for this hearing on the efforts of local and State governments to prepare for terrorist attacks.

Your interest in bringing these hearings here into the heartland of America shows a welcome appreciation for the challenges that local governments face in the wake of the terrorist attacks of September 11, 2001. These challenges were spelled out in a survey issued in January by the U.S. Conference of Mayors. The survey of 200 cities finds that cities across the country expect to spend more than an additional $2.6 billion on security between September 11, 2001 and the end of this calendar year.

On September 11th, the city of New York and Washington, DC, came under a foreign terrorist attack unprecedented in American history. Although Nashville did not come under attack, all departments of the metropolitan government, many of them represented here today, immediately began preparations under our comprehensive emergency management plan.

Today you will hear from the leaders of our State and local homeland security. General Gilbert, who has done an excellent job—an outstanding job in coordinating between State and local officials across this State and represented our administration well here, and I believe in Washington as well. Since September 11th, we have all been engaged in the task of assuring the public safety of our citizens and assessing our preparedness for potential emergencies and crises.

Within the week after the attack, our Deputy Mayor Bill Phillips convened a meeting of the Public Safety Department directors to assess Metro's initial response and to determine what additional actions by the various departments of Metro Government were under consideration or were appropriate.

After a comprehensive review of relevant emergency plans regarding the terrorist attack, it was concluded that the government of Nashville and Davidson County had been and were well prepared to address terrorist attacks before the events of September 11th, and in subsequent weeks all departments demonstrated an even improved ability to respond to the terrorist challenge. This is a protocol that obviously played out in cities, large and small, all across America in the weeks following. Our review of our preparedness was released November 1st. The report concluded, "Based on

its prior level of preparedness, its response to a devastating tornado strike, its high marks by Federal officials on a chemical disaster exercise and additional preparedness actions taken subsequent to the September 11th attacks, it clearly appears that Metro government is indeed well prepared to respond to the threat of terrorism."

A part of that report that is critical for me to thank you and other Members of the Congress for was the extent to which the Federal Government had assisted local governments in the months and years preceding that attack to review our level of preparedness and actually cause exercises to occur and then rank and rate those exercises. That was an enormous benefit to us and our report concluded that was one of the reasons that we were as prepared as we were, that early Federal support months and years before the attacks in New York.

This report also highlights the things we have learned since that time, how we can better prepare for the future includes recommendations for improving our readiness. Some of these recommendations have already been addressed. For example, after increased threats of bioterrorism became apparent, Metro issued guidelines for receiving anthrax threats. These guidelines have been shared throughout the government with businesses and posted generally on the Internet.

Since that time, we have also taken further steps to strengthen our preparedness. At the end of last year our Metro Council approved $2 million in funding for the construction of a temporary backup training center for E–911. An additional $4.2 million is now available for the construction of a new police precinct. These were actions that were planned before the terrorist attacks, but they reflect our resolve to protect the safety of our citizens.

Like most jurisdictions, we have also assumed additional costs during this time. We were honored this week by the Department of Defense because the city of Nashville moved quickly to be sure that all of our employees who might be called to serve would find that neither their pay nor their benefits were in any way impeded. Now this is something the Federal Government has been a leader in, but we attempted, as a local jurisdiction, to be a leader as well and show other employers, private as well as public, that this is something we can and must do. This, however, comes at a cost.

When the Nation's mayors met with President Bush in January—which was an extremely successful meeting from our perspective—he told us that he planned to increase the funding for homeland security for State and local governments. The President made good on that commitment in his budget, including an additional $3.5 billion within that larger amount of money that Congressman Clement talked about a few moments ago for State and local government preparedness efforts. You will hear from Chief Halford, our police chief, Emmett Turner, Jim Thacker, director of Nashville's Office of Emergency Management on our response and preparations. With your assistance, I am confident that we will both win the war against terrorism and strengthen our Nation and community.

Again, thank you Chairman Horn for your leadership, for making this trip. I suppose, it is indirectly, between your district and your

service in Washington, but it was a long trip for you and we greatly appreciate your work in convening this meeting here. We welcome your interest and we are ready as a city to discuss these important matters with you and the other members of the subcommittee. Thank you very, very much.

[The prepared statement of Mr. Purcell follows:]

Remarks of Mayor Bill Purcell
to the Subcommittee on Governmental Efficiency,
Financial Management and Intergovernmental Relations

Mr. Chairman. Congressman Clement. Let me take this opportunity to welcome you and the Subcommittee on Governmental Efficiency, Financial Management and Intergovernmental Relations here to Nashville for this hearing on the efforts of local and state governments to prepare for terrorist attacks.

Your interest in bringing these hearings here, into the heartland of America shows a welcome appreciation of the challenges local governments face in the wake of the terrorist attacks of September 11, 2001. These challenges were spelled out in a survey issued in January by the U.S. Conference of Mayors. The survey of 200 cities finds that cities across the country expect to spend more than an additional $2.6 billion on security between September 11, 2001 and the end of 2002.

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Although Nashville did not come under attack, all departments of the Metropolitan Government of Nashville and Davidson County immediately began preparations under our Comprehensive Emergency Management Plan.

Today you will hear from the leaders of our state and local homeland security, public safety and emergency preparedness departments. Since September 11 we have all been engaged in the task of assuring the public safety of our citizens and assessing our preparedness for potential emergencies and crises.

Within the week after the attack, our Deputy Mayor Bill Phillips convened a meeting of the public safety department directors to assess Metro's initial response and to determine what additional actions by the various departments of Metro Government were under consideration or appropriate.

The Deputy Mayor tasked the Director of Metro Fire, Chief Stephen Halford, to conduct an overall assessment of the operations executed and preparations to be taken by Metro departments in order to insure increased public safety.

After a comprehensive review of relevant emergency plans regarding the terrorist threat, it was concluded that the government of Nashville and Davidson County was well prepared to address the terrorist attacks before the events of September 11, 2001 and in subsequent weeks all departments demonstrated an even improved ability to respond to the terrorist challenge.
Our review of Metro Preparedness was released November 1. The report concluded, "Based on its prior level of preparedness, its response to a devastating tornado strike, its high marks by federal officials on a chemical disaster exercise and additional preparedness actions taken subsequent to the September 11th attacks, it clearly appears that Metro government is indeed well prepared to respond to the threat of terrorism."

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Like most jurisdictions we have also assumed additional costs during this time. When the nation's mayors met with President Bush in January, he told us he planned to increase the funding for homeland security for state and local governments. The President made good on that commitment in his budget including $3.5 billion for state and local government preparedness efforts. You will hear from Chief Halford, our Police Chief Emmett, and Jim Thacker, director of Nashville's Office of Emergency Management on our response and our preparations. With your assistance, I am confident that we will both win the war against terrorism and strengthen our nation and our community.

Thank you again Chairman Horn and Congressman Clement for bringing this hearing to Nashville. We welcome your interest and are ready to discuss this vital issue with you.

Mr. HORN. Well thank you very much for your graciousness and your hospitality, we appreciate it. Mayor, I think you are going to be able to sit with us for awhile, if you have time? If you do not, I know you are busy.

Mayor PURCELL. Well actually I will be able to be with you for a time. Again, my department heads are well represented here. Today is also, I might add, Mr. Chairman, since you gave me the opportunity, Read Across America Day. We are celebrating Dr. Seuss' birthday and the children of Nashville are reading all across this city, and then hopefully we will be reading tomorrow the results of this hearing as well. Thank you, Mr. Chairman.

Mr. HORN. Thank you.

We now have panel one. They are in place, and since this is an investigatory committee, if you would, take the oath.

[Witnesses sworn.]

Mr. HORN. The clerk will note that all seven have taken the oath.

Mr. CLEMENT. Mr. Chairman, could I submit this letter for the record from Senator Frist, who could not be here today because of a conflict? One statement he made in the letter, I think is real appropriate. It is not that we are unprepared for the threat concerning bioterrorism, rather we are under-prepared. I think that is something that we need to focus upon. And then also, I appreciate the representatives of Senator Fred Thompson being here today as well.

Mr. HORN. And do you want those in the record?

Mr. CLEMENT. Yes.

Mr. HORN. Without objection, so ordered.

We will now go to the honorable Wendell H. Gilbert, the Tennessee Department of Veterans Affairs and Deputy to the Governor for Homeland Security. We are glad to have you here, Mr. Gilbert.

[The information referred to follows:]

BILL FRIST
TENNESSEE

COMMITTEES:
Budget
Health, Education, Labor, and Pensions
Foreign Relations

United States Senate
WASHINGTON, DC 20510

February 28, 2002

The Honorable Bob Clement
United States House of Representatives
Washington, DC 20515

Dear Congressman Clement:

Thank you for your leadership in hosting this Congressional field hearing in Nashville today on Tennessee's bioterrorism preparedness. I regret that I cannot be with you, and hope you will convey my thanks to Congressman Horn for making Nashville the first stop in these important national hearings.

You have an impressive panel of experts before you today, many of whom were a tremendous help to me as we developed the "Bioterrorism Preparedness Act of 2001," which passed the United States Senate last year. In fact, I was home in Nashville, holding a roundtable discussion on bioterrorism at the Tennessee Emergency Management Agency on Monday, October 15 – the very morning the letter containing anthrax was opened in Senator Daschle's Washington office.

We have learned so much since then, and your hearings today will help add to our understanding of how best to prevent, prepare for, and respond to bioterrorist threats. As I have said many times: It is not that we are unprepared for the threat bioterrorism, rather, we are underprepared. That's why hearings like this morning's are so important as we seek ways at the federal level to ensure that appropriate resources are applied effectively and efficiently in our communities, truly the front line of defense, as we endeavor to protect the public health and safety from this growing threat.

I am very pleased that both the House and Senate have passed important bipartisan bioterrorism preparedness legislation and that Congress last year voted to provide over $3 billion to help defend our citizens against bioterrorist attacks and other public health emergencies. As a result of our work thus far, Tennessee should receive a significant boost in federal funding this year – about $20 million – to help protect our state and its citizens from bioterrorism.

Clearly, there is more to do, and I know your discussions today will be productive in helping guide us in the months and years ahead. I look forward to continuing to work with you on this critical issue.

Sincerely,

Bill Frist, M.D.
United States Senator

STATEMENTS OF WENDELL H. GILBERT, TENNESSEE DEPARTMENT OF VETERANS AFFAIRS, DEPUTY TO THE GOVERNOR FOR HOMELAND SECURITY; KENNETH BURRIS, REGIONAL DIRECTOR, FEDERAL EMERGENCY MANAGEMENT AGENCY; PHILIP THOMAS, SPECIAL AGENT IN CHARGE, MEMPHIS FIELD OFFICE, FEDERAL BUREAU OF INVESTIGATION; JAYETTA Z. HECKER, DIRECTOR, PHYSICAL INFRASTRUCTURE ISSUES, U.S. GENERAL ACCOUNTING OFFICE; STANLEY H. COPELAND, DIRECTOR, PLANNING AND TRAINING, TENNESSEE EMERGENCY MANAGEMENT AGENCY; ADJUTANT GENERAL JACKIE WOOD, TENNESSEE NATIONAL GUARD; AND ALLEN CRAIG, M.D, STATE EPIDEMIOLOGIST, DIRECTOR OF COMMUNICABLE AND ENVIRONMENTAL DISEASE SERVICES

Mr. GILBERT. Thank you, Mr. Chairman, and members of the committee. Mr. Chairman, I am a little bit intimidated here this morning because Congressman Bryant is my Congressman and he tends to tell stories about me, stories that are not true. Mr. Chairman, would you make sure that he exercises some restraint this morning? [Laugher.]

I am currently serving as deputy to Governor Sunquist——

Mr. BRYANT. General Gilbert, could I just make sure that you understand you are under oath. Laughter.]

Mr. GILBERT. Thank you, Congressman, I had forgotten that. [Laughter.]

Mr. GILBERT. I currently serve as deputy to the Governor for Homeland Security and I am also commissioner of Veteran Affairs. Those of you in uniform know you usually have a job description in the Army that says other duties as assigned, and the Governor has exercised that particular clause in my job description, I guess.

The Governor has also appointed a Council for Homeland Security, which is made up of those senior members of the State government who would have a part to play in this mission, and several of the council members are here today. The council has worked diligently to develop a supplemental budget for this year and also a budget for next year, items that we feel are essential to be plussed up. Our dilemma is that the State of Tennessee—it appears unless some new revenue is found, will be in the hole about $350 million in July and for the following year about $800 million.

Many of the departments who are involved in this mission in State government have funding that we call over-appropriation. The Governor realizing that we were going to have a shortfall began to reduce State budgets several months ago. So some of the departments that are involved in this mission have an over-appropriation. For example, the Department of Health and Agriculture. And they have now been authorized by the Governor to spend some of that money on those vital projects relating to homeland security. There are several departments that do not have an over-appropriation, including mine and some that are represented here, the National Guard and TEMA does not have an over-appropriation. So that is the reason I have come forward to ask for a supplemental from the General Assembly and that is before them at this time.

What we did in the Council for Homeland Security was to establish priority 1 items and priority 2 items. We are only asking now

for priority 1 items. Priority 1 items are those things we think are absolutely essential to this mission. We developed a priority 2 category in the event—and I pray that this will not occur, but if a threat got more serious, then we would already know what those other improvements are.

We are very encouraged by the President's 2003 budget. I recognize that there is a need to get funding down to our first-responders on the local level. We also hope that some of that funding can also come to State governments, because we recognize that we are not the only State in the Nation that has serious budget problems.

I will tell you that Governor Sunquist is very much hands-on on this subject, and I have received very, very strong support from all the members of our council. They always respond, they always do what I ask and they always participate in a very meaningful way.

I do recognize that one major problem that needs to be addressed is intelligence at the Federal level. I would urge the committee to do everything it can to enhance the intelligence capability of this great Nation, especially vertical intelligence, so that information is analyzed quickly and sent all the way down to where the rubber meets the road. That, I think, needs to be plussed up.

Mr. Chairman, you asked me to answer two specific questions. The first one is: What is the mechanism for disseminating information from your office to the local officials? Our Office of Homeland Security provides homeland security bulletins. We have already put out four of those. The bulletins contain a variety of information. Early on, we put out a bulletin that explained all about anthrax. A biological threat is something that is fearful. People are afraid of that, and we feel that if they know more about biological threats it will take some of the fear away. For example, anthrax is not contagious from one person to another.

Also, the Governor has hosted two—we are planning a third conference call with all county executives, all mayors, all police chiefs, all sheriffs and all emergency management personnel across the State. We found those to be particularly helpful. In fact, we are planning one this month and the Director of FEMA has agreed to participate in our conference call. Information of an emergency nature is immediately disseminated through law enforcement channels and through our emergency management agency TEMA.

The next question you asked me to answer, Mr. Chairman, was: Is there someone who has coordinated emergency management among Tennessee's VA medical facilities and local hospitals? The answer to that, Mr. Chairman, is yes. Coordination for hospital emergency management is done through several channels. During emergencies, the State Emergency Operation Center at TEMA coordinates all emergency management activities 24-hours a day through a collection of emergency service coordinators, which includes representation from the Tennessee Department of Health and VA hospital. The individual spearheading this planning efforts on a daily basis is Robert L. Ruth, Central District Manager, Emergency Management Strategic Healthcare Group and John D. Phillips, Jr., Management Assistant, Emergency Management Strategic Health Care Group, the U.S. Department of Veterans Affairs. The VA hospitals in Tennessee are a part of the VA National Medical Response Network.

I was also asked to comment about the planning. They are in the process of putting together a bioterrorism plan for the VA. It is a work in progress, but they are working diligently on that, Mr. Chairman.

I want to commend Governor Ridge for the regional conference calls that are now being conducted every other week. They are very helpful in obtaining information and allowing us to provide input. In summary, let me say that we are in desperate need of some Federal funding here in the State of Tennessee for our homeland security mission and we need funding in a variety of areas. We hope the Congress will approve the President's budget request for homeland security in a timely way.

We also urge the Congress to approve actions to enhance our intelligence capabilities. We must have timely and meaningful intelligence.

Thank you again, Mr. Chairman, so very much for focusing attention on this very, very vital subject for the future of America. Thank you, also, for coming to the great Volunteer State of Tennessee.

[The prepared statement of Mr. Gilbert follows:]

Testimony of

COMMISSIONER WENDELL H. GILBERT
TENNESSEE DEPARTMENT OF VETERANS AFFAIRS
DEPUTY TO THE GOVERNOR FOR HOMELAND SECURITY

before the

COMMITTEE ON GOVERNMENT REFORM'S SUBCOMMITTEE ON GOVERNMENT EFFICIENCY

MARCH 1, 2002

I APPRECIATE THE OPPORTUNITY TO TESTIFY THIS MORNING. I AM CURRENTLY SERVING AS DEPUTY TO GOVERNOR SUNDQUIST FOR HOMELAND SECURITY. IN THAT CAPACITY, I ALSO CHAIR THE COUNCIL ON HOMELAND SECURITY, WHICH HAS BEEN APPOINTED BY THE GOVERNOR. THE MEMBERS OF THE COUNCIL INCLUDE ALL THE SENIOR CABINET OFFICIALS THAT HAVE A ROLE TO PLAY IN THIS MISSION OF HOMELAND SECURITY. THE COUNCIL HAS WORKED DILIGENTLY TO DEVELOP A SUPPLEMENTAL BUDGET REPORT FOR THIS YEAR AND ALSO A BUDGET INCREASE FOR THE NEXT FISCAL YEAR. THE SUPPLEMENTAL AND 2003 BUDGET ARE CURRENTLY BEFORE THE GENERAL ASSEMBLY FOR APPROVAL. THE STATE BUDGET IS ESTIMATED TO BE AROUND $350 MILLION SHORT AT THE END OF THIS FISCAL YEAR. UNLESS NEW REVENUE IS FOUND, IT COULD BE AS MUCH AS $800 MILLION SHORT NEXT YEAR.

MANY OF THE DEPARTMENTS WHO ARE INVOLVED IN THIS MISSION HAVE OVER-APPROPRIATIONS THAT HAVE BEEN SET ASIDE BY THE GOVERNOR IN ANTICIPATION OF THE SHORTFALL THIS YEAR. THE GOVERNOR HAS AUTHORIZED THESE DEPARTMENTS TO MOVE

AHEAD WITH EXPENDITURES FOR HOMELAND SECURITY. THE SUPPLEMENTAL IS A REQUEST TO THE GENERAL ASSEMBLY TO FUND THE IMPROVEMENTS IN THE OTHER DEPARTMENTS WHO DO NOT HAVE AN OVER-APPROPRIATION.

THE COUNCIL ESTABLISHED PRIORITY 1 FUNDING INCREASES ON THE BASIS THAT THESE WERE THE MINIMUM ESSENTIAL THINGS THAT NEEDED TO BE ENHANCED. WE ALSO HAVE ESTABLISHED A PRIORITY 2 CATEGORY THAT WAS DONE SO THAT IN THE EVENT THAT THE THREAT GETS MORE DIFFICULT WE WILL BE READY TO MOVE ON TO FURTHER ENHANCE OUR CAPABILITIES. WE ARE ASKING THE GENERAL ASSEMBLY AT THIS TIME ONLY TO FUND PRIORITY 1.

WE ARE ENCOURAGED BY THE PROPOSAL BY THE PRESIDENT IN HIS 2003 BUDGET. WE RECOGNIZE THE NEED TO SEND FUNDING DIRECT TO FIRST RESPONDERS AT THE LOCAL LEVEL. WE ALSO ARE HOPEFUL THAT SOME OF THOSE FUNDS WILL COME TO THE STATES BECAUSE IT IS MY UNDERSTANDING THAT MANY STATES ARE HAVING BUDGET PROBLEMS.

I APPRECIATE THE SUPPORT THAT WE ARE RECEIVING FROM GOVERNOR RIDGE'S OFFICE, ALSO FOR THE EPA AND THE DEPARTMENT OF HEALTH. HERE IN TENNESSEE, WE HAVE ALREADY TAKEN A NUMBER OF ACTIONS TO ENHANCE SECURITY.

THE GOVERNOR IS VERY MUCH HANDS ON IN THIS SITUATION. I AM APPRECIATIVE OF THE STRONG SUPPORT I RECEIVE FROM ALL MEMBERS OF OUR COUNCIL ON HOMELAND SECURITY. I BELIEVE ONE OF OUR WEAKNESSES AT THE FEDERAL LEVEL IS INTELLIGENCE. I HOPE THAT EVERY EFFORT WILL BE MADE TO MOVE FORWARD TO ENHANCE OUR INTELLIGENCE CAPABILITIES, ESPECIALLY VERTICAL INTELLIGENCE SO THAT DOWN AT THE GRASSROOTS WE ARE GETTING THE WORD ON WHAT IS GOING ON.

LISTED BELOW ARE ANSWERS TO THE TWO SPECIFIC QUESTIONS YOU RAISED.

1. WHAT IS THE MECHANISM FOR DISSEMINATING INFORMATION FROM YOUR OFFICE TO LOCAL OFFICIALS?

   WE DISSEMINATE ROUTINE INFORMATION VIA OUR PERIODIC TN HOMELAND SECURITY BULLETIN, THE GOVERNOR'S CONFERENCE CALLS TO ALL COUNTY EXECUTIVES, OUR WEB PAGE http://www.state.tn.us/homelandsecurity/, AND PARTICIPATION IN COUNTY AND LOCAL FORUMS ACROSS THE STATE. INFORMATION REQUIRING IMMEDIATE DISSEMINATION IS ACCOMPLISHED THROUGH LAW ENFORCEMENT AGENCIES AND TN EMERGENCY MANAGEMENT AGENCY (TEMA) CHANNELS.

2. IS THERE SOMEONE WHO IS COORDINATING EMERGENCY MANAGEMENT AMONG TN'S VA MEDICAL FACILITIES AND LOCAL HOSPITALS?

YES. COORDINATION FOR HOSPITAL EMERGENCY MANAGEMENT IS DONE THROUGH SEVERAL CHANNELS. DURING EMERGENCIES, THE STATE EMERGENCY OPERATIONS CENTER AT TEMA COORDINATES ALL EMERGENCY MANAGEMENT ACTIVITIES, 24 HOURS PER DAY, THROUGH A COLLECTION OF EMERGENCY SERVICES COORDINATORS WHICH INCLUDE TN DEPARTMENT OF HEALTH AND VA HOSPITAL REPRESENTATION. THE INDIVIDUALS SPEARHEADING THESE PLANNING EFFORTS ON A DAILY BASIS IS ROBERT L. RUTH, CENTRAL DISTRICT MANAGER, EMERGENCY MANAGEMENT STRATEGIC HEALTHCARE GROUP AND JOHN D. PHILLIPS, JR, MANAGEMENT ASSISTANT, EMERGENCY MANAGEMENT STRATEGIC HEALTHCARE GROUP, DEPARTMENT OF VETERANS AFFAIRS. THE VA HOSPITALS IN TN ARE PART OF THE VA NATIONAL MEDICAL RESPONSE NETWORK.

I WANT TO COMMEND GOVERNOR RIDGE FOR THE REGIONAL CONFERENCE CALLS THAT ARE NOW BEING CONDUCTED EVERY OTHER WEEK. THEY ARE VERY HELPFUL IN OBTAINING INFORMATION AND ALLOWING US TO PROVIDE INPUT.

IN SUMMARY, LET ME SAY THAT WE ARE IN NEED OF FEDERAL FUNDING FOR THE HOMELAND SECURITY MISSION IN A VARIETY OF AREAS. WE HOPE THAT CONGRESS WILL APPROVE THE PRESIDENT '03 BUDGET REQUEST FOR HOMELAND SECURITY.

WE URGE THE CONGRESS TO APPROVE ACTIONS TO ENHANCE OUR INTELLIGENCE CAPABILITIES.

WE MUST HAVE TIMELY AND MEANINGFUL INTELLIGENCE.

Mr. HORN. Thank you very much. We will have questions after everybody has made their presentation.

Mr. Ken Burris is the Regional Director of the Federal Emergency Management Agency. That agency goes back to President Truman and it has had a marvelous evolution in the last decade or two because of all of the earthquakes in California, floods in California, floods in the Mississippi. So this is a very important position. So, Mr. Burris, we want to hear from you.

Mr. BURRIS. Good morning, Mr. Chairman. It is indeed a pleasure for me to be here today to discuss the pressing matters of how FEMA is assisting State and local governments to prepare for potential terrorists attacks involving biological, chemical or nuclear agents.

FEMA is the Federal agency responsible for leading the Nation in preparing for responding to and recovering from disasters. Our success depends upon our ability to organize a community of local, State and Federal agencies and volunteer organizations.

The Federal Response Plan forms the heart of our management framework and lays out the process by which interagency groups work together to respond as a cohesive team to all types of disasters. In response to the terrorist events of September 11th, the Federal Response Plan has proven to be an effective and efficient framework for managing all of the phases of disaster and emergency operations. The plan is successful because it builds upon the existing professional disciplines, expertise, delivery systems and relationships among the participating agencies in the Federal Response Plan.

Much of our success in emergency management is attributed to our historically strong relationship with our State and local partners. Through preparedness programs, we provide financial, technical planning, training and, of course, exercise support to give State, local and tribal governments the capabilities they need to protect the public, the public's health and safety and the property from both before and after disaster strikes. In meeting the challenges ahead for State and local governments, FEMA's Office of National Preparedness is becoming more robust.

The mission of the Office of National Preparedness is to provide leadership in coordinating and facilitating all Federal efforts to assist State and local governments and first-responders, as well as emergency management organizations with planning, training, equipment and exercises.

FEMA has made the following changes to support this expanded mission within our agency. We have realigned the preparedness responsibilities, from our readiness response and recovery directorate to the Office of National Preparedness.

We have realigned all training activities to the U.S. Fire Administration. This allows greater coordination between the training of emergency managers and the training of our country's first-responders.

We have also moved the authority for credentialing, training and deploying urban search and rescue teams from our Readiness, Response and Recovery Directorate to the U.S. Fire Administration.

We continue to work with all of the 50 States and the territories, tribal nations and local governments to enhance their capabilities

to respond to all types of hazards and emergencies such as chemical incidents involving radiological substances and natural disasters.

We recognize that chemical, biological and radiological scenarios will present unique challenges to our first-responder community. Of those type of attacks, we are, in many ways, better prepared for a chemical attack because such an incident is comparable to large scale hazardous materials incidents. Bioterrorism, however, presents the greater immediate concern. With a covert release of a biochemical or a biological agent, the first-responders will quickly become our hospital staffs, our medical examiners, private physicians and animal control workers instead of our traditional first-responders with whom we have had a long-term relationship. The Department of Health and Human Services leads this effort of the health and medical community to plan and prepare for a national response to the public health emergency and is a critical link between the health and medical community in our larger local response.

The Federal Radiological Response Plan which has 17 signatories, of which the Nuclear Regulatory Commission is the lead Federal agency for coordinating overall response, with FEMA responsible for coordinating non-radiological support. Tabletop exercises have been conducted in order to determine agencies and resources for response to a terrorist attack with a radiological component. In addition, nuclear and radiological threats posed by improved or improvised nuclear devices and radiological dispersal devices are being evaluated and the preparedness of member agencies and local governments is being determined to deal with these threats.

It is FEMA's responsibility to ensure that the Nation and the National Emergency Management System is adequate to respond to the consequences of catastrophic emergencies and disasters regardless of the cost. We rely on the States and our local level partners, and without question, they need to be further strengthened and supported to increase their operating capacity.

FEMA must ensure that a national system has the tools to gather information, set priorities and deploy resources effectively. In recent years, we have made tremendous strides in our efforts to increase cooperation between the Federal, State and local first-responders, but now we need to do more. Our Office of National Preparedness is emphasizing training, planning, equipment and preparedness that will enable us to better focus our efforts and will help our Nation become better prepared for the future.

I will be happy to answer any questions.

[The prepared statement of Mr. Burris follows:]

STATEMENT OF

KENNETH O. BURRIS

REGIONAL DIRECTOR

REGION IV

FEDERAL EMERGENCY MANAGEMENT AGENCY

BEFORE THE

SUBCOMMITTEE ON GOVERNMENT EFFICIENCY, FINANCIAL MANAGEMENT AND INTERGOVERNMENTAL RELATIONS

COMMITTEE ON GOVERNMENT REFORM

U.S. HOUSE OF REPRESENTATIVES

MARCH 1, 2002

Introduction

Good morning, Mr. Chairman and Members of the Subcommittee. I am Ken Burris, Regional Director, Region IV of the Federal Emergency Management Agency (FEMA). It is a pleasure for me to be here today to discuss the pressing matter of how FEMA is assisting State and local governments to prepare for a potential terrorist attack involving biological, chemical or nuclear/radiological agents. I will describe how FEMA works with other Federal departments and agencies and our State and local partners, our programs related to terrorism, and new efforts to enhance preparedness and response.

FEMA's Coordination Role

FEMA is the Federal Agency responsible for coordinating our nation's efforts to mitigate against, preparing for, respond to and recover from disasters. Our success depends on our ability to organize and lead a community of local, State, and Federal agencies, volunteer organizations, private sector entities and organizations, and the first responder community. We know whom to bring to the table when a disaster strikes in order to ensure the most effective management of the response and recovery effort. We provide management expertise and financial resources to help State and local governments when they are overwhelmed by disasters.

The Federal Response Plan (FRP) forms the heart of our management framework and lays out the process by which interagency groups work together to respond as a cohesive team to all types of disasters. This team is made up of 26 Federal departments and agencies, and the American Red Cross, and is organized into 12 emergency support functions based on the authorities and expertise of the members and the needs of our counterparts at the State and local level.

Since 1992, and again in response to the terrorist events of September 11, 2001, the FRP has proven to be an effective and efficient framework for managing all phases of disasters and emergencies. The FRP is successful because it builds upon existing professional disciplines, expertise, delivery systems, and relationships among the participating agencies. FEMA has strong ties to the emergency management and fire service communities and we routinely plan, train, exercise, and operate together to remain prepared to respond to and recover from all types of disasters.

State and Local Relationship

Much of our success in emergency management can be attributed to the historically strong working relationship with our State and local partners. Through our preparedness and mitigation programs we provide the financial, technical, planning, training, and exercise support to give State, local and Tribal governments the capabilities they need to protect public health and safety and property, both before and after disaster strikes. Our programs foster the partnerships that are so critical to creating a strong comprehensive national emergency preparedness system. Terrorism consequence management is just one component of our overall emergency management effort. For example, after

September 11, Governor Ridge and Director Allbaugh agreed that there was a need to quickly assess State capabilities to effectively respond to acts of terrorism. FEMA assembled an interagency team with members from the Department of Defense, Department of Education, Department of Health and Human Services (DHHS), Department of Justice, and Environmental Protection Agency (EPA) to visit the 50 States and territories to assess their readiness against 18 criteria and to identify priorities and shortfalls. We examined several categories such as critical infrastructure, personnel, plans, equipment and supplies, communications, and related capabilities. The results were provided in a classified report to Governor Ridge right before Thanksgiving.

Meeting The Challenge Ahead – Creating the Office of National Preparedness

On May 8, 2001, the President tasked the Director with creating the Office of National Preparedness (ONP) within FEMA to "coordinate all Federal programs dealing with weapons of mass destruction consequence management within the Departments of Defense, Health and Human Services, Justice, and Energy, the Environmental Protection Agency, and other federal agencies." Additionally, the ONP was directed to "work closely with state and local governments to ensure their planning, training, and equipment needs are met."

The mission of the ONP is to provide leadership in coordinating and facilitating all Federal efforts to assist State and local first responders, including fire, medical and law enforcement, and emergency management organizations with planning, training, equipment and exercises. By focusing on these specific areas, we can build and sustain our nation's capability to respond to and recover from any emergency or disaster, including a terrorist incident involving chemical, biological or nuclear/radiological weapons of mass destruction and other natural or manmade/technological hazards.

FEMA has made the following changes to support this mission and to support the Office of Homeland Security:

- Realigned preparedness activities from the Readiness, Response and Recovery Directorate to ONP;
- Realigned all training activities into the U.S. Fire Administration to allow greater coordination between training for emergency managers and training for firefighters; and
- Moved the authority for credentialing, training and deploying Urban Search and Rescue teams from the Readiness, Response and Recovery Directorate to the U.S. Fire Administration.

ONP Organization

The ONP is organized in FEMA Headquarters under a Director (reporting directly to the FEMA Director) and supported by a Management Services Unit and four Divisions to carry out its key functions to coordinate and implement Federal programs and activities aimed at building and sustaining a viable national preparedness capability. The divisions and their functional responsibilities include the following:

- **Administration Division** – Provide financial and support services, and management of the grant assistance activities for local and State capability building efforts.
- **Program Coordination Division** – Ensure development of a coordinated national preparedness capability involving Federal, State, and local governments, volunteer organizations, and the private sector, to include citizen participation, in the overall efforts to effectively deal with the consequences of terrorist acts and other incidents within the United States and its territories.
- **Technological Services Division** – Improve the capabilities of communities to manage natural and manmade/technological hazard emergencies, whether accidental or intentional, and leverage this capability to enhance the capability for dealing with terrorist attacks.
- **Assessment and Exercise Division** – Provide guidance, develop and conduct exercises, and assess and evaluate progress in meeting national goals for development of a domestic consequence management capability.

We continue to work with all 50 states and all territories and Federally recognized Indian Tribes and Alaskan Native Villages to implement our current and other grant programs to assist State, Tribal and local governments to enhance their capabilities to respond to and recover from all types of hazards and emergencies such as chemical and biological incidents, incidents involving radiological substances, and natural disasters.

The Approach to Biological and Chemical Terrorism

We recognize that biological and chemical scenarios would present unique challenges to the first responder community. Of these two types of attacks, we are, in many ways, better prepared for a chemical attack because such an incident is comparable to a large-scale hazardous materials incident.

In such an event, EPA and the Coast Guard are well connected to local hazardous materials responders, State and Federal agencies, and the chemical industry. There are systems and plans in place for response to hazardous materials, systems that are routinely used for both small and large-scale events. EPA is also the primary agency for Emergency Support Function 10 of the Federal Response Plan, Hazardous Materials. We are confident that we would be able to engage the relevant players in a chemical attack based on the hazardous materials model.

Bio-terrorism, however, presents the greater immediate concern. With a covert release of a biological agent, the 'first responders' will be hospital staff, medical examiners, private physicians, or animal control workers, instead of the traditional first responders such as

police, fire, and emergency medical services, with whom we have a long-term relationship. While I defer to the Departments of Justice and Health and Human Services on how biological scenarios would unfold, it seems unlikely that we would have much forewarning of a calculated strike in this realm.

In biological exercise and planning scenarios, the worst-case scenarios begin with an undetected event and play out as widespread epidemics, rapidly escalating into a national emergency. Response would likely begin in the public health and medical community, with initial requests for Federal assistance probably coming through health and medical channels to the Centers for Disease Control and Prevention (CDC).

DHHS leads the efforts of the health and medical community to plan and prepare for a national response to a public health emergency and is the critical link between the health and medical community and the larger Federal response. FEMA works closely with the Public Health Service of DHHS as the primary agency for Emergency Support Function 8 of the Federal Response Plan, Health and Medical Services. We rely on the Public Health Service to bring the right experts to the table when the Federal Response Plan community meets to discuss biological scenarios. We work closely with the experts in DHHS and other health and medical agencies, to learn about the threats, how they spread, and the resources and techniques that will be needed to control them.

By the same token, the medical experts work with us to learn about the Federal Response Plan and how we can use it to work through the management issues, such as resource deployment and public information strategies. Alone, the Federal Response Plan is not an adequate solution for the challenge of planning and preparing for a deadly epidemic or act of bioterrorism. It is equally true that, alone, the health and medical community cannot manage an emergency with biological causes. We must work together.

In recent years, Federal, State and local governments and agencies have made progress in bringing the communities closer together. Exercise Top Officials (TOPOFF) 2000 conducted in May 2000 involved two concurrent terrorism scenarios in two metropolitan areas, a chemical attack on the East Coast followed by a biological attack in the Midwest. This was a successful and useful exercise and we continue to work to implement the lessons learned.

In January 2001, the Federal Bureau of Investigation and FEMA jointly published the U.S. Government Interagency Domestic Terrorism Concept of Operation Plan (CONPLAN) with DHHS, EPA, and the Departments of Defense and Energy. These agencies have pledged to continue the planning process to develop specific procedures for different scenarios, including bioterrorism. The Federal Response Plan and the CONPLAN provide the framework for managing the response to an act of bioterrorism, but we need to continue to practice our response to and recovery from events of this kind.

The Approach to Nuclear/Radiological Terrorism

There are 63 commercial nuclear power plant sites in the United States, located in 33 States. These States and their local governments have radiological emergency response plans for the 10-mile radius surrounding the plants and 36 States have plans for the 50-mile radius surrounding the plants.

The Federal response to a nuclear power plant incident is documented in the Federal Radiological Emergency Response Plan (FRERP), which has 17 Federal agency signatories. The Nuclear Regulatory Commission (NRC) is the lead Federal agency for coordinating the overall response and FEMA is responsible for coordinating non-radiological support.

Through the Radiological Emergency Preparedness (REP) Program, FEMA also routinely tests and evaluates the individual site plans. The 10-mile plans for the 63 sites are tested at biennial exercises (approximately 32 exercises per year) and the 50-mile plans for the 36 States are exercised once every six years (approximately six exercises per year).

The events of September 11 have now horrifically demonstrated that these plans needed to be expanded further. When September 11 showed us how a commercial jetliner can be used as a weapon of mass destruction, the NRC and FEMA began to work jointly on the preparation of protocols and procedures for dealing with the consequences of a similar attack on a nuclear power plant – a scenario previously not addressed. While some amendments to the emergency response plans may result from this review, it is important to note that the current plans are a valid approach to any nuclear power plant incident, regardless of the cause: terrorism, human error, technological failure, or a natural hazard.

The Federal Radiological Preparedness Coordinating Committee (FRPCC) has also conducted tabletop exercises of the FRERP in order to determine Federal agency resources for responding to a terrorist attack, or multiple attacks, with a radiological component. In addition, the FRPCC is evaluating the nuclear/radiological threat posed by Improvised Nuclear Devices and Radiological Dispersal Devices and the preparedness of FRPCC member departments and agencies to deal with these threats.

In addition, the Federal Response Subcommittee of the FRPCC has developed information on radiological terrorist devices--such as radiological dispersion devices, improvised nuclear devices, and radiological exposure devices--for the use of the Federal Bureau of Investigation as background and public information.

Finally, in response to the events of September 11, FEMA's Technological Services Division of the Office of National Preparedness has asked the FEMA Regions to provide (1) information on what the Region has done to review and modify State and local REP plans for a response to a sudden catastrophic event; (2) recommendations on improving the realism of REP exercises; and (3) recommendations on how to improve/enhance public education within the REP planning zones. This request is due by April 15, 2002.

We are also working with our Canadian neighbors through *the Agreement between the Goverment of the United States of America and the Government of Canada on Cooperation in Comprehensive Civil Emergency Planning and Management.* In the past, our collaboration under this Agreement has focused on natural and technological hazards. The Agreement does, however, include language regarding "deliberate acts" and "undeclared hostilities including armed enemy attack".

Since September 11, both countries are applying the broadest interpretation of those aspects of the Agreement. The United States Government and Canada seek to strengthen cross border planning and management against the possibility of future chemical, biological, radiological, nuclear events and/or incendiary attacks targeted on either of our countries or on both of our countries simultaneously. To that end, FEMA participated in a US Department of State-Canada Solicitor General sponsored Senior Level Workshop that was held in Ottawa on February 4-5, 2002. FEMA is also working with Canada's Office of Critical Infrastructure Protection and Emergency Preparedness to help improve existing communications and operational levels for all disaster situations including terrorism.

Conclusion

It is FEMA's responsibility to ensure that the national preparedness capability is adequate to respond to the consequences of all catastrophic emergencies and disasters, regardless of the cause, and that all our partners possess a expert emergency management system for each of the operational disciplines.

Terrorism presents tremendous challenges. We rely on our partners in Department of Health and Human Services to coordinate the efforts of the health and medical community to address biological terrorism, as we rely on EPA and the Coast Guard to coordinate the efforts of the hazardous materials community to address chemical terrorism and the NRC to address nuclear/radiological events. And we rely on our partners at the State and local level. Without question, they need support to further strengthen their capabilities and their operating capacity.

FEMA must ensure that the nation has the tools to gather information, set priorities, and deploy resources effectively for any catastrophic scenario. In recent years, we have made tremendous strides in our efforts to increase cooperation between the various response communities, from fire and emergency management to health and medical to hazardous materials. And now, we need to do more.

The creation of the Office of National Preparedness and our emphasis on training, planning, equipment, and exercises will enable us to better focus our efforts and will help our nation be better prepared for the future.

Thank you, Mr. Chairman. I would be happy to answer any questions you have.

Mr. HORN. Thank you.

We next have as a presentation Philip Thomas, Special Agent In Charge of the Memphis Field Office, Federal Bureau of Investigation. Mr. Thomas.

Mr. THOMAS. Good morning Chairman Horn, members of the subcommittee and distinguished members of the Tennessee delegation. I value the opportunity to appear before you and discuss terrorism preparedness, including threats posed by attacks involving biological, chemical and nuclear agents, as well as measures being taken by the FBI and our law enforcement partners to address these threats.

The mission of the FBI's counterterrorism program is to detect, deter, prevent and swiftly respond to terrorist actions that threaten the U.S.' national interest at home or abroad and to coordinate those efforts with local, State, Federal and foreign entities as appropriate. The counterterrorism responsibilities of the FBI include the investigation of domestic and international terrorism. As events in the past several years demonstrate, both domestic and international terrorist organizations represent threats within the borders of the United States.

In the interest of time, what I would like to do is basically discuss the three primary issues that I think from an FBI perspective are most important to the committee. Those are training for counterterrorism preparedness, the effective use of JTTFs and the warning systems that the FBI is currently in the process of getting started or furthering.

The first is counterterrorism preparedness. In the counterterrorism preparedness area, the FBI's Knoxville Division, responsible for the eastern Federal District of Tennessee, has within its territory the Oak Ridge and Sequoia nuclear power facilities. There are no nuclear facilities in the Memphis Division. There are research facilities and chemical manufacturers such as Dupont and the Williams Refinery in Shelby County. Key assets such as lakes, dams and facilities owned and operated by the TVA are monitored via cooperation with that agency in cooperation with the FBI.

Counterterrorism preparedness includes field and tabletop exercises which test the ability of the response capability of agencies who would participate in a disaster involving biological, chemical and nuclear attack. The Memphis Division has participated in exercises held in Memphis, Nashville and Wilson County. The FBI, as the lead agency for crisis management, was called upon to implement a plan in coordination with other law enforcement, fire, emergency and health agencies. The response was reviewed and critiqued by the Department of Defense and the Department of Justice.

The most recent joint field exercise was conducted at Adelphia Coliseum and involved virtually every Federal, State and local agency including the Red Cross. An instructional film was made from that exercise and is used in various venues across the United States. The Memphis Division also participated in a professionally made film in Nashville which was used to train WMD personnel throughout the United States. Future training events include a hazardous materials drill hosted by the Shelby County Emergency Management Agency in March.

I would also like to list out some of the training exercises that we have done in the State of Tennessee in the Memphis Division since October 1999. No. 1 was measured response. It was a biological exercise conducted at the Memphis Pyramid in October 1999. Domestic preparedness exercise at Vanderbilt University in September 2000. The Memphis HAZMAT exercise with the Memphis Fire Department, and a chemical exercise in September 2000. Operation Black Gold, which was a chemical exercise conducted with several divisions at Baton Rogue, LA in the year 2000. Local emergency planning committee drill, a chemical exercise in Millington, TN in the year 2000. We also did a West Tennessee domestic terrorism table top, a chemical and biological exercise in Jackson, TN in May 2001. And last, we did a weapons of mass destruction tabletop exercise involving a biological exercise in Memphis, Tennessee on September 11, 2001. It was my sad duty to cancel that operation while it was in progress because of the events in New York. I basically instructed everyone to go back to their agencies and we initiated our command post that day. So I think we have done quite a bit of training, and there always needs to be more training in these areas.

The next thing I would like to briefly touch upon are the effective use of joint terrorism task forces. Cooperation among law enforcement agencies at all levels represents an important component in comprehensive response to terrorism. This cooperation assumes its most tangible operational form in joint terrorism task forces that are currently established in 44 cities across the Nation. These task forces are particularly well-suited to responding to terrorism because they combine the national and the international investigative resources of the FBI with the street-level expertise of the local law enforcement agencies. This cop-to-cop cooperation has proven highly successful in preventing several potential terrorism attacks. We are in the process here in the Memphis Division of standing up a joint terrorism task force. It should be operational by the end of December.

And last, I would like to touch upon the threat warning systems that the FBI is currently involved with. That would be National Threat Warning System first implemented in 1989. This system now reaches all aspects of law enforcement and the intelligence community. Currently, 60 Federal agencies and their subcomponents receive information via secure teletype through this system. The messages are also transmitted to all 56 field offices and 44 legal attaches throughout the world. If threat information requires nationwide unclassified dissemination to all Federal, State and local law enforcement agencies, the FBI transmits messages through the National Law Enforcement Telecommunications Systems [NLETS]. We are in the process of enhancing this dissemination of information through the use of the ANSIR program and the Intraguard program as well.

I see my time has run out. I would just like to conclude by saying that the FBI cannot conduct terrorism investigations by itself, and in today's climate, we depend on cooperation with State, local and Federal agencies. I am proud to say that here in Tennessee that cooperation is at a high level. Thank you.

[The prepared statement of Mr. Thomas follows:]

STATEMENT OF PHILIP W. THOMAS
SPECIAL AGENT IN CHARGE, MEMPHIS DIVISION
FEDERAL BUREAU OF INVESTIGATION
BEFORE THE HOUSE COMMITTEE ON GOVERNMENT REFORM
SUBCOMMITTEE ON GOVERNMENT EFFICIENCY,
FINANCIAL MANAGEMENT AND INTERGOVERNMENTAL RELATIONS
MARCH 1, 2002

Good morning Chairman Horn, Members of the Subcommittee and distinguished Members of the Tennessee Delegation. I value the opportunity to appear before you and discuss terrorism preparedness, including threats posed by attacks involving biological, chemical or nuclear agents, as well as measures being taken by the FBI and our law enforcement partners to address these threats.

Introduction

The mission of the FBI's counterterrorism program is to detect, deter, prevent, and swiftly respond to terrorist actions that threaten the U.S. national interests at home or abroad, and to coordinate those efforts with local, state, federal, and foreign entities as appropriate. The counterterrorism responsibilities of the FBI include the investigation of domestic and international terrorism. As events during the past several years demonstrate, both domestic and international terrorist organizations represent threats within the borders of the U.S.

Domestic terrorism is the unlawful use, or threatened use, of violence by a group or individual based and operating entirely within the U.S. (or its territories) without foreign direction, committed against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives.

International terrorism involves violent acts or acts dangerous to human life that are a violation of the criminal laws of the U.S. or any state, or that would be a criminal violation if committed within the jurisdiction of the U.S. or any state. Acts of international terrorism are intended to intimidate or coerce a civilian population, influence the policy of a government, or affect the conduct of a government. These acts transcend national boundaries in terms of the means by which they are accomplished, the persons they are intended to intimidate, or the locale in which perpetrators operate.

The FBI has developed a strong response to the threats posed by domestic and

international terrorism. Between fiscal years 1993 and 2003, the number of special agents dedicated to the FBI's counterterrorism programs grew by approximately 224 percent (to 1,669--nearly 16 percent of all FBI special agents). In recent years, the FBI has strengthened its counterterrorism program to enhance its abilities to carry out these objectives.

The Memphis Division of the FBI

The Memphis Division of the FBI is comprised of the Western and Middle Federal Judicial Districts within the state of Tennessee. The Division has investigative responsibilities in 54 counties with an approximate population of 3.2 million. The headquarters office for the Division is located in Memphis with satellite offices, or Resident Agencies (RAs), in Jackson, Nashville, Clarksville, Columbia, and Cookeville. The Division personnel resource staffing level for Special Agents is approximately 84 and the professional support complement is approximately 61.

FBI Special Agents assigned to counterterrorism matters in the Memphis Division meet with their federal, state and local counterparts in designated alternating locations on a regular basis for training, discussion of investigations, and to share intelligence. This provides a necessary structure to direct counterterrorism resources toward localized terrorism problems. Domestic terrorism training has been provided by the FBI at numerous agencies within the Memphis Division including the Nashville Metropolitan Police Department and the Tennessee Highway Patrol. The FBI recently assisted the U.S. Attorney's Office in "State and Local Anti-Terrorism Training " funded by the Department of Justice (DOJ).

Approximately two and one half years ago the Memphis Division initiated working groups in Memphis and Nashville comprised of various federal, state, and local law enforcement agencies. The primary purpose was to prevent, detect, investigate, and prosecute individuals and organizations planning and/or committing terrorist acts. Since September 11, 2001, training by several agencies has been provided on a monthly basis at the working group meetings in Nashville.

The establishment of those working groups required extensive background investigations on the agents/officers of such agencies as the Tennessee Bureau of Investigation, Tennessee Highway Patrol, Memphis Police Department, Shelby County Sheriff's Office, and the Nashville Metropolitan Police Department. Those members of the working groups received Top Secret clearances in order to share classified intelligence and conduct joint classified investigations. Other federal

agencies such as the Federal Aviation Administration, the Immigration and Naturalization Service, the Internal Revenue Service, the U.S. Customs Service, the U.S. Secret Service, and the Bureau of Alcohol, Tobacco, and Firearms ensured their clearances were updated and forwarded to the FBI.

Without delving into the specifics of current international terrorism cases, international threats to the U.S. generally consist of state sponsors of international terrorism, formalized terrorist organizations, and the radical international jihad movement. Each of these categories represents a threat to U.S. interests abroad and in the United States. With the Top Secret security clearances, the local, state, and federal agents/officers on the working groups are able to assist the FBI in international terrorism investigations. Since September 11, 2001, the Memphis Division has made personnel changes to address international terrorism. Through utilization of the individual working groups, the Division has been able to initiate more cases and gather additional intelligence. The Al Qaeda organization is the primary terrorist threat to which investigative efforts are directed. In conjunction with Treasury Department agencies, efforts are being made to track funding sources in the Memphis Division who may support terrorist cells in the U.S. and overseas.

Counterterrorism Preparedness

In the counterterrorism preparedness area, the FBI's Knoxville Division (responsible for the Eastern Federal Judicial District in Tennessee) has within its territory the Oak Ridge and the Sequoia nuclear power facilities. There are no nuclear facilities within the Memphis Division. There are research facilities and chemical manufacturers such as Dupont and Williams Refinery in Shelby County. Key assets such as the lakes, dams, and facilities owned and operated by the Tennessee Valley Authority are monitored via cooperation and liaison with that agency.

Counterterrorism preparedness includes field and table top exercises which test the ability of the response capabilities of agencies who would participate in a disaster involving biological, chemical, or nuclear attack. The Memphis Division has participated in exercises held in Memphis, Nashville, and Wilson County. The FBI, as lead agency for crisis management, was called upon to implement a plan in coordination with other law enforcement, fire, emergency, and health agencies. The response was reviewed and critiqued by the Department of Defense and DOJ.

The most recent joint field exercise was conducted at Adelphia Coliseum and

involved virtually every federal, state, and local agency including the Red Cross. An instructional film was made of that exercise and is used in various venues across the U.S. The Memphis Division also participated in a professionally made film in Nashville which will be used to train WMD personnel throughout the U.S. Future training events include a hazardous materials drill which will be hosted by the Shelby County Emergency Management Agency in March 2002.

Other domestic terrorism responsibilities assigned to the FBI are "special events." The Memphis Division opened special event cases on the Country Music Association Awards, the Maccabi Games (an international athletic competition sponsored by the Jewish community), the National Religious Broadcasters Association, and the American Aviation Association. All FBI field offices were queried for information related to possible criminal activities directed against the events or participants.

Because of its relevance to the topic of this hearing, specifically the threat to nuclear and chemical facilities, I would like to briefly discuss the National Infrastructure Protection Center (NIPC), which was created in 1998. The NIPC is an interagency center housed at FBI headquarters that serves as the focal point for the government's effort to warn of and respond to cyber intrusions, both domestic and international. NIPC programs have been established in each of the FBI's 56 field divisions, including the Memphis division. Through a 24-hour watch and other initiatives, the NIPC has developed processes to ensure that it receives information in real-time or near-real-time from relevant sources, including the U.S. intelligence community, FBI criminal investigations, other federal agencies, the private sector, emerging intrusion detection systems, and open sources. This information is quickly evaluated to determine if a broad-scale attack is imminent or underway.

On January 16, 2002, the FBI disseminated an advisory via NLETS regarding possible attempts by terrorists to use U.S. municipal and state web sites to obtain information on local energy infrastructures, water reservoirs, dams, highly enriched uranium storage sites, and nuclear and gas facilities. Although the FBI possesses no specific threat information regarding these apparent intrusions, these types of activities on the part of terrorists pose serious challenges to our national security.

The National Infrastructure and Computer Intrusion Program also has a role in preventing terrorist acts. The focus of NIPC's "Key Asset Initiative" includes asset identification and protection, and prevention and detection of computer intrusions. Assets include the major electrical, communications, and water

facilities; transportation hubs; energy plants and other infrastructure which are instrumental in supporting societal activities and which, if attacked, would represent a major loss or disruption to Tennessee and U.S. communities. Computer intrusions financially impact the business community and computer systems may be used to gain illegal entry into governmental or military agencies. Computer terrorists may conduct clandestine communications via computers located in educational institutions or elsewhere without the knowledge of the computer system's sponsor.

With computer technology in mind and the desire to prevent computer attacks and intrusions, the Memphis Division initiated the InfraGard Program which incorporated business, governmental, and military communities into a system similar to a Neighborhood Watch. They conduct meetings to discuss awareness of computer issues and operate a self warning system.

Joint Terrorism Task Forces (JTTFs)

Cooperation among law enforcement agencies at all levels represents an important component of a comprehensive response to terrorism. This cooperation assumes its most tangible operational form in the joint terrorism task forces (JTTFs) that are established in 44 cities across the nation. These task forces are particularly well-suited to responding to terrorism because they combine the national and international investigative resources of the FBI with the street-level expertise of local law enforcement agencies. This cop-to-cop cooperation has proven highly successful in preventing several potential terrorist attacks.

Given the success of the JTTF concept, the FBI has established 15 new JTTFs since the end of 1999. Contingent upon the FBI's 2003 budget request for funds to expand the JTTF program, the FBI plans to have established JTTFs in each of its 56 field divisions, including the Memphis Division, by the end of 2003. By integrating the investigative abilities of the FBI and local law enforcement agencies these task forces represent an effective response to the threats posed to U.S. communities by domestic and international terrorists.

The FBI is presently working with the Department of Justice to ensure that the JTTFs are coordinated with the newly created Anti-Terrorism Task Forces located in the offices of U.S. Attorneys throughout the country. This coordination is crucial, to avoid duplication of effort and enhance the exchange of information and overall counterterrorism objectives. In addition to the JTTFs, the Regional Terrorism Task Force (RTTF) initiative serves as a viable means of

accomplishing the benefits associated with information sharing for those areas without an established, full-time JTTF. There are currently six RTTFs : the Inland Northwest RTTF, the South Central RTTF, the Southeastern RTTF, the Northeast Border RTTF, the Deep South RTTF, and the Southwest RTTF. Special Agents from the Memphis Division have attended RTTF conferences and training in El Paso and San Antonio, along with a working group member from the Nashville Metropolitan Police Department.

The Memphis Division will initiate a JTTF in the near future. A Memorandum of Understanding will be sent to the participating agencies for their review and personnel commitments. The JTTF will enhance our already productive relationship with the agencies in our working groups by adding resources and by bringing investigators from other agencies onto the JTTF on a full-time basis. Until the Memphis Division JTTF is approved, we will continue working with our law enforcement partners via the aforementioned working groups and RTTF.

Investigations by the working groups which were displayed in the media included the case brought to the Middle Tennessee Counterterrorism Working Group in Nashville by the Nashville Metropolitan Police Department. An individual was spotted by an alert citizen outside a Jewish school in his vehicle while armed with a military type long gun. After the initial investigation and a high speed chase, a search was conducted of the individual's residence and a rented storage locker. Hate literature, guns (including a .50 caliber rifle), hand grenades, pipe bombs, an inactive LAWS rocket, material for making explosives (the equivalent of 50 sticks of dynamite), survival gear, police scanners, and a computer were seized. An additional site in Maury County contained buried explosives. A search of the computer revealed his connections to the National Alliance and other hate groups, as well as a picture of Timothy McVeigh. Agencies assisting in that investigation included the Nashville Metropolitan Police Department, the U.S. Secret Service, the Bureau of Alcohol, Tobacco, and Firearms, the Tennessee Highway Patrol and the FBI.

Another recent example of a successful joint investigation was the case brought to the Middle Tennessee Counterterrorism Working Group by the Tennessee Highway Patrol which involved the sale of police badges via the Internet. An undercover operation revealed an individual in Florida who possessed and sold badges of the Drug Enforcement Administration, the U.S. Customs Service, the U.S. Marshals, and shields of local and state law enforcement agencies. Approximately 900 badges were bought or seized. Some were stolen, some were original, and some were counterfeit. One counterfeit badge from the FBI was included, as well as Olympic badges for the Utah Highway Patrol which were

not yet on the market for collectors. This latter case received nationwide media attention. Both case examples represent the collaboration and excellent working relationships enjoyed by law enforcement agencies in the Western and Middle Districts of Tennessee. The ability of the agencies to share intelligence and pool investigative resources is key to preventing terrorist acts.

Threat Warning Systems

Because warning is critical to the prevention of terrorist acts, the FBI also has expanded the National Threat Warning System (NTWS) first implemented in 1989. The system now reaches all aspects of the law enforcement and intelligence communities. Currently, sixty federal agencies and their subcomponents receive information via secure teletype through this system. The messages also are transmitted to all 56 FBI field offices and 44 legal attaches. If threat information requires nationwide unclassified dissemination to all federal, state, and local law enforcement agencies, the FBI transmits messages via the National Law Enforcement Telecommunications System (NLETS). In addition, the FBI disseminates threat information to security managers of thousands of U.S. commercial interests through the Awareness of National Security Issues and Response (ANSIR) program. If warranted, the expanded NTWS also enables the FBI to communicate threat information directly to the American people. Since the terrorist attack of September 11, the FBI has disseminated 37 warnings via the NTWS. The FBI also has issued more than 40 "be on the lookout" (BOLO) alerts via the NLETS system. BOLO alerts provide the names of individuals who are of investigative interest to the FBI.

In an effort to further disseminate terrorism information, the Memphis Division entered into an agreement with the Regional Organized Crime Information Center (ROCIC) which is located in Nashville and which is a member of the Regional Information Sharing System (RISS) in order to enter information on the secure Internet for retrieval by Tennessee law enforcement agencies. Several meetings were held which included leaders of the Tennessee Association of Chiefs of Police, Tennessee Sheriff's Association, Tennessee Bureau of Investigation, Nashville Metropolitan Police Department, and Knoxville Police Department and it was determined that ROCIC was the best vehicle for sharing information with all law enforcement agencies in the state.

Bioterrorism and Weapons of Mass Destruction

The FBI Counterterrorism Division's Weapons of Mass Destruction Countermeasures Unit (WMDCU) plans and conducts Weapons of Mass

Destruction (WMD) exercises which address the specific needs and objectives of state and local emergency responders. State and local emergency management officials may request this assistance through their respective WMD Coordinators who forward the request to WMDCU. Every FBI Field Division, including the Memphis Division, has a WMD Coordinator. WMDCU fully integrates state and local planning officials into the exercise planning process to ensure their requirements are specifically met. WMDCU also co-chairs the InterAgency Board (IAB) for Equipment Standardization and Interoperability. Comprised of over 48 separate local, state and federal organizations, the IAB is responsible for the creation of the Standardized Equipment List and is recognized as the leading authority in the area of WMD response equipment.

The bioterrorism threat has risen to a new level. The federal government, in partnership with state and local law enforcement agencies, has always taken threats concerning the intentional release of biological agents seriously. However, until recently, neither the federal government nor state and local responders have been required to utilize their assets to coordinate a response to an actual release of anthrax. The intentional introduction of anthrax into our infrastructure has resulted in significant alarm concerning our health and safety. I would like to comment on the manner in which the law enforcement community responds to a suspected act of terrorism involving biological agents, and reinforce the cooperative effort that is in place between the federal government and the myriad of first responders who provide guidance, assistance and expertise.

The response to a potential bioterrorist threat can be broken down into two different scenarios: overt and covert releases. The distinction between the two involves the manner in which the biological threat agent is introduced into the community and the nature of the response. Regardless of whether a biological release is overt or covert, the primary mission of law enforcement and the public health community is saving lives.

An overt scenario involves the announced release of an agent, often with some type of articulated threat. An example of this would be the receipt of a letter containing a powder and a note indicating that the recipient has been exposed to anthrax. This type of situation would prompt an immediate law enforcement response, to include local police, fire and emergency medical service (EMS) personnel. As noted earlier, each FBI field office is staffed with a WMD Coordinator whose responsibilities include liaison with first responders in the community. Due to this established relationship with first responders, the local FBI WMD Coordinator would be notified and dispatched to the scene.

The response protocol would involve securing the crime scene and initiating the FBI's interagency threat assessment process. The FBI's WMD Operations Unit of the Counterterrorism Division at FBI Headquarters, coordinates this threat assessment which determines the credibility of the threat received, the immediate concerns involving health and safety of the responding personnel, and the requisite level of response warranted by the federal government. The FBI obtains detailed information from the on-scene personnel and input from the necessary federal agencies with responsibility in the particular incident. In a biological event, the Department of Health and Human Services (DHHS), including Centers for Disease Control and Prevention (CDC), and Food and Drug Administration (FDA), as well as the United States Department of Agriculture (USDA) are the key agencies called upon to assist FBI personnel in assessing the particular threat. Based upon the assessment, a determination is made as to the level of response necessary to adequately address the particular threat, which could range from a full federal response if the threat is deemed credible, to collection of the material in an effort to rule out the presence of any biological material if the threat is deemed not credible. (In the event of a chemical, nuclear or radiological threat, a similar threat assessment would occur.)

The FBI Headquarters Counterterrorism Division interaction with the field and the WMD coordinators, along with other internal and external agencies, has improved the threat assessment process and allowed federal, state, and local agencies to scale back responses and provide a measured response. In many cases, the situation is handled with minimal publicity, therefore limiting the impact of the terrorist objective. The process has been effective in saving the federal government, and the state and local communities, time and money, and has allayed the fears of victims in rapid fashion on numerous occasions.

The method of collecting suspect material is established by protocols set forth by the FBI's Hazardous Material Response Unit (HMRU). These protocols, recognized and followed by state and local Hazmat teams, are necessary to ensure that sufficient evidentiary samples are collected, screened and over-packed according to scientific safety guidelines for transportation to the appropriate testing facility. Over 85 State Health Laboratories perform this analysis on behalf of HHS/CDC and belong to a coordinated collection of facilities known as the Laboratory Response Network (LRN). Once the testing has been completed, results are provided to the FBI for dissemination in the appropriate manner. The results of the analysis are then disseminated to the exposed person or persons, local first responders and to the local public health department. Additionally, results will be forwarded to the CDC in Atlanta, GA.

A covert release of a biological agent invokes a different type of response, driven by the public health community. By its nature, a covert introduction is not accompanied by any articulated or known threat. The presence of the disease is discovered through the presentation of unusual signs and/or symptoms in individuals reporting to local hospitals or physician clinics. In this situation, there is initially no crime scene for law enforcement personnel to investigate. The criminal act may not be revealed until days have elapsed, following the agent identification and preliminary results obtained from the epidemiological inquiry conducted by the public health sector. Contrary to an overt act where law enforcement makes the necessary notification to public health, in a covert release, notification to law enforcement is made by the public health sector. The early notification of law enforcement in this process encourages the sharing of information between criminal and epidemiological investigators. Once an indication of a criminal act utilizing a biological agent is suspected, the FBI assumes primary authority in conducting the criminal investigation, while public health maintains responsibility for the health and welfare of the citizens. At the local level, involving the FBI WMD Coordinator and the state or local public health department, and at the national level between FBI Headquarters and the CDC, an effective coordination has been accomplished to address the requisite roles and responsibilities of each agency.

The response to an actual threat or one that is later determined not to be credible, or a hoax, is indistinguishable. This includes deployment of a Hazmat team, thorough examination of the potentially contaminated area (including situations where a telephonic reporting is received) and the disruption of the normal operations of the affected entity. Additionally, the individuals potentially exposed to the WMD may experience extreme anxiety/fear due to the reported release. Potential victims may have to be decontaminated or transported to a medical facility. The first responders must treat each incident as a real event until scientific analysis proves that the material is not a biological agent. To both the responding entities and the potentially exposed victims, the presence of powder threatening the presence of a biological agent is not a hoax, or something to be taken lightly. The individuals perpetrating such an activity must be held accountable for their actions.

In the area of Weapons of Mass Destruction Operations, the Memphis Division is in constant communication with members of the law enforcement, fire, emergency management, and medical communities. That partnership was clearly evident in the cooperation during the time period after September 11, 2001, when persons bent on further disrupting life as we know it initiated

numerous anthrax hoaxes in Tennessee. In addition to those hoaxes, well meaning citizens reported hundreds of suspicious packages and other items. Since October 2001 the FBI nationwide has responded to over 16,000 reports of use or threatened use of anthrax or other hazardous materials. The anthrax cases in Florida, New York and New Jersey also required investigative attention by Memphis Division resources.

The Memphis and Nashville offices established command posts to deal with the anthrax crisis. A meeting was held with all the Nashville response agencies and the Memphis Division Domestic Program Coordinator and a resolution was agreed upon. The law enforcement, fire, emergency, and medical agencies quickly agreed on the manner of handling the responses and protocols for handling potential evidence. Dr. Michael Kimberley, Tennessee Laboratory Director, agreed to receive suspect packages from any fire, police, or emergency agency.

The FBI agents responsible for WMD investigations attend regular meetings hosted by the Nashville Office of Emergency Management, the Tennessee Emergency Management Agency, and the Tennessee Office of Homeland Defense. The FBI immediately responded to the Nashville Office of Emergency Management command post after the events of September 11 and attends monthly meetings conducted by the Office of Emergency Management. I addressed the Tennessee Association of Chiefs of Police recently regarding Domestic Terrorism which, of course, includes WMD matters. The Memphis Division's Domestic Terrorism Program Coordinator recently briefed the Tennessee Sheriff's Association and the Tennessee Office of Homeland Defense as well.

In addition to providing training to other governmental entities, FBI agents assigned to work WMD matters also speak and provide instruction to such groups as the National Truck Stops Association, the Administrators of Nursing Homes, Assisted Living Facilities and Homes for the Aged, and the Native American Health Directors. They recently spoke before the Memphis Chamber of Commerce and were featured on public access television.

The FBI Laboratory Division is also a key component in dealing with incidents involving the release of biological, chemical or nuclear agents. The FBI Laboratory has developed a response capability to support counterterrorism investigations worldwide. The FBI's mobile crime laboratory provides the capability to collect and analyze a range of physical evidence on-scene, and has been deployed at major crime scenes, including the World Trade Center

bombing, Khobar towers, and the East African embassy bombings. The mobile crime laboratory contains analytical instrumentation for rapid screening and triage of explosives and other trace evidence recovered at crime scenes.

The FBI Laboratory also provides the capacity to rapidly respond to criminal acts involving the use of chemical or biological agents with the mobile, self-contained fly away laboratory (FAL). The FAL consists of twelve suites of analytical instrumentation supported by an array of equipment which allows for safe collection of hazardous materials, sample preparation, storage, and analysis in a field setting. The major objectives of the mobile crime laboratory and the FAL are to enhance the safety of deployed personnel, generate leads through rapid analysis and screening, and to preserve evidence for further examination at the FBI laboratory. In addition, the laboratory has developed agreements with several other federal agencies for rapid and effective analysis of chemical, biological, and radiological materials. One partnership, the Laboratory Response Network (LRN), is supported by the CDC and the Association of Public Health Laboratories for the Analysis of Biological Agents.

Conclusion

Despite the recent focus on international terrorism, it is important to remain cognizant of the full range of threats that confront the U.S. These threats continue to include domestic and international terrorists. Terrorism represents a continuing threat to the U.S. and a formidable challenge to the FBI. In response to this threat, the FBI has developed a broad-based counterterrorism program, based on investigations to disrupt terrorist activities, interagency cooperation, and effective warning. While this approach has yielded many successes, the dynamic nature of the terrorist threat demands that our capabilities continually be refined and adapted to continue to provide the most effective response.

Within the Memphis division, all of the FBI's aforementioned investigative responsibilities are conducted jointly with other law enforcement agencies and often with the appropriate fire, emergency response, and medical agencies. It is impossible for the FBI to conduct investigations and obtain intelligence without the assistance of all the Tennessee area federal, state, and local agencies. Communication and coordination is exceptional in all areas and the Memphis Division consistently strives to maintain and improve that cooperation.

Chairman Horn, this concludes my prepared remarks. I would like to express appreciation for this subcommittee's concentration on the issue of terrorism preparedness and I look forward to responding to any questions.

Mr. HORN. Well thank you. You did a very good summary. I would just like to mention one point, on page 6 where it says approximately 900 badges were bought or seized in this various law enforcement people. I happen to have a bill on that, it is public law and you could take it to the U.S. attorney and really nail these people.

Mr. THOMAS. Well that will be beneficial, Congressman, because in Tampa when that person was arrested, he was considered a misdemeanor, and that was a hinderance to the investigation. What we found out subsequently was, two of the badges were Naval Investigative Service badges that were actually stolen, and that provided us the felony count. So that would be very helpful.

Mr. HORN. Thank you.

Now we have a representative of the General Accounting Office, which is headed by Comptroller General of the United States. They work with the legislative branch, and they are our right arm on every hearing we have and they do wonderful work. The independence of the Comptroller General is very clear. He has got a 15-year term and he can call them as they see them. So we are delighted to have JayEtta Z. Hecker, Director, Physical Infrastructure Issues of the U.S. General Accounting Office. Thank you for coming.

Ms. HECKER. Thank you, Mr. Chairman. I am very pleased to be here this morning and to address this important issue about the significant threat posed by the highly diffuse and complex issue of bioterrorism. The key here, as we have heard from everyone, is how dependent an effective response is on an intergovernmental response. I think the kind of forum that you have established today and the opportunity to really hear from the range of participants is a critical first step.

My remarks are based on, as you said, a wide body of GAO work. We cover virtually every aspect of the government and have been studying efforts to combat terrorism for over a decade. In fact, we had a major report issued on September 20th and several of our staff have testified before your committee on various aspects of that work. So I am drawing not only on the work that I direct, which is overseeing FEMA and emergency management, but on the work of our healthcare group that does bioterrorism work, our military group that looks at the combating terrorism activity, our justice group and many others within GAO.

I am also drawing on our on-going work that we are doing for your subcommittee, which I think is particularly well focused on the issue that we're looking at today on the special challenges in really building effective State, local, Federal and even private partnerships to result in much more effective preparedness.

The highlight is that GAO has long called for and been very concerned about the absence of a real national strategy to combat terrorism. Our focus here is not a Federal strategy, but a national strategy that, in fact, really fully integrates not only all of the wide range of Federal agencies that are involved, but the various levels of government. Basically, my remarks focus on three key areas that we think have to be part of a national strategy. I might note that, as I am sure many of you are aware, the President in the 2003 budget has committed Director Ridge to prepare a national strategy, and that is something that now is projected for the June time-

frame. So the remarks that I have focus on some critical criteria are aspects that we think belong in a national strategy, and it basically covers three areas. The first is addressing the severe fragmentation of roles, not only of the Federal agencies but of the relative roles of different levels of government.

The second point is the essential requirement for performance standards and accountability. What is preparedness? What does it amount to? How will we know it when we see it? And finally the third issue is about designing the most effective strategy using the full range of tools available to government, that it is not just a grant, it is not just regulatory approaches. There is really a wide range of tools and they vary in their effectiveness and some of their limitations.

Now on the first point about the fragmentation. One area that we found when looking at bioterrorism was how incredibly complex the Federal roles were. And on the last page of my testimony—it is really kind of alarming—there is a pull-out chart that shows you as of about a year ago the relationships of all of the Federal agencies in having a role in trying to coordinate bioterrorism activities. It is just mind boggling and it is daunting and it is overwhelming and it is just pure spaghetti. It really is a very serious matter of concern. We, in fact, have outstanding recommendations to try to clarify the Federal roles. Some work we did on bioterrorism, we found that key agencies, Agriculture, FDA, the Department of Transportation, were not effectively involved in spite of the fact that they had very critical roles in bioterrorism.

The second point is about performance and accountability. Given the large increase in funding that is planned, as well as the compelling need for a truly effective strategy here, it is absolutely essential that we have clear goals and performance measures so that we are more likely to have a successful effort. Mr. Ridge himself has said we cannot just throw the money out. We have to have clear criteria. We have to know what we are getting for it. And with the kind of major increase in Federal funding, the absence of these kinds of measures and goals in the past is really a severe problem that needs to be addressed.

The third issue is about critical tools. The difference in tools is that they will vary in how effective you can target highest-risk, how effectively you build shared responsibility, and do not just have Federal funds supplant State or local activities that already existed. And also, the tool can make a difference in how effectively you can track and assess progress.

That concludes the statement and I will be very happy to take questions.

[The prepared statement of Ms. Hecker follows:]

United States General Accounting Office

GAO

Testimony

Before the Subcommittee on Government Efficiency, Financial Management, and Intergovernmental Relations, Committee on Government Reform, House of Representatives

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COMBATING TERRORISM

Key Aspects of a National Strategy to Enhance State and Local Preparedness

Statement of JayEtta Z. Hecker,
Director, Physical Infrastructure Issues

GAO-02-473T

Mr. Chairman and Members of the Subcommittee:

I appreciate the opportunity to be here in Nashville to discuss issues critical to successful federal leadership of, assistance to, and partnerships with state and local governments in the area of preparedness for terrorist events. As you know, Mr. Chairman, federal, state, and local governments have a shared responsibility in preparing for catastrophic terrorist attack. But the initial responsibility falls upon local governments and their organizations—such as police, fire departments, emergency medical personnel, and public health agencies—which will almost invariably be the first responders to such an incident. For its part, the federal government historically has principally provided leadership, training, and funding assistance. In the aftermath of the September 11th tragedy, for instance, about one-quarter of the $40 billion Emergency Response Fund was dedicated to homeland security, including funds to enhance state and local government preparedness.

Because the national security threat is diffuse and the challenge is highly intergovernmental, national policymakers must formulate strategies with a firm understanding of the interests, capacity, and challenges facing those governments in addressing these issues. My comments today are based on a body of GAO's work on terrorism and emergency preparedness and policy options for the design of federal assistance,[1] as well as our review of many other studies.[2] In addition, we draw on ongoing work for this subcommittee; pursuant to your request we have begun to examine the preparedness issues confronting state and local governments in a series of case studies over the next several months. We will examine the state and local perspective on these issues and thereby help the Congress and the executive branch better design and target programs and strategies.

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[1] Appendix I contains a listing of related GAO products.

[2] These studies include the Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction, *Third Annual Report (Arlington: RAND,* Dec. 15, 2001) and the United States Commission on National Security/21st Century, *Road Map for Security: Imperative for Change*, Feb. 15, 2001.

In my testimony, I reiterate GAO's call, expressed in numerous reports and testimonies over the past years, for development of a national strategy that will improve national preparedness and enhance partnerships between federal, state and local governments to guard against terrorist attacks. The creation of the Office of Homeland Security under the leadership of Tom Ridge is an important and potentially significant first step. We recognize that the President, in his proposed 2003 budget, has announced that the Office of Homeland Security will propose such a plan later this year. As it comes together, we believe that key aspects of this strategy should include:

- A definition and clarification of the appropriate roles and responsibilities of federal, state, and local entities. Our previous work has found fragmentation and overlap among federal assistance programs. Over 40 federal entities have roles in combating terrorism, and past federal efforts have resulted in a lack of accountability, a lack of a cohesive effort, and duplication of programs. As state and local officials have noted, this situation has led to confusion, making it difficult to identify available federal preparedness resources and effectively partner with the federal government.

- The establishment of goals and performance measures to guide the nation's preparedness efforts. The Congress has long recognized the need to objectively assess the results of federal programs. For the nation's preparedness programs, however, outcomes of where the nation should be in terms of domestic preparedness have yet to be defined. Given the recent and proposed increases in preparedness funding as well as the need for real and meaningful improvements in preparedness, establishing clear goals and performance measures is critical to ensuring both a successful and fiscally responsible effort.

- A careful choice of the most appropriate tools of government to best implement the national strategy and achieve national goals. The choice and design of policy tools, such as grants, regulations, and partnerships, can enhance the government's

capacity to (1) target areas of highest risk to better ensure that scarce federal resources address the most pressing needs, (2) promote shared responsibilities by all parties, and (3) track and assess progress towards achieving national goals.

Since the attacks of September 11th, we have seen the nation unite and better coordinate preparedness efforts among federal, state, and local agencies, as well as among private businesses, community groups, and individual citizens. Our challenge now is to build upon this initial response to further improve our preparedness in a sustainable way that creates both short- and long-term benefits. We applaud the subcommittee's interest in addressing this issue now and urge that it continue its efforts to oversee the efficiency and effectiveness of these key intergovernmental relationships to define and best achieve the necessary level of national preparedness.

BACKGROUND

Because of such emergencies as natural disasters, hazardous materials spills, and riots, all levels of government have had some experience preparing for different types of disasters and emergencies. Preparing for all potential hazards is commonly referred to as the "all-hazards" approach. While terrorism is a component within an all-hazards approach, terrorist attacks potentially impose a new level of fiscal, economic and social dislocation within this nation's boundaries. Given the specialized resources that are necessary to address a chemical or biological attack, the range of governmental services that could be affected, and the vital role played by private entities in preparing for and mitigating risks, state and local resources alone will likely be insufficient to meet the terrorist threat.

Some of these specific challenges can be seen in the area of bioterrorism. For example, a biological agent released covertly might not be recognized for a week or more because symptoms may only appear several days after the initial exposure and may be misdiagnosed at first. In addition, some biological agents, such as smallpox, are communicable and can spread to others who were not initially exposed. These

characteristics require responses that are unique to bioterrorism, including health surveillance, epidemiologic investigation, laboratory identification of biological agents, and distribution of antibiotics or vaccines to large segments of the population to prevent the spread of an infectious disease. The resources necessary to undertake these responses are generally beyond state and local capabilities and would require assistance and close coordination with the federal government.

National preparedness is a complex mission that involves a broad range of functions performed throughout government, including national defense, law enforcement, transportation, food safety and public health, information technology, and emergency management, to mention only a few. While only the federal government is empowered to wage war and regulate interstate commerce, state and local governments have historically assumed primary responsibility for managing emergencies through police, fire-fighting, and emergency medical personnel.

The federal government's role is generally defined in the Stafford Act,[3] which requires a finding that conditions are beyond the capacity of state and local governments to respond effectively before major disaster or emergency assistance from the federal government is warranted. Once a disaster is declared, the federal government—through the Federal Emergency Management Agency (FEMA)—may reimburse state and local governments for between 75 to 100 percent of eligible costs, including response and recovery activities as well as funds to mitigate the potential harm from future disasters.

There has been an increasing emphasis over the last decade on preparedness for terrorist events. After the nerve gas attack in the Tokyo subway system on March 20, 1995, and the Oklahoma City bombing on April 19, 1995, the United States initiated a new effort to combat terrorism. In June 1995, Presidential Decision Directive 39 was issued that enumerated responsibilities for federal agencies in combating terrorism, including domestic terrorism. Recognizing the vulnerability of the United States to various forms of terrorism, the Congress passed in September 1996 the Defense Against Weapons of

Mass Destruction Act (also known as the Nunn-Lugar-Domenici program) to train and equip state and local emergency services personnel who would likely be the first responders to a domestic terrorist incident. Other federal agencies, including those in the Department of Justice, Department of Energy, FEMA and the Environmental Protection Agency, have also developed programs to assist state and local governments prepare for terrorist events.

The attacks of September 11, 2001, as well as the subsequent attempts to contaminate Americans with anthrax, dramatically exposed the nation's vulnerabilities to domestic terrorism and prompted numerous legislative proposals to further strengthen our preparedness and response. During the first session of the 107th Congress, several bills were introduced with provisions relating to state and local preparedness. For instance, the Preparedness Against Domestic Terrorism Act of 2001, which you co-sponsored, Mr. Chairman, proposes the establishment of a Council on Domestic Preparedness to enhance the capabilities of state and local emergency preparedness and response.

The funding for homeland security increased substantially after the attacks. According to documents supporting the president's fiscal year 2003 budget request, about $19.5 billion in federal funding for homeland security was enacted in fiscal year 2002.[4] The Congress added to this amount by passing an emergency supplemental appropriation of $40 billion dollars.[5] According to the budget request documents, about one-quarter of that amount, nearly $9.8 billion, was dedicated to strengthening our defenses at home, resulting in an increase in total federal funding on homeland security of about 50 percent, to $29.3 billion. Table 1 compares fiscal year 2002 funding for homeland security by major categories with the president's proposal for fiscal year 2003.

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[3] The *Stafford Act* (P.L. 93-288) establishes the process for states to request a presidential disaster declaration.
[4] *Securing the Homeland Strengthening the Nation.* For the complete document, see the Web site: http://www.whitehouse.gov/homeland/homeland_security_book.html
[5] 2001 *Emergency Supplemental Appropriations Act for Recovery from and Response to Terrorist Attacks on the United States* (P.L. 107-38).

Table 1: Homeland Security by Major Funding Categories for Fiscal Year 2002 and Proposed for Fiscal Year 2003

(Dollars in millions)

Major funding category	FY2002 enacted	Emergency supplemental	FY2002 total	The president's FY2003 budget request
Supporting first responders	$291	$651	$942	$3,500
Defending against biological terrorism	1,408	3,730	5,138	5,898
Securing America's borders	8,752	1,194	9,946	10,615
Using 21st century technology for homeland security	155	75	230	722
Aviation security	1,543	1,035	2,578	4,800
DOD homeland security	4,201	689	4,890	6,815
Other non-DOD homeland security	3,186	2,384	5,570	5,352
Total	**$19,536**	**$9,758**	**$29,294**	**$37,702**

Source: FY 2003 President's Budget document "Securing the Homeland Strengthening the Nation."

A NATIONAL STRATEGY IS NEEDED TO GUIDE OUR PREPAREDNESS EFFORTS

We have tracked and analyzed federal programs to combat terrorism for many years and have repeatedly called for the development of a national strategy for preparedness. We have not been alone in this message; for instance, national commissions, such as the Gilmore Commission, and other national associations, such as the National Emergency Management Association and the National Governors Association, have advocated the establishment of a national preparedness strategy. The attorney general's Five-Year Interagency Counterterrorism Crime and Technology Plan, issued in December 1998, represents one attempt to develop a national strategy on combating terrorism. This plan entailed a substantial interagency effort and could potentially serve as a basis for a national preparedness strategy. However, we found it lacked two critical elements

necessary for an effective strategy: (1) measurable outcomes and (2) identification of state and local government roles in responding to a terrorist incident.[6]

In October 2001, the president established the Office of Homeland Security as a focal point with a mission to develop and coordinate the implementation of a comprehensive national strategy to secure the United States from terrorist threats or attacks. While this action represents a potentially significant step, the role and effectiveness of the Office of Homeland Security in setting priorities, interacting with agencies on program development and implementation, and developing and enforcing overall federal policy in terrorism-related activities, is in the formative stages of being fully established.

The emphasis needs to be on a national rather than a purely federal strategy. We have long advocated involving state, local, and the private sector stakeholders in a collaborative effort to arrive at national goals. The success of a national preparedness strategy relies on the ability of all levels of government and the private sector to communicate and cooperate effectively with each other. To develop this essential national strategy, the federal role needs to be considered in relation to other levels of government, the goals and objectives for preparedness, and the most appropriate tools to assist and enable other levels of government and the private sector to achieve these goals.[7]

Roles and Missions of Federal, State, and Local Entities Need to Be Clarified

Although the federal government appears monolithic to many, in the area of terrorism prevention and response, it has been anything but. Over 40 federal entities have a role in combating and responding to terrorism, and over 20 federal entities in bioterrorism alone. The complex relationships this creates in the area of bioterrorism, as they existed

[6] See U.S. General Accounting Office, *Combating Terrorism: Linking Threats to Strategies and Resources*, GAO/T-NSIAD-00-218 (Washington, D.C.: July 26, 2000).
[7] Another important aspect of enhancing states and local preparedness is risk management. Risk management is an important tool for prioritizing limited resources in the face of uncertain threats. For more information on risk management, see U.S. General Accounting Office, *Homeland Security: Risk Management Can Help Us Defend Against Terrorism*, GAO-02-208T (Washington, D.C.: Oct. 31, 2001).

prior to the recent creation of the Office of Homeland Security, are illustrated by the chart contained in appendix II. One of the areas that the Office of Homeland Security will be reviewing is the coordination among federal agencies and programs.

Concerns about coordination and fragmentation in federal preparedness efforts are well founded. Our past work conducted prior to the creation of the Office of Homeland Security has shown coordination and fragmentation problems largely because there has been a lack of accountability within the federal government for terrorism-related programs and activities. There has been no single leader in charge of the many terrorism-related functions conducted by different federal departments and agencies. In fact, several agencies had been assigned leadership and coordination functions, including the Department of Justice, the Federal Bureau of Investigation, FEMA, and the Office of Management and Budget. We previously reported that officials from a number of agencies that combat terrorism believe that the coordination roles of these various agencies are not always clear. The recent Gilmore Commission report expressed similar concerns, concluding that the current coordination structure does not provide the discipline necessary among the federal agencies involved.

In the past, the absence of a central focal point resulted in two major problems. The first of these is a lack of a cohesive effort from within the federal government. For example, the Department of Agriculture, the Food and Drug Administration, and the Department of Transportation have been overlooked in bioterrorism-related policy and planning, even though these organizations are to play key roles in response to terrorist acts. In this regard, the Department of Agriculture has been given key responsibilities if terrorists target the nation's food supply, but the agency was not consulted in the development of federal policy assigning it that role. Similarly, the Food and Drug Administration was involved with issues associated with the National Pharmaceutical Stockpile, but was not involved in the selection of all items procured for the stockpile. Further, the Department of Transportation has responsibility for delivering supplies under the Federal Response Plan, but it was not brought into the planning process and consequently did not learn the extent of its responsibilities until its involvement in subsequent exercises.

Second, the lack of leadership has resulted in the federal government developing programs to assist state and local governments that were similar and potentially duplicative. After the terrorist attack on the federal building in Oklahoma City, the federal government created additional programs that were not well coordinated. For example, FEMA, the Department of Justice, the Centers for Disease Control and Prevention, and the Department of Health and Human Services all offer separate assistance to state and local governments in planning for emergencies. Additionally, a number of these agencies also condition receipt of funds on completion of distinct but overlapping plans. While the multiplicity of federal assistance programs vary somewhat in their target audiences, the potential redundancy of these federal efforts warrants scrutiny. In this regard, we recommended in September 2001 that the president work with the Congress to consolidate some of the activities of Department of Justice's Office for State and Local Domestic Preparedness Support under FEMA.[8]

State and local response organizations believe that federal programs designed to improve preparedness are not well synchronized or organized. They have repeatedly asked for a one-stop "clearinghouse" for federal assistance. As state and local officials have noted, the multiplicity of programs can lead to confusion at the state and local level and expend precious federal resources unnecessarily or make it difficult for them to identify available federal preparedness resources. As the Gilmore Commission report notes, state and local officials have voiced frustration about their attempts to obtain federal funds and have argued that the application process is burdensome and inconsistent among federal agencies.

While the federal government can assign roles to federal agencies under a national preparedness strategy, it will also need to reach consensus with other levels of government and with the private sector about their respective roles. Clearly defining the appropriate levels of government may be difficult because depending upon the type of

[8] U.S. General Accounting Office, *Combating Terrorism: Selected Challenges and Related Recommendations,* GAO-01-822 (Washington, D.C.: Sept. 20, 2001).

incident and phase of a given event, the specific roles of local, state and federal governments and the private sector may not be separate and distinct.

Performance and Accountability Measures Need to Be Included in National Strategy

Numerous discussions have been held about the need to enhance the nation's preparedness, but national preparedness goals and measurable performance indicators have not yet been developed. These are critical components for assessing program results. In addition, the capability of state and local governments to respond to catastrophic terrorist attacks is uncertain.

At the federal level, measuring results of federal programs has been a long-standing objective of the Congress. In 1993, the Congress enacted the Government Performance and Results Act (commonly referred to as the Results Act). The legislation was designed to have agencies focus on the performance and results of their programs rather than on program resources and activities, as they had done in the past. Thus, the Results Act became the primary legislative framework through which agencies are required to set strategic goals, measure performance, and report on the degree to which goals are met. The outcome-oriented principles of the Results Act include (1) establishing general goals and quantifiable, measurable, outcome-oriented performance goals and related measures; (2) developing strategies for achieving the goals, including strategies for overcoming or mitigating major impediments; (3) ensuring that goals at lower organizational levels align with and support general goals; and (4) identifying the resources that will be required to achieve the goals.

A former assistant professor of public policy at the Kennedy School of Government, now the senior director for policy and plans with the Office of Homeland Security, noted in a December 2000 paper that a preparedness program lacking broad but measurable objectives is unsustainable.[9] This is because it deprives policymakers of the information

[9] Richard A. Falkenrath, *The Problems of Preparedness: Challenges Facing the U. S. Domestic Preparedness Program (Cambridge: John F. Kennedy School of Government, Harvard University,* Dec. 2000).

they need to make rational resource allocations and program managers are prevented from measuring progress. He recommended that the government develop a new statistical index of preparedness,[10] incorporating a range of different variables, such as quantitative measures of special equipment, training programs, and medicines, as well as professional subjective assessments of the quality of local response capabilities, infrastructure, plans, readiness and performance in exercises. Therefore, he advocated that the index should go well beyond the current rudimentary milestones of program implementation, such as amount of training and equipment provided to individual cities. The index should strive to capture indicators of how well a particular city or region could actually respond to a serious terrorist incident. This type of index, according to this expert, would then allow the government to measure the preparedness of different parts of the country in a consistent and comparable way, providing a reasonable baseline against which to measure progress.

In October 2001, FEMA's director recognized that assessments of state and local capabilities need to be viewed in terms of the level of preparedness being sought and what measurement should be used for preparedness. The director noted that the federal government should not provide funding without assessing what the funds will accomplish. Moreover, the president's fiscal year 2003 budget request for $3.5 billion through FEMA for first responders—local police, firefighters, and emergency medical professionals—provides that this proposed increase in funds be accompanied by a process for evaluating the effort to build response capabilities, in order to validate that effort and direct future resources.

FEMA has developed an assessment tool that could be used in developing performance and accountability measures for a national strategy. To ensure that states are adequately prepared for a terrorist incident, FEMA was directed by the Senate Committee on Appropriations to assess states' response capabilities. In response, FEMA developed a self-assessment tool—the Capability Assessment for Readiness (CAR)—that focuses on

[10]It was recommended that this index be classified so as to avoid calling attention to the country's most vulnerable areas.

13 key emergency management functions, including hazard identification and risk assessment, hazard mitigation, and resource management. However, these key emergency management functions do not specifically address public health issues. In its fiscal year 2001 CAR report, FEMA concluded that states were only marginally capable of responding to a terrorist incident involving a weapon of mass destruction. Moreover, the president's fiscal year 2003 budget proposal acknowledges that our capabilities for responding to a terrorist attack vary widely across the country. Many areas have little or no capability to respond to terrorist attack using weapons of mass destruction. The budget proposal further adds that even the best prepared states and localities do not possess adequate resources to respond to the full range of terrorist threats we face.

Proposed standards have been developed for state and local emergency management programs by a consortium of emergency managers from all levels of government and are currently being pilot tested through the Emergency Management Accreditation Program at the state and local level. Its purpose is to establish minimum acceptable performance criteria by which emergency managers can assess and enhance current programs to mitigate, prepare for, respond to, and recover from disasters and emergencies. For example, one such standard is the requirement that the program must (1) develop the capability to direct, control, and coordinate response and recovery operations, (2) that an incident management system must be utilized, and (3) that organizational roles and responsibilities shall be identified in the emergency operational plans.

While FEMA has experience in working with others in the development of assessment tools, it has had difficulty measuring program performance. As the president's fiscal year 2003 budget request acknowledges, FEMA generally performs well in getting resources to stricken communities and disaster victims quickly. The agency performs less well in its oversight role to ensure the effective use of such assistance. Further, the agency has not been effective in linking resources to performance information. FEMA's Office of Inspector General has found that FEMA did not have an ability to measure state disaster risks and performance capability, and concluded that the agency needed to determine how to measure state and local preparedness programs.

Appropriate Tools Need to Be Selected for Designing Assistance

Our previous work on federal programs suggests that the choice and design of policy tools have important consequences for performance and accountability. Governments have at their disposal a variety of policy instruments, such as grants, regulations, tax expenditures, and regional coordination and partnerships that they can use to motivate or mandate other levels of government and private sector entities to take actions to address security concerns.

The design of federal policy will play a vital role in determining success and ensuring that scarce federal dollars are used to achieve critical national goals. Key to the national effort will be determining the appropriate level of funding so that policies and tools can be designed and targeted to elicit a prompt, adequate and sustainable response, while also protecting against federal funds being used to substitute for spending that would have occurred anyway.

Grants

The federal government often uses grants to state and local governments as a means of delivering federal programs. Categorical grants typically permit funds to be used only for specific, narrowly defined purposes. Block grants typically can be used by state and local governments to support a range of activities aimed at achieving a broad national purpose and provide a great deal of discretion to state and local officials. Either type of grant can be designed to (1) target the funds to states and localities with the greatest need, (2) discourage the replacement of state and local funds with federal funds, commonly referred to as "supplantation," with a maintenance of effort requirement that recipients maintain their level of previous funding, and (3) strike a balance between accountability and flexibility. More specifically:

- Targeting: The formula for the distribution of any new grant could be based on several considerations, including the state and/or local government's capacity to

respond to a disaster. This capacity depends on several factors, the most important of which is perhaps the underlying strength of the state's tax base and whether that base is expanding or in decline. In an August 2001 report on disaster assistance, we recommended that the director of FEMA consider replacing the per-capita measure of state capability with a more sensitive measure, such as a state's total taxable resources, to assess the capabilities of state and local governments to respond to a disaster.[11] Other key considerations include the level of need and the costs of preparedness.

- Maintenance of effort: In our earlier work, we found that substitution is to be expected in any grant and, on average, every additional federal grant dollar results in about 60 cents of supplantion.[12] We found that supplantation is particularly likely for block grants supporting areas with prior state and local involvement. Our recent work on the Temporary Assistance to Needy Families block grant found that a strong maintenance of effort provision limits states' ability to supplant.[13] Recipients can be penalized for not meeting a maintenance-of-effort requirement.

- Balance accountability and flexibility: Experience with block grants shows that such programs are sustainable if they are accompanied by sufficient information and accountability for national outcomes to enable them to compete in the congressional appropriations process. Accountability can be established for measured results and outcomes that permit both greater flexibility in how funds are used while at the same time ensuring some national oversight.

Grants previously have been used for enhancing preparedness and recent proposals direct new funding to local governments. In recent discussions, local officials expressed

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[11] U.S. General Accounting Office, *Disaster Assistance: Improvement Needed in Disaster Declaration Criteria and Eligibility Assurance Procedures*, GAO-01-837 (Washington, D.C.: Aug. 31, 2001).
[12] U.S. General Accounting Office, *Federal Grants: Design Improvements Could Help Federal Resources Go Further*, GAO-AIMD-97-7 (Washington, D.C.: Dec. 18, 1996).
[13] U.S. General Accounting Office, *Welfare Reform: Challenges in Maintaining a Federal-State Fiscal Partnership*, GAO-01-828 (Washington, D.C.: Aug. 10, 2001).

their view that federal grants would be more effective if they were allowed more flexibility in the use of funds. They have said that some funding should be allocated directly to local governments. They have expressed a preference for block grants, which would distribute funds directly to local governments for a variety of security related expenses.

Recent funding proposals such as the $3.5 billion block grant contained in the president's fiscal year 2003 budget have included some of these provisions. This matching grant would be administered by FEMA, with 25 percent distributed to the states based on population. The remainder would go to states for pass-through to local jurisdictions, also on a population basis, but states would be given the discretion to determine the boundaries of substate areas for such a pass-through—that is, a state could pass through the funds to a metropolitan area or to individual local governments within such an area. While the state and local jurisdictions will have discretion to tailor the assistance to meet local needs, it is anticipated that more than one-third of the funds will be used to improve communications; an additional one-third will be used to equip state and local first responders, and the remainder will be used for training, planning, technical assistance, and administration.

Regulations

Federal, state and local governments share authority for setting standards through regulations in several areas, including infrastructure and programs vital to preparedness (e.g., highways, water systems, public health). In designing regulations, key considerations include how to provide federal protections, guarantees, or benefits while preserving an appropriate balance between federal and state/local authority and between the public and private sector (for example, for chemical and nuclear facilities). In designing a regulatory approach the challenges include determining who will set the standards and who will implement or enforce them. Five models of shared regulatory authority are:

- Fixed federal standards that preempt all state regulatory action in the subject area covered.

- Federal minimum standards that preempt less stringent state laws but permit states to establish standards more stringent than the federal.

- Inclusion of federal regulatory provisions not established through preemption in grants or other forms of assistance that states may choose to accept.

- Cooperative programs in which voluntary national standards are formulated by federal and state officials working together.

- Widespread state adoption of voluntary standards formulated by quasi-official entities.

Any one of these shared regulatory approaches could be used in designing standards for preparedness. The first two of these mechanisms involve federal preemption. The other three represent alternatives to preemption. Each mechanism offers different advantages and limitations which reflect some of the key considerations in federal-state balance.

Tax Incentives

To the extent that private entities will be called upon to improve security over dangerous materials or protect vital assets, the federal government can use tax incentives or regulation to encourage and enforce their activities. Tax incentives are the result of special exclusions, exemptions, deductions, credits, deferrals, or tax rates in the federal tax laws. Unlike grants, tax incentives do not generally permit the same degree of federal oversight and targeting, and generally are available by formula to all potential beneficiaries that satisfy congressionally established criteria.

Regional Coordination and Intergovernmental Partnerships

Promoting partnerships between critical actors (including different levels of government and the private sector) facilitates maximizing resources and also supports coordination on a regional level. Partnerships could encompass federal, state, and local governments working together to share information, develop communications technology, and provide mutual aid. The federal government may be able to offer state and local governments assistance in certain areas such as risk management and intelligence sharing. In turn, state and local governments have much to offer in terms of knowledge of local vulnerabilities and resources, such as local law enforcement personnel, to respond to threats in their communities.

Since the events of September 11, local officials have emphasized the importance of regional coordination. Regional resources, such as equipment and expertise, are essential because of proximity, which allows for quick deployment, and experience in working within the region. Large scale or labor-intensive incidents quickly deplete a given locality's supply of trained responders. Some cities have spread training and equipment to neighboring municipal areas so that their mutual aid partners can help. These partnerships afford economies of scale across a region. In events that require a quick response, such as a chemical attack, regional agreements take on greater importance because many local officials do not think that federal and state resources can arrive in sufficient time to help.

Mutual aid agreements provide a structure for assistance and for sharing resources among jurisdictions in response to an emergency. Because individual jurisdictions may not have all the resources they need to respond to all types of emergencies, these agreements allow for resources to be deployed quickly within a region. The terms of mutual aid agreements vary for different services and different localities. These agreements may provide for the state to share services, personnel, supplies and equipment with counties, towns, and municipalities within the state, with neighboring states, or, in the case of states bordering Canada, with jurisdictions in another country.

Some of the agreements also provide for cooperative planning, training, and exercises in preparation for emergencies. Some of these agreements involve private companies and local military bases, as well as local government entities. Such agreements were in place for the three sites that were involved on September 11— New York City, the Pentagon, and a rural area of Pennsylvania—and provide examples of some of the benefits of mutual aid agreements and of coordination within a region.

With regard to regional planning and coordination, there may be federal programs that could provide models for funding proposals. In the 1962 Federal-Aid Highway Act, the federal government established a comprehensive cooperative process for transportation planning. This model of regional planning continues today under the Transportation Equity Act for the 21st century (TEA-21, originally ISTEA) program. This model emphasizes the role of state and local officials in developing a plan to meet regional transportation needs. Metropolitan Planning Organizations (MPOs) coordinate the regional planning process and adopt a plan, which is then approved by the state.

Mr. Chairman, in conclusion, as increasing demands are placed on budgets at all levels of government, it will be necessary to make sound choices to maintain fiscal stability. All levels of government and the private sector will need to communicate and cooperate effectively with each other across a broad range of issues to develop a national strategy to better target available resources to address the urgent national preparedness needs. Involving all levels of government and the private sector in developing key aspects of a national strategy that I have discussed today–a definition and clarification of the appropriate roles and responsibilities, establishment of goals and performance measures, and selection of appropriate tools—is essential to the successful formulation of the national preparedness strategy and ultimately preparing and defending our nation from terrorist attacks.

This completes my prepared statement. I would be pleased to respond to any questions you or other members of the Subcommittee may have.

Contacts and Acknowledgements

For further information about this testimony, please contact me at (202) 512-2834 or Paul Posner at (202) 512-9573. Other key contributors to this testimony included Jack Burriesci, Matthew Ebert, Colin J. Fallon, Thomas James, Kristen Sullivan Massey, Yvonne Pufahl, Jack Schulze, and Amelia Shachoy.

Appendix 1: Related GAO Products

Homeland Security

Homeland Security: Challenges and Strategies in Addressing Short- and Long-Term National Needs. GAO-02-160T. Washington, D.C.: November 7, 2001.

Homeland Security: A Risk Management Approach Can Guide Preparedness Efforts. GAO-02-208T. Washington, D.C.: October 31, 2001.

Homeland Security: Need to Consider VA's Role in Strengthening Federal Preparedness. GAO-02-145T. Washington, D.C.: October 15, 2001.

Homeland Security: Key Elements of a Risk Management Approach. GAO-02-150T. Washington, D.C.: October 12, 2001.

Homeland Security: A Framework for Addressing the Nation's Issues. GAO-01-1158T. Washington, D.C.: September 21, 2001.

Combating Terrorism

Combating Terrorism: Considerations For Investing Resources in Chemical and Biological Preparedness. GAO-01-162T. Washington, D.C.: October 17, 2001.

Combating Terrorism: Selected Challenges and Related Recommendations. GAO-01-822. Washington, D.C.: September 20, 2001.

Combating Terrorism: Actions Needed to Improve DOD's Antiterrorism Program Implementation and Management. GAO-01-909. Washington, D.C.: September 19, 2001.

Combating Terrorism: Comments on H.R. 525 to Create a President's Council on Domestic Preparedness. GAO-01-555T. Washington, D.C.: May 9, 2001.

Combating Terrorism: Observations on Options to Improve the Federal Response. GAO-01-660T. Washington, D.C.: April 24, 2001.

Combating Terrorism: Comments on Counterterrorism Leadership and National Strategy. GAO-01-556T. Washington, D.C.: March 27, 2001.

Combating Terrorism: FEMA Continues to Make Progress in Coordinating Preparedness and Response. GAO-01-15. Washington, D.C.: March 20, 2001.

Combating Terrorism: Federal Response Teams Provide Varied Capabilities: Opportunities Remain to Improve Coordination. GAO-01-14. Washington, D.C.: November 30, 2000.

Combating Terrorism: Need to Eliminate Duplicate Federal Weapons of Mass Destruction Training. GAO/NSIAD-00-64. Washington, D.C.: March 21, 2000.

Combating Terrorism: Observations on the Threat of Chemical and Biological Terrorism. GAO/T-NSIAD-00-50. Washington, D.C.: October 20, 1999.

Combating Terrorism: Need for Comprehensive Threat and Risk Assessments of Chemical and Biological Attack. GAO/NSIAD-99-163. Washington, D.C.: September 7, 1999.

Combating Terrorism: Observations on Growth in Federal Programs. GAO/T-NSIAD-99-181. Washington, D.C.: June 9, 1999.

Combating Terrorism: Analysis of Potential Emergency Response Equipment and Sustainment Costs. GAO-NSIAD-99-151. Washington, D.C.: June 9, 1999.

Combating Terrorism: Use of National Guard Response Teams Is Unclear. GAO/NSIAD-99-110. Washington, D.C.: May 21, 1999.

Combating Terrorism: Observations on Federal Spending to Combat Terrorism. GAO/T-NSIAD/GGD-99-107. Washington, D.C.: March 11, 1999.

Combating Terrorism: Opportunities to Improve Domestic Preparedness Program Focus and Efficiency. GAO-NSIAD-99-3. Washington, D.C.: November 12, 1998.

Combating Terrorism: Observations on the Nunn-Lugar-Domenici Domestic Preparedness Program. GAO/T-NSIAD-99-16. Washington, D.C.: October 2, 1998.

Combating Terrorism: Threat and Risk Assessments Can Help Prioritize and Target Program Investments. GAO/NSIAD-98-74. Washington, D.C.: April 9, 1998.

Combating Terrorism: Spending on Governmentwide Programs Requires Better Management and Coordination. GAO/NSIAD-98-39. Washington, D.C.: December 1, 1997.

Public Health

Bioterrorism: The Centers for Disease Control and Prevention's Role in Public Health Protection. GAO-02-235T. Washington, D.C.: November 15, 2001.

Bioterrorism: Review of Public Health and Medical Preparedness. GAO-02-149T. Washington, D.C.: October 10, 2001).

Bioterrorism: Public Health and Medical Preparedness. GAO-02-141T. Washington, D.C.: October 10, 2001.

Bioterrorism: Coordination and Preparedness. GAO-02-129T. Washington, D.C.: October 5, 2001.

Bioterrorism: Federal Research and Preparedness Activities. GAO-01-915. Washington, D.C.: September 28, 2001.

Chemical and Biological Defense: Improved Risk Assessments and Inventory Management Are Needed. GAO-01-667. Washington, D.C.: September 28, 2001.

West Nile Virus Outbreak: Lessons for Public Health Preparedness. GAO/HEHS-00-180. Washington, D.C.: September 11, 2000.

Need for Comprehensive Threat and Risk Assessments of Chemical and Biological Attacks. GAO/NSIAD-99-163. Washington, D.C.: September 7, 1999.

Chemical and Biological Defense: Program Planning and Evaluation Should Follow Results Act Framework. GAO/NSIAD-99-159. Washington, D.C.: August 16, 1999.

Combating Terrorism: Observations on Biological Terrorism and Public Health Initiatives. GAO/T-NSIAD-99-112. Washington, D.C.: March 16, 1999.

Disaster Assistance

Disaster Assistance: Improvement Needed in Disaster Declaration Criteria and Eligibility Assurance Procedures. GAO-01-837. Washington, D.C.: August 31, 2001.

Federal Emergency Management Agency: Status of Achieving Key Outcomes and Addressing Major Management Challenges. GAO-01-832. Washington, D.C.: July 9, 2001.

FEMA and Army Must Be Proactive in Preparing States for Emergencies. GAO-01-850. Washington, D.C.: August 13, 2001.

Budget and Management

Results-Oriented Budget Practices in Federal Agencies. GAO-01-1084SP. Washington, D.C.: August 2001.

Managing for Results: Federal Managers' Views on Key Management Issues Vary Widely Across Agencies. GAO-01-0592. Washington, D.C.: May 2001.

Determining Performance and Accountability Challenges and High Risks. GAO-01-159SP. Washington, D.C.: November 2000.

Managing for Results: Using the Results Act to Address Mission Fragmentation and Program Overlap. GAO/AIMD-97-156. Washington, D.C.: August 29, 1997.

Government Restructuring: Identifying Potential Duplication in Federal Missions and Approaches. GAO/T—AIMD-95-161. Washington, D.C.: June 7, 1995.

Government Reorganization: Issues and Principals. GAO/T-GGD/AIMD-95-166. Washington, D.C.: May 17, 1995.

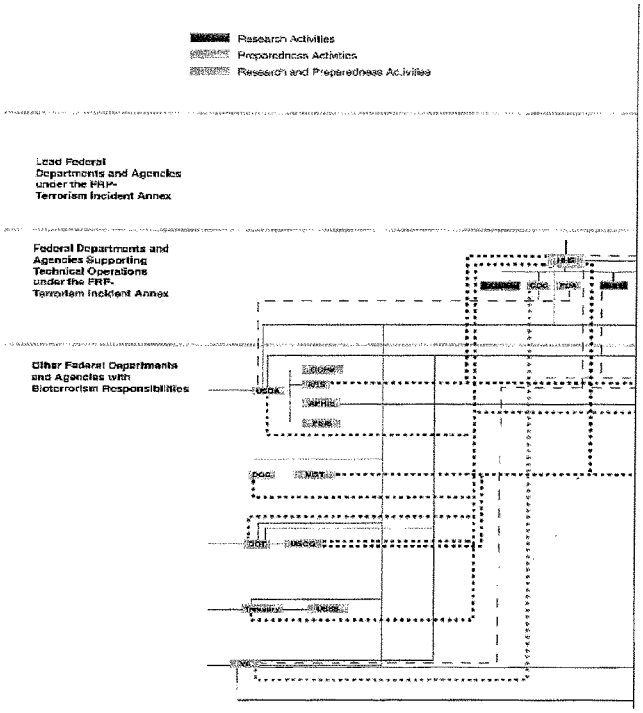
Grant Design

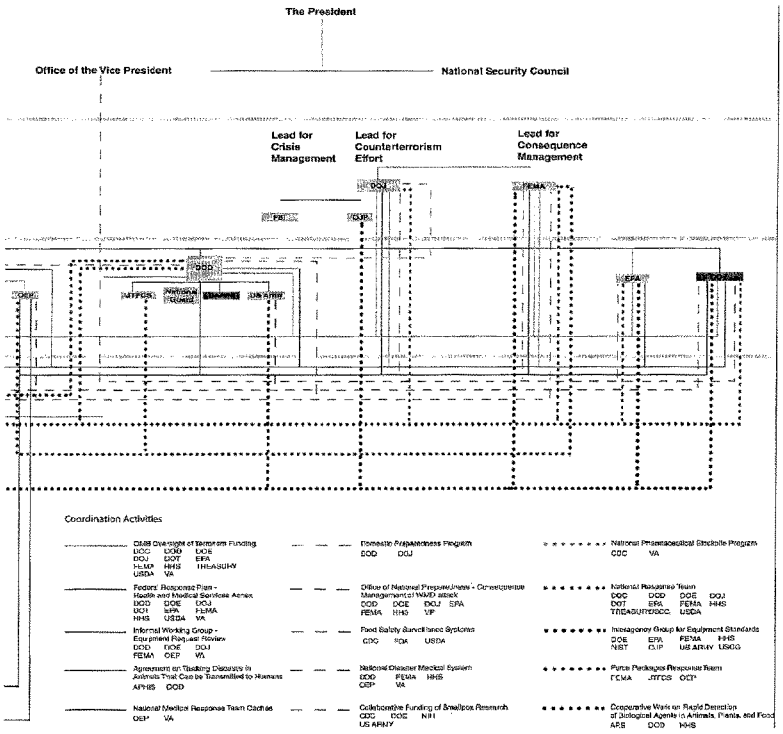
Grant Programs: Design Features Shape Flexibility, Accountability, and Performance Information. GAO/GGD-98-137. Washington, D.C.: June 22, 1998.

Federal Grants: Design Improvements Could Help Federal Resources Go Further. GAO/AIMD-97-7. Washington, D.C.: December 18, 1996.

Block Grants: Issues in Designing Accountability Provisions. GAO/AIMD-95-226. Washington, D.C.: September 1, 1995.

Appendix II: Examples of Coordination Activities on Bioterrorism Among Federal Departments and Agencies




The President
Office of the Vice President
National Security Council
Lead for Crisis Management
Lead for Counterterrorism Effort
Lead for Consequence Management
Coordination Activities
Domestic Preparedness Program
DOD DOJ
National Pharmaceutical Stockpile Program
CDC VA
Federal Response Plan - Health and Medical Services Annex
DOD DOE DOJ
DOT EPA FEMA
HHS USDA VA
Office of National Preparedness - Consequence Management of NMD attack
DOD DOE DOJ EPA
FEMA HHS VP
National Response Team
DOC DOD DOE DOJ
DOT EPA FEMA HHS
TREASURY DOC USDA
Informal Working Group - Equipment Request Review
DOD DOE DOJ
FEMA OEP VA
Food Safety Surveillance Systems
CDC FDA USDA
Interagency Group for Equipment Standards
DOE EPA FEMA HHS
NIST OJP US ARMY USCG
Agreement on Tracking Diseases in Animals That Can be Transmitted to Humans
APHIS DOD
National Disaster Medical System
DOD FEMA HHS
OEP VA
Force Packages Response Team
FEMA JTTDS OEP
National Medical Response Team Cachet
OEP VA
Collaborative Funding of Smallpox Research
CDC DOE NIH
US ARMY
Cooperative Work on Rapid Detection of Biological Agents in Animals, Plants, and Food
ARS DOD HHS

(450092)

Mr. HORN. Thank you.

Our next presenter is Stanley H. Copeland, director, Planning and Training for the Tennessee Emergency Management Agency. That is the one that reports directly to the Governor, does it not?

Mr. COPELAND. Say again, sir.

Mr. HORN. I say you report directly to the Governor?

Mr. COPELAND. No, sir. My director is Mr. John White. We have been appointed by the Governor as an administrative agency for some grant funding, yes, sir.

Mr. HORN. I see.

Mr. COPELAND. Mr. Chairman, Congressman Bob Clement and members of the subcommittee, if I can, I would like to submit my written testimony.

Mr. HORN. It is automatic.

Mr. COPELAND. OK, thank you, sir.

Mr. HORN. You will find it in a big thick hearing document.

Mr. COPELAND. Again, I thank the members of this subcommittee for recognizing the importance of preparing for acts of terrorism involving weapons of mass destruction. TEMA is responsible for directing terrorism consequence management activities and serves as the central coordination point for the State's response and coordination with local government and our Federal agencies.

In 1999, our Nation's Governors were asked by the then U.S. Attorney General Janet Reno to designate a single agency to coordinate U.S. Department of Justice's State domestic preparedness equipment grant programs. Our Governor, Don Sundquist, appointed our agency, TEMA to administer that program. That was a 3-year program that provided funding to the State for acquisition of equipment, for the completion of a capability and needs assessment and a 3-year statewide domestic preparedness strategy.

The State of Tennessee conducted that assessment in all 95 counties of our State. The results of that assessment revealed that many of the counties in our State lacked proper planning for acts of terrorism. Our agency partnered with those local governments to correct those deficiencies. I am now glad to say, sir, that every county currently has a basic emergency operation plan as well as a terrorism incident annex incorporated for that response. These plans are an initial effort on our part and local government on which improvements will be made on a regular basis through lessons learned and the conducting of exercise.

I would also like to say in reference to exercises that we do numerous exercises with our Federal agencies and partners to include the Department of Energy as well as TVA and our fixed nuclear facilities in regards to our response.

Also included in the assessment, we identified deficiencies in our responders' levels of training. Local government identified some 66,000 responders across our State that needed some level of training, whether it be at the basic awareness level or whether it would be at more advanced levels of training to include operational technician level type training.

Some of this training is being addressed through programs provided by the Department of Justice, the Federal Emergency Management Agency, as well as State agencies. However, there is currently insufficient funding at the State and local level to meet

these training needs as identified in the assessment within a reasonable period of time.

They also identified equipment that they had to respond on hand, as well as those equipment that was needed to enhance their current capabilities. We identified some $65 million worth of equipment across our State in support of that. Thus far, current appropriations have provided for approximately 6 percent of that need.

To move on, currently there are no funds available to address maintenance issues for the money that is currently being spent, and within a very few years that is going to become a substantial problem. In addition to maintenance, we have the issues of shelf life for certain items of equipment that responders need. The replacement of those items will also need funding. So we basically would like to request that these issues be included in future funding for the WMD programs. A lack of flexibility in the current programs for the spending of money within the authorized equipment list provide by the Department of Justice is of current concern with our State. For example, I can buy a local fire fighter a Level A suit in a volunteer fire department, but we cannot use the money to purchase turnout gear, which is essential to his every-day response.

Those are issues that we would like to have addressed, and continue to address with the Department of Justice.

In closing, I would say that our Federal partners from FEMA also provide funding for our agency. Those dollars pay salaries and benefits and other expenses for emergency management personnel assigned exclusively for those preparedness activities. Over the past several years local jurisdictional demands upon the State have increased in regards to planning, training and management of exercises; however, there has been no increase in fundings to support those efforts.

In summary, coordination of consequence management preparedness and response for the State of Tennessee should continue to have as its point of contact the Tennessee Emergency Management Agency. By requiring this continuity, the Federal Government can ensure accountability and proper coordination of its efforts in addressing these critical issues regarding terrorism.

Thank you.

[The prepared statement of Mr. Copeland follows:]

STATEMENT OF

STANLEY H. COPELAND
DIRECTOR OF PLANNING AND TRAINING

TENNESSEE EMERGENCY MANAGEMENT AGENCY

Before the

HOUSE GOVERNMENT REFORM SUBCOMMITTEE ON GOVERNMENT EFFICIENCY, FINANCIAL MANAGEMENT, AND INTERGOVERNMENTAL RELATIONS

MARCH 1, 2002

Mr. Chairman and members of the Subcommittee:

Thank you for the opportunity to appear before you today to offer comments on how the Federal Government is assisting State and local governments to prepare for a potential terrorist attack involving nuclear, biological or chemical agents. My name is Stanley H. Copeland and I am the Director of Planning and Training for the Tennessee Emergency Management Agency (TEMA). TEMA is responsible for directing terrorism consequence management activities, and serves as the central coordination point for the State's response and coordination with local governments and federal agencies. I have had the privilege of serving in TEMA for about four years with the primary responsibility for terrorism consequence management and domestic preparedness at the state and local level. Previously, I served in the United States Army and retired in 1996 from the 1st Special Forces Operational Detachment – DELTA (Airborne) as a Nuclear, Biological and Chemical warfare specialist.

I would like to begin this morning by thanking Chairman Steve Horn and Congressman Bob Clement and the members of the Subcommittee for recognizing the importance of preparing for acts of terrorism involving weapons of mass destruction (WMD). Also for realizing that despite the significant federal role in terrorism response, State and local governments have the primary responsibility for protecting the health and safety of their citizens.

In 1999, the nation's governors were asked by the U.S. Attorney General to designate a single state agency to coordinate the U.S. Department of Justice's *State Domestic Preparedness Equipment Program*. Tennessee's Governor Don Sundquist appointed TEMA as the State's Administrative Agency (SAA) for this program. This is a three-year program that provides funding to the State for acquisition of equipment, for the completion of a capability and needs assessment, and a three-year statewide domestic preparedness strategy.

The State of Tennessee conducted a State-wide assessment which included all ninety-five (95) counties. The results of this assessment revealed that many of the counties in Tennessee lacked appropriate planning for acts of terrorism. Since the conclusion of the assessment, TEMA has partnered with local emergency management agencies to address and correct those deficiencies. Many of Tennessee's counties are small in geographical area

and sparse in population, but contain sites which would be very attractive to those who would commit acts of terrorism. Now, every county's emergency operations plan (EOP) contains a *Terrorism Incident Annex*. These plans are an initial effort on which improvements will be made on a regular basis through lessons learned and the conducting of exercises.

In addition, many of the counties identified deficiencies in their levels of training for a response to such an event. More than sixty-six thousand (66,000) first responders required additional WMD training from across the state. Some of these training needs are being addressed through programs provided by the Department of Justice, the Federal Emergency Management Agency, and several other Federal, State and local agencies. However, there is currently insufficient funding available at the State and local level to meet training needs as identified in the assessment within a reasonable time period.

Every county in the State provided an inventory of specific WMD equipment currently on-hand and additional equipment requirements needed to enhance their capability to respond to a WMD incident. This equipment included personal protective equipment (PPE), detection equipment, decontamination equipment, and communications equipment. Approximately $65 million *(as identified in the assessment by local government)* is required to achieve the optimal level of preparedness for the State of Tennessee from an equipment standpoint. The current appropriations have provided for approximately six percent (6%) of this need. It should be noted that an organization can be trained to the optimal level of readiness but without the appropriate response equipment it cannot function successfully to meet mission requirements. To enhance the State's overall response capabilities, each county in the State is receiving a portion of available grant funds based on the needs identified in the State-wide assessment.

Since the terrorism attacks on September 11, 2001, the entire Country has reassessed its needs relative to acts of terrorism and has identified issues not previously addressed. We now realize that the primary response to any such event will be at the State and local level and that Tennessee's needs exceed those previously identified in our State-wide assessment. The efforts of the Federal government have begun to meet some of our needs but, so far, there has not been an adequate level of funding to support the efforts of State and

local government in their attempt to address the response problems presented by a possible WMD attack.

The Department of Justice, through its Domestic Preparedness Equipment Grant Program, has provided funding to begin to address the WMD equipment needs of the State. This program has allowed Tennessee to begin equipping its first responders at the State and local level with a minimal amount of equipment needed to respond to a WMD incident. There are currently no funds available to address maintenance issues, which within a very few years will become a substantial problem. In addition to maintenance, the issue of shelf life of products will have to be addressed as useable service life of equipment is reached and supplies are replaced. These needs must be provided for in any future funding for WMD. Of somewhat current concern to the State is the lack of flexibility in the current *Authorized Equipment Listing* provided to the states by the Department of Justice. An example of this lack of flexibility is a small volunteer fire department, existing on a limited budget, not being authorized to purchase turnout gear to outfit all their responders but being able to purchase advanced levels of protection. There should be consideration given to the varying levels of equipment, training and capabilities present in the various areas of the country and allow for the tailoring of grant programs to meet all needs on a case-by-case basis.

From a training perspective, responder turnover and retraining must be considered. In any ongoing program of training for WMD response, it must be recognized that a portion of that training will be at the basic level for newly hired responders, while other training must be provided to enhance and expand the capabilities of veteran responders. Programs currently available do not address funding for sustainment/refresher training required to maintain a high state of readiness to respond to acts of terrorism involving WMD.

The Federal Emergency Management Agency (FEMA) provides the State with Terrorism Consequence Management Preparedness Assistance (TCMPA). These grant funds are utilized for consequence management preparedness projects and programs that develop and improve capabilities of the State and its political subdivisions to prepare for, respond to, and recover from acts of terrorism involving acts of WMD. TCMPA funding specifically pays for salaries, benefits, and other expenses of emergency management personnel assigned exclusively to implement these

preparedness activities. As with the Domestic Preparedness Equipment grant funds, the FEMA grant funds are somewhat restrictive in their application. Over the past several years local jurisdictional demands upon the State have increased in regard to planning, training and the management of exercises. However, there has been no increase in the levels of funding from the Federal government to support these demands. This has resulted in the State not being able to pursue its readiness strategy as vigorously as it would desire.

In summary, coordination of consequence management preparedness and response for the State of Tennessee should continue to have as its single point of contact the Tennessee Emergency Management Agency. By requiring this continuity, the Federal government can ensure accountability and proper coordination of efforts in addressing the critical issues regarding terrorism. The relationship between the Tennessee Emergency Management Agency and its Federal partners continues to be most productive.

As we all know, the sole purpose of legislation, funding, testimony such as this, and other activities related to the prevention of terrorism is to protect the citizens of the United States of America from those who would rob us of our way of life. The State of Tennessee and the Tennessee Emergency Management Agency pledge their continued support to the President and the Congress in their efforts to ensure that our nation is at its highest state of readiness. Support through Congress can ensure the necessary funding is allocated to protect our nation's first responders and enhance Tennessee's overall state of readiness.

Mr. HORN. Thank you very much.

Major General Jackie Wood, head of the Tennessee National Guard is our next presenter.

General WOOD. Thank you, Mr. Chairman. My testimony today will be in three parts. I will address how we are structured in the State, our mission in the State and our issues and concern.

The Military Department has three major divisions. They are the Air National Guard, which is dispersed in our four major metropolitan areas. Our Army National Guard which is in 77 of the 95 counties and actually touches every city and hamlet throughout our State. And the Department of TEMA, which is our emergency management, which is spread into three grand divisions of the State and has personnel in offices in the three divisions. Our strength throughout the military side is 90 percent plus.

The unique thing about my department is that we have two missions, sir. Our Federal mission is to provide the President and the Secretary of Defense with units capable of performing their wartime mission. Our State mission is to provide the Governor of Tennessee with units capable of performing missions in accordance with the Tennessee Emergency Response plan. And I submit to you, sir, Tennessee is the overall sixth largest National Guard State in the Nation.

As we sit here today, we have men and women from the Tennessee National Guard deployed throughout the world. I would like to submit to you that as of just a couple of weeks after September 11th of last year, we deployed units to different parts of the country. They are involved in the operation Noble Eagle and operation Enduring Freedom. We provided airport security here, sir, in our State at our six major metropolitan airports. It consisted of 128 personnel. We also provide guard and security support to other facilities throughout the State, and the number of people involved in that were approximately 65 people.

As I said, Tennessee Emergency Management is a department of ours. For your information, sir, last year they answered and had action on over 2,038 calls for assistance. Our homeland security issues that you are here discussing today, sir, to ask about—No. 1, we were awarded in November a civil support team to the State of Tennessee. This would be the 33rd State to have these teams. I know that the Department of Defense and the Department of the Army's hope is to have one in each State. This is a 22-member team that will be federally funded, equipped and trained to assist in the response to whether it is a natural disaster or a man-made act of terrorism.

We have, concerns regarding the States medical assets. In the 1990's, in the right-sizing of the Army, the decision was made to take out many of the medical units from the Army National Guard. We feel this is a critical subject to look at in an effort to provide the type of support for a response should we have a disaster.

Another item along this line, sir, is aircraft modernization. Should we have a disaster or a terrorism act, rapid evacuation is of most importance. It would be essential to not only move the people out of these areas, but to move the right equipment and the right personnel in.

This concludes my testimony subject to your questions.

Mr. HORN. Let me just ask you, on page 3, this is not a question in a formal sense. But I see New York, Texas, and California all have blue in it and I do not know if the Tennessee National Guard is deciding to invade those three States or——

General WOOD. Sir, along with the national border defense, we have put people on our northern border along Kentucky and, sir, we also have some dispersed along the Alabama and Mississippi borders. [Laughter.]

Mr. HORN. Well the Confederates were after our gold in California. It might still be there. But is that a relationship to the Guard here on say going to Korea should something break out in Korea?

General WOOD. These things, sir, would be a part of our Federal mission. We do have units within the State, both Army and Air, that would be for national defense, that could be deployed to any country in the world. And as I said, last year we had units deployed in approximately 36 different countries. So in planning for homeland security, which has been a Guard mission since the mid-1600's, since the Massachusetts Bay Colony, we also have to consider the men and women that may be deployed, and at some point in time the decision may have to be made, do you send them over there or do you keep some here for the emergency. Does that answer your question, sir?

Mr. HORN. Thank you.

General WOOD. Thank you, sir.

Mr. HORN. Although I am still not clear on that blue color. [Laughter.]

[The prepared statement of General Wood follows:]

MILITARY DEPARTMENT

OF TENNESSEE

Tennessee Army National Guard

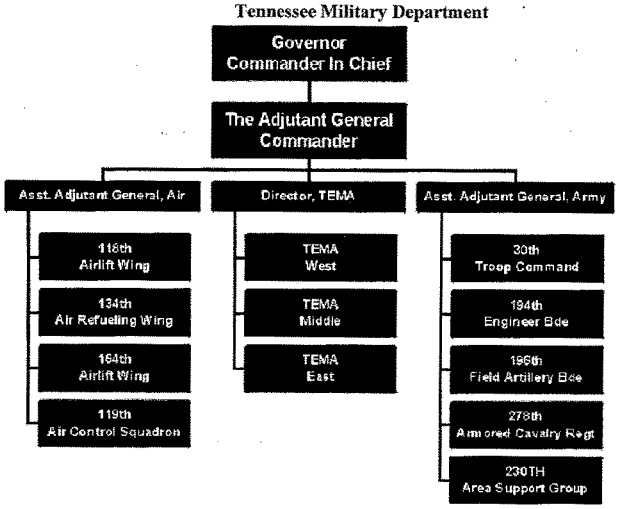
Tennessee Air National Guard

Tennessee Emergency Management Agency

2002

Organization of the

Tennessee Military Department



PERSONNEL

Full Time Federal Employees 2,424 (Army 1,476 - Air 948)

Full Time State Employees 407 (Army 193 - Air 193 - TEMA 81)

TOTAL 2,831

ARMY NATIONAL GUARD (Includes full-time & traditional members)

Authorized 12,184

Assigned 10,884

AIR NATIONAL GUARD (Includes full-time & traditional members)

Authorized 3,648

Assigned 3,518

MISSIONS

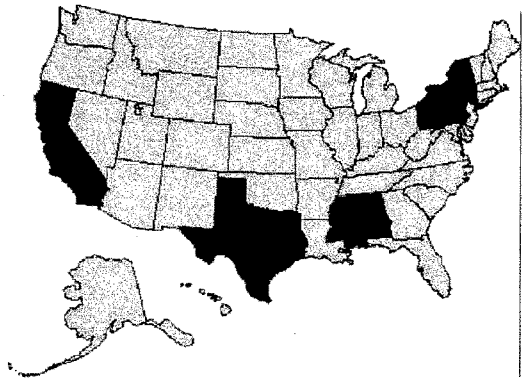
Federal

To provide the President and the Secretary of Defense with units capable of performing the mission.

State

To provide the Governor of Tennessee with units capable of performing missions in accordan Tennessee Emergency Response Plan.

Tennessee is the 7th Largest National Guard State



TENNESSEE AIR NATIONAL GUARD

118th Airlift Wing

Nashville

134th Air Refueling Wing

Knoxville

164th Airlift Wing

Memphis

241st Engineering Installation Sqdn

Chattanooga

Tenn Air Guard Men & Women
Recently Deployed Locations

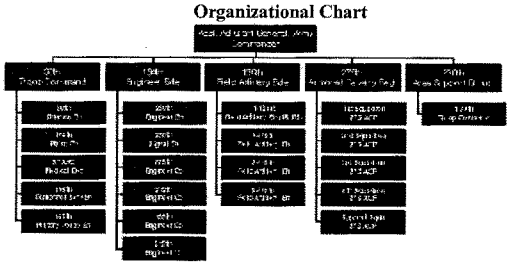
Lima Peru

Puerto Rico
Germany
United Kingdom
Azores, Portugal
Kuwait
Oman
Turkey
Saudi Arabia

Areas of Influence

TENNESSEE ARMY NATIONAL GUARD

Organizational Chart



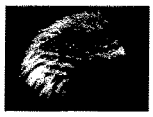
Army National Guard Locations

- 230th Area Support Group
- 30th Troop Command
- 278th Armored Cavalry Regiment
- 196th Field Artillery Brigade
- 194th Engineer Brigade

Army National Guard	National Defense Operation Desert Storm - Persian Gulf
• 10,884 Soldiers	Operation Joint Endeavor - Europe
• 146 Units	Operation Joint Forge - Bosnia
• 99 Armories	Operation Joint Guardian - Kosovo
• 90 Communities	Operation Noble Eagle - United States
• 77Counties	2002 Deployment & Training Locations
• 3,341,818 Sq. Ft.	Panama Honduras Japan Germany
• 17,853 Acres	Bosnia Egypt Kosovo Bulgaria Guatemala

TENNESSEANS

Currently involved in either
Operation Noble Eagle or Operation Enduring Freedom

Airport Security	128 Army National Guard Personnel at 6 Airports
Facility Security	65 Army National Guard Personnel
Operation Noble Eagle and/or Operation Enduring Freedom 	Tennessee Air National Guard 118th ALW 228th Combat Commo Sqdn 241st Eng Instal Sqdn Tennessee Army National Guard 268th Military Police Co.

Tennessee

Emergency Management Agency

MISSION

The Tennessee Emergency Management Agency (TEMA) is the agency of state government responsible for managing the state's response to emergencies and disasters that affect the citizens of Tennessee and/or its local governments.

All state and federal disaster response mechanisms brought to bear within the geographical boundaries of Tennessee are coordinated by TEMA.

Calendar Year 2000 Statistics

Missions 427

Incidents 1,611

TOTALS 2,038

Homeland Security Issues

Homeland Security Issues

• **Civil Supprt Team Equipment** - The Tennessee National Guard was recently awarded one of the full-time Civil Support Teams. It is imperative that this team is equipped as soon as possible. Personnel have been designated and are currently training for this critical mission. The equipment assets are vital for this team to be effective.

• **Medical Assets** - Medical personnel and assets were significantly reduced during the 1990's "right-sizing" of the Tennessee National Guard. An increase in these assets would be beneficial by allowing the Tennessee National Guard ready access to healthcare professionals in the event of a weapons of mass destruction attack.

• **Aircraft Modernization** - Rapid movement throughout the state is essential in the event of a chemical or biological attack. Modernization of both fixed wing and rotary aircraft assest within the state are vital; to the movement of both personnel and equipment.

Mr. HORN. OK, we now have the last presenter on panel one and that is Dr. Allen Craig, the State epidemiologist, director of Communicable and Environmental Disease Services, Tennessee Department of Health. I think you have done a number of things for us in Washington. So please give us your presentation.

Dr. CRAIG. Thank you, Mr. Chairman, and members of the subcommittee for the opportunity to testify today.

In my role as State epidemiologist, I oversee bioterrorism preparedness and response for the Tennessee Department of Health and support similar activities in regional and local health departments throughout the State.

The Tennessee Department of Health began planning for potential bioterrorist attack in 1998. The events of September 11th and the anthrax cases that followed made that planning effort come into focus and pointed out many areas for improvement. It also pointed out significant deficits in the public health system.

The public health infrastructure in the United States has been gradually declining for many years. As many communicable and vaccine preventable diseases decline in incidence, it has been increasingly difficult to convince policymakers of the need to maintain a strong public health infrastructure. One specific example of the deterioration of the infrastructure is the current use of an old DOS-based computer program to report communicable diseases to the CDC from State health departments. E-mail and Internet access has been introduced only recently in many health departments and rapid access for emergencies does not exist in many rural health departments. As more and more patients are enrolled in managed care organizations, laboratory testing normally performed at the State public health laboratory has moved to the private laboratory with the consequence that public health laboratory staffing is decreased. Many public health laboratories are not computerized and rely on handwritten reports. There is virtually no surge capacity for large-scale emergencies. Most medium-sized cites do not have trained epidemiologists to respond to outbreaks.

The events of last fall, particularly the anthrax cases and the multiple possible anthrax exposures highlighted these infrastructure defects. In Tennessee our public health system was stretched to its maximum capacity and we did not have a single case of anthrax or a positive environmental specimen. In our public health laboratory we tested over 1,000 environmental specimens for anthrax. Since our State laboratory was not computerized, we faced an enormous information management challenge. The microbiology staff worked 16-hour shifts 7 days a week to keep up. This experience pointed out a critical need for additional laboratorians to provide surge capacity. It also brought home the urgent need for a computerized laboratory information system.

Epidemiologists, public health nurses and health officials and virtually everyone available was pressed into service to answer questions from the public, providers and media about the anthrax cases. Many public health staff worked with law enforcement at the scene of suspicious powder incidents to assess the risk to the public. Several clinical cases required further investigation to rule out anthrax or other bioterrorist agents.

A major challenge we faced was communication. We had reasonably good e-mail and fax systems in place to communicate with key regional and large city health departments. We had no means of rapidly communicating with the 89 smaller rural county health departments across the State. Another challenge was reaching physicians with important information about the outbreak. We did not have e-mail addresses for most of the State's practicing physicians. We were able to reach some through their professional organizations and in one case, the professional society spent the time and effort to send out a packet of information by mail. It arrived 3 to 4 days later, which was an unacceptably long delay when recommendations were changes on an hourly or daily basis.

The support of the Federal Government, particularly the CDC has been tremendous. At the height of the anthrax outbreak, we spoke with CDC on an almost daily basis to obtain new information and assistance in evaluating possible cases of anthrax. The individual staff was supportive and well informed. The major problem we had with the CDC was the slowness in obtaining alerts about new cases or recommendations because of the process of clearance that required senior staff approval before posting emergency alerts by e-mail or on the CDC's Web site. We were in the awkward position of learning about the first case of inhalational anthrax and other important developments from CNN before the emergency notification system reached us.

As we look ahead, I can tell we have learned from our experience and taken stock of our system-wide shortcomings. We have restarted our bioterrorism planning in earnest. Federal funding has been a key resource in this effort. Since 1999, it has allowed us to substantially upgrade our laboratory testing capacity. We have used this new expertise and equipment to train many hospital laboratories in Tennessee on how to identify and safely handle bioterrorism specimens. This Federal funding and the anticipation of receiving substantial new funding this year for public health and hospital preparedness is an exciting development that will allow us to move forward in some key activities. Perhaps more importantly, it will allow us to begin the process of rebuilding a robust public health infrastructure that will be able to withstand any new infectious outbreak that comes our way.

As we plan for the future, what is critical to Tennessee and all State health departments is the sustainability of funding for bioterrorism. To make these new readiness activities a success as measured by fundamentally upgrading the U.S. Public Health System and the local and State level, this funding must continue beyond the current crisis. To this end, we are pleased with the President's fiscal year 2003 budget which includes a continuation of the current level of funding. If Congress approves this level of funding, it will allow Tennessee and other States to hire and train qualified epidemiologists and laboratorians to respond to the next bioterrorist attack or unexplained outbreak.

We appreciate the support of Congress as we work together at the Federal, State and local level in this preparedness effort. Thank you again for the opportunity to address this committee and for your interest in this important topic. Thank you.

[The prepared statement of Dr. Craig follows:]

Testimony of Allen S. Craig, MD
State Epidemiologist
Director of Communicable and Environmental Disease Services
Tennessee Department of Health

House Committee on Governmental Relations
Subcommittee on Efficiency, Financial Management, and Intergovernmental Relations

March 1, 2002

Mr. Chairman and members of the subcommittee, I would like to begin by thanking you for the opportunity to testify before the subcommittee today.

My name is Allen S. Craig. I am a physician and medical epidemiologist. I serve as the State Epidemiologist and Director of Communicable and Environmental Disease Services for the Tennessee Department of Health. In that role I oversee bioterrorism preparedness and response for Department of Health and support similar activities in local and regional health departments throughout the state.

The Tennessee Department of Health began planning for a potential bioterrorist attack in earnest in 1998. In that process we developed a response plan in collaboration with a number of key partners in public health, EMS, law enforcement and emergency management. The events of September 11th and the anthrax cases that followed made that planning effort come into focus and pointed out many areas for improvement. It also pointed out significant deficits in the public health system.

The public health infrastructure in the United States has been gradually declining for many years. As many communicable and vaccine preventable diseases decline in incidence, it has been increasingly difficult to convince policy makers of the need to maintain a strong public health infrastructure. Some specific examples of the deterioration of the infrastructure include the use of a 10-year-old plus DOS-based computer program to report communicable diseases to the CDC from state health departments. E-mail and Internet access has been introduced only recently in many health departments and rapid access for emergencies does not exist in most rural health departments. As more and more patients are enrolled in managed care

organizations, laboratory testing normally performed at state public health laboratories has moved to private laboratories with the consequence that public health laboratory staffing has decreased. Many public health laboratories are not computerized and rely on handwritten reports. There is virtually no surge capacity for large-scale emergencies.

Most medium-sized cities do not have trained epidemiologists to respond to outbreaks. They rely on a few trained persons in state or regional locations. Funding does not permit staff to attend training to keep up with developments in public health.

The events of last fall, particularly the anthrax cases and multiple possible anthrax exposures highlighted these infrastructure defects in a way no paper and pen exercise could do. In Tennessee our public health system was stretched to its maximum capacity and we did not have a single case of anthrax or a positive environmental specimen. In our public health laboratory we tested over 1000 environmental specimens for anthrax. Since our state laboratory is not computerized we faced an enormous information management challenge. The microbiology staff routinely worked 16-hour shifts 7 days per week to keep up. Much routine work was postponed as all staff was brought in to assist with the tremendous number of cultures. This experience pointed out a critical need for additional laboratorians to provide surge capacity. It also brought home the urgent need for a computerized laboratory information system.

Epidemiologists, public health nurses, health officers and virtually everyone available were pressed into service to answer questions from the public, providers and media about the anthrax cases. Many public health staff worked with law enforcement at the scene of suspicious incidents to assess the risk to the public. Several clinical cases required further investigation to rule out anthrax or other bioterrorist agents.

A major challenge we faced was communication. We had a reasonably good system of e-mail and fax in place to communicate with key regional and large city health department staff. We had no means of rapidly communicating with the 89 smaller rural county health departments across the state. Another challenge was reaching physicians with important information about the outbreak. We did not have e-mail addresses for most of the states practicing physicians. We were able to reach some via their professional organizations. In one case, the professional society spent the

time and effort to send out a packet of information by mail. It arrived 3-4 days later – which was an unacceptably long delay when recommendations were changing on an hourly basis.

The support of the federal government, particularly the CDC was tremendous. At the height of the anthrax outbreak we spoke to CDC on almost a daily basis to obtain new information and to obtain assistance in evaluating possible cases of anthrax. The individual staff was supportive and well informed. The major problem we had with the CDC was the slowness in obtaining news alerts about new cases or recommendations because of a process of clearance that required senior staff approval before posting emergency alerts by e-mail or on the CDCs secure web site. We were in the awkward position of learning about the first case of inhalational anthrax and other important developments from CNN before the emergency notification system reached us.

As we look ahead I can tell you we have learned from our experience and taken stock of our system-wide shortcomings. We have restarted our bioterrorism planning in earnest. We have met with key partners both inside and outside public health to review the events of last fall and plan for the next event. We have spent considerable time planning with partners throughout the state, particularly at the local and regional level, on how to receive and distribute the National Pharmaceutical Stockpile assets.

Federal funding has been a key support to us. Since 1999, it has allowed us to substantially upgrade our laboratory testing capacity. We have used this new expertise and equipment to train many hospital laboratories in Tennessee on how to identify and safely handle bioterrorism specimens. We have also hired a bioterrorism coordinator to assist in the planning and coordination efforts. This federal funding and the anticipation of receiving substantial new funding this year for public health and hospital preparedness is an exciting development that will allow us to move forward in some key preparedness activities and perhaps more importantly, it will allow us to begin the process of rebuilding a robust public health infrastructure that will be able to withstand any new infectious disease outbreak that comes our way.

As we plan for the future, what is critical to Tennessee and all state health departments is the sustainability of funding for bioterrorism. To make these new readiness activities a success as measured by fundamentally upgrading

the US public health system at the local and state level this, funding must continue beyond the current crisis. To this end we are very pleased with the President's FY 2003 budget which includes a continuation of the current level of funding. This is key if Tennessee and other states are able to attract, hire and train qualified epidemiologists and laboratorians to respond to the next bioterrorist attack or the next unexplained outbreak.

We face many challenges. We must improve our ability to communicate with health departments, law enforcement, hospitals, EMS and emergency management. We must develop new ways to reach hospitals and physicians in urgent situations. Training our public health staff in addition to hospital staff and physicians in the basics of bioterrorism is critical.

We appreciate the support of Congress as we go forward together to be better prepared for bioterrorism or any outbreak that comes our way. Thank you again for the opportunity to address the subcommittee and for your interest in this important topic.

Mr. HORN. Thank you very much and we will now move to questioning. We will start with Mr. Clement, your U.S. Representative in this area and there will be a 5-minute limit on my colleagues, including myself, so that we can get through getting everybody into the area.

So, the gentleman from Tennessee.

Mr. CLEMENT. Yes, thank you, Mr. Chairman.

Ms. Hecker, I will start with you first. You rightly point out that homeland security policy is dispersed among 40 Federal agencies. In a perfect world, how would you organize an effective homeland security plan?

Ms. HECKER. Start with an easy question, huh?

Mr. CLEMENT. Yeah.

Ms. HECKER. Well, we think a positive step certainly was the creation of the Office of Homeland Security and the task now is really to, as I said, the first thing is clarify the roles and responsibilities. As that chart shows, there is a designated lead for consequence and crisis management. But the lack of clarity below that in terms of the relationships and the lead responsibilities really need further clarification. An important place to start is actually the relationship between the Office of Homeland Security and the office the President created within FEMA called the Office of National Preparedness. The mission statements are close to identical, so it starts at the top, to get some clarity of the mission, and again, the second point that I had in terms of getting clarity of the standard. That is something that really is missing. Until we have greater agreement, first at the Federal level or perhaps not even first, but at a national level of what preparedness is, because we know with the kind of threats we are facing, there is not one quick answer that this is what it is.

Mr. CLEMENT. Well, as you know, I am one of those that think that the time is coming when homeland security should be a Cabinet level position rather than a directorship, whereby they have some real authority. I think that might apply to the State of Tennessee as well, when that time comes—do we or do we not have the authority to get the job done or are we putting someone in a title position without the authority to fulfill the mission.

What I want to ask of the FBI and Mr. Thomas, in your testimony you discuss the FBI's joint terrorism task forces that have been established in 44 cities. The goal is to increase that number to 56. These are good programs and participants are highly, rightly required to have security clearances. But numerous police chiefs have complained that their officers who work on the JTTFs cannot share the intelligence they obtain with anyone in the department, including the chief because they do not have the appropriate security clearances. Has there been any effort to correct this problem?

Mr. THOMAS. Yes, there has. There has been an effort to——

Mr. CLEMENT. Get your microphone over there.

Mr. THOMAS [continuing]. Increase the number of clearances given to the chiefs in the various departments. What we are in the process of doing here in Tennessee, all the chiefs of the major cities and major departments are getting secret level clearances that we are conducting the background investigations and they will be getting the raw intelligence that we are getting. That should take care

of that problem. The Director of TBI is in the process of getting a top secret clearance, which requires the full background. But we are in the process of getting the various chiefs the requisite clearances.

It should be noted that several of the chiefs—and it is not in Tennessee, but I have gotten this from other SACs—also complain about the application procedure for the clearances and maybe there is a way we can streamline that, but you cannot have it both ways.

Mr. CLEMENT. OK. And General Gilbert, your role in the State appears to be similar to Governor Ridge's role in the Federal Government, some people are concerned that Governor Ridge lacks the authority to accomplish the daunting task of melding numerous Federal agencies into a coherent, well-organized response team. Do you have the authority to accomplish that goal among Tennessee agencies?

General GILBERT. I am very satisfied with my current role and position with regard to authority. As I mentioned in my testimony, I get great cooperation from all the members on our council and we meet frequently. I get their feedback and we operate as a team. And also, the Governor himself is a very, very active participant on the council. So I am satisfied.

I might also add that I am in the process of receiving a top secret clearance, which I of course used to have when I was in the military, and I have had a lot of people wanting to know if I am in trouble or not, because this investigation is rather thorough. For example, I hope they do not ask Congressman Bryant over there, I may be in trouble. [Laughter.]

But I am very comfortable. It is a good question you asked, sir, but I am very comfortable with the progress we have made. My only real dilemma in terms of assuring that we are where we need to be is to get the General Assembly to move ahead on some funding for us, which I hope will be forthcoming.

Mr. CLEMENT. Thank you, Mr. Chairman.

Mr. HORN. We will now turn to the other gentleman from Tennessee, Mr. Wamp, if you have questions.

Mr. WAMP. Thank you, Mr. Chairman. I will try to ask three or four questions in the time we have. For Mr. Burris with FEMA, talking about people, and I would solicit any of your response to what can we do short of having additional resources to prepare for personnel problems when you said your first-responders changed based on a different line of attack; for instance, biological versus the traditional responses.

How can we get the people on the ground, and how can we prepare to call on more people to enter the first-responder network? The personnel problems have to be immense as we prepare for some event that might happen in the future. What are we doing and what do we need to do that we are not doing?

Mr. BURRIS. From the fire service side, let me start there, it is a fairly unique community in that the majority of the first-responders in that arena in our country are volunteer. It is one of the problems of training, having people leave their jobs, not unlike, you know, what our National Guard faces a lot of times when people have to leave their work environment to receive that type of training.

Primary to that is that each State needs to have a comprehensive plan in what the risk that their State faces, which are unique to each State, and how that interfaces with the response and the first response community. That is the reason it is critically important that we start channeling our grants to prepare local first-responders through our State emergency management agencies. Mr. White, who is the Tennessee emergency manager sitting in the front row here, it is his responsibility to see that Tennessee is adequately prepared in that arena. Now it does little to support his responsibilities when numerous grants go outside of his purview to do just what we have been trying to do here, which is bolster the first-response community in their efforts to meet his plan and the State of Tennessee's plan.

So that is one of the critical issues we have to get ahold of.

Mr. WAMP. You know, I met with the Civil Air Patrol yesterday which is kind of a volunteer force out there at our command if we need them. I had a lot of veterans call right after September 11th and said where can I sign up, what can I do. Well, you know, they are not going to be called back up, if their age requirements no longer work. How can we establish a volunteer force of Americans that can be called into action in the event of a catastrophe in a State like this? That would seem to me to be some approach that we might take together.

Mr. BURRIS. We are working on that through the CERT program that the President brought up, Certified Emergency Response Teams, which are located in the community, but then again, we have to support the State in that training initiative. The Federal Government is not going to actually come out and do that training, it will be done by the States and we need to support them in providing them the financial resources, the train-the-trainer programs and course curriculum to get that out. That is important, because you do not want—in the time of a disaster or an emergency, you have to have people responding to that have some minimal level of training that understands what an incident command system and how they interface in that. So that CERT program will certainly start that process.

Mr. WAMP. Mr. Copeland, while I have still got time, I want to get to your question. I understand not only do you serve with TEMA, but you have got a real high-level background in the military. Without saying things you should not say, what are the greatest threats in our State right now in terms of—not specifically what somebody could do to hurt us because we do not want to telegraph things—but what should we be the most concerned about? I heard the FEMA representative, Mr. Burris, kind of list in order for him, bio and then chem and then nuclear, in that order. But what do you think the greatest threat is that we need to be preparing for in our State?

Mr. COPELAND. I feel the greatest threat, Congressman, is probably the bio terrorism side of the house. The reason I say that is because once a biological agent is released, it is uncontrollable, there is no way we can get it back or go in there to really try to control that thing. That control and that capability is going to come through our State health services to make that happen and it is very time consuming to do that in most cases. So I would say that

is probably the greatest threat and could very well be the threat that is going to give us the most fatalities.

Second, I would say that the chemical threat. Our State has a lot of chemicals that run up and down our State highway system, as we have already discussed this morning, the number of interstate highways we have in our State, and there are a lot of chemical agents that are in these tankers, rail cars that run through our State. They too could generate, create substantial casualties if properly used or released. However, the response, you know, would be sort of immediate there. We would have a chance to get in there, even though there may be fatalities, our fire departments, HAZMAT teams and things could respond and get in there and actually take some sort of action to minimize the fatalities.

Mr. WAMP. The red light is on, but if I could just follow-up and ask Dr. Craig, if the provisions in the Frist-Kennedy Bill were fully implemented, would our public health infrastructure be able to deal with an incident like the one Mr. Copeland talks about?

Dr. CRAIG. I think that the current funding that we are in the process of receiving right now as part of that legislation will be a tremendous help to us to build our system. It is going to take years to rebuild it I think to get to the capacity we need, but I think we are making—we will make good progress with this additional funding.

Mr. WAMP. Thank you, Mr. Chairman.

Mr. HORN. The gentleman from Tennessee, Mr. Bryant, 5 minutes to question the witnesses.

Mr. BRYANT. Thank you, Mr. Chairman, I have three questions. I am going to go right down the line rapid fire. If you could answer yes or no and just a short, maybe 30 second, follow-up, or thereabouts.

Dr. Craig, on the heels of Mr. Wamp's question, yesterday, I was in a hearing on healthcare and a doctor testified that because of lack of insurance and coverage and all that, that we have a lot of people going to the emergency rooms to get their healthcare. That is another issue that we need to do a better job on, but he implied rather directly that because of that, our emergency room facilities might be over-crowded and not adequately prepared to accept a situation caused by some sort of catastrophic attack as we talked about. Do you see that as a problem in Tennessee?

Dr. CRAIG. Absolutely. I think that your emergency room capacity as well as hospital bed capacity, will be an issue in a large scale emergency. Dr. Jones will be testifying in a little while, he can talk to you more about that because he works in the emergency department but I think that is a definite concern.

Mr. BRYANT. Mr. Copeland, as Mr. Wamp alluded to, you have got quite a record, you were the NBC advisor to the Delta Force for about 3 years at Fort Bragg, which is the second best post and second best unit behind the 101st.

Given that, I heard your testimony to say that maintenance is being deferred, and I assume that maintenance is going to be a problem one of these days, is that right? Maintenance on the emergency response equipment is being deferred?

Mr. COPELAND. What I am saying, Congressman, is there is no funding currently that I am aware of that provides for continued

maintenance and replacement of equipment that has a shelf life. For example, some equipment has a shelf life of somewhere between 3 to 5 years, so 3 to 5 years from now, even though we buy that piece of equipment to support a first-responder, at some point that piece of equipment is no longer going to be serviceable to respond and go into a Level A environment. So there is no funding that I am aware of currently being talked about for the replacement of such items, as well as the maintenance of equipment. You know, equipment breaks, it goes down. I am not aware of any funding or at least addressing any funding that is for that type of maintenance.

Mr. BRYANT. Thank you. Mr. Thomas, as the FBI agent who heads the office of both Nashville and Memphis and the region in between, thank you for coming out at my town meeting in Memphis right after this and kind of going over some of the concerns that the people had.

I want to follow-up on a comment General Gilbert made about one of the most important things we can have is good intelligence; and the second part of that with you is that good intelligence be shared. I know the Director of the FBI indicated that there would be a better situation there in terms of sharing intelligence and I know it is not just the FBI, it is other Federal agencies, but we have to share that intelligence. Do you sense movement there?

Mr. THOMAS. I think there is movement and improvement. I just had the opportunity of serving as an on-scene commander at the Salt Lake City Games and I have been in the FBI 28 years and it was the first time in my career that I saw in our command center screens with NSA information, CIA information and FBI information on three screens with one keyboard per analyst. That was live-time and up-to-date information. And once again, as an FBI agent, I was driving a Cadillac out in Salt Lake, it was a $310 million Cadillac that we were driving, but it worked seamlessly and the cooperation level was there.

I was at a conference when Secretary of State Colin Powell spoke to us and he basically said all the crap ceased on September 11th and that is what we saw in Salt Lake. Everybody cooperated, it might have appeared to be a bowl of spaghetti to outsiders, but it was a seamless operation and it worked very effectively.

Mr. BRYANT. Well, having been a U.S. attorney who worked with all the law enforcement agencies, there was a lot of crap going on, as you say, turf battles throughout. So I am pleased to hear that and I want to again thank you for coming up and standing up in front of folks like this answering questions, and very difficult questions, in a very difficult time.

Mr. THOMAS. Thank you.

Mr. BRYANT. Thank you.

Mr. HORN. I have just one question and that is, do any of you disagree with anybody on the panel, and if so, get your things out on the record. Anything that you felt counter to?

Mr. THOMAS. Well, I think the comment from GAO about it being a bowl of spaghetti. I think the lines are confusing when you look at it from a schematic, but when you actually get into operation, things fall together and I think every person at this table, every agency represented in this room shows that we are here to help the

United States. It is amazing what can be done when you are faced with a challenge and that is exactly what happened in Salt Lake.

Mr. HORN. Well, that is well put and we will now go to—I am sorry, I did not see your hand. Go ahead.

Ms. HECKER. I just want to say that this is not our observation based on the way the chart looks. This is really work that has been done working with State and local governments and reflecting the concern that they have had about dealing with the multiplicity of agencies, the confusion that it has caused, the ambiguity, the overlap. I think one interesting example is all the different agencies all require preparedness plans or strategies, they have not been coordinated and it is one of the reasons the Justice program, which actually had some funds available, only four States on September 11th had even bothered to do the plan because it was so complex and burdensome.

It is true at an operational level that people do their very best and there is no doubt about that, to try to overcome the problem. But in fact, there are severe problems, there are dozens of training programs that are for the same folks and you are never sure, if you are a State emergency management director, is that good enough or do I have to send someone to the DOE and the NRC and the Justice—what is complete. So, there are very severe concerns which were validated in all of the major—the Gilmore Commission and all of these other studies. There are problems, they do have to be resolved. People on the frontlines are doing the best they can, but there are some problems that really need some streamlining and clarification.

Mr. HORN. Well put and I am glad you made that point. If there are no more questions, we will go to panel two. Panel one, if it is possible to stay here, maybe we will have questions in panel two that we might like your knowledgable input. There are a few chairs around. We will get panel two in.

Dr. Schaffner, Mr. Thacker, Mr. Turner, Mr. Halford, Dr. Jones, Mr. Carter and Mr. Kulesz.

I thank panel two for making your presentations, and if you have heard me on this, we are an investigatory committee and so, if you would, please stand and raise your right hands and we will take the oath.

[Witnesses sworn.]

Mr. HORN. Thank you very much. First, we will note that there are seven witnesses and they all affirmed the oath. So we will start with Dr. William Schaffner, chairman, Department of Preventative Medicine, professor of infectious diseases at Vanderbilt University School of Medicine. Welcome.

STATEMENTS OF WILLIAM SCHAFFNER, M.D., CHAIRMAN, DEPARTMENT OF PREVENTIVE MEDICINE, PROFESSOR OF INFECTIOUS DISEASES, VANDERBILT UNIVERSITY SCHOOL OF MEDICINE; JAMES E. THACKER, DIRECTOR, MAYOR'S OFFICE OF EMERGENCY MANAGEMENT, NASHVILLE, TN; KENNETH H. TURNER, CHIEF, NASHVILLE POLICE DEPARTMENT; STEPHEN D. HALFORD, DIRECTOR AND CHIEF, NASHVILLE FIRE DEPARTMENT; IAN DAVID JONES, M.D., VANDERBILT UNIVERSITY MEDICAL CENTER; JAMES E. CARVER, DIRECTOR, TENNESSEE VALLEY AUTHORITY POLICE; AND JIM KULESZ, PROGRAM MANAGER, SYSTEMS ENGINEERING AND TECHNOLOGY, OAK RIDGE NATIONAL LABORATORY

Dr. SCHAFFNER. Good morning.

Mr. HORN. Welcome to your own school. [Laughter.]

Dr. SCHAFFNER. That is always nice.

Members of the committee, good morning, colleagues and guests. I appreciate the opportunity to be with you today. I am Bill Schaffner, I am an infectious diseases physician and I chair the Department of Preventive Medicine at the Vanderbilt University School of Medicine.

My focus is the prevention of communicable diseases, and in that capacity, I work very closely with colleagues at the Tennessee Department of Health, Dr. Craig and I work very closely together, and with colleagues at the Centers for Disease Control and Prevention.

I have been requested to provide a few observations regarding the preparation for potential bioterrorism events and my comments will reflect both our local experience as well as observations from my contacts and colleagues around the country.

So from the point of view of the local response, what is still needed? I would suggest three things: Coordination, communication and capacity.

Since September 11th, hospitals in Nashville have worked diligently to create bioterrorism response plans to fit various possible scenarios and drills have been conducted to test their function. Dr. Jones will comment on some of this.

However, I liken the current situation to an orchestra where the strings, horns and tympani are all practicing on their own, separate from each other. The effort continues to be earnest but we still do not have communicable disease response in Music City. At the moment, there is little coordination, there is no conductor that will knit these separate elements together to create a harmonious response to potential communicable disease threats and it will take a substantial effort by a respected and knowledgeable person to coordinate public health, hospitals, physicians, nurses, emergency management, etc., in a response to various bioterrorism scenarios.

Be mindful, biological threats are quite different than chemical or explosive events, with which our current disaster management teams have more experience. The paradox is, as we heard already from panel one, it is the bioterrorism events that rank first. Thus, the responses to these events are distinctive and we need more work in that regard. The chemical response model cannot be applied directly to communicable disease scenarios—anthrax has shown us that.

Now an essential element of coordination is communication among hospitals, physicians, nurses, public health workers, etc. Dr. Meir Oren, a senior official in the Israeli Ministry of Health, visited Nashville recently and we had the pleasure of meeting with him. He has major responsibilities for the design and implementation of Israel's medical response to terrorist acts. Dr. Oren reinforced the critical need for a multi-faceted communications network that ties together a community-wide response. Our community certainly has communications capacity. However, it is institution specific, partial and something substantially more sophisticated is needed that could tie all the elements of the response mechanism together. Dr. Craig commented about how difficult it is sometimes to reach elements of the total response plan. He mentioned physicians in particular and I would certainly reinforce that.

Once alerted, there must be a trained response capacity. Given the structure and financing of healthcare in the United States today, there is only minimal surge capacity in the healthcare system. Regular winter outbreaks of influenza quickly fill up beds and back up patients in emergency rooms. We have had a very mild influenza season this year. Even so, Vanderbilt Hospital was full to the brim several times last month. There was not even a major stress. It will take substantial coordinated planning to create the capacity to deal with a sudden surge of patients seriously ill with an infectious disease.

Again, a lesson from anthrax. The mortality from inhalation anthrax was much less than predicted from the older published literature, and that is because hospitals were able to provide sophisticated, modern intensive care—lives were saved. The medical capacity we would need in a bioterrorist event would not be satisfied simply by housing patients somewhere else with minimal care. Neither the medical community nor the public would find that sufficient today.

Now, perhaps a more subtle aspect of capacity. One often thinks about large, obvious bioterrorism events that suddenly produce a large number of patients with severe, unexplained illness. That is kind of the chemical exposure model—it all happens at once, bingo, you know you have got a problem. That could happen. However, with bioterrorism events more likely is what occurred with anthrax. The occurrence of disease will be subtle, mimicking other illnesses, spread out geographically, occurring relatively slowly over time—a few cases here and there—and then perhaps gathering momentum. Training and coordinating physicians, both in the hospital and in the community, to recognize unusual infections and to respond appropriately is a task that has begun, but more needs to be done.

Conversations with colleagues around the country indicate that these are common themes around the country.

Now a word about the public health infrastructure already mentioned by Dr. Craig. You have heard and will hear more about the need to rebuild such a public health infrastructure and I endorse that strongly. The Federal response to bioterrorism will help restore some of that capacity which, while it readies itself to respond to terrorism, will provide enhanced public health capacity day-to-day. Indeed, by responding to the usual and to newly emerging

communicable diseases, the public health system builds expertise to respond to unusual bioterrorist agents.

In conclusion, let me just say I provide one last point—something I will call a sobering reality check. In order to attract top people into these positions as we try to rebuild public health, one must provide reasonable and competitive salaries as well as genuinely professional environments. I must say, sadly, it is often the case that both are lacking. Salaries in many health departments are low and the working environment is often characterized as bureaucratic rather than professional. Of course, there are many good people in public health today, they are often infused with an extraordinary personal sense of dedication and mission, but we cannot rely on such dedicated idealism alone to support our country's response to bioterrorism. Again, these are circumstances that are common across the country.

Members of the committee, thank you for coming, for listening, for responding. Across the country, we have done much; much more needs to be done and with your help, we will get it done. Thank you very much.

[The prepared statement of Dr. Schaffner follows:]

The House Subcommittee on Governmental Efficiency

Financial Management and Intergovernmental Relations

Field Hearing at Vanderbilt University

Nashville, Tennessee

March 1, 2001

Testimony of

William Schaffner, M.D.
Chairman, Department of Preventive Medicine
Vanderbilt University School of Medicine

Members of the Subcommittee:

I appreciate the opportunity to be with you today. I am Dr. William Schaffner. I am an infectious diseases physician, and Chair the Department of Preventive Medicine at the Vanderbilt University School of Medicine. My focus is the prevention of communicable diseases; in that capacity I work closely with colleagues at the Tennessee Department of Health and the Centers for Disease Control and Prevention. I have been requested to provide a few observations regarding the preparations for potential bioterrorism events. My comments will reflect our local experience as well as observations from my contacts around the country.

The local response – what is still needed?

I would suggest: coordination, communication and capacity.

Since 9/11 hospitals in Nashville have worked diligently to create bioterrorism response plans to fit various possible scenarios and drills have been conducted to test their function. However, I liken the current situation to an orchestra where the strings, horns, and tympani all are practicing on their own, separate from each other. The effort continues to be earnest, but we still do not have communicable disease response music in Music City. At the moment, there is little coordination – no "conductor" that will knit these separate elements together to create a harmonious response to potential communicable disease threats. It will take a substantial effort by a respected and knowledgeable person to coordinate public health, hospitals, physicians, nurses and emergency management in a response to various bioterroism scenarios. Be mindful that biological threats are quite different than chemical or explosive events, thus the

appropriate responses are distinctive. The chemical response model cannot be applied directly to communicable disease scenarios – as anthrax has shown us.

A central essential element of coordination is communication – among hospitals, physicians, nurses, public health workers, etc. Dr. Meir Oren, a senior official in the Israeli Ministry of Health, visited Nashville recently and we had the pleasure of meeting with him. He has major responsibilities for the design and implementation of Israel's medical response to terrorist acts. Dr. Oren reinforced the critical need for a multi-faceted communications network that ties together a community-wide response network. Our community has communications capacity, of course; however, it is institution-specific and partial. Something substantially more sophisticated is needed that could tie all the elements of the response mechanism together.

Once alerted, there must be a trained response capacity. Given the structure and financing of health care in the United States today, there is only minimal surge capacity in the health care system. Regular winter outbreaks of influenza quickly fill up beds and back up with patients in emergency rooms. We have had a quite mild "flu" season this year; even so Vanderbilt Hospital was full to the brim several times last month. It will take substantial coordinated planning to create the capacity to deal with a sudden surge of patients seriously ill with an infectious disease. Again, a lesson from anthrax. The mortality from inhalation anthrax was less than predicted from the older medical literature because hospitals were able to provide sophisticated, modern intensive care. Lives were saved. The medical capacity we would need in a bioterrorist event would not be satisfied simply by housing patients somewhere with minimal care. Neither the medical community or the public would find that sufficient.

Now, a more subtle aspect of capacity. One often thinks about large, obvious bioterrorism events that suddenly produce a large number of patients with severe, unexplained illness. That could happen, however, more likely is what occurred with Anthrax. The occurrence of disease will be subtle, spread out geographically, occurring over time, a few cases here and there and then perhaps gathering momentum. Training and coordinating physicians both in the hospital and in the community to recognize unusual infections and to respond appropriately is a task that has begun but there still is much to do.

Conversations with colleagues around the country indicate that these are common themes everywhere.

The Public Health Infrastructure. You have heard and will hear more about the need to rebuild a professional public health infrastructure that has eroded over the years. I endorse that strongly. The Federal response to bioterrorism will help restore some of that capacity which, while it readies itself to respond to terrorism, will provide enhanced public health capacity day-to-day. Indeed, by responding to the usual and the newly emerging communicable diseases, the public health system builds expertise to respond to unusual bioterrorist agents.

I provide a sobering reality check: in order to attract top people into these positions one must provide reasonable and competitive salaries as well as a genuinely professional environment. Sadly, it is often the case that both are lacking. Salaries in many health departments are low and the working environment is bureaucratic and not professional. Of course, there are good people in public health today – they often are infused with an extraordinary personal sense of dedication and mission. But we cannot rely on such dedicated idealism alone to support our country's response to bioterrorism. Again, these are circumstances that are very common across the country.

Ladies and Gentleman of the Subcommittee, thank you for coming, for listening, for responding. Across the country we have done much, much more needs to be done, and with your help we'll get it done.

Thank you.

Mr. HORN. Well thank you very much, Dr. Schaffner.

Our next presenter is James E. Thacker, director, mayor's Office of Emergency Management, Nashville, TN. Mr. Thacker.

Mr. THACKER. Mr. Chairman, members of the subcommittee, thank you for inviting me to speak with you today.

I was asked to speak about how the Federal Government is assisting State and local governments in preparation for a potential terrorist attack involving biological, chemical or nuclear agents.

Since 1998, Nashville has participated with several Federal and State agencies to strengthen its local capabilities under provisions of the Nunn-Lugar-Domenici Act. While the Domestic Preparedness Initiative got off to somewhat of a rocky start from a coordination standpoint, I have seen a conscious and sustained effort by our Federal counterparts to smooth out the process. I hope to see improvements in distinguishing responsibilities at all levels of government, allowing us all to work together in a more effective environment.

Work needs to be done to improve the flow of information throughout the three levels of government. For instance, I hear Director Ridge is working on solving a part of this problem by instituting a state-of-the-art emergency notification system. I would encourage support of such programs to ensure we do not merely learn important information from the news media, but rather from official sources.

Coordination, cooperation and communication are the most important elements of any emergency response and recovery process. In Nashville, we have a strong working relationship with our local, State and Federal agency counterparts. The central theme of planning, training and exercising is to do it together, because we have found that a basic familiarization with each other is vital to an effective response and recovery from incidents.

In the area of funding, I encourage direct Federal grants. And a good place to start would be major cities with populations of more than 500,000. There should be separate funds for States, smaller U.S. cities and other areas deemed appropriate. Having worked for both State and local emergency management, I know the needs and vulnerabilities of the major cities are more vital to homeland security. The needs of State agencies are also vastly different from the smaller cities, particularly in the area of day-to-day public safety.

I believe cities function most effectively with others of similar size and common makeup. For example, Nashville has gleaned helpful information by working with other major cities under the Metropolitan Medical Response System, a program that is managed by the U.S. Public Health Office of Emergency Preparedness. We meet biannually with our program contact from the U.S. Public Health and exchange this information.

Statewide networking has limited value to us as Memphis is the only Tennessee city with a comparable size and scope of Nashville. With the many pass-through grants that give the State a single pot of money to disseminate at its own discretion, government has effectively created competition for grants that are not necessarily needs based. If we do not have pre-qualifying criteria attached to local grant funding, then I testify the system is less effective and basically destined to flounder.

Once moneys are awarded, there needs to be more flexible spending requirements. Domestic preparedness funding under the Nunn-Lugar-Domenici Act restricts local spending to pre-specified equipment—personal protective equipment, detection, decontamination, communication and pharmaceuticals.

In Nashville, additional funds are needed for computers, software, wireless communications and other incident management tools that are not presently eligible for grant funding.

Increased funding for local search and rescue teams is needed. While USAR teams were created before homeland security was a priority, ironically the three major terrorist attacks in the United States required a significant USAR response. Since minutes mean lives, all major cities need to have a local capability to perform USAR rather than having to wait many hours for outside assistance to arrive.

Additional Federal logistics support is needed for the reception and distribution of CDC push-packs. Due to shipping and cost effectiveness, the pharmaceuticals and other supplies come in bulk packages that have to be repackaged after local arrival before they can be used. Technical advisers arrive with 50 tons of medical supplies are to supervise a recommended 300 local workers in the unpacking, repackaging and distribution. It makes more sense for the Federal Government to send a dedicated, trained work force with the push-packs to manage these tasks. With proper training and familiarity with supplies and equipment, they can do the job much faster and more efficiently. This also avoids placing an additional burden on the local government resources already stressed by a major emergency.

In conclusion, I appreciate the work this committee is doing and the attention that emergency responders are receiving. I know as we continue to work together, we will make our cities, States and Nation a safer place.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Thacker follows:]

Testimony to:
Congress of the United States
House of Representatives
Committee on Government Reform
Subcommittee on Government Efficiency, Financial Management and Intergovernmental Relations

By:
Jim Thacker, Director
Mayor's Office of Emergency Management
Nashville, TN

March 1, 2002

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I was asked to speak of how the Federal government is assisting State and local governments in preparations for a potential terrorist attack involving biological, chemical or nuclear agents.

Since 1998 Nashville has participated with several Federal and State agencies to strengthen its local capabilities under provisions of the Nunn-Lugar-Domenici Act. While the Domestic Preparedness initiative got off to a somewhat 'rocky' start from a coordination standpoint, I have seen a conscience and sustained effort by our federal counterparts to smooth out the process. I hope to see improvements in distinguishing responsibilities at all levels of government, allowing us all to work together in a more effective environment. Coordination, cooperation, and communication are the most important elements of any emergency response and recovery process. In Nashville, we have a strong working relationship with our local, State and Federal agency counterparts. The central theme of planning, training and exercising is to do it together, because we've found that a basic familiarization with each other is vital to an effective response and recovery from incidents.

Work needs to be done to improve the flow information throughout the three levels of government. For instance, I hear Director Ridge is working on solving a part of this problem by instituting a state-of-the-art emergency notification system. I would encourage support of such programs to ensure we don't merely learn important information from the news media, but rather from official sources.

In the area of funding, I encourage direct federal grants and a good place to start would be major cities with populations of more than 500,000. There should be separate funds for States, smaller US cities and other areas deemed appropriate. Having worked for both State and local emergency management, I know the needs and vulnerabilities of the major cities are more vital to homeland security. The needs of State agencies are also vastly different from the smaller cities, particularly in the area of day-to-day public safety. I believe cities function most effectively with others of similar size and common make-up. For example, Nashville has gleaned helpful information by working with other major cities under the Metropolitan Medical Response System, a program managed by the U.S. Public Health's Office of Emergency Preparedness. We meet bi-annually with our program contact from USPH and exchange this information. Statewide networking has limited value to us, as Memphis is the only Tennessee city with the comparable size and scope of Nashville. With the many federal pass-thru grants that give the State a single "pot" of money in which to disseminate at its own discretion, government has effectively created competition for grants that aren't necessarily needs-based.

If we don't have pre-qualifying criteria attached to local grant funding then I testify the system is less effective and basically destined to flounder.

Once monies are awarded, there needs to be more flexible spending requirements. Domestic preparedness funding under the Nunn-Lugar-Domenici Act restricts local spending to pre-specified equipment (PPE, detection, decontamination, communications, and pharmaceuticals). In Nashville, additional funds are needed for computers, software, wireless communications and other incident management tools that are not presently eligible for grant funding.

Increased funding for local Urban Search and Rescue (USAR) teams is needed. While USAR teams were created before homeland security was a priority, ironically the three major terrorist attacks in the United States required a significant USAR response. Since minutes mean lives, all major cities need to have a local capability to perform USAR rather than having to wait many hours for outside assistance to arrive.

Additional federal logistics support is needed for the reception and distribution of the CDC's "Push-Packs". Due to shipping and cost effectiveness, the pharmaceuticals and other supplies come in bulk packages that have to be re-packaged after local arrival before they can be used. Technical advisors arrive with 50 tons of medical supplies and are to supervise a recommended 300 local workers in the unpacking, repackaging, and distribution. It makes more sense for the federal government to send a dedicated and trained workforce with the push-pack to manage these tasks. With proper training and familiarity with the supplies and equipment, they can do the job much faster and more efficiently. This also avoids placing an additional burden on the local government resources already stressed by a major emergency.

In conclusion, I appreciate the work this committee is doing and the attention that emergency responders are receiving. I know as we continue to work together, we will make our cities, states and nation a safer place.

Mr. HORN. Thank you. And our next presenter is Emmett H. Turner, the chief of the Nashville Police Department.

Mr. TURNER. Thank you, Mr. Chairman and members of the subcommittee. I appreciate the opportunity to speak with you today.

I am very pleased to report that from a law enforcement perspective, Nashville is well ahead of the curve in its terrorism preparedness. Last September, I appointed one of my assistant chiefs to chair a 10-member committee to ensure that the police department maintained a high-level of preparedness to respond to any terrorist act. The committee meets at least monthly and continues to assess the policies, procedures, training and equipment needs throughout the department.

We have done a lot since last September. We have surveyed, evaluated and inventoried our chemical and riot equipment. We have requested the purchase of additional chemical and riot gear through the Office of Emergency Management. We have established a primary and secondary catastrophic event staging area for police personnel.

At the request of the Metro Water Department, we have conducted unannounced security checks at Water Department facilities. The weaknesses we detected were immediately reported to the Department Director.

We have been conducting joint tabletop exercises on biological and chemical situations with members of the Metro Fire Department. The events of September 11th clearly illustrate the importance of police and fire departments working closely together to successfully manage a biological or chemical incident.

We have designated 25 police officers to participate in an Urban Search and Rescue team. These 25 officers completed their initial training last month.

We have designated a lieutenant in our Intelligence Division to be the police department's representative on the FBI Middle Tennessee Counter-Terrorism Task Force. Over the years, the Metro Police Department and the FBI have formed a strong working relationship. The two agencies have made information sharing a priority, and I am very pleased with the two-way information flow between our department and the Nashville FBI office. I have heard that some of my colleagues in other cities have been critical of the lack of information they are receiving from their Federal offices. I am very pleased to say that is not the case in Nashville.

Two months ago, our police officers arrested a man who had pointed an assault rifle in the direction of a Nashville synagogue. Given all of the circumstances involved in the case, we asked the Counter-Terrorism Task Force to join in the investigation. Working together with the FBI and ATF, we wound-up seizing a large number of pipe bombs, hand grenades, firearms, explosive components and bombmaking material. The suspect in this case is being prosecuted federally. The case illustrates the strong relationship between our department and the Federal law enforcement which, in the long-run, benefits the safety of Nashville citizens.

Those of us at the local level very much appreciate the Federal Government's financial assistance in obtaining equipment and training to prepare our first-responders for any terrorist attack involving biological or chemical weapons. I do, however, have one

suggestion to improve the Homeland Security Assistance Program. While grants available from the Federal Government have been very important in helping communities purchase personal protective suits and related equipment, we would like to see the grant criteria broadened to allow the purchase of technology such as satellite phones and computer software. Communication equipment and computer technology are vital tools necessary to adequately respond to terrorism incidents and should be part of a well-developed contingency plan.

Again, thank you for the opportunity to appear before you this morning and we appreciate all that you do for the citizens of Nashville, TN and for this Nation. Thank you.

[The prepared statement of Mr. Turner follows:]

Testimony of
Chief Emmett H. Turner
Nashville Police Department
Before the
Subcommittee on Government Efficiency,
Financial Management and Intergovernmental Relations
March 1, 2002

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We have designated 25 police officers to participate in an Urban Search and Rescue Team. Those 25 officers completed their initial training last month.

We have designated a Lieutenant in our Intelligence Division to be the police department's representative on the FBI's Middle Tennessee Counter-Terrorism Task Force. Over the years, the Metro Police Department and the FBI have formed a strong working relationship. The two agencies have made information-sharing a priority, and I am very pleased with the two-way information flow between our department and the Nashville FBI office. I have heard that some of my colleagues in other cities have been critical of the lack of information they are receiving from their local federal offices. I am very pleased to say that is not the case in Nashville.

Two months ago, our police officers arrested a man who had pointed an assault rifle in the direction of a Nashville synagogue. Given all of the circumstances involved in the case, we asked that the Counter-Terrorism Task Force join the investigation. Working together with the FBI and ATF, we wound up seizing a large number of pipe bombs, hand grenades, firearms, explosive components and bomb-making material. The suspect is being prosecuted federally. This case illustrates the strong relationship between our department and federal law enforcement, which in the long run, benefits the safety of Nashville's citizens.

Those of us at the local level very much appreciate the federal government's financial assistance in obtaining the equipment and training to prepare our first responders for any terrorist attack involving biological or chemical weapons. I do, however, have one suggestion to improve the Homeland Security Assistance Program. While grants available from the federal government have been very important in helping communities purchase personal protective suits and related equipment, we would like to see the grant criteria broadened to allow the purchase of technology, such as satellite telephones, and computer software. Communication equipment and computer technology are vital tools necessary to adequately respond to terrorism incidents and should be part of well-developed contingency plans.

Again, thank you very much for the opportunity to appear before you this morning… and thank you for all you do for the citizens of Nashville, Tennessee and our great nation.

Mr. HORN. Thank you. We have now Stephen D. Halford, the director and chief of the Nashville Fire Department.

Mr. HALFORD. Good afternoon. Chairman Horn and honorable committee members, you have my written statement and I will try not to read it to you.

Let me first start out by saying that from a fire service perspective, effective Federal funding of front-line fire services should do two key things. They should better train us and better equip us. Those are the two main functions that the Federal dollars should go for.

Let us talk about better training of firefighters for just a moment. We are talking a lot in this Committee and our panelists about the $3.5 billion that will be earmarked in the Fiscal Year 2003 budget and how those funds will be spent, and that is very important. But the training of firefighters across the United States for weapons of mass destruction and nuclear, biological and chemical events has been occurring for the last decade. So it is very important that although these agencies of the Federal Government that are helping us, they may not be getting any of these particular funds, they do have budgets and we need to focus on their budgets. There is a bedrock of training that is going on right now from these Federal agencies that will remain the bedrock and I ask you to look at these agencies' budgets and make sure that their budgets are properly funded. And the particular agencies that produce the best results for fire service training for WMD and NBC type incidents in the United States are the U.S. Fire Administration's National Fire Academy, U.S. Federal Emergency Management Agencies, Emergency Management Institute and the U.S. Department of Justice's Office of Justice programs, Office for State and Local Domestic Preparedness Support. Those three agencies of the Federal Government or actually sub-agencies, are producing very good quality programs in those areas right now and we need to make sure that their budgets are well supported, so we urge you to look at their budgets and see if you think they are, talk to their folks.

The second objective of the Federal dollars in helping the fire service should be to better equip our firefighters and I think there are two components of that. One is that there be adequate Federal dollars, which I think there really is going to be with the $3.5 billion appropriation for all of our first-responders, but we need not to assume that because there is more money, that money is effective, which indeed has been commented on by several of you this morning. You have got to ensure that the dollars in order to achieve the specific goal of equipping our firefighters actually and directly reach us.

It is also important to ensure that after the appropriation by Congress, Federal dollars earmarked for equipping us—and when I say us, I am talking about the fire service, our aspect of it—reach us promptly.

We are concerned in the fire service about the channeling of the prospective funds to our fire departments. Now I am talking strictly about any specific appropriations for fiscal year 2003, the $3.5 billion. Those fiscal year 2003 appropriations that are specifically intended to better equip the fire service, and that is only part of that $3.5 billion—that is what we are most concerned about.

We would like for those funds to reach us under the Federal Assistance to Firefighters Grant Program. The Assistance to Firefighters Grant Program, initially known as the Firefighters Investment, Response and Enhancement Act, is only 2 years old and it was a way to get Federal dollars directly to the departments. The Assistance to Firefighters Grant Program is the method we would like to continue to use to get those dollars to us. However, that program has essentially been gutted for fiscal year 2003 because it has been included in the large Homeland Security. We want to make sure those dollars come directly to us by way of our local governments which must approve the funds because they are grant matchers for it. We do not need to reinvent the wheel and have you distribute funds that are coming to the fire service. The concern is that the funds are given directly to the States. Technically there are no State fire departments. We will have to come up with work programs and submit programs for approval. We would like those funds to come directly to us.

So in summary, the Federal effectiveness in supporting the Nation's fire department first-responders can best be achieved by supporting those Federal agencies that train us and those Federal spending authorizations that directly and expeditiously equip us.

Thank you.

[The prepared statement of Mr. Halford follows:]

TESTIMONY OF FIRE CHIEF STEPHEN D. HALFORD OF THE NASHVILLE FIRE DEPARTMENT, NASHVILLE TENNESSEE

to the

CONGRESS OF THE UNITED STATES OF AMERICA
HOUSE OF REPRESENTATIVES
COMMITTEE ON GOVERNMENT REFORM'S
SUBCOMMITTEE ON GOVERNMENT EFFICIENCY, FINANCIAL MANAGEMENT AND INTERGOVERNMENTAL RELATIONS

Testimony Date: March 1, 2002
Testimony Location: Nashville Tennessee

Dear Chairman Horn and Honorable Committee Members:

Thank you for the opportunity to speak with you today regarding how the Federal Government is assisting state and local governments in preparing for a potential attack involving biological, chemical or nuclear agents. I also wish to commend each of you on behalf of the nation's fire service in general and the Nashville Fire Department in particular for conducting these hearings. This clearly indicates the desire of our elected officials to listen to the concerns of those public safety personnel who are on the front lines of our nation's streets and who stand prepared to respond to acts of terrorism upon our communities.

During the course of the next few minutes I would like to specifically comment from a fire service prospective, on the most valued programs sponsored by the Federal Government as it relates to our front line effectiveness. I will encourage you to support front line fire services by remembering and protecting these programs in future deliberations.

Effective federal funding of front line fire services should produce two key results. They are **better trained and better equipped fire fighters**.

Better Trained Fire Fighters

Regarding federal programs specifically targeted toward achieving a better trained fire fighter, I ask for your focus on the specific areas of federal agency budgets that deliver education and training which is making a positive difference in local fire department effectiveness. Those agencies are:

the U.S. Fire Administration's **National Fire Academy**,

the U.S. Federal Emergency Management Agency's **Emergency Management Institute** and

the U.S. Department of Justice's, **Office of Justice Programs, Office for State and Local Domestic Preparedness Support**.

I urge that you seek out the detail of budget requests from these agencies or appropriate sub-agencies and support their FY 03 and future funding requests.

Better Equipped Fire Fighters

The effectiveness of federal funding to better equip fire fighters may appear only proportionate to the amount of dollars appropriated. The assumption of federal elected officials may simply be that the more dollars appropriated, the better equipped our fire fighters will be. This assumption is not alone correct. There is an additional critical factor that I urge each of you to remember. You must insure that the dollars you appropriate in order to achieve the specific goal of better equipping our fire fighters actually and directly reaches them. It is also important to insure that after appropriation by Congress, federal dollars earmarked for better equipping our fire fighters reach the fire departments as promptly as possible.

In light of the 9-11 terrorist attacks on America, President Bush and Congress are giving unprecedented support to fire, police and other first response emergency officials. The President is committing $3.5 billion in FY 03 to support public safety first responders. This commitment from our President and supported by Congress is of course one of the two critical factors previously stated to better equip our nation's fire fighters. The fire service is delighted with our President and Congress regarding this fiscal commitment. We are concerned, however, about the channeling of these prospective funds to our fire departments. Those FY 03 appropriations specifically intended to better equip us must reach us promptly and directly under the federal **Assistance to Fire Fighters grant program**. The Assistance to Fire Fighters grant program, initially known as the Firefighter Investment and Response Enhancement Act, is only two years old and is **universally supported by career fire service labor and management, the International Association of Fire Fighters and the International Association of Fire Chiefs. It is also supported by our nation's volunteer fire services as represented by the National Volunteer Fire Council.**

The federal **Assistance to Fire Fighters grant program**, since its inception two years ago has distributed federal funding efficiently, promptly and directly to local fire departments and remains the best way to distribute funds to the fire service. The program distributed $100 million in FY 01 and is preparing to distribute $360 million for FY 02. The Assistance to Fire Fighters program was also poised to distribute $900 million programmed for FY 03. **The concern of the American fire service is that the Assistance to Fire Fighters grant program will be absorbed into the larger homeland defense spending measure for FY 03**. While the $3.5 billion commitment for all first responders, including the fire service, is an appreciated and very well funded

commitment, **direct assistance to and prompt channeling of those appropriations to fire departments is jeopardized.**

That portion of the FY 03 $3.5 billion funding earmarked for the fire service may have to pass to State agencies first if the Assistance to Fire Fighters program remains gutted for FY 03. For all practical purposes, there are no state fire departments. Fire departments in the United States exist as an agency of local government or an independent organization within a community. Currently, if the fire department is an agency of local government as it is in Nashville, the pass on of federal dollars under the Assistance to Fire Fighters program comes directly to the fire department only after the approval of local government. This is what works best for us. In summary, we applaud the fiscal commitment of the President and Congress for FY 03, but **there is no need to "reinvent the wheel" regarding the processes involved in distributing that part of the $3.5 billion which will be dedicated specifically to fire departments. I urge you to support distribution of any federal dollars intended to go to local fire departments by placing such appropriations under the authority of the Assistance to Fire Fighters Act.**

In summary, federal effectiveness in supporting the nation's fire department first responders can best be achieved by supporting those federal agencies that train us and those federal spending authorizations that directly and expeditiously equip us.

Thank you for your time and consideration.

Mr. HORN. Thank you. I particularly appreciate that formula situation.

We now have Dr. Ian David Jones, Vanderbilt University Medical Center.

Dr. JONES. Mr. Chairman, members of the subcommittee.

I would like to give you a flavor of how these issues are being addressed at our hospital and on a local level. And to do that, I will divide my testimony into three parts. I want to talk about a situation we faced 6 months ago, the present situation and a description of the Vanderbilt bioterrorism subplan. And I would also like to identify some problems that I have identified within our current system.

Our lack of preparedness to deal with a bioterrorist attack was made very clear on the morning of October 4, 2001 when an individual who was initially described to us as a terrorist slit the throat of a Greyhound bus driver near Manchester, TN. The bus ran off the road, flipped, there were a number of patients who were killed, a number of patients were brought back to Vanderbilt via Lifeflight. While the helicopter was en route to Vanderbilt with these injured patients, we received further information from what at the time we thought was a credible source that these patients had been contaminated with a biological agent. Nothing that we had experienced up to that point had prepared us to deal with the threat and many of the staff frankly in the ER were very frightened.

On the very same day, the first case of inhalational anthrax was described by the CDC in Florida. As further cases of anthrax were reported in other cities, it became clear that the institution was not prepared to handle the large number of patients who might present in the event of a bioterrorist attack.

As a result, at Vanderbilt, a committee was formed to draft a subplan to our Hospital Disaster Plan, which dealt exclusively with bioterrorism. The goals of this plan were twofold. We wanted to expedite the rapid evaluation and treatment of a large number of individuals who may have been exposed to biological agents and our goal was arbitrarily 1500 patients per day. And the other part of our goal was to educate patients, families and staff about biological agents, their risks of exposure and the potential signs and symptoms connected to that exposure.

As a part of the plan, Vanderbilt created a hospital pharmaceutical stockpile at considerable expense to the hospital, that was coordinated and dispensed by our hospital pharmacist. We assembled first-line antibiotics enough to treat 5,000 people for 3 days in the event of an exposure. We assembled stock preparations which were available on an immediate pre-mixing dosage appropriate for children and we increased our hospital supply of antidotes, IV antibiotics and IV fluids.

In addition, Vanderbilt has constructed a mass decontamination facility which is immediately adjacent to our emergency room. This was actually the first mass decontamination facility in the region and it was constructed about a year before the events of September 11th. Subsequently, our Veterans Administration Hospital has actually used our plans to construct an identical facility on their campus across the street.

Our Environmental Health and Safety Office here is also providing ongoing training for emergency room nurses, physicians and other staff and the appropriate methods for decontamination in the event of a nuclear, biological or chemical event.

We have concentrated heavily on education here at Vanderbilt. There are a number of our staff members who were very concerned and frightened obviously when all this occurred, so as a result, our Learning Center developed both videotape and written materials on nuclear, biological and chemical agents that have been taught to over 5,000 Vanderbilt staff members.

In addition, all staff members who participate in our bioterrorism drill at Vanderbilt have received advanced training on agents of bioterrorism and critical stress debriefing techniques.

In the past 2 years at Vanderbilt, we have participated in five separate drills that have dealt with either biological or chemical agents. Most recently, in January of this year, we had an internal drill involving 165 people who were simulated to have been exposed to anthrax at Nashville Predators hockey game. We have also participated locally, the city's 10 major hospitals have been coordinating disaster management efforts for over 15 years. As Mr. Thacker has told us, this is administered by the Office of Emergency Management and supplemented by our MMRS grant which is an integrated program between EMS, police, hospitals and the Nashville Health Department. This has given us resources for training and implementation at the EMS level as well as hospital resources for PPEs, decontamination equipment and antibiotics.

I will tell you from what we have received, it is not enough.

My testimony will conclude actually with identifying problems that I see within our current system. The No. 1 problem that I see we are facing today is emergency department over-crowding. There are times when our emergency department has 15 or 20 patients waiting in our waiting room and it is absolutely filled to capacity. The reasons for this are multi-factorial. We are serving as a safety net for uninsured patients in Tennessee without doctors; we are serving as a primary care resource because we do not have adequate primary care resources within the public healthcare system; there is an older, sicker population as the baby boomer generation ages and there is generally a breakdown in the mental healthcare system. We also see a number of patients coming in requesting alcohol and drug rehabilitation. Services that we are not used to providing in emergency rooms we are being forced to provide.

We have a huge problem with citywide surge capacity. Right now, as Dr. Schaffner mentioned, a minor epidemic such as the flu that we have had this month has closed a number of hospitals in town. It does not take a lot of imagination to understand what might happen if 1,000 critically ill patients requiring ICU care were dumped on the system at the same, as might happen in a bioterrorism event.

We also need to improve our regional communications. This broke down during the Greyhound bus event and we did not know what was going on. We have a number of EMS services with their own communication systems but there is no coordination in the State for that.

We need to upgrade our laboratory facilities, as Dr. Craig has spoken about, and frankly our level of rural preparedness in Tennessee is still very low. It is not possible for the smaller hospitals to do what we have been able to do at Vanderbilt, because they do not have the expertise and they do not have the funding. This has cost Vanderbilt several hundred thousand dollars to put together and it is impossible for smaller hospitals to do that.

I appreciate the time you have given me this morning. Thank you very much.

[The prepared statement of Dr. Jones follows:]

Bioterrorism

The Current State of Preparedness at Vanderbilt University Medical Center

Ian D. Jones MD
Operations Director Vanderbilt Emergency Dept.
Assistant Medical Director Metro Nashville EMS

Ian David Jones, M.D.
Vanderbilt University
Prepared Remarks
March 1, 2001

Introduction

Early on the morning of October 4, 2001, a Greyhound bus crashed on the interstate east of Nashville. Initial reports indicated that the perpetrator was an Arabic male, possibly a terrorist, who had slit the throat of the driver. A number of patients were known to be dead. As Vanderbilt's helicopter service, Lifeflight, was en route with patients from the scene back to Vanderbilt, it was reported that the incoming patients may have been contaminated with a biological agent. The fear amongst the staff in the ER that morning was palpable.

On the very same day, the CDC reported a case of inhalational Anthrax in Florida that was quickly determined to be from an act of Bioterrorism. In the ensuing weeks as the epidemic grew, it became clear how unprepared the hospital had been to deal with a large scale bioterrorism event both with regard to the very large numbers of patients presenting for evaluation and treatment of possible anthrax exposure.

Based on the concerns, a subcommittee of the hospital disaster committee was formed to draft a plan aimed at dealing with the unique situation of large numbers of well individuals with the possibility of an exposure to a potentially life-threatening infectious agent. This plan would serve to activate the main hospital disaster plan thus preparing the hospital for the potential influx of critically ill patients as well as to create an site, adjacent to the main hospital, where a large number of individuals who may have been exposed to a biological agent could be evaluated, educated, and treated.

The Vanderbilt University Medical Center Bioterrorism Sub plan

Goals

- To expedite the evaluation of a large (1000 per day) number of individuals who may have been exposed to a biological agent
- To screen for patients manifesting symptoms of a biological exposure
- To provide appropriate treatment if necessary

- To educate patients, families, and staff about biological agents, their risk of exposure and the potential signs and symptoms connected to that exposure
- To activate the main hospital disaster plan which prepares the hospital for a large influx of patients

The ideal location with which to manage a large number of patients potentially exposed to a biologic agent was determined to be the Page-Campbell Heart Institute. This facility is of sufficient size to accommodate large numbers of patients yet is physically separated from the main hospital

Vanderbilt Page-Campbell Heart Institute

- Located adjacent to the main Vanderbilt Hospital with excellent access and ample (16) examination rooms with large patient waiting areas, rapid computerized registration, on site x-ray, and areas for patient education and dispensing of medications
- Staffed by Emergency Medicine and Internal Medicine physicians, hospital administration, nurse practitioners, registered pharmacists, registration staff, and social workers
- Rapid through-put
- Easily secured
- Plans for additional on-site decontamination facility

In addition to identifying an appropriate facility for patient evaluation, the VUMC pharmacy has acquired additional resources including antibiotics, IV fluids, antidotes, and has trained the pharmacy staff in treatment for various agents of bioterrorism.

The VUMC Pharmaceutical Stockpile

- Administered and dispensed by hospital pharmacists
- First line antibiotics (Ciprofloxacin) adequate to treat 1000 patients for 3 days
- Additional antibiotics (Doxycycline) to treat 4000 patients for 3 days
- Preparations available for immediate premixing for doses appropriate for children
- Increased stocks of antidotes for certain chemical agents
- Other local pharmaceutical sources

- VA Medical Center Nashville
- VA Medical Center Murfreesboro
- Nashville Health Department

Decontamination Facilities

Prior to the events of September 11, Nashville had been preparing for a potential terrorist attack. Over a year earlier, Vanderbilt University Medical Center constructed a mass decontamination facility immediately adjacent to the hospitals Emergency Room and tested it in a city-wide chemical terrorism drill. This facility was the first of its kind in the mid-state. An identical facility has recently been completed at the Nashville Veterans Administration hospital.

Vanderbilt Environmental Health and Safety (VEHS) has a 12 member Hazardous Materials team. This group has been trained to respond to various hazardous materials situations on the Vanderbilt campus and to participate in patient/victim decontamination at VUMC. This group is outfitted with level A protective clothing (funded by Vanderbilt). Level A requires the highest skin protection (fully encapsulated chemical impervious suits) and the highest respiratory protection (self-contained breathing apparatus). VEHS is conducting ongoing training for Emergency Room nurses and physicians in techniques of decontamination and the proper use of personal protective equipment (PPE) The following is a summary of equipment currently on hand at VUMC.

PPE/Decontamination Supplies provided by the City Grant monies:

- 1 M8 Chemical Agent Detector Paper Kit
- 60 Kapler full body protective coveralls
- 50 pairs of neoprene gloves
- 50 pairs of vinyl boots
- 16 Breathe Easy 3M powered air purifying respirator systems (including lithium batteries and NBC cartridges)
- 2 Recovery drums
- 2 packs of synthetic brushes

PPE supplied by Vanderbilt:

- 300 Tyvek coveralls
- 200 pair of rubber booties

- 2000 pair of nitrile chemical resistant gloves

Staff Training

It was recognized early on that many of the staff at Vanderbilt had no training or education whatsoever in the nuclear, biological, or chemical terrorism, As a result, the Vanderbilt Learning Center has developed both videotaped and written materials on these agents that have been taught to over 5000 VUMC staff members. Further advanced training has been provided to hospital physicians, pharmacists, and nursing staff through lectures, webcasts, and direct participation in the recent bioterrorism drill. Additional training on agents of bioterrorism as well as critical incident stress debriefing training has been provided to all staff members who participate in the Bioterrorism sub plan.

Drills and Exercises

1999: City-wide Chemical terrorism incident table top drill. Coordinated by the Department of Justice through the Domestic Preparedness program. Participants included VUMC and other city medical centers, Office of Emergency Management, law enforcement and emergency medical providers, Nashville political representatives, federal law enforcement, etc.

Sept. 6, 2000: City-wide Domestic Preparedness Tabletop Exercise. Coordinated by the Department of Justice through the Domestic Preparedness program. Participants included VUMC and other city medical centers, Office of Emergency Management, law enforcement and emergency medical providers, Nashville political representatives, federal law enforcement, etc.

Sept. 28, 2000: City-wide Disaster Drill. The scenario was a Sarin gas attack at the Adelphia Stadium. Drill was coordinated through the Metropolitan Medical Response System (MMRS) program. Vanderbilt participated in this drill and "decontaminated" 10-15 victims.

June 18, 2001: VUMC in-house drill mass casualty drill. The scenario was a truck/automobile accident on I-40. Several of the victims were "contaminated" with waste oil and had to be decontaminated.

Sept. 11, 2001: World Trade Center/Pentagon Attack. VUMC activated the Emergency Incident Command Post. Efforts were made to secure vulnerable areas of the VU campus and provide support, if needed, for healthcare facilities in the affected areas.

Jan. 22, 2002: VUMC in-house drill of draft bioterrorism plan. Over 165 staff members participated in the drill. Page-Campbell Heart Institute was converted into an ambulatory treatment facility to accommodate the large numbers of patients exposed to anthrax in a disaster scenario.

Coordination between VUMC, Local Hospitals, and Other Agencies

The ten hospitals/Medical Centers in Nashville have been working cooperatively in disaster management for over 15 years. This cooperative working relationship has always included regular meetings between hospital representatives and other community emergency responders. Early efforts of the group included assistance with Metro's LEPC plan, petitioning Nashville's mayor to hire an Emergency Preparedness Coordinator for the city, development of proposals to field a local DMAT team, and development of a Mutual Aid Agreement for Emergency Patient Transfer.

Most recently, the Metropolitan Nashville Office of Emergency Management (OEM) has been working with the Davidson County hospitals and medical centers on the city's terrorism response plan. Under the Nunn-Luger-Domenici legislation, Nashville was identified by the federal government as one of the 120 cities at risk for terrorist activity. Emergency and medical personnel participated in the Department of Justice weapons of mass destruction training program in the late 1990's. The WMD activities included train-the-trainer programs, table top drills and actual drill events involving all city responders (police, fire, health department, healthcare providers, community service providers, etc.) OEM has supported the local hospitals in their NBC preparedness efforts by appropriating grant monies for the purchase of personal protective equipment, decontamination supplies, antidotes, and antibiotics.

Recognized Deficiencies and Problems within Middle Tennessee

Emergency Department Overcrowding

The national problem with emergency room overcrowding has hit Nashville over the past several years. The reason for this problem is multi factorial. Many patients use the emergency rooms for non-emergent conditions because it is convenient or they have no primary care physician. A gradual aging of the population has also resulted in sicker patients presenting for care. A lack of good primary health care in certain patients in the city has also resulted in these individuals. On the night of the bioterrorism disaster drill at Vanderbilt, the E.R. was so full that they were not able to take any of the

Surge Capacity

With increasing frequency, hospitals within Nashville are filling to capacity with admitted patients. While not as great a problem as in other major metropolitan areas, it is not unusual for several of the major hospitals in Nashville to be on diversion (closed to ambulance traffic) at the same time. It takes little imagination to consider the dire implications of a large scale bioterrorism event with huge numbers of critically ill patients entering a system that is already very close to capacity. Identification of areas that could accommodate large numbers of patients (VA medical Centers, closed hospitals etc.) as well as staffing for these facilities should be of prime importance

Regional Communications

The events of September 11 indicated how quickly currently existing communications systems can go awry. The Emergency Medical Services communications system in Middle Tennessee is fragmented and is in dire need of a centralized, redundant regional communications center.

Rural Preparedness

Although a considerable amount of preparation is ongoing at the larger medical centers, far less preparation has gone on at rural medical centers many of which can not afford to train or equip their hospital staff and EMS services to deal with a bioterrorism event.

Laboratory facilities

At the peak of the Anthrax epidemic, the state laboratories were stretched beyond capacity in identifying all of the "powders" and other various samples brought in for testing. At the same time, most hospital labs are unable to do the sophisticated testing required to identify many agents used in bioterrorism. Coupled with this is a serious statewide shortage in microbiologists qualified to do this type of testing. Funding should be appropriated to deal with all of these issues as well as for the development of rapid ways to identify potential biological agents.

Nuclear and Chemical Preparedness

Both Nuclear and Chemical preparedness have taken a back seat to bioterrorism in light of the recent anthrax cases. Training and preparation for the threat of nuclear or chemical terrorism should both be ongoing and be on equal footing with that of bioterrorism.

Mr. HORN. Well, thank you, that's a key segment of anything to do with terrorism.

We now have James Carver, the director of the Tennessee Valley Authority Police.

Mr. CARVER. Good afternoon, Mr. Chairman, members of the subcommittee. Mr. Chairman, welcome to the Tennessee Valley. I applaud you for holding these hearings and thank you for the opportunity to testify before you here today.

Before I continue, Mr. Chairman, all of TVA would like to wish you well in your pending retirement from Congress and good luck in all your future endeavors.

I would also like to thank the members of the Tennessee delegation who are here today—Congressman Wamp, Mr. Bryant. I just want to thank you and, Mr. Clement, thank you very much for being here today.

I am pleased to give you an update of the Tennessee Valley Authority security and our ongoing coordination with State and local governments. As we all know, these two issues are of critical importance to the safety of all Americans. TVA's preparedness, diligence and coordination of resources are vital to the protection of citizens from future threats.

I would first like to recognize the importance of the Federal, State and local agencies here today. Through their assistance and support, TVA has greatly enhanced its security and emergency preparedness plans. I am confident that as we continue to work together, communications and coordinations at all levels of the government will become stronger—not just here, but across the Nation.

TVA's mission is to improve the quality of life for residents in the Tennessee Valley. TVA does this by providing an adequate supply of affordable and reliable electricity, management of the Tennessee river system, environmental stewardship and economic development programs. Our goal is to continually strive for excellence in business performance and public service.

In order to fulfill this mission, TVA operates 49 dams, three nuclear plants and a number of other power production and transmission facilities. Managing the Nation's fifth largest river system also requires TVA to balance the demands of the Valley's water needs, including water quality protection. These operations require that TVA have in place specific security measures and emergency preparedness plans. Those of particular interest today pertain to water quality and TVA's nuclear assets.

About 4 million Valley residents depend on the Tennessee River system for their water supply. This responsibility requires that TVA constantly monitor water quality for naturally occurring and non-natural substances. We do this by monitoring water quality at 60 sites year round and reporting results to local officials, as they need them.

TVA dams are able to impound water, if the containment of a pollutant is needed. Our emergency procedures ensure that we respond quickly and that we work in close relationship, in partnership with State and local agencies to address those type problems.

TVA has also initiated a dialog with State governments, updating and creating new action plans in the event of biological attack.

The intent is to strengthen the protection of the water supply and discuss the capabilities and limitation with each agency represented.

Additionally, TVA coordinates closely with State and local enforcement agencies to provide marine patrols, security on Federal properties, traffic control and other law enforcement activities. This cooperation bolsters the law enforcement presence at these key public health and recreation facilities.

Since September 11th, security of the Nation's nuclear power assets has been a top priority. TVA's nuclear security staff has worked closely with the TVA police, local law enforcement agencies and emergency officials to further define interfaces and evaluate new ideas. One of these initiatives included meeting with the National Guard at our nuclear plants to solidify emergency contingency plans. Also, TVA has begun a series of meetings with local law enforcement agencies for organizing and clarifying responsibilities.

Prior to September 11th, several coordinating points between TVA and other government agencies were already in place as contingencies for intentional or unintentional nuclear incidents. Examples are the establishment and continuation of emergency preparedness programs and annual emergency exercises. These initiatives specifically state precise actions and steps for both TVA and other government agencies in emergency circumstances. TVA assists in these situations partially by including technical expertise, development of field teams, site monitoring and a joint communications center.

In conclusion, the terrorist attacks on America have reinforced the need of proactive planning between agencies. It is of the utmost importance for us to coordinate our collective resources. TVA and other agencies must work together to provide the safest environment for the public as possible, while also continually refining our ability to respond.

Thank you for the opportunity to testify here today to share TVA's security and emergency response measures with you. And I commend you for your leadership here today.

[The prepared statement of Mr. Carver follows:]

Testimony
of
James E. Carver
Director
Tennessee Valley Authority Police
Before the
House Government Reform
Subcommittee on Government Efficiency, Financial Management, and Intergovernmental Relations

March 1, 2001

Testimony of Mr. Carver

Good morning, Mr. Chairman and members of the Subcommittee. I am honored to be here, and I am pleased to give you an update on how TVA secures our facilities and assets; coordinates with state and local governments; ensures the safety of our employees and the people of the Tennessee Valley. As we all know, those issues are of critical importance during these times. We appreciate your leadership as our Nation unites to recover from the terrorist attacks and to protect our citizens from future threats.

Before I begin discussing TVA, I would like to make certain that each of you know the importance of each state and local agency represented here today. Without their assistance and coordination, TVA would be unable to execute many of our security and emergency preparedness plans. The scope of our invitation is to discuss federal assistance to state and local governments, but state and local government support to federal agencies is just as vital. We greatly appreciate their support and assistance.

We at TVA are particularly mindful of the need to protect TVA facilities in the seven-state region we serve. For many years, we have had extensive security measures in place throughout TVA's operations. These measures range from controlled access to TVA facilities, to police patrols at our recreation areas, to stringent restrictions on access and armed security at our nuclear facilities. Our planning efforts anticipate emergency situations that could arise, and we conduct emergency drills to ensure we can respond quickly and effectively. Strong security measures are part of our daily operations and our commitment to protect our employees, our facilities and the public is among TVA's highest priorities.

Now, in light of the attacks on America on September 11, our security measures are more stringent than ever. Heightened security measures are in force in our office buildings, at our dams and power plants, and throughout the TVA system. The value of our emergency plans and emergency drills has never been demonstrated more clearly, and we are continuing to further strengthen our overall security program.

In nearly seven decades of service to the Tennessee Valley, the employees of TVA have risen to many challenges. Like our fellow citizens across the United States, the more than 13,000 employees of TVA will use their talents, hard work and creativity to meet future challenges, as well.

Background on TVA

TVA exists to serve the public good, and our vision is that TVA will achieve excellence in business performance and public service for the good of the people of the Tennessee Valley. Our statutory responsibilities include flood control, navigation, electric power generation, and economic development in the Tennessee Valley's seven state region. TVA improves the quality of life in the Tennessee Valley through integrated management of the Tennessee River system and environmental stewardship; we meet customers' needs with affordable, reliable electric power; and we support sustainable economic development in the region. The TVA power system is 100 percent self-financed through its power revenues.

TVA manages the fifth largest river system in the United States. The Tennessee River stretches 652 miles from Knoxville, Tennessee, to Paducah, Kentucky, where it flows into the Ohio River and ultimately the Mississippi. The TVA system encompasses more than 11,000 miles of shoreline, 49 dams and 14 navigation locks. About 34,000 barges travel the Tennessee River each year – the equivalent of 2 million trucks traveling our Nation's highways. Prior to the creation of TVA, the Tennessee River flooded on a regular basis, causing millions of dollars of damage per year damage that is now largely averted thanks to the TVA water control system.

TVA employees are on the job around the clock, every day, providing wholesale power to 158 local municipal and cooperative power distributors through a network of transmission lines in the seven state region. TVA also sells power directly to 62 large industrial and federal customers. Ultimately, TVA supplies electricity for 8.3 million people over a power service area covering 80,000 square miles. This area includes Tennessee and parts of Mississippi, Alabama, Georgia, North Carolina, Virginia, and Kentucky.

TVA Infrastructure

The TVA power system includes hydro facilities, coal-fired power plants, nuclear power plants, and power transmission facilities

- TVA has 49 dams –10 of which have a total of 14 navigation locks on the Tennessee River and its tributaries. 33 of these dams are wholly or partially earthen dams. Fontana Dam in North Carolina is TVA's highest dam with a height of 480 feet, and eight of TVA's dams are over 200 feet high. All of TVA's dams are inspected and maintained in accordance with the Federal Guidelines for Dam Safety.

- Twenty-nine of TVA's dams produce hydro-electric power, and in a normal rainfall year, TVA's hydro system produces about 12% of our total generation.

- TVA's three nuclear plants are located in East Tennessee and North Alabama, and these plants produce about a third of TVA's power generation. For the past three years, TVA's nuclear units have been ranked among the top 25 performers in the United States. In 1999, they were ranked among the top 50 worldwide during 1999 by *Nucleonics Week*, a national nuclear industry publication.

- TVA's 11 coal-fired power plants produce approximately 60 percent of TVA's annual power generation.

- TVA also operates five combustion turbine plants for peaking capacity and one pumped-storage facility to help provide affordable, reliable power even when power demands are greatest.

- TVA electricity is delivered to power distributors and other customers by way of 17,000 miles of transmission lines. The TVA system is one of the largest single-owned transmission systems in the United States. It includes 240,000 right-of-way

acres with 850 individual delivery and interchange points. TVA's 2,480 miles of 500KV transmission line are a critical link for movement of electricity throughout the eastern US.

In the integrated management of the Tennessee River system, TVA balances the demands on the river system in order to protect the region's natural resources and support sustainable development. About 4 million Valley residents depend on the Tennessee River system for their water supply. TVA serves as a steward of the river, its 41,000 square-mile watershed, and the Valley's natural resources.

Overview of TVA Emergency Management / Planning

The TVA Act authorizes the TVA Board of Directors to provide for the safety and security of TVA's employees, property, and facilities and to enforce federal, state, and local laws on TVA property. We take that responsibility very seriously. Our actions include anticipating emergency conditions, and we have emergency plans in place for our critical functions and major operations. These operations include our fossil, hydro, and nuclear plants, and our transmission system.

Employees throughout TVA support our emergency efforts, and a key role is played by the TVA Police and its 192 sworn officers. Amendments to the TVA Act that were enacted in 1994 authorized TVA to appoint federally commissioned police officers to carry firearms, execute warrants and conduct investigations. The TVA Police is accredited through the Commission on Accreditation for Law Enforcement Agencies.

When the attacks on America occurred on September 11, the TVA Police and TVA employees throughout the agency immediately implemented our emergency plans. They activated all our major Emergency Operations Centers, including centers in Knoxville and Chattanooga, Tennessee. Our System Operations Center was placed on "full alert" status, and we activated our back-up System Operations Center to ensure that the Tennessee Valley's power supply would not be interrupted.

We dispatched uniformed TVA Police officers to protect critical TVA facilities. We were in contact with the state emergency management agencies and the U.S. Department of Energy. Additionally, we took several other specific actions, including the following:

- TVA employees did walk-down inspections at our 500 kV substations near major cities and critical communications locations and carried out inspections of dams.
- Helicopters normally used to inspect and maintain transmission lines were fueled and placed on standby.
- All maintenance work on critical equipment and lines was suspended, and all maintenance at substations was suspended.
- Fort Campbell notified us that troops had been placed at the substation that supplies power to that military installation.

- We implemented rigorous access control requirements for anyone entering TVA offices and facilities, posted officers at all critical TVA facilities, and implemented stringent controls on the delivery of materials and supplies to our loading docks.

- Hydro site visitor centers and recreation areas on dam reservations were closed, Boaters were asked to leave tailwaters below TVA dams.

- Power supply and transmission alerts were declared.

Most of these security measures are still in force. Exceptions include the easing of access requirements at some recreational facilities. We have also placed our emergency operations centers on standby.

Actions Since September 11

Since September 11, we have identified the need for a more comprehensive, overarching plan to better integrate all of the agency's emergency plans and Emergency Operations Centers. Currently, our business units have plans in place for responding to emergencies within their own areas and for meeting statutory and regulatory requirements. Our major business units also have their own Emergency Operations Centers. Additionally, we have a radiological emergency plan, environmental response plan, dam safety emergency plan, and transmission emergency plan.

The comprehensive plan we are developing will help us do a better job of coordinating these efforts. It will address improved communication, the activation and deactivation of all Emergency Operation Centers, and the sharing of information and other resources throughout TVA. It will also address what we must do to provide security on an ongoing basis and in emergency conditions.

One component of this comprehensive plan will be our efforts to ensure that we have continuity of TVA operations in an emergency. In 1999, TVA began developing a comprehensive "Continuity of Operations" capability. This capability ensures that essential agency functions continue when normal operations are disrupted. We are working to widen our efforts in this area to include more TVA organizations, such as all our major office complexes and power plants, to ensure our ability to operate in an emergency.

Our comprehensive plan will also address how we work with other agencies at all levels of government. In working with the National Guard, for example, we want to ensure that we have fast, direct methods for getting approval for National Guard staffing at critical TVA facilities, if needed. I am pleased to let you know that the Governors of three states and TVA are working together to meet this need.

Nuclear Threats

At our nuclear power plants, we have taken additional security measures since the events of September 11, and we will maintain this level of security for as long as

necessary. Each nuclear plant has a security plan that meets federal regulations and is approved by the Nuclear Regulatory Commission. The plan for each site is designed specifically for that plant and takes into account the local terrain, general plant layout, and location of vital equipment.

TVA's Nuclear Security staff contracts with Pinkerton Government Services to provide armed security for each TVA nuclear facility, and these security officers are well-trained and highly skilled. In keeping with federal regulations and industry standards, these employees must complete a background investigation, pass psychological and medical evaluations, and pass rigorous security training. Pinkerton Government Services and Burns Security have provided experienced and highly skilled security officers for TVA's nuclear plants for more than three years. These employees are highly motivated and have demonstrated their ability to implement security measures at our plants.

Each TVA nuclear site meets stringent standards set by the Nuclear Regulatory Commission, and each has the capabilities necessary to protect our employees, equipment and the public in the event of a threat.

Since September 11, our Nuclear Security staff has worked closely with the TVA Police, local law enforcement agencies, the FBI, and state emergency officials, and law enforcement agencies to create additional mechanisms for coordination; reinforce existing relationships; further define interfaces; and evaluate new ideas. One of these initiatives included meetings with the National Guard at all three nuclear plant sites in order to solidify emergency contingency plans and strengthen relationships. TVA has also bolstered our relationship with local law enforcement agencies, which has included scheduling regular meetings for organizing and clarifying responsibilities.

Prior to the terrorist attacks on America several coordinating points between TVA and other government agencies were in place as contingencies for an intentional or accidental nuclear catastrophe. Examples are the establishment of on-site and off-site emergency preparedness programs to meet existing federal regulations. These programs and regulations specifically prescribe the steps and actions for TVA and state and local agencies. Each of these programs are designed to protect the health and safety of the general public upon implementation. These plans and regulations specifically state the actions and steps for both TVA and other government agencies in emergency situations. TVA provides assistance through contractual arrangements to state and local agencies in support of meeting TVA-related federal regulations.

TVA, along with other federal, state, and local agencies, conducts annual emergency exercises at each of our plant sites. These exercises include personnel ranging from local fire departments, the National Guard, Red Cross Volunteers, virtually every state agency, local law enforcement, Nuclear Regulatory Commission, and the FBI. TVA's next exercise will be in May at our Brown's Ferry Nuclear Plant in northern Alabama. Our Tennessee plants have exercises scheduled for July and October at Watts Bar and Sequoyah Nuclear Plants respectively. These exercises serve as trial runs, allowing TVA and the other participants to sharpen the skills necessary when responding to an emergency in an effective and coordinated manner.

In the event of a nuclear detonation or attack on a nuclear plant, TVA would coordinate the following activities with federal, state, and local agencies:

- Enactment of a strictly defined set of intergovernmental interfaces
- Deployment of TVA Nuclear Field Teams
- Provide TVA technical assessments
- Recommend protective action steps to the state
- Monitor the attack site
- Establish a Joint Information Center for the coordination of media and public relations activities

Biological Threats

TVA also has in place emergency response measures we use to contain and clean up any accidental – or deliberate – spill of hazardous materials into the water. Because we have operational jurisdiction over all the dams in the system, TVA can, when necessary, impound water to contain a pollutant between two dams. Our emergency procedures ensure that we respond quickly and that we work in close partnership with state and local agencies to address problems. In support of TVA's long term water quality monitoring efforts we have the tools, technology, and ability to identify pollutants or other agents introduced into the regions water supply. We are able to identify detrimental impacts of localized contamination on human safety and ecosystem health.

TVA has also initiated a dialogue with state governments on updating and/or creating new action plans in the event of a biological attack. In December 2001, TVA met with officials from the State of Tennessee who represented Homeland Security, the Department of Health, and Department of Environment and Conservation. The group discussed protection of the state's water supply, including potential biological attacks. TVA discussed the assistance that could be provided, including testing services at TVA laboratories and water containment between TVA dams. The group also discussed TVA's limitations in these areas.

Beyond potential contamination of the Tennessee River system, there are also detailed emergency plans in place in the event of a dam being breached. These plans include step by step, detailed processes which outline interactions and procedure between TVA and state and local authorities, the Federal Emergency Management Agency, and the affected public. These plans include scenarios ranging from a minimal leak to a full-scale breaching of a dam.

In addition, TVA is working in cooperation with other federal hydropower agencies to implement a security risk assessment and mitigation methodology. This was developed jointly, and will help us systematically identify additional security measures needed to address credible threats to our dams.

Finally, TVA Police coordinates closely with state and local law enforcement agencies to provide marine patrols, security on federal property, traffic control, and other law enforcement activities. This cooperation bolsters the law enforcement presence at these key public health and recreation facilities.

In the event of an attack on a dam or the Valley's water supply, TVA would coordinate the following activities with federal, state, and local agencies:

- Enactment of emergency management plans
- Provide emergency management personnel
- Testing from TVA lab services
- TVA Police assistance to other local law enforcement agencies
- Control and containment of water flows
- Assistance to local water systems

Conclusion

The attacks of September 11 raise a new level of concern, coupled with action, for all of us. I am proud of the speed and skill with which TVA employees acted to ensure that our facilities were safe as we saw danger and destruction elsewhere. I am proud of the way TVA employees are taking action to ensure that our emergency measures are made even stronger so that our facilities continue to be safe. And I am proud of the way TVA is working with federal authorities, the National Guard, the Valley Governors, state agencies, and others in the power industry to plan our actions and share information so that all of us are more secure from future threats. Thank you for this opportunity to share TVA's actions with you and I commend the leadership that each of you and your colleagues in Congress have provided to ensure that freedom prevails over fear, and you can count on TVA's full cooperation as we continue forward together.

# # #

Mr. HORN. Our last presenter on panel two is Jim Kulesz, the program manager, systems engineering and technology, Computational Sciences and Engineering Division at the Oak Ridge National Laboratory. Thank you for coming.

Mr. KULESZ. Thank you. Chairman Horn and distinguished members of the committee, thank you for inviting me here today to testify on a topic of how the Federal Government is assisting State and local governments to prepare for a potential terrorist attack involving biological, chemical or nuclear events.

My name is James J. Kulesz and I lead the effort at Oak Ridge National Laboratory to develop SensorNet, a strategy to protect the United States by rapidly deploying a nationwide real-time detection and assessment system of chemical, biological, radiological and nuclear threats. SensorNet will provide a national operations office or center with the capability to dispatch informed first responders within minutes following a chemical, biological, radiological or nuclear event.

Dispatched first-responders will know the critical details of the event to include the exact identification of chemical and biological agents as well as levels of radiological releases. Not only will first-responders know the exact location and identification of the threat, but they will also know the projected route of dispersal in sufficient time to take corrective action. In the aftermath of such a terrorist event, the capabilities of SensorNet could save thousands, if not millions, of lives.

By combining assets from both the government and private sectors, all components for SensorNet presently exist and a nationwide system can be rapidly deployed. In fact, field testing of SensorNet technology will be conducted in 2 weeks at three locations in the State of Tennessee. And incidentally, General Gilbert who heads the Tennessee Homeland Security Office, is graciously allowing us to use his office as a command center during those tests.

Importantly, a nationwide system can be rapidly deployed because SensorNet's state-of-the-art sensors and remote telemetry will be located at existing cellular communicationsites. Presently, there are more than 30,000 cellular sites in the United States that have been strategically located, based on population densities to create the Nation's wireless telecommunications infrastructure. Therefore, SensorNet's ideal deployment template currently exists.

Oak Ridge National Laboratory has developed the Block II Chemical-Biological Mass Spectrometer [CBMS] for the Department of Defense for use by the military. While continuously sampling the air, the CBMS detects and identifies both known and unknown chemical agents in less than 45 seconds and biological agents in less than 4 minutes. The CBMS is the only device in the world that has this proven capability. In addition, sensor technology to rapidly detect the presence of a nuclear release is available and will also be incorporated into the system.

Through remote telemetry, each SensorNet site will communicate the detection, identification and assessment of a CBRN event to a National Operations Center within 5 minutes. SensorNet will include software models currently used in all military command centers throughout the world. This software modeling system is called

Hazard Prediction and Assessment Capability [HPAC]. Following the detection of a CBRN event by sensors, HPAC will, in real time, produce a plume model, determine the location and number of exposed people, predict the location and number of exposed people in the future, if no action is taken, and predict immediate and latent health effects on the population.

In summary, SensorNet is a strategy to protect the Nation. The capability to dispatch informed first-responders within minutes following a CBRN event will save lives. This is an issue of the highest national concern for the Office of Homeland Security and meets the criteria of the Bioterrorism Preparedness Act of 2001 as well as other legislation. All components for SensorNet presently exist. We are in a state of war; there is a national need for the immediate deployment of SensorNet.

Congressmen, to put the capabilities of SensorNet in perspective, if a chemical, biological, radiological or nuclear event occurred at the start of my testimony, by now, SensorNet would have provided first-responders with information to save lives.

Thank you, gentlemen. I welcome your questions.

[The prepared statement of Mr. Kulesz follows:]

Statement of James J. Kulesz
Program Manager, Systems Engineering and Technology
Oak Ridge National Laboratory

United States House of Representatives
Committee on Government Reform's Subcommittee on
Government Efficiency, Financial Management and Intergovernmental Relations
Field Hearing to Examine How the Federal Government
Is Assisting State and Local Governments to Prepare for a
Potential Terrorist Attack Involving Biological, Chemical, or Nuclear Agents

Summary

Chairman Horn and distinguished members of the committee, thank you for inviting me here today to testify on the topic of how the Federal Government is assisting State and local governments to prepare for a potential terrorist attack involving biological, chemical, or nuclear agents. My name is James J. Kulesz and I lead the effort at Oak Ridge National Laboratory to develop SensorNet – a strategy to protect the United States by rapidly deploying a nationwide real-time detection and assessment system of chemical, biological, radiological, and nuclear (CBRN) threats. SensorNet will provide a National Operations Center with the capability to dispatch informed first responders within minutes following a chemical, biological, radiological, or nuclear event. Dispatched first responders will know the critical details of the event to include the exact identification of chemical and biological agents, as well as levels of radiological releases. Not only will first responders know the exact location and identification of the threat, but they will also know the projected route of dispersal in sufficient time to take corrective action. In the aftermath of such a terrorist event, the capabilities of SensorNet could save thousands, if not millions of lives.

By combining assets from both the government and private sectors, all components for SensorNet presently exist and a nationwide system can be rapidly deployed. In fact, field-testing of SensorNet technology will be conducted within two weeks at three locations in Tennessee.

Importantly, a nationwide system can be rapidly deployed because the SensorNet state-of-the-art sensors and remote telemetry will be located at existing cellular communications sites. Presently, there are more than 30,000 cellular sites in the United States that have been strategically located based on population densities to create the Nation's wireless telecommunications infrastructure. Therefore, SensorNet's ideal deployment template currently exists.

Oak Ridge National Laboratory has developed the Block II Chemical-Biological Mass Spectrometer (CBMS) for the Department of Defense for use by the military. While continuously sampling the air, the CBMS detects and identifies both known and unknown chemical agents in less than 45 seconds and biological agents in less than four minutes.

The CBMS is the only device in the world that has this proven capability. In addition, sensor technology to rapidly detect the presence of a nuclear release is available and will also be incorporated into the system.

Through remote telemetry, each SensorNet site will communicate the detection, identification, and assessment of a CBRN event to a National Operations Center within five minutes. SensorNet will include software and models currently used in all military command centers throughout the world. This software and modeling system is called Hazard Prediction and Assessment Capability (HPAC). Following the detection of a CBRN event by sensors, HPAC will, in real time, produce a plume model; determine the location and number of exposed people; predict the location and number of exposed people in the future (if no action is taken); and predict immediate and latent health effects on the population.

In summary, SensorNet is a strategy to protect the Nation. The capability to dispatch informed first responders within minutes following a CBRN event will save lives. This is an issue of the highest national concern for the Office of Homeland Security and meets the criteria of the Bioterrorism Preparedness Act of 2001, as well as other legislation. All components for SensorNet presently exist. We are in a state of war and there is a national need for the immediate deployment of SensorNet.

Congressmen, to put the capabilities of SensorNet in perspective: If a chemical, biological, radiological, or nuclear event occurred at the start of my testimony, by now SensorNet could have provided first responders with information to save lives.

Thank you. I welcome your questions.

I will now elaborate in more detail on the aspects of SensorNet.

Purpose

SensorNet is a strategy to protect the nation. It provides the capability to dispatch informed first responders within minutes following a chemical, biological, radiological, or nuclear (CBRN) event and will save lives. SensorNet provides nationwide detection and assessment of CBRN threats. Others have already discussed the need for the protection that SensorNet can deliver. Title I of the Bioterrorism Preparedness Act of 2001 states that the "United States should further develop and implement a coordinated strategy to prevent and, if necessary, to respond to biological threats and attacks." Our Commander-in-Chief President Bush has said "that he envisioned a broad emergency alert system to warn the country of biological attacks . . ." (The New York Times: February 6, 2002). However, biological attacks are only one of several threats. All threats, including chemical, biological, radiological, and nuclear threats are important.

Full deployment of SensorNet is comprehensive in threat type (chemical, biological, radiological, and nuclear) and pathway (air, water, soil, transportation system, food distribution system, hospitals, etc.). However, the description in this testimony is limited

primarily to airborne releases. Many components, such as variations of the mass spectrometer can be used for air sampling and water sampling. Radiological sensors can be used to sample air and water and screen for shipment of radioactive materials on the highways.

The United States has already sustained a direct attack on our soil with much larger loss of life, including civilians, and much larger immediate economic consequence than a preemptive attack during the prime of an earlier generation that will forever be remembered as a "Day of Infamy". The events of Pearl Harbor propelled the United States into World War II. The urgency of World War II brought about the Manhattan Project, the creation of Oak Ridge National Laboratory (then called Clinton Laboratory), and rapid development and deployment of nuclear weapons by the United States to force an early end to the War. Because of the current physical threat to our Nation, SensorNet is a solution to meet the Nation's needs both now and in the future. SensorNet involves the rapid deployment of a nationwide real-time detection and assessment system for CBRN threats. SensorNet immediately deploys existing technology within an architecture that will accommodate modular and seamless upgrades without disruption of protection as future, improved technologies become available. SensorNet is in itself a template, a methodology, and a strategy to focus on the end result: real-time detection of threats, immediate analysis of the threat with projections of threat migration, and rapid conveyance of critical information through a National (or Regional) Operations Center to first responders.

Elements

SensorNet could not exist without an infrastructure and infrastructure requires time to build. Fortunately, the infrastructure for rapid deployment of SensorNet already exists in the private sector in the form of cellular communications towers.

There are several major advantages for using existing cellular communications sites as the primary infrastructure for the SensorNet system – location, speed of system deployment, security and consolidation of ownership.

- Location- There are presently 30,000 cellular communications sites in the United States that have been strategically located based on population densities to create a nationwide wireless telecommunications infrastructure.

- Speed of System Deployment- the United States cellular site infrastructure provides an ideal existing population density based template for the rapid deployment of the SensorNet system. Onsite communications towers provide an existing structure from which data samples can be taken simultaneously at a variety of elevations. These sites are privately owned and have met all zoning requirements. Nationwide technical field service groups to rapidly install, maintain, and upgrade SensorNet systems at cellular communications sites already exist. Meteorological systems and remote telemetry systems exist and can be located with the sensors at the sites.

- Security of Site- the majority of cellular sites have some form of physical security. Because the sites are privately owned, required security enhancements can be quickly approved and completed.

- Consolidation of Ownership- Over 10,000 of the 30,000 existing cellular sites located in the United States are owned or operated by one company. This allows for the "blanket negotiation" of 10,000 sites with one entity. In addition, the technical field service group for this company has access to the remaining 20,000 United States cellular sites.

SensorNet requires a suite of sensors to detect chemical, biological, radiological, and nuclear releases. In addition, identification (for example, a release is detected and determined to be anthrax) and a level of quantification, are important parameters for first responders. Equally important, is the ability of the sensor to reliably provide a consistently true reading. For example, a sensor that does not detect a release for which it was designed and indicates that there is no threat (false negative) could cause first responders to be needlessly exposed to the hazard. Also, a sensor that indicates that a hazard exists, when in fact the hazard does not exist (false positive) could initially cause unnecessary evacuations and ultimately a lack of confidence in the system. Other important considerations for sensors are detection time, size, weight, accuracy, cost, availability, operation (manned or unmanned), use of consumables, etc. In addition, sensors that can detect more than one threat in a category (for example, a biological sensor that detects several organisms in one unit and simultaneously) are desired. A broadly and thoroughly based application of SensorNet will also measure threats from several media (for example, air, drinking water supplies, inside buildings, etc.) In essence, the selection of sensors is critical to the success of SensorNet.

Within the government and private sectors, there are sensors that can be deployed today that will provide some level of detection for chemical, biological, radiological, and nuclear threats. In general, for the needs of SensorNet, the state-of-the-art for radiological/nuclear threat sensors is good, chemical sensors is moderate, and biological sensors is fair. Selection of sensors is a critical element, but sensor technologies are continuously improving. Therefore, it is important to accommodate change in SensorNet by designing the architecture so that elements can be added in modules and subsystems can be upgraded seamlessly (without taking down the Net and losing protection). Current technology exists to do this.

A detailed evaluation of sensors is not feasible, or desired, in this testimony. However, it is worthy to note that within the government sector, there are breakthrough technologies for biological agent detection (a most difficult threat to detect accurately, reliably, and quickly). One of these that can be deployed is the Block II Chemical-Biological Mass Spectrometer (CBMS) that has been developed at Oak Ridge National Laboratory for the Department of Defense for use by the military. While continuously sampling the air, the CBMS detects and identifies both known and unknown chemical agents in less than 45 seconds and biological agents in less than four minutes. The CBMS is the only device in the world that has this proven capability. This instrument has been, and continues to be,

subject to rigorous testing and evaluation by the DoD and is near deployment. It is highly automated, military hardened, and very accurate and reliable. In addition, it uses very few consumables. This greatly reduces operating costs. It also, simultaneously (same unit) detects a very broad range of chemicals and a specific group of biological agents. More advanced versions of the technology are also currently under development at Oak Ridge National Laboratory that will greatly enhance its capabilities and portability for future versions.

Another essential element of SensorNet is the capability to analyze, in real-time, sensor measurements, meteorological data, location information, etc. and fully characterize and predict future threats (hazards analysis) in an automated fashion. Oak Ridge National Laboratory, in combination with others, has developed for DoD for use by the military a software and modeling system called Hazard Prediction and Assessment Capability (HPAC). HPAC estimates the hazards from atmospheric release of nuclear, biological, and chemical materials. HPAC has been forward deployed on laptops and has been used in Korea, Bosnia, the Persian Gulf, and Kosovo. HPAC includes worldwide population data, terrain, landcover, and real-time weather. It determines immediate health effects. HPAC operates as a stand-alone system or with a client-server based architecture. SensorNet data can be input to a version of HPAC that will, in real time, produce a plume model; determine the location and number of exposed people; predict the location and number of exposed people in the future (if no action is taken); and predict immediate and latent health effects on the population.

SensorNet, as described, has some very unique features. It can be rapidly deployed using existing infrastructure and technologies and can be seamlessly upgraded without reducing protection, as new technologies become available. It provides nationwide real-time detection, early warning threat communication, and immediate hazard prediction to a National (or Regional) Operations Center. The National (or Regional) Operations Center can then rapidly organize an informed response by first responders. The Command Center can also provide meaningful evacuation instructions and logically triage the exposed population for maximum benefit.

The U.S. Department of Energy's Oak Ridge National Laboratory and participants from the private sector have already performed bench scale tests to synergistically combine government and private sector sensors, systems, and technologies. A small-scale field test is planned for three cities in Tennessee within two weeks. This groundbreaking test is a small, but significant, step toward implementation of a nationwide system. Future field tests that broaden the range and scope of application are being planned.

Recommendations

There are many recommendations that one can make, depending on one's point of view and assumptions. The assumptions that I will use are that the threat is real and we are in a state of war. The enemy will use any means at his disposal to destroy our nation, our people, our infrastructure, our environment, and our way of life. As a citizen, a parent, and a member of the technical community my recommendations are as follows:

- Begin deploying SensorNet now using existing infrastructure and technologies, and involving government and private sector resources.
- Develop improved technologies based on need.
- Rapidly insert improved technologies into SensorNet as they are developed and proven to be better than the technologies they replace.
- To meet the need for speed and coordinate the efforts of the Nation's talented technical resources (government and private sector), assign Oak Ridge National Laboratory the lead in
  - development of a robust system that interfaces with existing emergency management organizations,
  - optimization of new technology insertions over the next 5-10 years, and
  - development of new technologies over the next 5-10 years.
- Over time as SensorNet matures, move full responsibility of SensorNet operations to an appropriate government agency with responsibility for Homeland Security and/or Emergency Preparedness.

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Mr. HORN. Thank you.

I have a question for Mr. James E. Carver, the director, Tennessee Valley Authority Police; and that is this: We all agree that the emergency management programs must remain a priority in our government spending programs. Given that, if you could be granted one wish that would more improve the job you are doing, what would it be?

Mr. CARVER. Of course, the one wish would be unlimited manpower. That would be what I think all of us could use, is more personnel. But I think the primary thing and the most important wish I would have is that we can continually work together, as I think we are here in the State of Tennessee to coordinate our efforts. We have done that since September, we did that prior to September 11th, in trying to prepare for these type disasters. But I think the cooperation and coordination that we strive for is, above all, what we need to continue to pursue.

Mr. HORN. Thank you. I will now give my colleagues 5 minutes each, and we will start with Mr. Wamp and work our way up.

Mr. WAMP. Thank you. I have two questions, and one may require our GAO professional to come back up.

I am on the Appropriations Committee and we have talked, particularly in the first-responder arena—law enforcement, firefighters—about grants. And with this much new money coming online all at one time, are there ideas of how we can better fund these programs so that the money gets to the needs in the most effective way? People have actually used the term "earmark," today and of course if you are a member of the Appropriations Committee and you say earmark, everybody thinks you're a porkmeister, that you are trying to earmark moneys just for a parochial interest. But frankly, earmarking can be a way to actually get the money to the specific need rather than just throwing it in a big pot and hoping that it arrives where it needs to.

So I just wonder—I know that we created the firefighter grant program 2 years ago, $100 million, for smaller firefighting efforts in rural America, and I guess I am looking for ideas or feedback that might help us direct these resources quicker to where they need to go.

Mr. HALFORD. I would be happy to address that. I think you hit the nail right on the head. The proof in the pudding is how moneys are distributed for funding. The Firefighters Assistance Program, which is 2 years old, the Fire Act, as you said, started out with $100 million, current fiscal year it is $360 million, and it was targeted to be $900 million in fiscal year 2003. The people who decide how this money should be distributed to the fire departments—and that could be local government if it is a paid fire department, but it could be a volunteer fire department which may not be part of local government—but in any event, there is consensus by the International Association of Fire Chiefs, which the paid management of the fire service, the International Association of Firefighters, which is labor organization, and the National Volunteer Fire Council. And in fact, I have a letter that I will leave with you today that is signed by all three groups, that we would like to continue any money that is funneled to the fire service, whether it is through this prospective $3.5 billion, go through that group that

funnels the money to us, because the group is composed of fire chiefs and volunteer officers from all over the country, and they decide—they sit and they take grant applications, they review, they funnel the money directly to us.

Now you should understand that anything that we do to enhance ourselves before the focus of September 11th better prepares us to handle all emergencies.

So I think the point that you are inquiring on, and I am just speaking for the fire service—there are ways that have already been invented to distribute that funding. The fire service does not want that going to State governments who then must filter and distribute. We have got a good method. Any time you get the International Association of Fire Chiefs, Firefighters and Volunteer Fire Council all together on one issue, you have accomplished something because we are very passionate people and our groups have some different ideas, but the whole—the Nation's fire service is totally united on distributing these funds through that grant act.

Mr. WAMP. Dr. Schaffner, an example is I am one of the members who have committed to doubling the funding for NIH over a 10-year period of time, and this past year we increased NIH funding by 15 percent—huge single year increase. But I am told that with a level that is arbitrary, 15 percent, we are still not getting the money directly to where it needs. I would solicit, not just today, but in the future, your input on how the moneys can best get to the specific needs as opposed to an arbitrary dollar figure, we need this nationwide, as opposed to exactly what do we need, how can that money really rifle shot in on the need.

Dr. SCHAFFNER. I would just comment that the NIH moneys fund basic research and Tony Fauci, the Director of the National Institute of Allergy and Infectious Diseases actually provides a great deal of guidance about how that money should be spent, and actually we are pretty happy with how that is working.

I would suggest you pay equal attention to how the CDC is funded, because the CDC works directly with State and local health departments and that agency takes the fruits of the research and actually applies it. They are the first line responders and investigators of potential outbreaks of communicable disease and we rely strongly on that agency to be the strong Federal backbone of our public health system.

Mr. WAMP. Very important. My time is up, but I want to comment that it is good to hear that there may be some other productive use for those awful 30,000 cell towers that have cropped up all over our country. And I am also very proud that SensorNet comes from our State, from our region and that, yet again, we are out on the cutting edge of breakthroughs that can actually solve the free world's problems, especially at this level of high-technology. I tell my colleagues that I understand that the funding requests to actually meet the national plan is only $10 million, and so we will be coming to you for funding I think for SensorNet from the Oak Ridge National Laboratory. But is that not exciting for all Tennesseans to hear of that potential investment that we could make to help solve this problem.

And with that, the red light is on and I yield back.

Mr. HORN. I thank the gentleman.

Now Mr. Clement.

Mr. CLEMENT. Thank you, Mr. Chairman.

Chief Turner, you state that the Nashville Police Department has conducted unannounced security checks at Water Department facilities and weaknesses were found. Have these weaknesses been corrected?

Mr. TURNER. Congressman, to my knowledge, they have been corrected. Certainly the insufficient security measures that we found were reported to the Director of the Water Department, and I feel confident that he has taken the necessary steps to correct those deficiencies.

Mr. CLEMENT. Dr. Jones, could you explain what you mean by hospital diversions and surge capacities? Do they occur often? Why are these diversions increasing and what happens if all hospitals in a particular region were to go on diversion at the same time, and has it ever happened?

Dr. JONES. Hospital diversion is when a hospital fills, essentially, due to a number of reasons. There are either not enough nurses to staff the hospital or the hospital is physically full of patients, every bed in that hospital has a patient in it. When that occurs, you request that the EMS services no longer bring you patients by ambulance. If patients still want to come to your facility, they can, but in order to take some of the pressure off the hospital, we make that request. That is what diversion is.

There are a number of times in the year that hospitals in this city, including Vanderbilt, are on diversion. This problem is not as big as it is in some other cities. We have never had a situation here where—that I know of—where every hospital has been on diversion at the same time. But that has happened in other communities. When that happens, there is really nowhere for the EMS service who may be carrying critically ill patients, to take them. There are reports of ambulances driving around cities looking for places to take patients and there have even been patients who have died during that. So it is a serious problem.

I do not know if that addresses all of your question or you might want to—is that OK or do you need a little bit more?

Mr. CLEMENT. No, I think you did.

Dr. JONES. OK.

Mr. CLEMENT. And Dr. Schaffner, I know you commented to some degree on this, but you present a pretty grim picture of the Nation's public health system. Do you see any light at the end of the tunnel in rebuilding the public health system?

Dr. SCHAFFNER. I think that there has been an awakening of interest and a realization that the public health system needs to be rebuilt. Dr. Craig told us about some Federal funding that is helping us in Tennessee to rebuild the laboratory capacity. Likewise, that sort of assistance is needed across the country to rebuild laboratory and communicable disease investigative capacities and the capacity to respond. That is something we need to work on.

Mr. CLEMENT. OK. And Mr. Carver, you state in your testimony that military guards assisted you in protecting the substation that supplies power to Fort Campbell. Is there any arrangement in place to use either military forces or the National Guard on a

broader basis to protect TVA facilities in the event of a major attack?

Mr. CARVER. Yes, Congressman, we have worked closely with the National Guards across the Valley for that very purpose, so that if we, TVA police, and TVA expends its resources to the point that there is something imminent or something more disastrous that we are not expecting to occur this suddenly, then we have contingency plans to where we can contact and work with the National Guard across the Valley for their rapid response; yes, sir.

Mr. CLEMENT. Mr. Kulesz, I am really excited about the SensorNet and its potential in the future.

Mr. KULESZ. Thank you, sir.

Mr. CLEMENT. I want to know more about it. Do other agencies around the country know of its potential and how it could——

Mr. KULESZ. We are getting the word out now and trying to talk to as many people as we can in the other agencies to look for funding sources for bits and pieces of SensorNet.

Mr. CLEMENT. Well, I am looking forward to working with you and Mr. Wamp.

Mr. KULESZ. Thank you, sir.

Mr. CLEMENT. Thank you.

Mr. HORN. The gentleman from Tennessee, Mr. Bryant.

Mr. BRYANT. Thank you, Mr. Chairman.

I know that I speak for all my other colleagues here from Tennessee in just thanking you and whoever else helped put these two outstanding panels together. The very high quality of these folks makes us all proud here and I very much appreciate it. I think they have been very informative.

I also want to put in a good plug for TVA. You can tell by the testimony of Mr. Carver today that we have got a great organization here in the Valley. We in the Valley are very proud of TVA, they have, without Federal dollars—they do not use Federal money in their budget—they have been a wonderful asset to this region, with reliable electricity and inexpensive electricity. And being a member of a subcommittee that actually is talking about deregulating electricity and being at the table on behalf of TVA and the consumers, you can see the reluctance of many of us to want to talk about that subject during these times.

But I have two questions back to the subject at hand. One would be to Dr. Jones, I asked the question with the earlier panel about the emergency rooms and I think you very clearly have responded to that question. I would ask you, keeping in mind that I have one more question that I would like to ask Mr. Kulesz about his equipment, but Dr. Jones, I would ask you, since most of Tennessee probably would be classified as rural, certainly a lot of my district, as I go down to Memphis and toward Pickwick and up to Clarksville and over here, with everything in between, much of it is rural. We have a number of rural hospitals. How do we help these folks at these hospitals get a grasp on what could happen out there without causing people all surging into the metropolitan areas for their care? Is there hope?

Dr. JONES. I think there is certainly hope. I would really like to see the approach taken that we have the major academic medical centers in Tennessee serve as centers of excellence. We have the

resources at the bigger hospitals that are affiliated with universities that have teaching staff and residents to formulate these plans and dispense them to the smaller hospitals. I think what we need to do—and some of this is actually being done right now through the THA—is appropriate fundings to the larger hospitals to form these centers and then have the centers accumulate the materials and then disperse it throughout the State. Our plan could be someone else's plan. We can coordinate how we are going to take care of this at the small hospitals, we can discuss decontamination, we can use the expertise that we have here, Dr. Schaffner and others, and let it trickle down to the smaller hospitals.

Mr. BRYANT. Is this concept that we talk about some in Congress—I know I have advocated it and others have—telemedicine, where bigger hospitals can reach out via telecommunications and actually help out——

Dr. JONES. Sure. One of the things that we have talked about is actually putting some of these resources on the internet. Certainly when we put our bioterrorism subplan together we actually used a template that was already available on the Internet through APIC which is an infection control organization, and we have subsequently modified that.

But I think the best way to get this into small facilities certainly would be through the Internet and on the Web. I mean we have developed a lot of protocols here, we have actually taken our patient information sheets on a number of agents and translated them into six languages. So I think we have got a lot of resources that we could share with other hospitals in the State.

Mr. BRYANT. OK. Mr. Kulesz, I have just a very short question.

Mr. KULESZ. Sure.

Mr. BRYANT. Your equipment, in terms of its ability to detect biological or chemical agents—two questions. Does it work in water as well as in the air, and No. 2, now much does it cost with a government discount?

Mr. KULESZ. The underlying instrument behind the chemical, biological mass spect is really designed originally for environmental purposes and it is certified through EPA to do air, water and soil and has those characteristics. And actually in the implementation, full deployment of SensorNet, we would look at all media because obviously that could be a problem.

Cost-wise, as you mass produce these things—and the way this was designed from the start for Soldier Biological Chemical Command, we are designing a machine that can be mass produced and as the volume of production goes up, the cost goes down.

Mr. BRYANT. Thank you.

Mr. KULESZ. Sure.

Mr. HORN. Let me ask Ms. Hecker of the General Accounting Office if you have any thoughts on this, as you did with the first panel, and do you want to make a comment on that?

Ms. HECKER. Thank you, Mr. Chairman. I would just add that I thought the framing that I tried to provide about the critical issues of the roles and the accountability and the issue of the tools and approaches of government really have played out in what you have heard. There are fundamental issues as you deliberate the

proposals by the administration for the increase in homeland security funding about a tradeoff between flexibility and accountability. And I think you are hearing the dynamics of that, that on the one hand there is really a call, an active call for bringing the money directly to us, fewer strings, less tying of our hands on what we want to do. On the other hand, there are issues of what are we going to accomplish, what are the priorities, where are the greatest needs and what are the greatest risks. So there are really tradeoffs and the administration proposal has some interesting elements to it about how the money would be disbursed and we are happy to work with your committee, the Appropriations Committee on analyzing some of the tradeoffs of the block grant approach and some of the other tools and the tradeoffs of going through States or direct to communities, because we have some experience with different programs that have worked different ways.

So I think some important issues have been played out and it was really a wonderful opportunity for the committee to have done this and brought this dialog so clearly out in the front. Thank you.

Mr. HORN. And I will say to the panel do you have any additional thoughts after you have heard all this dialog, anything we have missed?

[No response.]

Mr. HORN. Well, good, it shows all my three questioners here have done a great job.

I want to thank all of you for taking your time. I think this is very important and we are going to see around the country if Nashville should be the standard, why we will need to see who is the standard west of the Mississippi. [Laughter.]

I want to thank the following staff that have been involved with this very fine hearing, and that is J. Russell George, staff director and chief counsel to the Subcommittee on Government Efficiency, Financial Management and Intergovernmental Relations. Mr. George is right behind me.

Bonnie Heald had a lot to do with putting the pieces together for this hearing and she is the deputy staff director.

And we have a new member of our staff, Justin Paulhamus, clerk.

And from Atlanta came Bill Warren to be the court reporter and we are glad to have you here again.

Then the following people from the Tennessee delegation and the Vanderbilt University: Caroline Nielson is the chief of staff to Congressman Bob Clement; and Helen Hardin, chief of staff to Congressman Zach Wamp. Paulina Madaris, scheduler to Congressman Zach Wamp, Polly Walker, Scheduler to Congressman Ed Bryant and Mel Bass, director of Federal affairs for Vanderbilt University in the Washington office. Colette Barrett of Vanderbilt here and Brian Smokler, Vanderbilt University also. It is a lovely place to have this hearing. I wish we had them all across the country, but Vanderbilt is a great university and we are glad to be here. And a lot of people have helped on this and I know a lot of your staffs have helped on this.

So my colleague who is very eloquent wants a 30 second——

Mr. CLEMENT. That is all I ask for.

I just want to thank the chairman again and his wonderful staff, Bonnie and Russell and Justin, and I want to thank my staff too. You mentioned Caroline Nielson but also Court Rolleson and Christie Ray, Bill Mason, Jason Spain and all of them for helping coordinate this. I want to thank the witnesses, this was most helpful and I assure you we will take it back to Washington, DC, and study it and evaluate it and try to do something with it.

And thank you all in the audience today for being here. This is a most important hearing and as we mentioned earlier, this is the first of many that Chairman Horn will have over the country and I thank my colleagues again for being here and participating in such an active way.

Mr. HORN. Thank you all and have a nice week.

[Whereupon, the meeting was adjourned at 1:07 p.m.]

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