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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

COMMITTEE ON GOVERNMENT REFORM

HOUSE OF REPRESENTATIVES

ONE HUNDRED SEVENTH CONGRESS

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

THURSDAY, MARCH 28, 2002

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON GOVERNMENT EFFICIENCY, FINANCIAL MANAGEMENT AND INTERGOVERNMENTAL RELATIONS,
COMMITTEE ON GOVERNMENT REFORM,
Los Angeles, CA.

The subcommittee met, pursuant to notice, at 10 a.m., at the Los Angeles City Hall, Board of Public Works Hearing Room, 200 North Spring Street, Los Angeles, CA, Hon. Stephen Horn (chairman of the committee) presiding.

Members present: Representatives Horn, Millender-McDonald and Watson.

STAFF PRESENT: J. RUSSELL GEORGE, STAFF DIRECTOR AND CHIEF COUNSEL; BONNIE HEALD, DEPUTY STAFF DIRECTOR; JUSTIN PAULHAMUS, CLERK; AND DAVID MCMILLEN, MINORITY PROFESSIONAL STAFF MEMBER.

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 U.S. soil. 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 remains 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 California and the good people of Los Angeles and Long Beach 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 frontline. 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 we look forward to their testimony.

I am delighted to have today Representative Watson as the ranking Democrat on this committee. She is a member of the full Committee on Government Reform and has done a wonderful job in her freshman year and doing wonderful work.

We are glad to have you here, Diane, and if you would like to have an opening statement, please do.

[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 28, 2002

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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.

Ms. WATSON. Thank you so much, Chairman Horn, for including me in this meeting and for holding these field hearings here in southern California on terrorism response preparedness. This hearing provides us an opportunity to hear from the people in the State and those at local level who are responsible for public safety in the event of a terrorist attack.

Here in Los Angeles we know that we can count on these brave men and women who work to protect our people and our infrastructure. We know this because we have faced calamities before, lots of them, and the lessons that we have learned to prepare for natural disasters mean that our State and our local first-responders possess valuable real-world experience. This is critical as you prepare to prevent or to face potential manmade disasters. These experiences can also be a value to other States and communities across the Nation as they seek to develop terrorism response plans of their own.

This has not been why response plans developed for natural disasters can be applied without modification to respond to this new kind of terrorism. Preparation for response to a terrorist incident has its own unique needs. The State of California, under the leadership of Governor Gray Davis, is to be commended for taking action as early as 1999 to approve a terrorism response plan. September 11th only proved the foresight of California's efforts.

I believe that many of California's efforts can serve as a model for other communities and for the Nation as a whole. For example, even before September 11th, California had to take a hard look at various threats and risks posed to our State by terrorism, committing to employ our resources in the most constructive way. Our Federal Government still has not conducted any sort of comprehensive threat and risk assessment. As a result, the President has proposed large increases in homeland security funding without objectively assessing the best way to send these funds. I hope to work over the coming year with Chairman Horn and my other colleagues on the Government Reform Committee to persuade the administration to conduct just that—a comprehensive national terrorism threat and risk assessment.

But despite the differences between emergency planning for natural disasters and emergency planning for terrorism, one thing is for sure: Both require thoughtful and ample resources and comprehensive planning. I have every confidence that our witnesses here will describe to us the detailed results of their thoughtful planning. Hopefully we can then take the fruits of our labor back to Washington to press for the ample Federal resources necessary to keep our communities prepared to prevent or respond to terrorism.

And, Mr. Chair, thank you very much, and I want to thank our witnesses for coming today to share their insights. I will be listening closely.

Mr. HORN. Thank you. And I now will yield 5 minutes to Jack Chois the councilmember for the 5th District of the city of Los Angeles. And we are glad to have you here.

Mr. CHOIS. Thank you very much, Chairman Horn and Congressman Watson, for bringing the attention of the Congress of the United States here to Los Angeles, and I want to welcome both of

you and the members of your staffs to Los Angeles City Hall. It means a lot to me personally that you would do this, because threat preparedness has been my highest priority for the past several months, and we need all the help we can get locally, we need all the help we can get to raise attention and awareness of these issues. And that is what you are doing by your presence here today. It is extraordinarily important to those of us in local government who are working on these issues day in and day out to know your commitment and your support.

I just want to tell you very briefly about some of our accomplishments and some of our needs. I was privileged to create our Threat Preparedness Task Force in Los Angeles over the past several months, and we did a needs assessment, and we have filled some of those needs. We increased funding for certain HAZMAT capabilities, we increased funding for certain bomb squad capabilities in Los Angeles, and I believe I am going to have the support of my colleagues on the city council within the next week, and we will create a Threat Preparedness Trust Fund for the city of Los Angeles. So we are doing important work, but the needs are nonetheless still great to address briefly the topics that you have set forth for this hearing: the nuclear, biological and chemical areas.

Mr. Chairman, I will tell you that on Monday I had lunch with our HAZMAT squad just a few blocks from here, one of our two operating full-time HAZMAT squads in the city of Los Angeles. We have a third one that is being operated on an ad hoc basis. On their HAZMAT vehicles, they have sophisticated nuclear detection capabilities, sophisticated nuclear detection equipment. If you go on to one of our regular fire trucks, Mr. Chair, you will see a big, clunky, old box, and on the bottom of it are the letters "CD," Civil Defense. It is a 1950's-era device that is unfortunately up to the current threat that we face in an era where people such as yourselves are confronting the task of planning for dirty bombs and radiological releases. We have tremendous needs there, both in capabilities and plans.

In the area of a mechanical threat, we need another HAZMAT squad in the city of Los Angeles at a minimum. That's a matter of a couple million dollars, and it is a real struggle here in this building in this era of diminishing budget to secure those funds, and that is the area where we desperately need help.

And in the area of biological preparedness, frankly, given the tentative and teetering state of our public health system in the Los Angeles area, we are in desperate need of Federal assistance, Federal planning, Federal funding, and indeed a national effort is no doubt called for. I am sure that both of you would agree with me that while a national solution is called for here, a Federal solution is not what we need, because the first-responders are local, and the first response will always be up to local government.

That is what I and my colleagues here spend a lot of time on. You have a wonderful panel. In particular, I should note to you that you will be hearing from Sheriff Lee Baca, whose efforts in creating the Terrorism Early Warning Group in Los Angeles, an accounting organization which I have worked to get the city of Los Angeles to participate in and fully fund, I think is a model for the

Nation in terms of terrorism response, intelligence and coordination.

Thank you very much for being here, Mr. Chairman.

Mr. HORN. Well, we thank you very much for taking this time, because you have a real respect for what these things are all about, and we have really used the city of Los Angeles and the County of Los Angeles on what we have done over the years in earthquakes. We now get the rest of the Nation to face-up to something that is not just earthquakes, and this panel will bring out a lot of those things.

The way we operate is that we have the experts from the governmental areas in which we work, and we go right down the line, and we don't question them until the whole panel has got it on the table. And then we will go down the line with each member, 5 minutes at a time, questioning.

At this time, if you don't mind, we'll have all witnesses rise and raise their right hand to accept the oath.

[Witnesses sworn.]

Mr. HORN. So we start with Mr. Ron Castleman, Regional Director, Region 6. He is based in Dallas, TX for the Federal Emergency Management Agency [FEMA], dear to us all, and I want to thank your work. You have been with us already in two of our hearings, and we are glad to have you because you always add something new to it. And we have great appreciation for what FEMA has done to help us with the Los Angeles River. When I went to Congress, that was a real problem, and thanks to the Corps of Engineers and thanks to FEMA we have got that done, and it was done within the money that was needed, and it is now one that won't get over the banks and thousands of people will not have their homes harmed. So we thank FEMA for what it has done in cooperation.

Mr. Castleman.

STATEMENTS OF RON CASTLEMAN, REGIONAL DIRECTOR, REGION 6, FEDERAL EMERGENCY MANAGEMENT AGENCY; KEVIN YESKEY, DIRECTOR, BIOTERRORISM RESPONSE PROGRAM, CENTERS FOR DISEASE CONTROL AND PREVENTION; RONALD L. IDEN, ASSISTANT DIRECTOR IN CHARGE, LOS ANGELES DIVISION, FEDERAL BUREAU OF INVESTIGATION; PATRICIA DALTON, DIRECTOR, STRATEGIC ISSUES, U.S. GENERAL ACCOUNTING OFFICE; DALLAS JONES, DIRECTOR, GOVERNOR'S OFFICE OF EMERGENCY SERVICES, STATE OF CALIFORNIA; AND DIANA BONTA, DIRECTOR, CALIFORNIA DEPARTMENT OF HEALTH SERVICES, STATE OF CALIFORNIA

Mr. CASTLEMAN. Thank you very much, Mr. Chairman. For the record, I am Ron Castleman, regional director, Region 6 of the Federal Emergency Management Agency, and it is a pleasure to be here today. I am a former resident of Los Angeles County, so I am just glad to be back here.

I want to discuss how FEMA is assisting State and local governments to prepare for potential terrorist attacks. FEMA's vision is to lead the Nation in preparing for, responding to and recovering from disasters. Our success requires close coordination with local, tribal, State and Federal agencies as well as volunteer organiza-

tions. The Federal Response Plan outlines the process by which Federal departments and agencies respond as a cohesive team to all types of disasters in support of State, tribal and local governments. The plan has been tested on numerous occasions since its adoption in 1992, and the Federal Response Plan again worked well in response to the terrorist events of September 11, 2001.

FEMA's preparedness programs provide financial, technical planning, training and exercise support to State, local and tribal Americans. The programs are designed to strengthen capabilities to protect public health, safety and property both before and following a disaster.

As you know, the Gilmore Commission issued its second report in December 2000, stressing the importance of giving State and first-responders a single point of contact for Federal training, exercises and equipment assistant. The Commission's third report included recommendations to address the lack of coordination, including proposals to consolidate Federal grants programs, information and application procedures and to include first-responder participation for Federal preparedness programs. These findings and recommendations have been echoed in other commission and GAO reports by the first-responder community and by State and local governments.

On May 8, 2001, the President asked FEMA Director Joe Allbaugh to create an Office of National Preparedness with FEMA. ONP's mission is to provide leadership in the coordination and facilitation of all Federal efforts to assist State and local first-responders and emergency management organizations with planning, equipment, training and exercises to build and sustain the capability to respond to any emergency or disaster, including a terrorist incident.

The President's formation of the Office of Homeland Security further improves the coordination of Federal programs and activities aimed at combating terrorism. FEMA is working closely with Director Ridge, the OHS and other agencies to identify and develop the most effective ways to quickly build and enhance domestic preparedness for terrorist attacks.

This past January, the President took another step to strengthen first-responder efforts to prepare for and respond to incidents to terrorism. The first-responder initiative in the President's 2003 budget calls for $3.5 billion, most of which would be distributed to State and local jurisdictions for planning efforts, critical equipment and to train and exercise personnel.

FEMA's Office of National Preparedness will administer these grants. ONP will also work with our Federal and State partners to coordinate all terrorism-related first-responder programs. To begin addressing some of the lessons the first-responder community learned on September 11th, ONP will develop national standards for interoperability and compatibility in a number of areas, including training, equipment, mutual aid and exercising. The first-responder grants, coupled with these standards, will balance the needs for both flexibility and accountability at the State and local level.

With respect to California, we continue to work very closely with the Governor's Office of Emergency Services and other State of-

fices. Our mechanism to providing support in the past has been the Nunn-Lugar 120 Cities Initiative. Recently, through our Terrorism Consequence Management Preparedness Assistance Grant Program, we have been able to fund terrorism and weapons of mass destruction preparedness activities at the local level. Our funds are provided through the Governor's Office of Emergency Services, and they in turn provide them to the California State Strategic Committee on Terrorism. The areas of focus to the committee include cyber terrorism, equipment, training, intelligence and early warning systems, medical and health resource allocations and others.

FEMA has also participated in senior official workshops, chemical weapons tabletop exercises as well as biological weapons tabletop exercises in the city of Long Beach and other California cities. FEMA is well prepared and equipped to respond to terrorist disasters. We are strengthening our preparedness efforts now so that State, tribal and local governments and first-responders are well prepared for all disasters, including the incidence of terrorism. Continued coordination among all levels of government will ensure a safer America. Thank you for your time, and I will be happy to entertain any questions.

[The prepared statement of Mr. Castleman follows:]

STATEMENT OF

RON CASTLEMAN → W4

REGIONAL DIRECTOR

REGION VI

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 28, 2002

Introduction

Good morning, Mr. Chairman. I am Ron Castleman, Regional Director, Region VI 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 agents. I will describe how FEMA works with other 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 leading the nation in preparing for, responding to and recovering from disasters. Our success depends on our ability to organize and lead a community of local, State, and Federal agencies and volunteer organizations. We know whom to bring to the table when a disaster strikes in order to ensure the most effective management of the response. 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 interagency 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 all types of disasters.

State and Local Relationship

Much of our success in emergency management can be attributed to our historically strong working relationship with our State and local partners. Through our preparedness 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, 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 Department of Defense, Department of Education, Health and Human Services, Department of Justice and Environmental Protection Agency 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 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 Office of National Preparedness (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 any emergency or disaster, including a terrorist incident involving chemical, biological or nuclear weapons of mass destruction and other natural or manmade hazards.

FEMA has made the following changes to support this expanded mission 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;
- 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 key its functions to coordinate and implement Federal programs and activities aimed at building and sustaining the 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 capability involving Federal, State, and local governments, to include citizen participation, in the overall efforts to effectively deal with the consequences of terrorist acts and other incidents within the United States.
- **Technological Services Division** – Improve the capabilities of communities to manage technological hazard emergencies- whether accidental or intentional-and leverage this capability to enhance the capability for dealing with terrorist attacks.
- **Assessment and Exercise** – Provide guidance, exercise, and assess and evaluate progress in meeting National goals for development of a domestic consequence management capability.

We continue to work with all 55 states and territories and Federally recognized Indian Tribes and Alaskan Native Villages to implement our current and other grant programs to assist State, Tribal and local government to enhance their capabilities to respond to all types of hazards and emergencies such as chemical 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 the Hazardous Materials function of the Federal Response Plan. 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 DHHS on how biological scenarios would unfold, it seems unlikely that we would have much forewarning of a calculated strike in this realm.

In 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 the Health and Medical Services function of the Federal Response Plan. 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 FBI 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, and 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 events of this kind.

The Approach to Nuclear 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 miles surrounding the plants and 36 states have plans for the 50 miles 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

Mr. HORN. Well, thank you. And I should have said that automatically your fine statement, which we have all read, is, at this point, in the record, and then if you can stay through this, we will get to some questions.

So we have Kevin Yeskey, director, Bioterrorism Response Program, Centers for Disease Control and Prevention, from Atlanta, I assume. How is the weather there?

Mr. YESKEY. It is about the same as it is here, sir. Good morning——

Mr. HORN. OK. We are delighted to have you.

Mr. YESKEY. Good morning, Mr. Chairman, members of the committee and panel. I am Kevin Yeskey. I am the director of the Bioterrorism Preparedness and Response Program in the National Center for Infectious Diseases at the Centers for Disease Control and Prevention. Speaking for all the men and women of my agency, let me thank you for sponsoring this field hearing, raising these important issues and for allowing us to take part.

Like all other Americans, we at CDC were horrified and saddened by the events which took place in New York City and Washington, DC, last fall. But as the Nation's disease control and prevention agency, we were also immediately galvanized to action to provide assistance to our partners and the affected cities and States.

In my oral comments, I will provide a brief overview of CDC's activities related to September 11th and the subsequent anthrax attacks and how we are working better to prepare our Nation's States and cities for the threat of public health emergencies, including terrorism. My written statement goes into more detail about the overall response planning.

The terrorist events of September 11th and the later events related to anthrax have been defining moments for all of us, and they have greatly sharpened the Nation's focus on public health. These events created the greatest public health challenge in CDC's history, requiring an unprecedented level of response. CDC has deployed 588 employees since September 11th in response to the World Trade Center event and the anthrax investigation. Within minutes of the second plane crash in the World Trade Center, we initiated an emergency operation center that functioned 24 hours a day, 7 days a week.

While all commercial aircraft were grounded after the attack, CDC was able to arrange transportation of its emergency response personnel to New York. For the first time ever, CDC deployed the National Pharmaceutical Stockpile, sending push packages of medical materials to New York City and Washington, DC. In response to the cases of anthrax exposure, this program was also used to deliver antibiotics for post-exposure prophylaxis to employees in affected buildings, postal workers, mail handlers and postal patrons.

Within 4 hours after the attack on the World Trade Center, CDC's Health Alert Network was activated and began transmitting emergency messages to the top 250 public health officials throughout the Nation. Over the next 16 weeks, 67 health alerts, advisories and updates were transmitted, ultimately reaching an estimated 1 million frontline public and private physicians, nurses, laboratories and State and local health officials.

The Epidemic Information Exchange, EPI-X, the public health's established, secure communications network, immediately developed a secure conference site for State epidemiologists and local on-site CDC investigative teams for posting information on surveillance and response activities, including HHS reports, CDC health advisory information and health alerts and other reports from State health departments. The Morbidity and Mortality Weekly Report, CDC's scientific publication, published reports on an urgent basis and delivered these reports electronically to over 500,000 healthcare providers.

During the height of the Nation's anthrax crisis in October, CDC experienced larger than normal traffic on its Web site, conducted daily press telephone briefings and fielded thousands of press inquiries and featured in television interviews reaching millions of viewers. At the peak of the anthrax response, CDC had more than 200 personnel in the field assisting State and local partners and hundreds more personnel at headquarters assisting the effort. Overall, there were a total of 22 cases of anthrax, with 11 being the cutaneous form of the disease and 11 being the inhalation form. While we deeply regret each illness that occurred, we are very encouraged by the fact that none of the approximately 10,000 persons who were given antibiotic prophylaxis developed anthrax, despite significant exposure to spores.

Last fall's events revealed serious gaps in our Nation's public health defenses against biological and radiological threats. These gaps include inadequate epidemiologic and laboratory surge capacity and the insufficient knowledge base concerning sampling and remediation and lack of information concerning infectious dose and host susceptibility. In addition, the public health system needs to improve its ability to convey information and provide treatment and preventive measures to large numbers of persons and having a way of assuring compliance. This will require extensive preparedness planning, cooperation across agencies between Federal, State and local counterparts. It will also require that we work closely with partners in emergency response community, law enforcement, clinical medicine, academia and private industry. CDC will continue to support State and local government officials in preparing and responding to public health emergencies, including terrorist events, by providing assistance and technical guidance and conducting problem assessment, evacuation and relocation decisions, proper treatment of casualties, epidemiological surveillance, disease control measures and studies of exposed populations.

At the request of the State, CDC will deploy trained rapid response teams who can assist in protecting the public's health in an event of a public health emergency. CDC response teams have expertise on medical management, disease prevention strategies, assessing needs, first-responder procedures, site safety, environmental sampling strategies, sampling equipment and disease and injury surveillance. All States and localities must be prepared to address these threats and mount an effective response.

In late January, HHS announced that a total of $1.1 billion in funding would be provided to States to assist them in their bioterrorism preparedness efforts. On January 31, Secretary Thompson notified each Governor of the amount his or her State would

receive to allow them to initiate and expand planning and building the necessary public health infrastructure. Here in California, the State received $60.8 million in funds, and Los Angeles County received $24.59 million in funds from CDC.

In conclusion, CDC is committed to working with other Federal agencies and partners, State and local health departments and healthcare and first-responder communities to ensure the health and medical care of our citizens. Although we have made substantial progress in enhancing the Nation's capability to prepare for and respond to a terrorism episode, the events of last fall demonstrate that we must accelerate the pace of our efforts to assure an adequate response capacity. A strong and flexible public health system is the best defense against any disease outbreak or public health emergency.

Once again, let me thank you for the opportunity to be here today. We look forward to working with you to address the health and security threats of the 21st century. I will be happy to answer questions.

[The prepared statement of Mr. Yeskey follows:]

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

CDC Efforts to Assist State and Local Government Preparedness for Terrorist Attacks

Statement of
Kevin Yeskey, M.D.
Director, Bioterrorism Preparedness and Response Program, National Center for Infectious Diseases, Centers for Disease Control and Prevention, U.S. Department of Health and Human Services

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Good morning, Mr. Chairman and Members of the Committee. I am Dr. Kevin Yeskey, Director of the Bioterrorism Preparedness and Response Program in the National Center for Infectious Diseases, Centers for Disease Control and Prevention (CDC), U.S. Department of Health and Human Services. Let me thank you for the invitation to participate in today's hearing on how the Federal government is assisting State and local governments to prepare for a potential terrorist attack involving biological, chemical or radiological agents, and for the ongoing interest of the subcommittee in this issue. Today I will be discussing CDC's public health response to the threat of terrorism, and how we are working with our state and local partners to strengthen the nation's capacity to address these threats and improve our response in the future.

The terrorist events of September 11th and later events related to anthrax have been defining moments for all of us – and they have greatly sharpened the Nation's focus on public health. These events created the greatest public health challenge in CDC's history, requiring an unprecedented level of response. CDC has deployed 588 employees since September 11th in response to the World Trade Center event and the anthrax investigation. Within 10 minutes of the second plane crashing into the World Trade Center, we initiated an Emergency Operations Center that functioned 24 hours a day, seven days a week. While all commercial aircraft were grounded after the attack, CDC was able to arrange transportation of its emergency response personnel to New York. For the first time ever CDC deployed the National Pharmaceutical Stockpile, sending push packages of medical materiel to New York City and Washington, DC. In response to the cases of anthrax exposure, this program was also used to deliver antibiotics for

post-exposure prophylaxis to employees in affected buildings, postal workers, mail handlers, and postal patrons. Within four hours of the attack on the World Trade Center, CDC's Health Alert Network was activated and began transmitting emergency messages to the top 250 public health officials throughout the Nation. Over the next 16 weeks, 67 health alerts, advisories, and updates were transmitted, ultimately reaching an estimated 1 million frontline public and private physicians, nurses, laboratorians, and State and local health officials. The Epidemic Information Exchange (*Epi-X*)–public health's established, secure communications network–immediately developed a secure conference site for state epidemiologists and local CDC investigative teams for posting information on surveillance and response activities, including HHS reports, CDC health advisory information and health alerts, and reports from state health departments. The Morbidity and Mortality Weekly Report (MMWR), CDC's scientific publication, published reports on an urgent basis and delivered these reports electronically to over 500,000 health care providers. During the height of the nation's anthrax crisis in October, the number of visitors to CDC's website increased from 4 million per month to more than 9 million per month. In addition, CDC conducted daily press telephone briefings and fielded thousands of press inquiries, resulting in more than 8,000 mentions in newspapers across the country. CDC has been featured in television interviews reaching hundreds of millions of viewers.

Prior to the September 11th attack on the United States, CDC had made substantial progress in defining and developing a nationwide framework to increase the capacities of public health agencies at all levels–federal, state, and local. Since September 11th, CDC has dramatically

increased its level of preparedness and is developing and implementing plans to increase it even further.

The best public health strategy to protect civilians against any health threat is the development, organization, and enhancement of public health systems and tools at all levels of government—federal, state, and local. Priorities include:

- a fully staffed, fully trained, and properly protected public health workforce,
- strengthened public health laboratory capacity,
- increased surveillance and epidemiological capacity,
- secure, up-to-date information systems, and
- solid health communication capabilities

—all supported by flexible policies and preparedness plans that enable the public health system to respond to any type of health emergency.

These priorities represent the elements of the public health infrastructure. They are the foundation of all our work—both the known risks we face today, as well as the unknowns we may face tomorrow. And with all this responsibility to bear, the public health infrastructure must be strong. The unprecedented level of funding provided to States for bioterrorism and public health preparedness in FY 2002 and requested in FY 2003 will help us develop a robust public health system.

A recent survey indicates that we are on our way to achieving this goal. According to an October 2001 survey to assess local preparedness for bioterrorism, conducted by the National Association of County and City Health Officials:

- 20% of local public health agencies already have comprehensive response plans in place.
- 75% of local health officials indicated they were fairly or somewhat prepared for the many roles they are now being expected to play;
- Only 9% indicated that they were not prepared at all.

The survey also provided evidence that effective communications systems and reliable and timely information are also key to a prepared public health workforce.

Our state and local health department partners are the core of the public health system. They must be ready and able to respond to all public health threats and emergencies. Our ability to respond as a nation is only as strong as the weakest health department—if any of us is at risk, we are all at risk. Bolstering state and local health departments' infrastructure strengthens every public health action. We have a historic opportunity to continue building that strength right now.

CDC will continue to support state and local government officials in preparing and responding to public health emergencies, including terrorist events, by providing assistance and technical guidance in the following areas:

- problem assessments
- evacuation and relocation decisions

- proper treatment of casualties
- epidemiological surveillance
- disease control measures
- studies of exposed populations.

At the request of the state, CDC will deploy trained rapid response teams who can assist in protecting the public's health in the event of a public health emergency. CDC response teams maintain expertise on medical management, disease prevention strategies, assessing needs, first responder procedures, site safety, enviornmental sampling strategies, sampling equipment, and disease and injury surveillance.

The events of last fall demonstrate that we must move much more rapidly to expand our capacity to respond to all public health emergencies. We must assure that all states and localities are adequately prepared to address terrorist threats–including biological, chemical, and radiological threats–to their populations and can mount an effective response. In late January, HHS announced that a total of $1.1 billion in funding would be provided to states to assist them in their efforts to prepare for bioterrorism, other infectious disease outbreaks, and other public health threats and emergencies. On January 31st, Secretary Thompson sent a letter to the governor in each state detailing how much of the $1.1 billion his or her state would receive to allow them to initiate and expand planning and building of the public health systems necessary to respond. State proposals outlining these plans are due to HHS by April 15th. The funds will be

made available through cooperative agreements with State health departments–and several large metropolitan area health departments–to be awarded by CDC and the Health Resources and Services Administration, and through contracts awarded by the Office of Emergency Preparedness with cities for the Metropolitan Medical Response System Initiative.

The funds are to be used for development of comprehensive public health emergency preparedness and response capabilities; upgrading infectious disease surveillance and investigation; enhancing the readiness of hospital systems to deal with large numbers of casualties; expanding public health laboratory and communications capacities; education and training for public health personnel, including clinicians, hospital workers, and other critical public health responders; and improving connectivity between hospitals and local, city, and state health departments to enhance disease detection. The State of California received $60.8 million in funds and Los Angeles County received $24.59 million in funds from CDC. States will be permitted to begin immediately spending up to 20 percent of their allotments, so as to avoid delay in starting preparedness measures. The remaining 80 percent of the $1.1 billion in state funds will be released once complete plans have been received and approved.

In addition to funding for states, the National Pharmaceutical Stockpile has increased the number of 12-hour push packages from 8 to 12, increasing the number of separate events and the number of impacted people who can receive antibiotics and emergency medical/surgical items during a

terrorist event. This means that, coupled with the NPS Vendor Managed Inventory, up to 20 million people can begin treatment for anthrax exposure. Vaccines for smallpox and anthrax are being procured and will be a fully functional component of the Pharmaceutical Stockpile as soon as those vaccines are available. In addition, state and local deployment plans are in development so that all state public health systems will be prepared to accept and distribute the Stockpile in the event of a terrorist attack. This planning is a required part of the state cooperative agreements.

In conclusion, CDC is committed to working with other federal agencies and partners, state and local health departments, and the health care and first responder communities, to ensure the health and medical care of our citizens. Although we have made substantial progress in enhancing the nation's capability to prepare for and respond to a terrorist episode, the events of last fall demonstrate that we must accelerate the pace of our efforts to assure an adequate response capacity. The best public health strategy to protect the health of civilians against biological, chemical, or radiological terrorism is the development, organization, and enhancement of public health systems and tools. Priorities include a strengthened public health laboratory capacity, increased surveillance and outbreak investigation capacity, and better health communications, education, and training at local, state, and federal levels. Not only will this approach ensure that we are prepared for deliberate terrorist threats, it will also ensure that we will be able to recognize and control naturally occurring new and re-emerging disease threats. A strong and flexible public health system is the best defense against any disease outbreak or public health emergency.

Once again, let me thank you for the opportunity to be here today. We look forward to working

Mr. HORN. Thank you very much. Our next presenter is Ronald Iden, the assistant director in charge of the Los Angeles Division, U.S. Federal Bureau of Investigation. Mr. Iden.

Mr. IDEN. Thank you, Chairman Horn. Good morning. Good morning, Congresswoman Watson, Congresswoman Waters, Councilman Weiss. Thank you for inviting us to join you here today to discuss the FBI's efforts within the southern California region to work with our local law enforcement and first-responder partners in addressing the threat of weapons of mass destruction.

As you know, the FBI's overall counter terrorism mission is to detect, deter, prevent and respond to terrorist actions that threaten U.S. national interests, at home or abroad, from either domestic or international sources. At the Federal level, the FBI's lead crisis management and investigative responsibilities exist in a partnership alongside FEMA's consequence management role for response to a WMD attack and the U.S. Secret Service's role of security planning and management. This partnership has demonstrated itself successfully at events such as this year's Winter Olympics and the 2000 Republican and Democratic National Conventions.

The FBI recognizes that terrorism is a global problem with a local impact, as was evidenced with devastating clarity on the morning of September 11th. We understand, therefore, the importance of partnering with regional law enforcement, emergency services and health services agencies in executing our counter terrorism mission.

The Los Angeles FBI office is responsible for a 40,000-square mile, 7-county area and a population that exceeds 17 million people. We interact with 155 chiefs of police and sheriffs, including the Los Angeles County Sheriff's Department and the Los Angeles Police Department. The Los Angeles FBI has collaborated closely with our city, county and State partners in addressing the threat of terrorism for nearly 18 years. In 1984, we formed the Los Angeles Task Force on Terrorism as an outgrowth of our planning and preparation for the 1984 Summer Olympics, which were held in Los Angeles.

This task force, formed jointly with the Los Angeles Police Department and the Los Angeles County Sheriff's Department, has expanded to incorporate the full-time participation of 14 Federal, State and local law enforcement agencies. We have established additional joint terrorism task forces within our territory, including the Inland Empire, covering Riverside and San Bernadino Counties and an Orange County JTTF, which includes city and county agencies from Orange County, which was recently formed in response to the September 11th attacks.

As you may know, in response to the events of September 11th, the State of California has established regional terrorism task forces throughout the State composed of agents from the California Department of Justice, officers from the California Highway Patrol and local police agencies. The FBI, the Governor, the California attorney general and their executives have worked together closely to ensure close collaboration between those regional State task force units and the FBI's JJTFs throughout the State. In fact, most of those units are co-located with the FBI's task forces.

In addition to establishing strong collaborative relationships with law enforcement counterparts, the Los Angeles FBI has developed similar relationships with emergency first-responders and public health service agencies in order to prepare to respond to an act of terrorism. These non-traditional efforts began 6 years ago with the formation of the Los Angeles County Terrorism Early Warning Group. The formation of this group was a direct result of strong working relationships developed over the years between the Los Angeles County Sheriffs and City Police Departments, the Los Angeles County and City Fire Departments, the Los Angeles County Health Department and FBI personnel assigned to emergency operations in counter terrorism.

The mission of the Terrorism Early Warning Group is to provide a common venue for information sharing, training and the establishment of common response protocols for law enforcement, fire, health and emergency management agencies to WMD incidents. Today, more than 50 agencies participate in the Los Angeles Early Warning Group.

In addition, the Los Angeles FBI participates in extensive weapons of mass destruction training with local first-responders. Our 25-member HAZMAT team and 4 bomb technicians have participated in 5 Nunn-Lugar sponsored WMD consequence management exercises in the Los Angeles area. The Los Angeles exercise, referred to as Westwind 99, simulated a chemical attack resulting in 2,000 deaths. Participants included local, county and State law enforcement, regional fire and HAZMAT agencies, health and emergency management agencies, the Department of Defense and various Federal agencies from the Domestic Emergency Support Team.

We have conducted hazardous materials training with many agencies, in addition to those I mentioned above, including the FAA, the Los Angeles Airport Police, representatives from UCLA and county hospitals. Our bomb technicians conduct basic 1-week post-blast schools for regional law enforcement agencies—eight annually. And they conduct one advanced post-blast school annually, which attracts students from law enforcement agencies around the country. Other Federal partners responsible for WMB incidents, including FEMA and the Centers for Disease Control, participated in field training exercises, as well as national security special events, such as the 2000 Democratic National Convention.

Recognizing the strong need for interagency communication, the FBI has not only obtained top secret clearances for key law enforcement personnel but also for fire, HAZMAT and health personnel. This was necessary to ensure that critical threat information could be passed to local and State officials so that they could make appropriate health and safety decisions during the course of a WMD terrorist incident.

Subsequent to the events of September 11th, we have also established direct e-mail dissemination of threat information to all of the 155 chiefs of police and sheriffs within our territory. We also use the law enforcement online network, the terrorist threat warning system and national law enforcement telecommunications system to disseminate threat information. We participate in the State of California's Standing Committee on Terrorism and through that

committee have assisted in the development of policies, including recent anthrax response protocols.

Our outreach and training efforts have also been expanded to the private sector, in addition to State and local government, through our National Infrastructure and Protection and Computer Intrusion Program. NIPCI's Infraguard outreach component shares threat information with representatives of eight critical infrastructure sectors: banking, transportation, telecommunications, oil and gas, water, power, government services and emergency services. Among those partners is the Pacific Gas and Electric's Diablo Canyon Nuclear Power Facility.

In closing, Mr. Chairman, the Los Angeles division of the FBI is quite proud of our long-standing commitment to working as a partner with State and local government in preparing to meet the challenge of a WMD terrorist incident. Chairman Horn, this concludes my prepared remarks. I would like to express again my appreciation for your interest and examining of these issues that are so vital to all of us in southern California, and I look forward to any questions. Thank you.

[The prepared statement of Mr. Iden follows:]

STATEMENT OF RONALD L. IDEN
ASSISTANT DIRECTOR IN CHARGE, LOS ANGELES DIVISION
FEDERAL BUREAU OF INVESTIGATION
BEFORE THE HOUSE COMMITTEE ON GOVERNMENT REFORM
SUBCOMMITTEE ON GOVERNMENT EFFICIENCY, FINANCIAL MANAGEMENT AND INTERGOVERNMENTAL RELATIONS
MARCH 28, 2002

Good morning Chairman Horn and distinguished Members of the Subcommittee. I appreciate the opportunity to appear before you to discuss the FBI's efforts within the Southern California region to work with our law enforcement and first responder partners in addressing the threats of Weapons of Mass Destruction (WMD), specifically chemical, biological or nuclear threats.

Introduction

The FBI's overall counterterrorism mission is to detect, deter, prevent and respond to terrorist actions that threaten U.S. national interests at home or abroad, from either domestic or international sources. Presidential Decision Directives (PDD) 39, 62, and 63 defined the FBI's role of crisis management, investigation, and intelligence support for terrorism prevention in the coverage of National Special Security Events (NSSE), and in response to an actual terrorism event.

At the Federal level, the FBI's lead crisis management and investigative responsibilities exist in a partnership alongside FEMA's consequence management role for response to a WMD attack. PDD-62 created a three-way partnership in connection with NSSEs, adding the United States Secret Service (USSS) role of security management. NSSEs where such a three-way partnership has been in place include the Olympics, the Republican National Convention, or as in the case of Los Angeles, the 2000 Democratic National Convention.

Terrorism is a global problem with a local impact, as was evidenced with devastating clarity on September 11th. The FBI nationally, and the Los Angeles Office of the FBI in particular, long ago realized the importance of FBI partnership with a region's law enforcement, first responder, and health communities in executing its counterterrorism mission. I will discuss in detail our efforts in this area.

The Los Angeles Division of the FBI (FBILA)

FBILA's responsibilities cover the Central Federal Judicial District of California - a 40,000 square mile, seven county area, including Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara, and Ventura Counties, and a population that exceeds 17 million. The FBILA interacts with 155 chiefs of police and sheriffs, including the Los Angeles County Sheriff's Department (LASD), the largest such department in the United States, and the Los Angeles Police Department, one of the largest police departments in the United States. In order to address the challenges posed by its vast territory, FBILA has

established nine resident agencies (RAs) throughout the region within the cities of Santa Ana, Long Beach, Riverside, West Covina, Ventura, Santa Maria, Lancaster, Victorville and Palm Springs, and one RA at the Los Angeles International Airport. Four of those RAs have more than thirty agents assigned, and the Santa Ana RA alone is itself larger than many FBI field offices.

Southern California is very diverse ethnically. It is home to many of the largest émigré communities in the United States. The Iranian-American community, estimated at more than 500,000, is the largest in the world outside of Teheran. The Korean-American community is also estimated to exceed 500,000. According to the 2000 census, the Hispanic community constitutes up to 49.9% of the population in six of the seven counties covered by the Los Angeles Division. One can find significant Vietnamese-American, Chinese-American, and Arab-American (covering numerous Arab countries) communities within the region. The Jewish, Muslim, Christian, and other religious communities are correspondingly large.

The Southern California region is home to multi-billion dollar industries, including the defense, entertainment, computer technology, and biotechnology industries. The region is home to a massive critical infrastructure, including gas and oil storage and transport, electrical power, telecommunications, banking and finance, water supply, transportation, emergency services and government services systems.

Joint Terrorism Task Forces (JTTF)

The 1993 World Trade Center bombing, the 1995 Oklahoma City bombing, and the events of September 11th only reinforced for FBILA a longstanding commitment to work integrally with its regional partners in addressing terrorism. Significant initiatives to combat terrorism began well before those events. In 1984, FBILA formed the Los Angeles Task Force on Terrorism (LATFOT) as the direct result of planning for the 1984 Los Angeles Summer Olympics. This task force, formed jointly with the Los Angeles Police Department and the Los Angeles County Sheriff's Department, has expanded to incorporate the full time participation of 14 Federal, State, and local law enforcement agencies. The agencies that currently participate on a full time basis include the LAPD, LASD, California Department of Justice, California Highway Patrol, U.S. Department of State Office of Diplomatic Security, Central Intelligence Agency, Naval Criminal Investigative Service (NCIS), U.S. Air Force Office of Special Investigations (OSI), U.S. Immigration and Naturalization Service, Bureau of Alcohol Tobacco and Firearms, U.S. Secret Service, U.S. Customs Service, Defense Intelligence Agency, and the Internal Revenue Service. The FBILA has assigned four counterterrorism squads to the LATFOT, addressing the FBI's International Terrorism (2 squads), Domestic Terrorism, and NIPCI Programs.

Other joint terrorism task force (JTTF) initiatives are ongoing within the Los Angeles Division. One is the very successful Inland Empire Terrorism Task Force formed several years ago. FBILA's Riverside RA, together with law enforcement agencies from within Riverside and San Bernardino Counties, comprise this JTTF. FBILA is currently creating

an additional JTTF in Orange County as a response to the September 11th attacks.

Participating law enforcement agencies have increased the number of officers and agents assigned to FBILA's JTTFs since September 11th. These staffing enhancements will increase interagency cooperation in counterterrorism prevention and response, and will enhance the effectiveness of investigations. With the FBI's focus on the detection and prevention of terrorist incidents, this interagency cooperation and sharing of information is absolutely essential.

In response to the events of September 11th, the State of California has created a California Anti Terrorism Information Center, and has established regional terrorism task forces throughout the State, composed of agents from the California Department of Justice, officers from the California Highway Patrol, and officers from local police departments. The FBI has worked closely with the Governor, the California Attorney General, and their staffs, in order to ensure that those regional state task force units collaborate closely with the FBI's JTTFs throughout the State. In fact, most of those units are co-located with the FBI's JTTFs.

The U.S. Attorney General has directed the U.S. Attorney in each judicial district to form an Attorney General's Terrorism Task Force (ATTF). Within FBILA's territory, the Central District of California, the ATTF is synonymous with the FBILA's LATFOT and its Riverside and Santa Ana JTTFs. Cooperation between the U.S. Attorney's Office (USAO) in terrorism matters has been, and remains highly effective. FBILA has provided counterterrorism and WMD training for USAO attorneys. A number of significant terrorism criminal prosecutions have been achieved, including the first in the United States charging subjects with providing material support to a terrorist organization, and the first to charge a subject with issuing a false anthrax hoax.

WMD and the non-traditional FBI role

The 1984 formation of the LATFOT was only the first of FBILA's long-standing and extensive efforts to execute its counterterrorism mission. The FBI's national commitment to countering the growing WMD threat through the formation of the WMD Operations Unit and Countermeasures Unit was mirrored by specific innovative and non-traditional initiatives within Los Angeles Division. Distinct from traditional FBI initiatives, which emphasize cooperative investigation and intelligence gathering among law enforcement agencies at various jurisdictional levels, these non-traditional approaches seek to elicit the participation and cooperation of non-investigative agencies whose mission is instead oriented to public safety and threat response.

The non-traditional efforts began in 1996, with the formation of a Los Angeles County Terrorism Early Warning Group (TEW). The formation of this group was the direct result of exceptional working relationships between LASD, LAPD, Los Angeles County Fire, Los Angeles City Fire, Los Angeles County Health and FBI personnel assigned to emergency operations, counterterrorism, and bomb squads. The mission of the Group is to provide a common venue for information sharing, training, and the establishment of

common response protocols for law, fire, health, and emergency management agencies to WMD incidents. The TEW has evolved today into an entity with participation by more than 50 agencies at the Federal, state and local levels from several area counties, and with a permanent interagency component housed in the Los Angeles County Emergency Operations Center. FBILA's TEW in Los Angeles County was such an effective model that FBILA has extended the concept to other counties to develop similar groups. These efforts have met with success in Riverside, San Bernardino, Orange, and Ventura counties.

It should be noted that FBILA's WMD efforts were shaped by some very important parameters. The FBI was only one of many large and proactive agencies within the Southern California region with expertise in WMD matters. The Southern California region was the birthplace of the Incident Command System (ICS), developed to manage interagency responses to major disasters such as earthquakes, floods, and fires. In recognition of this working environment, FBILA adopted and has adhered to the ICS in responding to WMD incidents. As a result, the question, "Who is in charge?" is answered through the ICS. ICS regional partners recognize the FBI's lead Federal agency role in responding to a WMD attack. The FBI takes charge as management of an incident shifts from public health and safety issues to the control and handling of the incident site as a contaminated crime scene and contemporaneous criminal investigation. In a major incident, the FBI would also be part of a Unified Command located in a Joint Operations Center assigned the task of managing the crisis and its consequences, as well as attending to investigative requirements over the long term.

The effectiveness of the TEW was put to the test during the last quarter of 1998, when the Southern California region experienced over 40 anthrax hoax threats. Early in that period, those incidents garnered a high level of media attention and incurred a cost to the public averaging $600,000 per response. By the end of that period, the participating agencies had cut response costs dramatically, lowered the media profile, and reduced the unnecessary decontamination of victims. The FBI was able to assist in the development of these protocols by providing direct access to the U.S. Army's research facility, USAMRID, in advising responders on how to handle anthrax incidents. Both the events of September 11th, and the actual dissemination of anthrax spores that took place shortly thereafter, resulted in the handling of several hundred anthrax-related calls and incidents by the FBILA and its regional partners. The preceding years of interagency cooperation had already established the basis for consistent protocols in the handling of anthrax-related calls by the TEW member agencies bearing that responsibility.

Training

In recognition of the importance of a WMD/counterterrorism response, FBILA management authorized the formation of special agent positions dedicated to WMD outreach, training, and response in 1998. During 1999, FBILA formed a squad encompassing those WMD responsibilities, as well as responsibilities for bomb response, training and outreach, and the NIPCI program. Currently, FBILA has a 25 member HAZMAT Response Team (HMRT) and a team of four bomb technicians who are cross-trained as HMRT members. These resources service the comprehensive FBILA efforts to

work with state and local governments to prepare for a WMD attack.

As a point of explanation, the HMRT is composed of FBI Special Agents trained to gather evidence in a crime scene contaminated by either biological or chemical contamination utilizing Personal Protection Equipment (PPE) up to Level A. The cross-trained bomb technicians wear both PPE and a bomb suit, and they are able to "render safe" an explosive device used to disseminate chemical or biological materials.

Utilizing these dedicated resources, FBILA personnel have to date participated in five Nunn-Lugar sponsored WMD consequence management exercises which have taken place in Los Angeles, Long Beach, Anaheim, Santa Ana, and Huntington Beach. Two more exercises are scheduled for later in 2002, and FBILA will participate in those exercises as well.

The FBILA field training exercise codenamed "Westwind 99" warrants discussion. Held in February 1999, Westwind 99 combined the FBI's annual crisis management exercise with a Nunn-Lugar WMD consequence management exercise for Los Angeles City and County. Westwind 99 simulated a chemical attack on a local air show by a fictional domestic terrorist group, resulting in the simulated deaths of 2,000 victims. The exercise was all-inclusive, encompassing the pre-investigation phase, detecting the possibility of a terrorist attack, through a comprehensive consequence management response, an investigative response, and finally culminating in the tactical arrest of the "terrorists." An estimated 2000 participants included the FBI, county, state, and local law enforcement, regional fire and HAZMAT agencies, health agencies at all levels of government, emergency management agencies at all levels of government, the Department of Defense, the U.S. Marine Corp, and a deployment of various Federal agencies from Washington, D.C. comprising the Domestic Emergency Support Team (DEST). Of the many lessons learned by participants at all levels of government, the most important was the lesson of working together in an effective and coordinated manner.

During 1998, FBILA developed a WMD "train the trainer" course curriculum, which provided information on terrorism, WMD, and the role of the FBI to regional law enforcement, fire, health, and emergency operations personnel. Participants were provided with hard copies and a CD-rom of the curriculum so that they could teach their own agency personnel in turn.

The FBILA HMRT conducts monthly WMD training drills with other agencies. A notable example was a drill in which a simulated WMD incident was handled aboard a commercial airliner. This drill involved the HMRT, FAA, and Los Angeles Airport Police Department. A second example was a WMD drill utilizing a live but harmless biological organism in cooperation with UCLA, the Los Angeles County Health Lab, and the LAPD HAZMAT team. The most recent HMRT drill took place during the week of March 18th at the UCLA campus, in which the FBI HMRT, LAPD, LASD and UCLA personnel responded to a simulated WMD incident involving simulated radioactive materials.

The FBI has participated with the 88 Los Angeles County hospitals in their annual disaster

exercises which are required by state law. FBILA personnel provide WMD/counterterrorism training at the California State Training Institute in San Luis Obispo in support of the State of California's Office of Emergency Services.

In summary, FBILA has conducted WMD/counterterrorism training in support of state and local government within a variety of venues, and it continues to do so on an ongoing basis.

FBILA also conducts eight basic one-week post-blast schools for regional law enforcement agencies annually. These courses are sponsored by the FBI Bomb Data Center. Additionally, FBILA bomb technicians conduct the only advanced large vehicle post-blast schools in the entire United States. These courses attract students from law enforcement agencies all over the country. They are conducted on remote and isolated U.S. military facilities such as California's China Lake research station and Vandenburg Air Force Base, due to the large amount of explosives (up to 1000 lbs) utilized.

Communication

FBILA adheres strongly to a belief in the need for excellent interagency communication and cooperation. With the formation of the TEW Group in 1996, the FBI not only obtained Top Secret clearances for key law enforcement personnel, but also for fire, HAZMAT, and health personnel. This was necessary to ensure that critical information could be passed to local and state officials so that they could make appropriate health and safety decisions during the course of a WMD terrorist incident.

Since its formation in 1996, the TEW has also served as a conduit to disseminate important threat information through its member agencies and the 88 cities within Los Angeles County. Given the sensitive and often classified nature of counterterrorism investigations conducted by the JTTFs, the information is filtered for release to the TEW.

During 1999, FBILA expanded its WMD outreach and training to the private sector in connection with its NIPCIP efforts. The InfraGard component of the NIPCIP is an FBI/Federal partnership with the private sector, as well as with local and state government agencies within eight identified critical infrastructures: banking, telecommunication, oil transport/storage, water, power, continuing government services, emergency services, and transportation. Corporate and government members alike have stated clearly that they wish to receive information on physical and WMD threats, as well as information on cyber threats.

FBILA's strong working relationship with the Pacific Gas and Electric personnel who run the Diablo Canyon Nuclear Facility reflects the recognition by the FBI of the critical nature of the facility. The channels of communication established through FBILA's Santa Maria Resident Agency, ensures that threat information is forwarded to them on a timely basis.

Subsequent to September 11th, FBILA has established direct dissemination of threat information to the 155 chiefs-of-police within the Southern California region. This is

accomplished utilizing an email listserve on Law Enforcement On-line (LEO). With the emphasis on the most rapid possible dissemination, threat information including the National Law Enforcement Teletype System (NLETS) and the National Threat Warning System (NTWS) disseminations are sent directly to the regional chief of police through FBILA's LEO listserv.

FBILA, in conjunction with the TEW, will expand communication and cooperation with the State of California anti-terrorism intelligence efforts within the California Anti-terrorism Information Center (CATIC). This computer based "pointer system" will contain information provided by California's local law enforcement agencies on individuals with an alleged connection to terrorism.

FBILA has participated in the State Standing Committee on Terrorism (SSCOT), a California State initiative of the Office of Emergency Services. During the aftermath of the September 11th attacks, FBILA participated in a series of statewide telephone conferences implemented by this Committee. These conferences discussed development of anthrax protocols, incidents that occurred within the state, and policy issues as they pertained to the capability of the state's health labs to handle testing of biological samples.

As with the state and local partners, FBILA's regional Federal partners are essential to any successful effort to prepare for and respond to a WMD terrorist incident. Both FEMA and the Center for Disease Control (CDC) have figured very prominently in major training exercises such as Westwind 99 and in real operations such as the FBI's coverage of the 2000 Democratic National Convention. Both agencies have very well defined areas of responsibilities which would be carried out in an integrated and complementary manner as part of the overall management of a WMD incident by the Unified Command and the Joint Operations Center.

Conclusion

The Los Angeles Division of the FBI retains its long-term commitment to working as a partner with state and local government in preparing to meet the challenge of a WMD terrorist incident. This has been accomplished through participation in organizations like the TEW, SSCOT, InfraGard, and the JTTFs. This has been accomplished by participation in WMD exercises like Westwind 99. Support has also been provided through WMD training and outreach promulgated by FBILA. Support for preparedness has been provided through dissemination of threat information via the TEW and the LEO listserv.

Mutual support is developed within the context of everyday working relationships established through the numerous real responses to anthrax and chemical hoaxes, joint terrorism investigation, and joint coverage of major events like the 2000 Democratic National Convention, pre-Olympic and other international sporting events, and major entertainment industry high-profile events, such as the Emmy and Academy Award telecasts.

Chairman Horn, this concludes my prepared remarks. I would like to express my appreciation for this subcommittee's examination of the issue of counterterrorism preparedness within the Southern California region. I look forward to responding to any questions that you might have.

Mr. HORN. Well, thank you for that very thorough examination of what is going on in California. I might add to this that we had wanted in the House of Representatives to have the FBI work with the law enforcement situation in the United States. And I did put a bill in, and Mr. Sensenbrenner will move it through the judiciary when we get back, and that will back up the FBI so you can check on the people to make sure they are not involved with drugs or anything else and that you can pass on the intelligence. And I know you are already working in California, but the rest of the country hasn't done too much in terms of the local law enforcement.

So we now move to Patricia Dalton. She is Director of Strategic Issues, the U.S. General Accounting Office. The General Accounting Office is the right arm of the Congress in terms of research on financial matters and programmatic matters. And we are delighted to have you here. And one of the roles of the GAO person on these panels is that you take good notes and you find at the end what have we missed, which is what we are really interested in. So, Ms. Dalton, glad to have you here.

Ms. DALTON. Thank you, Mr. Chairman and members of the committee. I appreciate the opportunity to be here in southern California to discuss issues critical to national preparedness. As you are aware, GAO has called for the development of a national strategy that will improve our overall Nation's preparedness, and I will address my remarks to that strategy today.

The creation of the Office of Homeland Security, under the leadership of Tom Ridge—as you know, Mr. Chairman, GAO has called for the development of a national strategy that will improve our Nation's preparedness, and I will address my remarks today to that strategy. The creation of the Office of Homeland Security, under the leadership of Tom Ridge, is an important and potentially significant first step. As it comes together, we believe that the key aspects of the strategy should include, first, a definition and clarification of the appropriate roles and responsibilities of Federal, State and local entities in the private sector; second, the establishment of goals and performance measures to guide our Nation's preparedness efforts; and finally, a careful choice of the most appropriate tools of government to best implement the Nation's strategy and achieve our national goals. I would like to briefly discuss each of these three points.

First, the roles and missions of Federal, State and local entities need to be clarified. Although the Federal Government appears to be a monolith to many, in the area of terrorism prevention and response it is anything but. In fact, there are more than 40 Federal entities that have a role in combating and responding to terrorism and 20 entities alone in the bioterrorism area.

Concerns about coordination and fragmentation in Federal preparedness efforts are well-founded. There has been no single leader in charge of many terrorism-related functions. The lack of leadership has resulted in the development of programs to assist State and local governments that were often similar and potentially duplicative. This creates confusion at the State and local level, and they certainly have called for more coordination and to have one place to go to in the Federal Government for such coordination.

Second, performance and accountability measures need to be included in our Nation's strategy. Numerous discussions have been held about the need to enhance the Nation's preparedness, but national preparedness goals and measures, measurable performance indicators have not yet been developed. Clear objectives and measures are critical to a sustainable strategy and for providing a framework for our roles and responsibilities at all levels of government and in the private sector.

Finally, from a national perspective, appropriate tools need to be selected for designing any Federal assistance. The General Accounting Office's previous work in Federal programs suggest 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 incentives and regional coordination and partnerships, that they can use to motivate and mandate other levels of government and the private sector entities to take actions to address security concerns and goals.

For example, the Federal Government often uses grants as a means of delivering Federal programs. Grants can be designed to target the funds to State and localities with the greatest needs, discourage the replacement of State and local funds with Federal funds through maintenance and effort requirements, and, finally, and most importantly, to strike a balance between accountability and flexibility at the State and local level.

Intergovernmental partnerships and regional coordinations will be a very important tool, particularly with respect to information sharing and mutual aid agreements. National preparedness is a complex mission that requires unusual interagency, interjurisdictional and interorganizational cooperation. An illustration of this complexity can be seen in the ports which is certainly an issue in southern California with the largest port in the Nation. There are in fact at least 15 Federal agencies that have jurisdiction over our seaports and the various functions to make them operate. The primary ones are the Coast Guard, Customs Service and the Immigration and Naturalization Service.

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 physical stability. All levels of government in the private sector will have to communicate and cooperate effectively with each other on a broad range of issues to develop a national strategy to better target our available resources to address the urgent national preparedness needs.

This completes my prepared statement. I will be pleased to respond to any questions. Thank you.

[The prepared statement of Ms. Dalton 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

Enhancing Partnerships Through a National Preparedness Strategy

Statement of Patricia A. Dalton
Director, Strategic Issues

GAO-02-549T

Mr. Chairman and Members of the Subcommittee:

I appreciate the opportunity to be here in Los Angeles 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 attacks. 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 occurrence. For its part, the federal government historically has principally provided leadership, training, and funding assistance. In the aftermath of the September 11th attacks, 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 on our review of many other studies.[2] In addition, we draw on ongoing work for this subcommittee; pursuant to your request we have begun a review to examine the preparedness issues confronting state and local governments in a series of case studies. We will examine the state and local perspective on these issues and thereby help the Congress and the executive branch to better design and target programs and strategies.

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

[1] See attached 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, VA: RAND, Dec. 15, 2001) and the United States Commission on National Security/21st Century, *Road Map for Security: Imperative for Change*, February 15, 2001.

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 a 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 toward 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 material spills, and riots, all levels of government have had some experience in 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 from 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, firefighters, and emergency medical personnel.

The federal government's role in responding to major disasters is generally defined in the Stafford Act,[3] which requires a finding that the disaster is so

[3] *The Robert T. Stafford Disaster Relief and Emergency Assistance Act*, (P.L. 93-288) as amended establishes the process for states to request a presidential disaster declaration.

severe as to be 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 and 100 percent of eligible costs, including response and recovery activities.

There has been an increasing emphasis over the past 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, enumerating 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 the Defense Against Weapons of Mass Destruction Act of 1996 (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 event. Other federal agencies, including those in the Department of Justice, Department of Energy, FEMA, and Environmental Protection Agency, have also developed programs to assist state and local governments in preparing 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 cosponsored, 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

[4] *"Securing the Homeland, Strengthening the Nation."* For the complete document, see the Web site: http://www.whitehouse.gov/homeland/homeland_security_book.html.

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.

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 lacking in two critical elements necessary for an effective strategy: (1) measurable outcomes and

[5]2001 *Emergency Supplemental Appropriations Act for Recovery from and Response to Terrorist Attacks on the United States*, (P.L. 107-38).

(2) identification of state and local government roles in responding to a terrorist attack.[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 the involvement of state, local, and 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 one another. 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. More than 40 federal entities have a role in combating and responding to terrorism, and more than 20 federal entities in bioterrorism alone. 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

[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 state 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.: October 31, 2001).

the Office of Homeland Security, has shown coordination and fragmentation problems stemming largely from a lack of accountability within the federal government for terrorism-related programs and activities. There had 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 would play key roles in response to terrorist acts. In this regard, the Department of Agriculture has been given key responsibilities to carry out in the event that terrorists were to target the nation's food supply, but the agency was not consulted in the development of the federal policy assigning it that role. Similarly, the Food and Drug Administration was involved with issues associated with the National Pharmaceutical Stockpile, but it 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's development of 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. Although the many 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 the 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 levels and can 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.

Although 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 roles of government may be difficult because, depending upon the type of incident and the phase of a given event, the specific roles of local, state, and federal governments and of the private sector may not be separate and distinct.

A new warning system, the Homeland Security Advisory System, is intended to tailor notification of the appropriate level of vigilance, preparedness, and readiness in a series of graduated threat conditions. The Office of Homeland Security announced the new warning system on March 12, 2002. The new warning system includes five levels of alert for assessing the threat of possible terrorist attacks: low, guarded, elevated, high, and severe. These levels are also represented by five corresponding colors: green, blue, yellow, orange, and red. When the announcement was made, the nation stood in the yellow condition, in elevated risk. The warning can be upgraded for the entire country or for specific regions and economic sectors, such as the nuclear industry.

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

The system is intended to address a problem with the previous blanket warning system that was used. After September 11th, the federal government issued four general warnings about possible terrorist attacks, directing federal and local law enforcement agencies to place themselves on the "highest alert." However, government and law enforcement officials, particularly at the state and local levels, complained that general warnings were too vague and a drain on resources. To obtain views on the new warning system from all levels of government, law enforcement, and the public, the United States Attorney General, who will be responsible for the system, provided a 45-day comment period from the announcement of the new system on March 12th. This provides an opportunity for state and local governments as well as the private sector to comment on the usefulness of the new warning system, and the appropriateness of the five threat conditions with associated suggested protective measures.

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 for federal programs has been a longstanding objective of the Congress. The Congress enacted the Government Performance and Results Act of 1993 (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 and annual 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 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 for 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 the 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 event. 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 have 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 these 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

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

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

ensure that states are adequately prepared for a terrorist attack, 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 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 event 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 a terrorist attack that uses 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 levels. 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 (1) the program must 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.

Although FEMA has experience in working with others in the development of assessment tools, it has had difficulty in measuring program performance. As the president's fiscal year 2003 budget request acknowledges, FEMA generally performs well in delivering resources to stricken communities and disaster victims quickly. The agency performs less well in its oversight role of ensuring 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 it concluded that the agency needed to determine how to measure state and local preparedness programs.

Appropriate Tools Need to Be Selected for Designing Assistance

Since September 11th, many state and local governments have faced declining revenues and increased security costs. A survey of about 400 cities conducted by the National League of Cities reported that since September 11th, one in three American cities saw their local economies, municipal revenues, and public confidence decline while public-safety spending is up. Further, the National Governors Association estimates fiscal year 2002 state budget shortfalls of between $40 billion and $50 billion, making it increasingly difficult for the states to take on expensive, new homeland security initiatives without federal assistance. State and local revenue shortfalls coupled with increasing demands on resources make it more critical that federal programs be designed carefully to match the priorities and needs of all partners—federal, state, local, and private.

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 incentives, 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 to 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 or local government's capacity to respond to a disaster. This capacity depends on several factors, the most important of which perhaps is the underlying strength of the state's tax base and whether that base is expanding or is 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 the amount of 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 for funding in the congressional appropriations process. Accountability can be established for measured results and outcomes that permit 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 their view that federal grants would be more effective if local officials were allowed more flexibility in the use of funds. They have suggested that some funding should be allocated directly to local governments. They have expressed a preference for block grants,

[11] U.S. General Accounting Office, *Disaster Assistance: Improvement Needed in Disaster Declaration Criteria and Eligibility Assurance Procedures*, GAO-01-837 (Washington, D.C.: August 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.: December 18, 1996).

[13] U.S. General Accounting Office, *Welfare Reform: Challenges in Maintaining a Federal-State Fiscal Partnership*, GAO-01-828 (Washington, D.C.: August 10, 2001).

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 for first responders 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 being 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. Although the state and local jurisdictions would have discretion to tailor the assistance to meet local needs, it is anticipated that more than one-third of the funds would be used to improve communications; an additional one-third would be used to equip state and local first responders, and the remainder would 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 (for example, transportation systems, 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 and local authorities and between the public and private sectors (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 that are 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; and

- 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 that reflect some of the key considerations in the federal-state balance.

Tax Incentives

To the extent that private entities will be called upon to improve security over dangerous materials or to protect vital assets, the federal government can use tax incentives 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 they are generally available by formula to all potential beneficiaries who satisfy congressionally established criteria.

Intergovernmental Partnerships and Regional Coordination

National preparedness is a complex mission that requires unusual interagency, interjurisdictional, and interorganizational cooperation. The responsibilities and resources for preparedness reside with different levels of government—federal, state, county, and local—as well as with various public, private, and non-governmental entities. An illustration of this complexity can be seen with ports. As a former Commissioner on the Interagency Commission on Crime and Security in U.S. Seaports recently noted, there is no central authority, as at least 15 federal agencies have jurisdiction at seaports— the primary ones are the Coast Guard, the Customs Service, and the Immigration and Naturalization Service. In addition, state and local law enforcement agencies and the private sector have responsibilities for port security. The security of ports is particularly relevant in this area given that the ports of Long Beach and Los Angeles together represent the third busiest container handler in the world after Hong Kong and Singapore.

Promoting partnerships between critical actors (including different levels of government and the private sector) facilitates the maximizing of 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, available to respond to threats and emergencies in their communities.

Since the events of September 11th, a task force of mayors and police chiefs has called for a new protocol governing how local law enforcement agencies can assist federal agencies, particularly the FBI, given the information needed to do so. As the United States Conference of Mayors noted, a close working partnership of local and federal law enforcement agencies, which includes the sharing of intelligence, will expand and strengthen the nation's overall ability to prevent and respond to domestic terrorism. The USA Patriot Act provides for greater sharing of intelligence among federal agencies. An expansion of this act has been proposed (S.1615, H.R. 3285) that would provide for information sharing among federal, state, and local law enforcement agencies. In addition, the Intergovernmental Law Enforcement Information Sharing Act of 2001 (H.R. 3483), which you sponsored Mr. Chairman, addresses a number of information-sharing needs. For instance, this proposed legislation provides that the United States Attorney General expeditiously grant security clearances to governors who apply for them, and state and local officials who participate in federal counterterrorism working groups or regional terrorism task forces.

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 11th— 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 have 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, an establishment of goals and performance measures, and a selection of appropriate tools—is essential to the successful formulation of the national preparedness strategy and ultimately to 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 Acknowledgments

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Matthew Ebert, Colin J. Fallon, Thomas James, Kristen Sullivan Massey, Yvonne Pufahl, Jack Schulze, and Amelia Shachoy.

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.

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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.

Mr. HORN. Thank you. That is very helpful as the General Accounting Office always is. It is headed by the Comptroller General of the United States. He has a term of 15 years, and he doesn't have to take a lot of nonsense from anybody, the President, Congress or anybody else. And in Dr. Walker we have had a first-class person in that, he has a first-class staff.

We now move to Dallas Jones, the director of the Governor's Office of Emergency Services for the State of California. Mr. Jones.

Mr. JONES. Chairman Horn and members of the subcommittee, thank you very much for being allowed to testify before you today. First, I would like to talk a little bit about OES' role in disaster management and then a little bit about our anti-terrorist initiatives.

We coordinate the statewide response to all disasters and emergencies in the State. Now, to manage disasters or the emergencies, California has a unified, coordinated response involving all levels of government. This is based on the incident and command system and the unified command, which we saw very effectively utilized recently at the Winter Olympics in Utah. And just prior to then, at the DNC here in Los Angeles, where all the agencies with various jurisdictional interests and various areas of expertise all came together and worked in a unified command for a common goal.

This didn't come about by accident. It was developed here in California following the major fires and activities of the early 1960's and 1970's. A concerted effort was made by Federal, State and local agencies to develop a better coordination of multi-jurisdictional and multi-authority commands. It has been finely honed over the years because here in California we don't practice disasters, we have them very routinely. All levels of government need to be involved and have to be involved for it to be successful.

Another response tool is the coordinated mutual aid system that we have here in the State. The system incorporates the neighbor helping neighbor principle and allows law enforcement, fire and rescue, emergency management to go into neighboring jurisdictions to help. And vice versa, if you have need, then they will bring them into your agency. For the past several years, terrorism has topped OES' priority list of hazards to be planning. We have, for many years, provided guidance on terrorism planning to local governments, and indeed we have published a guide and put out to all local governments in 1998 a terrorism planning guide. In 1999, Governor Davis approved a California terrorism response plan to guide and direct the management of emergency and disaster operations related to terrorism incidents. Our office chairs the State Strategic Committee on Terrorism, which is comprised of representatives of Federal, State and local government agencies. They develop anti-terrorism plans, training and grant proposals.

We also provide expertise and support for State and local private agencies in the development or the maintenance of preparedness response or recovery plans for biological toxic substances and radiological emergencies. This includes very close coordination with the Department of Health Services and the Emergency Medical Services Authority, which oversees the State's health and medical disaster planning.

Although there are other potential biological terrorist agents, anthrax became a primary concern in mail and shipping safety following the terrorist attacks that resulted in anthrax cases and deaths in several eastern States. Since then thousands of threats have been investigated in California and other States. As a result, our office distributed guidelines for handling suspicious packages that might contain chemical or biological contaminants.

Resources in that effort included a toll-free safety information and referral line where callers can receive important non-emergency information about anthrax, personal and family preparedness as well as request copies of the California Highway Patrol's video for mail handling suspicious envelopes and packages.

Because the potential for chemical emergencies has been a significant issue for some time, California had a sophisticated response system in place even prior to September 11th. For many years we have led a coordinated effort to work on hazardous materials and response planning. We also maintain a 24-hour hazardous materials network reporting and notification system, which also provides technical assistance in the development of training and risk management programs. It is this system that we will continue to build and prepare for potential terrorism events, be they chemical, biological or nuclear.

Several other efforts are underway that we believe will enhance the State's coordination with the Federal Government in the event of a terrorism event or any other type of emergency. These include an update of the California annex to the Federal Response Plan, which is currently underway. The State has also embarked on a major catastrophic disaster planning effort overseen by the Federal Catastrophic Disaster Response Group. This involves State, local and Federal emergency response agencies.

Even with all of the recent events in our Nation, we feel that California is very well poised to effectively coordinate with local, State and Federal agencies to manage the disasters or emergencies of any type. This doesn't mean that we are fully prepared for anything that may come our way. We have to continue to work very closely with our Federal, State and local partners in the planning efforts to identify both terrorism threats, vulnerabilities and assess our needs for priorities.

We are very encouraged by the announcement of substantial funding in the President's budget, and we strongly advocate the funds be coordinated through the State using our existing expertise and mechanisms for fund prioritization and distribution. These systems have proven very effective time and again in the administration of prior Federal grants. A cooperative, coordinated effort involving all levels of government must occur to ensure California is fully able to address the terrorist threat. Each of the involved specialties must be included in that planning—law, fire, health and emergency management.

Again, I would like to thank you for the opportunity to come before you. I would be more than happy to answer any questions.

[The prepared statement of Mr. Jones follows:]

Governor's Office of Emergency Services
Testimony Before the Congressional Subcommittee on Government Efficiency, Financial Management and Intergovernmental Relations
3/28/02

Good morning. My name is Dallas Jones, Director of the Governor's Office of Emergency Services (OES). Thank you, Congressman Horn, for the opportunity to speak before this subcommittee.

OES Role & Anti-Terrorism Initiatives

- I'd like to begin by stating that as a result of the September 11 terrorist attacks, OES remains vigilant and fully activated. Its emergency operations centers and statewide warning center monitor daily activities throughout the state, working with local governments and other agencies to insure readiness. OES coordinates the statewide response to the terrorist threat and will continue to do so as long as needed.

- To manage disasters or emergencies of any type, California has a unified, coordinated response at all levels. Following the 1989 Loma Prieta Earthquake and the 1991 East Bay Hills fire, OES developed the Standardized Emergency Management System (SEMS) used when disaster strikes. This system, considered one of the most effective tools for managing resources in major disasters, allows all levels of

government in the state to work in concert as they respond to a disaster.

- Another response tool is the OES-coordinated mutual aid system, which has proven repeatedly effective in major disasters. The system incorporates the "neighbor helping neighbor" principle and allows law enforcement, fire and rescue, and emergency management personnel to call on neighboring jurisdictions for help. OES coordinates and deploys that assistance.

- For the past several years, terrorism has topped the OES priority list of hazard-specific emergency planning. OES has for years provided guidance on terrorism planning to local governments throughout the state, and published a guide on the subject in 1998.

- In 1999, Governor Gray Davis approved the "California Terrorism Response Plan" to guide and direct the management of emergency and disaster operations related to terrorism incidents.

- OES chairs the State Strategic Committee on Terrorism (SSCOT). Comprised of representatives from federal, state and local governmental agencies, SSCOT develops anti-terrorism plans, training and grant proposals.

- OES also chairs the State Terrorism Threat Advisory Committee (S-

TAC), a group of federal and state representatives that meets by secure conference call to discuss ongoing situations and to make recommendations, through OES, to the Governor.

Biological, Chemical and Nuclear Emergencies

- OES provides expertise and support for state, local and private agencies in the state in the development and maintenance of preparedness, response and recovery plans for biological, toxic chemical and radiological emergencies.

- This includes close coordination with the state Department of Health Services (DHS) and Emergency Medical Services Authority (EMSA), which oversee the state's health and medical disaster planning.

- OES is currently coordinating with DHS and EMSA regarding the recently announced federal funding for bioterrorism preparedness through the CDC.

- In coordination with the OES and EMSA, DHS has developed draft plans for the receipt and distribution of the National Pharmaceutical Stockpile and drafted guidance documents for mass prophylaxis of individual exposed to potential bioterrorist threat agents.

    - Although there are other potential biological terrorism agents,

anthrax became a primary concern in mail and shipping safety following the terrorist attacks that resulted in anthrax cases and deaths in several Eastern states. Since then, numerous threats have been investigated.

- As a result, OES distributed guidelines for handling suspicious packages that might contain chemical or biochemical contamination. Other resources include the OES toll-free Safety Information and Referral Line (1-800-550-5234), where callers can receive important non-emergency information about anthrax, personal and family preparedness, as well as the California Highway Patrol (CHP) video for mail handling of suspicious envelopes and packages.

- Because the potential for chemical emergencies has been a significant issue for some time, California had a sophisticated response system in place even prior to September 11. For many years, OES has led the coordination effort for hazardous materials response planning. OES also maintains a 24-hour hazardous material reporting network and notification system, and provides technical assistance in the development of training and risk management programs. It is this system that we will continue to build upon to prepare for potential terrorism events.

- Nuclear power plants and facilities using radioactive material are

considered prime targets for a terrorist attack. In October 2001, California participated in a nuclear power plant exercise with agencies at all levels responsible for crisis and consequence response. The collaborative efforts of California have included businesses, local law enforcement and emergency managers, state agencies, and their federal partners. We have seen improvement in communications, technical skills, response resources and sharing of intelligence. These efforts have better prepared us to respond to a larger scope and scale of potential incidents.

- Efforts are also underway, in conjunction with local governments, to determine if and where potassium iodide (KI) should be stored as a precautionary measure.

Coordination with the Federal Government

- Shortly after the September 11 attacks, California Governor Gray Davis appointed George Vinson as his Special Advisor on State Security. He advises the Governor on anti-terrorism efforts, works with local, state and federal authorities to make sure California's anti-terrorism needs are met, and serves as liaison to the national Homeland Security Office.

- The federal government recently announced the development of its Homeland Security Advisory System, which will provide a means to

disseminate information on the risk of terrorist attacks. OES is currently reviewing and commenting on the system, and appreciates the opportunity for states to provide their input.

- Several other efforts are underway that will enhance the state's coordination with the federal government in the event of a terrorist event, or other type of emergency. These include the update of the California Annex to the Federal Response Plan, which is currently underway. The state has also embarked on a major catastrophic disaster planning effort overseen by the federal Catastrophic Disaster Response Group and involving all key state, local and federal emergency response agencies.

Where do we go from here?

- Even with the all of the recent events in our nation, we feel that California is poised to effectively coordinate w/ local, state and federal agencies to manage disasters or emergencies of all types.

- This does not mean we are fully prepared for anything that may come our way. We will continue to work closely with our state, local and federal partners in our planning efforts to identify terrorism threats and vulnerabilities, and assess needs and priorities.

- OES is greatly encouraged by the announcement of substantial anti-terrorism funding in the President's Budget, and we strongly advocate that funds be coordinated through the state using our existing expertise and mechanisms for fund prioritization and distribution. These systems have proven effective time and again in our administration of prior federal grants. A cooperative, coordinated effort involving all levels of government—local, state and federal—must occur to ensure California's needs are fully addressed.

- Thank you again for the opportunity to testify before the subcommittee today, and I look forward to our continued partnership.

Mr. HORN. Well, thank you. That is very interesting testimony. We now have one that is well-known to many in southern California and now at the State level, Dr. Diana Bonta, the director of the California Department of Health Services, State of California. And for many years, she was the director of Health in the city of Long Beach, and it is very rare for any city to have its own health organization. The Governor picked the right person when he picked her. So thank you.

Ms. BONTA. Thank you, Mr. Chairman. It is good to have you here in Los Angeles and to see you all here this morning as well.

As the director of the California Department of Health Services, this is the agency responsible for coordinating statewide disaster public health assistance in support of local operations. And the department has primary responsibility for public and environmental health operations and has major supporting responsibility to the Emergency Medical Services Authority for disasters involving mass casualties.

Through its disease control surveillance, laboratory, environmental monitoring programs, the department plays a central and critical role in rapidly detecting and appropriately responding to chemical, radiological and biological threats to terrorism. We have had an existing cooperative agreement for bioterrorism response planning from the U.S. Centers for Disease Control and Prevention, and I sit on their Advisory Committee. This has been very instrumental in assisting us to buildupon the State's emergency and disaster response systems. We are now in our third year, and we do have supplemental funding.

We just heard testimony from Mr. Yeskey in terms of the fact that we are receiving additional moneys. The $60 million from CDC is for the cooperative agreement to the State and to Los Angeles County, $24 million. I would like to also mention the cooperative agreements for hospital planning and preparation also includes to the California Department of Health Services $9.9 million and to Los Angeles County $3.6 million.

In addition to that, the funding also included funds for seven cities for a total of $2.2 million, and these cities will develop metropolitan emergency bioterrorism preparedness for regional preparedness planning as a part of the metropolitan medical response systems initiative. Now, the hospital funds are fairly new; they are going to be implemented in two phases. The first is working together with EMSA, the Emergency Medical Services Authority, here in California to develop a State plan for the use of this hospital funding here in California. And the purpose of this phase one planning process is an effort to foster the preparedness in the State's hospital and healthcare systems to respond to bioterrorist events through a statewide assessment of unmet hospital needs.

We will, in addition, phase two, certainly we will be working very, very closely with the hospitals so that they are looking at their specific needs and their specific communities. Not all communities look the same, not all communities have the same needs. So we want to be able to tailor this with input from those individual communities as well.

We have certainly worked with a CDC cooperative agreements as well, and this calls for partnerships, and the partnerships here in

California include the California Conference of Local Health Officers, the County Health Executives Association of California, as well as many other public and private sector partners. And we feel that it is crucial for all those entities to come together. We would have numerous meetings in which we invite all these players to the same table to discuss their respective needs and to incorporate them in our planning process.

We have taken an additional step, kind of an unusual one, to ensure local and State collaboration. I have entered into an intergovernmental agreement with Placer County in northern California for the services of its health officer. In February of this year, Dr. Richard Burton, a commander in the Naval Reserves, a past Marine, a Corps flight surgeon and a physician with several years of local public health experience, he joined the California Department of Health Services as a senior member of our bioterrorism preparedness planning team. And then we also lent two of the Feds to the U.S. Department of Health and Human Services, someone who is very talented from California, Dr. Michael Asher, who has been chief of our bio lab here in California. We lent him to be used, and so he is now functioning in Washington, DC.

I think this is very important, because sometimes we don't understand our different bureaucracies, and the more we can mix it up, have people from the Feds join us here, we have various CDC physicians, epidemiologists, scientists who are assigned here in California, and Dr. Gil Chavez, for instance, is our chief of Internal Health. He comes from the Centers for Disease Control, and we lent staff to Washington, and we use certain resources from our local county health departments and our city health departments to be able to understand each other and understand our respective worlds.

I know that the committee is interested in the department's antiterrorism activities as they relate to California's public water systems, and the department is responsible for the oversight and regulation of California's 8,500 public water systems and local health jurisdictions participate in the oversight and regulatory process. And shortly after September 11th, the department's Division of Drinking Water and Environmental Management staff met with representatives of public water systems throughout the State.

They have been able to discuss the State's water systems, participating in approximately—numerous numbers of meetings, and they are looking to protect the California public. And we will continue to dialog here with the Department of Water Resources, the Metropolitan Water District of Southern California to develop a response strategy in the event of a bioterrorist action against the State water project of the Metropolitan Water Resources, the treatment facilities and the distribution systems. We will be certainly continuing this dialog and working with all of these experts in this field as well.

I echo some of the testimony in terms of we have so many agencies involved at the Federal level, State level, local level that we need to have coordination, coordination, coordination. And I would like to close by saying that in my capacity from 1988 through 1999 as director of the Long Beach Department of Health and Human Services, I saw firsthand that you need to have a relationship, not

only with your public health colleagues, but with the fire department—they are represented here today in the second panel—with law enforcement, with constituents in the community, but most importantly, with community members. If we don't have a dialog with the community, and certainly Long Beach where we know that the population, 51 percent and growing, who are members of communities of color, that needed to address their specific needs, certainly language barriers sometimes presents us with challenges, and we need to go above and beyond to outreach the communities and work closely with them.

I look forward to working with you as members of this committee, today and in the future, providing you assistance as much as possible. Thank you.

[The prepared statement of Ms. Bonta follows:]

Testimony by Dr. Diana Bontá, Director, California Department of Health Services

The House Committee on Government Reform, Subcommittee on Government Efficiency, Financial Management, and Intergovernmental Relations
March 28, 2002

"How Effectively are Federal, State and Local Governments Working Together to Prepare for a Biological, Chemical, or Nuclear Attack?"

Good morning, Chairman Horn and Committee members. Thank you for inviting me to testify on this critical issue of biological and chemical terrorism and public health preparedness in California. My name is Dr. Diana Bontá and I am the Director of the California Department of Health Services. In addition, I served from 1988 to 1999 as the Director of the City of Long Beach Department of Health and Human Services, one of California's 61 local health departments. I appreciate this Committee's ongoing interest in and support of public health programs.

In the aftermath of the tragic events of last September 11th, there has been heightened awareness of potential biological, radiological, and chemical threats to our communities. Here in California, Governor Gray Davis has led the creation of the California Anti-Terrorism Center, which will enable all law enforcement agencies to share information on terrorist threats and activities. The Governor appointed former FBI Agent, George Vinson, as the Special Advisor on State Security. Mr. Vinson advises the Governor on anti-terrorism efforts in California and also serves as a liaison with the federal Homeland Security Office. Additionally, reporting directly to the Governor, the Office of Emergency Services (OES) is the State's lead agency for managing the consequences – preparedness, alert, warning, response, and recovery – of terrorism at the state level.

The California Department of Health Services is the State agency responsible for coordinating statewide disaster public health assistance in support of local operations. The Department has primary responsibility for public and environmental health operations, and has a major supporting responsibility to the Emergency Medical

Services Authority for disasters involving mass casualties. Through its disease control and surveillance, laboratory and environmental monitoring programs, the Department plays a central and critical role in rapidly detecting and appropriately responding to chemical, radiological, and biological threats of terrorism.

Our existing federal Cooperative Agreement for bioterrorism response planning from the U.S. Centers for Disease Control and Prevention (CDC), now in its third year, has been instrumental in assisting us to build upon the State's emergency and disaster response systems. This Cooperative Agreement is now being supplemented by new federal appropriations made available by the Emergency Supplemental Act of 2002. The supplemental CDC Cooperative Agreement and the new Health Resources and Services Administration (HRSA) Cooperative Agreement allocated approximately $100 million to California to broaden bioterrorism preparedness and response planning activities to the public health and medical care systems. The breakdown for these new funds is as follows:

1. HRSA Cooperative Agreements for hospital planning and preparedness:
    - California Department of Health Services, $9,962,905
    - Los Angeles County, $3,659,172
2. CDC Cooperative Agreements for enhanced Public Health Preparedness:
    - California Department of Health Services, $60,816,245
    - Los Angeles County $24,591,171
3. U.S. Department of Health and Human Services (DHHS), funds 7 cities for a total of $2.2 million. These cities will develop metropolitan emergency bioterrorism preparedness for regional preparedness planning as part of the Metropolitan Medical Response System (MMRS) Initiative.

The HRSA hospital funds are new and are being implemented in two phases. The Department is partnering with the State's Emergency Medical Services Authority to develop a state plan for the HRSA hospital funds. The purpose of the Phase I planning effort is to foster the preparedness of the state's hospitals and health care system to respond to bioterrorist events through a statewide assessment of unmet hospital needs. A primary focus area will be the implementation of bioterrorism preparedness plans and protocols for hospitals. Phase II HRSA funds will be utilized to benefit hospitals in California so that they can address their specific needs and the special needs of their communities. Development of statewide models, including regional hospital planning, is being encouraged during this phase, as is collaboration with other states and national organizations.

California has not experienced a biological terrorism incident in its long history of natural and human-made disasters. It has, however, experienced several outbreaks of infectious diseases – influenza, tuberculosis, hantavirus, and sexually transmitted diseases, to name a few. The supplemental CDC Cooperative Agreement places an emphasis on rebuilding public health systems so that they can rapidly identify and control infectious disease outbreaks, including those stemming from a bioterrorist event. The public health system will be a strong player in the event of such an incident. And we recognize that, if such an event were to occur, California's law enforcement and the medical community stand ready to assist us. Our public health system is much farther along in being ready to respond to a bioterrorism threat than are many other states. The guidance of the CDC and its expert staff has contributed significantly to our efforts.

This exchange of expertise is not a "one way" street. The Department's Dr. Michael Ascher, Director of the California Microbiol Diseases Laboratory, is now working on national terrorism planning with the U.S. Department of Health and Human Services. This sharing of our state's expertise has been arranged through an inter-governmental personnel agreement in response to a request from Dr. D.A. Henderson, Director of the Office of Public Health Preparedness within DHHS.

Acquiring and sustaining an adequate response to bioterrorism requires thoughtful analysis and carefully integrated planning by federal, state, and local public health agencies. This, frankly, is one of our most daunting challenges. The CDC Cooperative Agreement calls for state-local public health agency collaboration in all phases of the preparedness planning. It also requires participation from a broad base of interested constituencies and stakeholders. The Department has ensured participation of our local public health partners, the California Conference of Local Health Officers and the County Health Executives Association of California, as well as other public and private sector partners in our planning efforts for these resources. The Department has taken an additional step to ensure state-local collaboration by entering into an inter-governmental agreement with Placer County for the services of its health officer. In February of this year, Dr. Richard Burton, a Commander in the Naval Reserves, a past Marine Corps flight surgeon, and a physician with several years of local public health experience, joined the Department as a senior member of our bioterrorism preparedness planning team.

It is my understanding that the committee is interested in the Department's anti-terrorist activities as they relate to California's public water systems. The Department is responsible for the oversight and regulation of California's 8500 public water systems. Local health jurisdictions participate in the oversight and regulation process.

Shortly after September 11, 2001, the Department's Division of Drinking Water and Environmental Management staff met with representatives of public water systems and other state and federal agencies in both Northern and Southern California to discuss actions and plans that must be in place to protect the State's water systems. The water systems that participated in these meetings provide drinking water to approximately 90 percent of California's population.

In these meetings we jointly discussed emergency response plans -- specifically, the Department's staff are working with the Department of Water Resources and the Metropolitan Water District of Southern California to develop a response strategy in the

event of a terrorist action against the State Water Project and Metropolitan's water sources, treatment facilities, and distribution system. Once this is completed, it can be applied to other large water utilities. The Department is also working with water utility laboratories and the Department of Water Resources to develop analytical methods for chemical agents and to develop a laboratory mutual assistance strategy.

This brings me to my final observation. Perhaps, as no other program before, all of the bioterrorism programs, including the HRSA program for hospitals, the CDC program for public health, the MMRS program for cities, and any new funding being contemplated at the federal level require close coordination through shared goals and integrated activities.

It is critical that the federal agencies - the Federal Emergency Management Agency, the Departments of Justice and Defense, the Environmental Protection Agency, and the Department of Health and Human Services and its sub-agencies -- the Centers of Disease Control and Prevention, the Food and Drug Administration, and the National Institutes for Health -- coordinate and provide leadership and organizational direction for the federal budget, policy and program implementation related to this important area. Close ties and coordination between all of these federal agencies and departments will be paramount in addressing the consequences of terrorist incidents.

In closing, the threat of bioterrorism presents tremendous challenges to public health agencies. The Department has been gratified by federal efforts to rapidly disburse funds to state health agencies, and we have been appreciative of efforts to allow us the flexibility to address our unique state needs. We rely on our partners in the federal Department of Health and Human Services, as well as our local public health partners and the medical community to get the job of protecting public health and safety before us done. Without question all parts of the public health system will require your continued support to further strengthen our capabilities and operating capacity to address the threat of bioterrorism.

This concludes my prepared statement. I will be happy to answer questions from the committee members. Thank you.

Mr. HORN. Well, as I would expect, you are very eloquent on this subject, and you make some real good points. We are now going to go to questioning of this particular panel, and I am going to yield 5 minutes to start with the ranking member, which is Ms. Watson from Government Reform. And we are glad to have you today.

Ms. WATSON. Thank you so much, Mr. Chairman, and I want to thank the presenters. I am very impressed with the report you are giving us. I am going to throw some questions out, and all of you can respond if you choose.

The first is in your respective agencies' departments and programs, what are the resources, other than money, that you need? You can go up and down the table if you wish. The other question is that Governor Ridge has come up with the signal light—the green, the red, the yellow and so on. Maybe FEMA could probably respond to this best. What does that mean? When we start at the lowest level and move on up to the most at-risk level, what does that put into operation, what does it start? What would you be doing? And FEMA, again, you project you do, I know, preparedness kinds of activities. When you see those different signals, what action is taken, and maybe all of you can respond with your own agencies, when you get those colored signals? And believe me, we know nothing; we just know the colors. So take us from the elementary level on up.

Mr. CASTLEMAN. Well, I am not an expert on all of that yet. I can tell you what is apparently going on. Certainly, it is not—this is not final yet. It is still in the public response mode. We are looking to our Federal partners and the first-responder community and anyone else who has suggestions or ideas on this program that Governor Ridge has put forward. We think it is a step in the right direction. Whether it will be the final form or not we are not sure.

But, certainly, as the degrees start—and being colorblind, I can get a little mixed up in my colors, but I do know that red is at the top, and I think it is orange that is next and so forth and so on. What we have been doing to evaluate this, from a FEMA standpoint, is doing a crosswalk, if you will, or bridging into the various phases of an emergency situation that we will need to trigger, such as heightened security at one level above another.

So I think rather than going into it in too much detail, I want to, again, emphasize that it is still a preliminary program and not finalized yet. But I believe that some form of this, if not this program itself, will be a good structure that not only will those of us that are in emergency management and all of our partners here and first-responders will become very familiar with, but in the programs that we are working on with citizens for, that all of those folks will understand it, and it will become second nature to us all, just as the traffic lights in our streets. We will all understand perfectly well exactly where we are when this program is final.

Ms. WATSON. Let me ask the rest of you, do those signals, those lights have meaning to you now, in terms of the planning you are doing, the preparedness planning you are doing? We still don't understand what happens as a result of the colors being flashed out there? I mean where does it happen? Does it come through the press? Is it on television, radio? What are you to do? Does anyone know?

Mr. JONES. Congresswoman Watson, I might take a stab at it.

Ms. WATSON. And it is good to see you, Dallas, again.

Mr. JONES. Good to see you too. I almost called you Senator, I am sorry.

Ms. WATSON. It is all right.

Mr. JONES. The system basically is designed to coordinate activities nationally for a variety of reasons, both law enforcement, so that we will have the ability to ramp up departments or not, depending on the depth of the threat, regionally or locally. And so the biggest component of that system is yet to be developed, and it really has to be developed on a local level. We are working with all of the State agencies to try to determine, because one size doesn't fit all. In the Office of Emergency Services, for example, we have emergency operation centers that we will up to full staffing at orange or red that during normal times we have at a maintenance level. Maybe another department, like——

Ms. WATSON. You are getting the yellow right now.

Mr. JONES. Oh, OK. Yes. I am in danger. [Laughter.]

When it gets red, we duck under the table. So it is really to be determined, and that is what—the 45-day comment period is for that so that we can work with all the other agencies and try to get a standardized response. The biggest problem that I see in the whole response alert network is what are the private citizens going to do. And that we need to get out. We are working on a public information campaign to say, "Look, you know, this isn't about ducking under the desk when it goes red; it is about common sense kinds of things that you can do for preparedness." And so that is going to be, I think, one of the most difficult things in the process to be developed.

Ms. WATSON. Let me just throw this out, in our school system, we have these alarms, and we do these exercises and so on. I think we need, as we look at it, Mr. Chair, to have a program for schools, their own entity, and have a program, and then for citizens. I would suggest at the end of the hearing that one of the things we could do as a subcommittee is use California as a model since we are the largest State, since you all have been involved in preparedness and since we know every disaster that ever can happen, and it happens here first, that we might be able to suggest what coordination on the Federal level would mean. Because I too have no idea what we do when we see—I think we run underneath the table when we see red. We used to tell our kids, "Roll over and get underneath the table." We need to have in your response period some very strong recommendations, and I think it would mean a lot to Congress, it would mean a lot to the Federal Government, because we all have been involved in these emergencies, and I think we could tell the rest of the country how to respond. But if anyone else wants to comment. Coordination, I see, is the key, coordinated efforts.

Mr. HORN. Mr. Iden.

Mr. IDEN. Perhaps I can offer a brief—Mr. Chairman, Congresswoman Watson.

Mr. HORN. Please.

Mr. IDEN. The threat warning protocol grew from the need to convey to law enforcement and the public the degree to which cer-

tain threat information should be considered significant. And what we are faced with in this environment is intelligence reporting on occasion from a source who is not corroborated. What response is appropriate to that sort of a report? You may have an occasion where you are receiving a confluence of reports with regard to threats to a particular sector, the nuclear power facilities or a country, U.S. assets in Turkey.

So what is envisioned here is there might be a threat protocol warning issued to a particular sector, issued to a particular country, perhaps a geographic region of the United States if sufficient information comes to our attention suggesting a threat to a particular region. But more often than not, the reporting that is received is very vague, it is uncorroborated, it is unsubstantiated, it comes from a source, and there is certainly a need to attach some level of significance to that information.

One piece of information of that nature might receive a very low threat warning, because it is not corroborated. If you receive a couple of pieces of information that suggest the same sector is being threatened or a timeframe or a particular target, then that threat warning would elevate perhaps to an orange or a red. But, again, as has been mentioned here earlier, this is a work in progress. It is very difficult to handle and get your hands around, but it is important that we find some way to convey, and when to convey a threat warning, with a level of significance to attribute to that warning.

Ms. WATSON. Just another comment, Mr. Chair.

Mr. HORN. I am going to have to move to the next. We will have some followup on that.

Ms. WATSON. Yes, that is fine.

Mr. HORN. Ms. Millender-McDonald.

Ms. MILLENDER-MCDONALD. Thank you, Mr. Chairman, and thank you so much for convening this important hearing. We applaud you on the work that you have done, Mr. Chairman, throughout the information in providing these types of hearings for us to get a grasp as to what is going on with reference to the interagencies' coordination.

I might say that when I have convened—I serve on the House Homeland Security Task Force, looking at transportation, as I am a member of the Transportation Committee. And I have, in convening some of my hearings, especially down in the ports, I find that our seniors, getting back to Mr. Jones' statement, and the public, just our private citizens, are really quite concerned as to what do they do in the event of a terrorist attack and a biochemical type of attack.

So perhaps you might want to suggest, if you have not looked at this, and I suggest you do look at this because our seniors in homes, our schools, when we have met with the superintendents of schools, universities, they too are concerned about how do they dispatch students in various different buildings if there is an attack. So that is something that we really should look at, not just agencies, not just—of course, ports are extremely important and agencies, but we should look at just our constituents and seniors.

There is a question that I have for Mr. Castleman. You said that FEMA's Office of National Preparedness has been directed to close-

ly work with States and local agencies, governments, to ensure that their planning, training and equipment needs are met. Coming from the local government, what is the office doing to implement this directive?

Mr. CASTLEMAN. Well, one of the things that we have already begun to do—of course, the office is very new. It was begun before September 11th and really we have expanded greatly since September 11th. We have begun to add more personnel in our regions, more personnel in our headquarters office in Washington, we have now appointed a new director of the Office of National Preparedness. So we are gearing-up.

But in the meantime, we are already working with our State and local governments in terms of terrorism exercises. We have been doing that prior to September 11th, but we are doing even more of that. We are working with government entities on their continuation of operation plans. The other thing we are doing is preparing for the hope that the $3.5 million first-responder program will be approved by Congress, and the Office of National Preparedness will be the division of FEMA that will deliver those grants to our States, which will be a large task, but we are preparing to do that.

Generally speaking, though, we are doing a lot of outreach to try to make sure that we—and I might cite something that came up that I think that we are trying to follow this. When I was in Washington a couple of weeks ago and heard Governor Ridge speak and Attorney General Ashcroft speak and Director Allbaugh speak at the same meeting, Governor Ridge said, "It is not just about resources. We have got to remember that we have got to improve methods and relationships." I like the tone that he set for that, and I also like the fact that he mentioned that this is a national issue, not a Federal issue.

Attorney General Ashcroft said that necessity is the mother of invention, but it is also the mother of cooperation. And Director Allbaugh mentioned that cooperation and improving relationships is not something that can be dictated by him or anyone else; it is a mindset that we all have to embrace. And I believe the window of time to do that is now. So the Office of National Preparedness, particularly at the regional level, as well as headquarters level, is reaching out to try to make sure that we facilitate those relationships.

Ms. MILLENDER-MCDONALD. Well, I certainly appreciate that, and we want to make sure that it is not just endemic to the larger cities, that your smaller cities under 90,000 should also be engaged in this, because a lot of my cities are fewer than 100,000 folks. Certainly, they want to dip in and be part of the Federal Government in these efforts.

Let us see, I had one for Mr. Yeskey, but we are going to get—in your testimony, you discussed CDC's quick response in deploying the National Pharmaceutical Stockpile in New York and Washington, DC. Should a biological or chemical attack occur, how would those medications be distributed to a larger area that could encompass perhaps hundreds of miles? And that is something that everyone was thinking about during the anthrax in Washington.

Mr. YESKEY. Yes. The National Pharmaceutical Stockpile consists of two main elements. One is the 12-hour push packages, which get

initial antibiotics, medical materiel and equipment onsite of the affected area within 12 hours of our notification. There is a second amount of material called vendor managed inventory that is more tailored to the specific event. For instance, in the anthrax event, that would be specific antibiotics that would be used. The National Pharmaceutical Stockpile has currently 12-hour push packages located strategically around the country. So what would happen is if we had a large regional event, we would deploy the push packages to various areas for distribution by the State health departments and local health departments over that wide area.

What we have also realized early on in the anthrax event is distribution of the antibiotics is probably the crucial factor with regards to time, to getting it to people, and as part of our cooperative agreement under our focus area of preparedness planning the Pharmaceutical Stockpile is going to be working with State health departments and local health departments in the distribution plans of those materials. So we would look at a cross-jurisdictional way of dispensing these antibiotics from the initial push packages that went to the States.

Ms. MILLENDER-MCDONALD. And urban areas strictly would have the response of—in other words, you, in your whole pattern that you have, in terms of the deployment, urban areas would not be missed in any way by this deployment.

Mr. YESKEY. No, they wouldn't.

Ms. MILLENDER-MCDONALD. OK. Fine. Thank you, Mr. Chairman.

Mr. HORN. Thank you. And we now have Representatives Waters. We are delighted you could make it this morning.

Ms. WATERS. Thank you. Thank you very much, Mr. Chairman.

Mr. HORN. You are welcome. Let me continue a little bit of the question that was started by Congresswoman Millender-McDonald.

Recently, it was discovered that some pharmaceutical company had millions of dosages to respond to smallpox if in fact we had smallpox contamination. Why didn't we know where that was? We were told there was a shortage, and that was very scary. What kind of assessment do we do to identify medicines and medications that may be available in the United States or in the world, for that matter, and what do we do, not only to do that assessment, but to determine what we need to produce or manufacture? And have we calculated the shelf-life of medications that we know we would need in response to certain kinds of attacks? I mean I felt a little bit annoyed by the fact that we didn't know that we had millions of dosages of medications to respond to the smallpox possibility. What can you tell me about that?

Mr. YESKEY. I will answer your last question first about the shelf-life and defer the smallpox vaccine question and provide information for that later, at a later time. The shelf-life for antibiotics in our National Pharmaceutical Stockpile, we have an inventory management program that when antibiotics in our stockpile reach 1 year of their expiration date they get essentially put back into the manufacturer's normal stockpile and redistributed under normal distribution mechanisms. So, essentially, it is not recycling of the antibiotics, it is just putting them back into the normal manufacturer's distribution chain so they can be used before they expire.

Additionally, we have entered in a Shelf-Life Extension Program that the Department of Defense uses that gives us another 2 years of certain antibiotics. So as they approach their shelf life expiration date, we can extend that for 2 more years. Now because of the size of the pharmaceutical stockpile, some of the antibiotics we have in there we just have so many that they can't be recycled back into the general distribution; they will expire. And that Shelf-Life Extension Program gives us another 2 years of utilization for those antibiotics. At that point, they cannot be put back into normal distribution and have to be discarded. Now that is several years down the road, so we don't have to worry about that in the stockpile yet, but that is a future consideration that we have to look at with the antibiotics in the stockpile.

With regards to the smallpox vaccine, again, I will provide information at a later time on what mechanisms there are to determine what vaccine stores there are, but the CDC takes its vaccination policy for various vaccines. There are a number of groups, there are experts panels, there is the Advisory Committee on Immunization Practice that consults with the CDC and advises the CDC on how to use antibiotics—excuse me, who should receive the vaccines, how they should be managed, contraindications and policies like that they advise the CDC on the vaccine usage.

Ms. WATERS. Let me ask, recently we discovered that there was a plot by someone associated with al Qaeda to blow up a nuclear power plant, and I keep hearing discussions about the fact that there is really no way to secure our nuclear power plants, that they are just sitting there exposed. Can you tell us something that we don't know about the ability to secure them without getting into, I guess, classified information, but can we secure our nuclear power plants?

Mr. IDEN. With regard to your first question, I am not familiar with the plot that you referred to. I know that we recognize that there is the potential threat to nuclear power facilities. Specifically, I don't have that information. That question would probably best be—your second question would probably best be addressed by security folks, in our case, at Diablo Canyon, but I can share with you that I have been to that facility, I have spent time with them, discussed with them the security that they have in place, and it is my belief that with regard at least to the facility that I am aware of here in our territory, Diablo Canyon, they have got very strong security on the ground. They would be as vulnerable from the air as any other target might be, as you can imagine.

There is some question and speculation as to the degree of damage that would be caused by an aircraft crashing into a facility. Those are questions that are beyond my expertise, but I can share with you that with regard at least to the facility within our territory the briefing that I received and what I have seen suggest that they have put a good deal of time and attention to securing that facility from any kind of an internal or ground attack.

Ms. WATERS. Mr. Chairman, let me just say that I heard you mention the piece of legislation that you have before our committee, the Judiciary Committee, and that you have talked with Chairman Sensenbrenner about it. We really do need the sharing of information and whatever it takes to get clearances for our local offi-

cials they need that also. They need to understand—we cannot coordinate without that kind of information being shared with everybody, and I will support that bill, certainly, when it comes before our committee, and I think it is a good idea that you have.

Mr. HORN. Well, thank you, and I hope that between you and Mr. Sensenbrenner we will get it through to the House, and thank you for that. I am going to yield myself 5 minutes on questions, and I will start with Dr. Bonta.

If a massive biological or chemical attack were to occur today, is the California public healthcare system, with its hospitals and laboratories and the nonprofits in most cases, have the capacity to diagnose and treat victims? And throw in germ toxins that somebody could do with farming and all the rest.

Ms. BONTA. Mr. Chairman, I think we have learned from this last several months that we are way ahead of so many States in other parts of the country. But we have also come to the realization that this is unprecedented in terms of really calling upon our best skills here in California to assess what could be potential threats against us and how to prepare for that. The public health system has been a fragile system throughout the country, and we have certainly the world's experts here in California and throughout the country, in terms of knowing their science and knowing their medicine and being able to provide the best in technical services for patients. But a lot of public health is just the grunt work, I would say, of going out into communities and doing the field surveillance, the epidemiology and talking, communicating with communities and being able to assess an outreach services. And in that, you can certainly have room for improvement. This money that has just come to us provides us a wonderful opportunity to do some of this planning and to continue to jump start what we have already started and in the process.

But, you know, some of the questions that have been addressed earlier come to mind that we were lacking in that communication system. Certainly, after September 11th, here in California, the rest of the country as well, specific to public health. We were able to have conference calls with the Centers for Disease Control, which every State was on a secure telephone line with Tommy Thompson as well as—Secretary Thompson as well as Jeff Copeland from CDC.

We needed to copy that, and we did, in California so that all 61 health jurisdictions were on a secured line in which we could talk with them as public health experts here in California about what were their needs, how could we plan for them. It called to mind that we really need to work on these communications systems and be able to enhance what we are doing. We are doing that through a California system. We need to be able to look at disease in communities with a different type of approach than in the past, with an urgency so that if we see something going on in Riverside and something is happening in Jalusa, that we be able to say, "We have something here that needs further investigation."

Certainly, our scientists are excellent, but the salary scales for them have not been competitive. We frequently have a private industry that lures them to work for them. We need to be able to look throughout the country, enhancing what we do for our workforce

development as well. So all that is to say that I think that we are well on the road in terms of our preparedness, but we need to continue to be very vigilant and certainly to work with this new money to be able to do some of the work that we anticipate needs to be accomplished.

Mr. HORN. Well, that is very helpful. Mr. Yeskey, with CDC, would they be able to handle what potentially might be germ samples or whatever? And are you prepared to do that?

Mr. YESKEY. We are prepared to do that and assist the States, our traditional partners of State health departments, in managing this. You mentioned the laboratory samples and items like that. We have a laboratory response network nationwide that includes all the State's public health laboratories. So if one area gets overwhelmed with sampling or requests for samples, we can identify labs that can handle that surge and run those evaluations. We have response teams that we can send at the State's request to assist them in their identification, their control and containment of any outbreak, and then we have the Health Alert Network and EPI-X communication systems that are for the State health departments' use in providing those communication mechanisms and those four-on-four communications.

Mr. HORN. On that point, the progression of a particular disease, let us take smallpox, is it at some curve of time that it could be done within a couple of weeks, or would it just be as you are talking about, if it is in Jalusa or Ureka and it is out here in Riverside somewhere, there must be something going on. So how do we deal with that, that you sort of see something here and something there? Are we really sure?

Mr. YESKEY. I think in the case of smallpox any single case of smallpox is what we are going to consider a national emergency and take aggressive measures to work with the State health departments in trying to identify not only the cases but the contacts of those cases so we can immediately implement activities with the State health departments in controlling that epidemic. Other diseases that may have a naturally occurring basis, we are going to pursue aggressively with the States again in trying to identify the clinical cases, trying to identify the sources and work with the States on the lab side, on the epidemiology side and on the response side to help identify the nature of that incident, whether it is an intentional incident or a naturally occurring incident.

Mr. HORN. Dr. Bonta.

Ms. BONTA. If I might add, Mr. Chairman, in California, 10 years ago, through the foresight of the legislature, we were able to do a planning process for a new State public health laboratory. It just opened this spring. It will eventually house 1,300 people in Richmond, California. It has a viral and infectious disease lab, microbial lab, genetic disease lab and environmental health. It is a state-of-the-art, it is able to go to level three capacity in terms of containment. We were very fortunate to have this up and running before this incident occurred. That acts as our hub here in California and we work with over 38 public health laboratories throughout the State to coordinate activities. But I know that my colleagues from other States are very jealous about us having this lineup. It cer-

tainly was something that was well-needed and will continue to be very well-needed.

We are looking, as well, certainly in discussions with CDC and with Department of Defense, at what other laboratory capacities we will predict we may need in California in future years. And, certainly, there has been discussion at times about whether or not level four capacity should be considered.

Mr. HORN. To what degree will the Veterans' Affairs hospital facilities help in this? Is there a plan in California or southern California?

Ms. BONTA. Yes. In fact, as part of our moneys from both HRSA and CDC, we are directed to work with the Veterans' Administration hospitals. As you know, in Long Beach, we were doing that. We will do that here in Los Angeles. Ken Kaiser, who was the former director of the California Department of Health Services served in the capacity of being in charge of the Veteran systems in Washington, so we had to put some contact with him. Here in the County of Los Angeles, Dr. Gaithwait came also from the Veteran system. So we have had coordination at a local level and at a statewide level, and we will continue to have that as well with the Federal facilities.

We also have here in California State-run veterans nursing homes. We are certainly working with Secretary Bruce Fesa in the California Department of Health Services and California Department of Veterans' Affairs to coordinate services for veterans but also to integrate that system. And it is very crucial for us to be able to work closely with them.

Mr. HORN. Thank you. Any comments in response to any of the questions we have heard so far from the panel? And then we will go to 3 minutes now so everybody can get in a question. Yes, Mr. Jones?

Mr. JONES. I have a response to one of the questions I think Congresswoman Watson mentioned was suggestions that were no cost or real low cost. Technology transfer from Federal agencies in the military to local and State government would be very helpful. As a member of the Gilmore Commission for the last 3 years, I have been privileged to be present for a number of classified briefings where there were a lot of hardware, a lot of abilities for detecting chem-bio and these sort of things that wasn't available. We even asked the question, could we buy it at the State or local government level if we pay for it? And the answer was no.

So, I think it is an area, and certainly there is a national security concern on some equipment; so be it. We need to relook at, in light of the threat that we face now, as all disasters and terrorist events are local. Many of the Federal resources won't be available to local government or State government for days. Our urban search and rescue program is set up on a 2-hour and 6-hour launch, and then you have flight time. We are fortunate here in California we have days, but some of these Federal resources will be several days coming in, and so we need a very robust local and State ability to respond.

The other issue I was going to mention is there is currently no directory of Federal training programs. That would be very helpful, I think, in sorting through some of the maze of being able to iden-

tify some of these programs for local government. Denigration of ICS and Unified Command has not bee adopted by all Federal agencies, and we need, at least an approach should be made in that level to move that forward.

The other one is to recognize that as we go through all of our planning and work, that we keep in the back of our minds, at least, that terrorism isn't just the ones that we're horrendously worried about right now, but they run the gamut. As we harden our defenses and work very hard to prepare, we will very likely be pushing terrorism into areas not seen so far. So we need to make sure that we consider cyber, agricultural, nuclear, chemical, biological and some of the conventional approaches as we go along in the process. Thank you very much.

Mr. HORN. OK. Thank you. Ms. Watson, 3 minutes for your best shot.

Ms. WATSON. Thank you for that comment. This is going to Patricia Dalton, because she might be the best person, the GAO, to address it. But I got a call this morning from a very upset parent who wanted to know—because his daughter was going to school in Italy, and as you know, over the last 24, 48 hours there have been announcements that there is some kind of planned terrorism attack. As we go about developing strategies and preparedness, what is the possibility of including all of our territory abroad, our embassies?

Ms. DALTON. I think one of the important things in developing a strategy is going to be developing a communication plan that provides information to everyone as to what needs to be done or what they personally should be taking action on, as well as governmental organizations and the private sector, and down to the individual citizen. Our plan has to be encompassing all of the United States and its citizens so that no one is left out of that plan, which is why we have recommended intense coordination at an interorganizational level, at an interagency level, at an intergovernmental level that also takes into account fully the private sector and the individual citizens.

Mr. HORN. OK. Ms. Millender-McDonald.

Ms. MILLENDER-MCDONALD. Thank you, Mr. Chairman.

Ms. Dalton, I would like to raise a question with you regarding—the GAO has repeatedly criticized the massive fragmentation and overlap of Federal efforts to combat terrorism. Have you made specific recommendations to reduce this fragmentation?

Ms. DALTON. One of our recommendations has been to establish a focus point for counter terrorism and homeland security. As I stated in my statement, the establishment of the Office of Homeland Security has certainly been a step in that direction, and we would hope through the national strategy, that is supposed to be delivered sometime this summer reportedly, that it will look at all of the organizations within the Federal Government and their responsibilities, identify what the objectives are for the national strategy, establish performance goals that then each organization would fit into. It may require some realignment of Federal organizations in order to best meet our goals.

Ms. MILLENDER-MCDONALD. Last, Mr. Castleman, recently, the interagencies of the Federal Government submitted a classified report to Governor Ridge. Is there any way we can have an unclassi-

fied version of this report developed on for your local and State agencies?

Mr. CASTLEMAN. I can't speak for the Office of Homeland Security, but my understanding is that they are working on a non-classified version.

Ms. MILLENDER-MCDONALD. They are working on one now?

Mr. CASTLEMAN. That is my understanding, and we will determine for sure and provide for the record that is in fact the case.

Ms. MILLENDER-MCDONALD. I think it must be. As we recognized, given September 11th, that a lot of our Federal agencies were not engaging in interagency collaboration. Well, certainly, now we know that this should not only just be at the Federal level, but it should be throughout the country. I would like to have some response or if you could report back to me as to whether or not that is going to be done. Thank you, Mr. Chairman.

Mr. HORN. Thank you. Ms. Waters.

Ms. WATERS. Thank you very much. You may have answered this, so let me ask again so that I can understand. As I understand, there is no single comprehensive plan for improving homeland security in California. However, my staff told me that actually it has received 20 percent of the bioterrorism funding here and will be able to receive it in 6 months after submitting a plan for the use of the response. Also, there is some danger in having a plan that can be accessed by others who would somehow interfere with the plan. Well, how do you this? Do we have a plan that we are going to submit, and is that classified? Is the Governor's Office responsible for the State plan?

Mr. JONES. That is a very difficult area to be dealing with, quite frankly, because of the community right-to-know legislation. I am sorry, it is very difficult because of the community right-to-know legislation in some areas. What we have done on a statewide level is we received a grant from the Federal Government in approximately 1999 to work on both a vulnerability assessment statewide, local government on up through the State, but also a statewide, 3-year strategic plan on needs assessment. We were in the process of that when September 11th came. We were asked by the Federal Government to submit those plans in very basic form by December 15 of last year, which we did—a very, very skeletal plan. We are still proceeding on the development of that plan, as far as the in-the-weeds type of needs assessment.

What we have done, because our SSCT, our State Strategic Committee on Terrorism, is through our law enforcement branch within OES, we have deemed it to be law enforcement sensitive. So it is not for public dissemination. Many of the recommendations that we submitted we did put on the Governor's Web site at his request. The other plan that is being discussed is a separate plan, and that is a plan as to how to utilize this Federal money that is coming through Health Services, and they are working very hard on something to get that done so we can get that money to the local government.

Ms. BONTA. If I might just comment on the healthcare portion. The Federal Government gave us guidelines in terms of what we need to have appear. So, for instance, they were asking the area of reporting of infectious diseases that we ensure that it is not—

a physician is not reporting a disease that we need to take note of 3 days later, that it occurs immediately. So we changed our regulations, for instance, to allow for this capacity, this laundry list, so that we are well on our way toward completing some additional work.

But part of the recommendations, for instance, that were public was the recommendation that we have an inventory of specialists here in California, so infectious disease specialists who might be available in time of a State emergency to assist us, how we locate them quickly, where could we utilize them, what is the credentialing in the hospitals or other institutions so that we quickly have this cadre of trained professional people, not necessarily the State system, but working for private institutions, but we utilize their expertise as well. Those are the planning methods currently in process to be able to develop that kinds of system.

We are also looking at other departments, for instance, to have continuing education courses. Many physicians, nurses, health educators, physical therapists, all the disciplines are looking to upgrade their skills and identification of issues related to the bioterrorism. Looking at the possibility to have that online, to make it simple, so that all of our practitioners here in California are ready and are available and that we have inventory as well of knowing where is the training occurring and getting that information out.

So some of it is in regards to that. Other areas are much more complicated in terms of, for instance, hospitals where they are having individual disaster preparedness plans. And we were the first State in the country to actually have on our Internet system guidelines for hospitals in terms of bioterrorism.

Mr. HORN. Let me conclude with one question that a lot of people are nervous about, and that is smallpox and the fear that some countries have smallpox germ warfare, if you will, and I would like to know if we have vaccines for that? And the question is those of us that got our smallpox vaccine 50, 60 years ago, in this case, what, if anything, should be done? Is there a worry here that the various rogue States that create some of this, what are we going to do about it and how do we deal with it? I mean if we have the vaccine, does it do any good for those of us when we had smallpox that many decades ago? What is the answer, CDC, California?

Mr. YESKEY. A number of items to address your question. I guess the law enforcement and intelligence communities will have to tell us about the level of the threat. What CDC has done, No. 1, is they have accelerated the vaccine production program. Before September 11th, we wanted to augment the 15.4 million doses that we have stored and available for use, so they entered a contract with a vaccine producer to additional vaccines. Since September 11th, that program has been accelerated, not only in the timeline, but in the quantity of vaccine to be produced.

Second, CDC has released to States and other healthcare organizations a smallpox response plan that describes what strategies could be used in the case of smallpox release, domestically or globally. That plan will be updated regularly as we get additional threat information or additional vaccine on board. CDC also has done training for responders. Started with CDC responders and re-

sponse teams to go to the field and assist State health departments with the smallpox response. But we have expanded that training to include State health departments and other Federal responders who might participate in a smallpox response.

Mr. HORN. Any other comments on this particular—Dr. Bonta.

Ms. BONTA. I think that initially we weren't sure whether or not someone who was vaccinated 50 years ago whether or not they would need to get another vaccine. Certainly, there hasn't been experience with that because we were fortunate that smallpox was eradicated from the world. We are having some good news in terms of some of the limited research that has been done on this, so we probably have some effectiveness in terms of community in our population. And, certainly, Centers for Disease Control and Department of Health and Human Services have taken the lead in this in establishing what would be the best way to protect our population.

I think, you know, the real reality is a circumstance where we would need to consider this. We might look at rings of protection pertaining to where the incident occurs. Certainly, it is difficult if it were to be in multiple communities, because you would have to be vaccinating multiple communities. But you want to be able to prioritize and use what vaccine you have appropriately, quickly to those populations that would present more of a risk. Here in California, we are certainly working very closely with the Federal Government in determining what is the best way for us to anticipate, to plan, to protect our public.

Mr. HORN. Thank you. And I just want to say that you have done a wonderful job here in making this presentation. And, Ms. Dalton, I will let the General Accounting Office have the last word. And what have we missed, if anything?

Ms. DALTON. Mr. Chairman, I think this has been a very comprehensive presentation. I think it has emphasized some of the main points, as we move forward on a national strategy: The need for threat assessments, risk assessments in all areas of our activities and the need to continuously reassess what the risks are, what the threats are, where resources need to be placed, the need for coordination, particularly communication has been very much emphasized, and I think we need to work further in that area. I think we have seen some gaps here in the presentation in terms of communication.

I would just end with the need for continuous improvement and learning. We need to institutionalize a lessons learned process, that we need to continuously improve from those things that are going to be changing and to learn from them.

Mr. HORN. With that, we call up the second panel, and we thank the first panel. You might want to stretch a little.

As this is an investigative hearing, we'll have all the witnesses rise and raise their right hand to accept the oath.

[Witnesses sworn.]

[Recess.]

Mr. HORN. We have Lee Baca, the sheriff of Los Angeles County, a county of 10 million people. I remember when I was involved with the formulation of the National Institute of Corrections I learned many years ago that the sheriff in L.A. County has incar-

cerated people as at rates almost as large as the whole Federal system. I think that with a lot of the drugs they have gotten are responsible, Sheriff, but you have, about 30,000 now incarcerated?

STATEMENTS OF LEE BACA, SHERIFF, LOS ANGELES COUNTY; JOSEPH E. TAIT, EXECUTIVE VICE PRESIDENT AND CHIEF OPERATING OFFICER, METROPOLITAN WATER DEPARTMENT; CASEY CHEL, DISASTER PREPAREDNESS MANAGER, CITY OF LONG BEACH; TERRY L. HARBOUR, CHIEF, LONG BEACH FIRE DEPARTMENT; ELLIS STANLEY, EMERGENCY MANAGEMENT SERVICES, CITY OF LOS ANGELES; BERNIE WILSON, LOS ANGELES INTERNATIONAL AIRPORT POLICE DEPARTMENT; AND LARRY KELLER, EXECUTIVE DIRECTOR, PORT OF LOS ANGELES

Mr. BACA. Around 20,000, give or take a few.

Mr. HORN. Is it now 20? Good, crime is down. OK. Glad to have Mr. Baca here. He is respected throughout America, and we are glad to have you with us.

Mr. BACA. Thank you. Good morning, Congressmen, and I would like to also say hello to the new Members of Congress who are with you; all of my favorite Members of Congress.

So with that, let me start by taking off where you left off when you asked Ms. Dalton where the gaps are, and there are a few here that we need to address. I am here not only as the Sheriff of Los Angeles County but in the State of California the State is organized into seven emergency regions. Each of these regions is comprised of multiple counties. I happen to be in charge of Region 1. These are neutral aid regions wherein county resources are gathered and deployed into problem areas, such as fires, riots, floods, earthquakes. It is my understanding that California is the largest beneficiary of FEMA assistance in the Nation, because we have repeatedly major natural disasters and of course disturbances that require their assistance.

When Los Angeles County was put on alert by myself on September 11th, we literally coordinated the ability to deploy thousands of fire fighters as well as police officers under a single mutual aid plan that you heard some comment about from prior speakers this morning. We are well prepared in terms of our ability to organize ourselves. But your core and your key question here today is how effectively are Federal, State and local governments working together to prepare for a biological, chemical and nuclear attack?

The answer to that question may never be known unless one occurs. However, we are going through the proper procedures to answer this question, because, one, we don't have any gaps locally that I can identify, other than the resources of three things. One, first-responders need to talk to each other at command sites of incidents. We can't do that now, and I don't think this even capable of being done in too many places in the Nation. Therefore, what we need is the Federal Communications Commission to be a participant in ensuring that the radio frequency spectrum that is so valued in this Nation not be just given to the private sector on any request that the private sector has, that the public safety system of our Nation depends on radio communication.

Myself along with every major city chief of police in the United States have met recently in San Antonio, Texas in February this year on this very issue, that when the Federal agencies and commissions who have virtual control over a resource, such as radio frequency spectrum, are not actively engaged in discussing their responsibility to solving the problem, this causes a major concern for me, as it does every other major city chief in the United States.

Second, we look forward to the Office of National Preparedness, under FEMA, to get some guidelines out so that we can start doing what we need to do to further our ability to provide first-responder services. And so we wait. The core Federal mission, as it pertains to justice, should not overshadow local responders' ability to perform rescue and public safety services, as it pertains to homeland security. The whole idea of homeland security when you boil it all down is how well local fire and police and medical service is going to be able to perform. There is no other group of resources that are readily deployable, other than what are locally defined.

When it comes to the specific report I prepared,there are specific elements common to how one addresses an attack. I have spoken essentially about mutual aid and first-responder capabilities of this county and the State; they are second to none. This State is the best prepared State. Thanks to our Governor and our Attorney General and our Department of Justice, as well as the Office of Emergency Services, everything is in place. I also want to say that the California Anti-Terrorism Information Center, which I Chair for the State of California, our intelligence gathering is seamless with the FBI. The FBI is very cooperative, and we do things on a high level of responsiveness, interactiveness, and I compliment Director Iden of the local FBI office to be my strongest ally in making sure this occurs.

The next most important thing that we do here is our Terrorist Early Warning Group Program, and that is first-responders need to be tied to the intelligence links, and I have said we are, but then we also have to coordinate with the medical group as to what goes on when fire fighters and police officers get out on the scene of a disaster or a terrorism attack. And so our entire planning has been bolstered by the Board of Supervisors who have brought forth 16 more technical resources to the Terrorist Early Warning Group. These are people who are 30 in number who do nothing but plan for every possible attack, through scenarios, through gathering of information of possible types of attack. When we talk about the types, as you know, there are chemical, biological, radiological and nuclear forms of concern that this group is responsible for organizing scenarios and response strategies in the event such an attack occurred.

So in closing, the key here is that I have tasked a group of people from the private sector, the community, to be part of a Homeland Security Advisory Group for Los Angeles County. This is Chaired by Mr. Mark Nathanson, and Orange County, I have asked Sheriff Carona to do the same, and he has done the same. So when you look at Ms. Dalton's overall GAO report, which I think is a core document here, along with the FEMA document, we are doing everything we can to interface federally, at the State level and within the County of Los Angeles and then the bi-county of Region 1, and

we have already solved our intelligence sharing problems up and down the State with 300 police departments and 58 sheriffs departments. But now we have to reach out to our business community, to our general neighborhoods, and we have to extend the strategy of homeland security under the umbrella of the Terrorist Early Warning Group, and that is my next effort that I have put forth in the County of Los Angeles.

Thank you very much. I do have another meeting. I am not sure how critical it is if I leave, but I beg your permission to do so.

[The prepared statement of Mr. Baca follows:]

Federal Support for First Responder Needs for Chemical, Biological, Radiological, Nuclear Terrorism

Testimony of Sheriff Lee Baca, Los Angeles County
to
Field Hearing of
United States House of Representatives, Committee on Government Reform, Subcommittee on Government Efficiency, Financial Management and Intergovernmental Relations

Long Beach, CA, March 28, 2002

The Federal government plays a key role in fostering the development of local capabilities to prepare for and respond to acts of terrorism involving chemical, biological, radiological and nuclear (CBRN) agents or means. As we know, the challenge of developing a comprehensive homeland security strategy is of paramount importance as the threat of terrorism involving these means becomes more tangible.

When developing a national strategy to support emergency responders, it is essential that the Federal interagency community incorporate the needs of and the lessons learned by local responders into their roadmap. Our experience shows that terrorism is a complex set of inter-related issues demanding a high degree of capability from a range of ***LOCAL*** emergency responders: law enforcement, fire service, emergency medical services, hospitals, emergency management and public health.

All of these disciplines need baseline, discipline-specific skills in order to build a synchronized, comprehensive response. Essentially, the impact of and response to terrorism is *local*. All state and federal response is follow-on response to sustain and support local first responders. Our experience teaches us that first responders remain at scene and are key to managing response throughout the life of the event.

Needs for Federal support fall into several inter-related areas:

1. Response (including interoperable communications)
2. Intelligence
3. Investigations
4. Technology
5. Intergovernmental/Interagency Coordination

Response

Local first responders need *training*, *detection* gear, and *personal protective equipment* (PPE) and *interoperable communications capabilities* in order to safely dispatch missions in a CBRN (chemical, biological, radiological, nuclear) threat scenario. The

following are examples of the types of support required:

- **Training** (awareness, operational, technical specialties, cultural awareness, investigative, intelligence and forensic skills). *Estimated $10.2 million for LASD alone.*
- **Detection gear** (equipping select units with chemical, biological and radiological detectors for force protection and public safety decision-making, also specialty vehicles). *Estimated $ 1.5 million for LASD alone.*
- **Airborne surveillance** (Command & Control equipped helicopter with video downlink). *Estimated $ 4.2 million for LASD alone.*
- **Personnel Protective Equipment** (masks, nerve agent antidotes, protective suits, and proper mask fit-testing and health screening for responders). *Estimated $ 3 million for LASD alone. Additional $2 million to build Operational Area cache (multi-disciplinary benefit).*

Investigations

There is a need to build forensic capabilities to manage contaminated (CBRN) evidence in the field and at regional crime labs. This will require Federal support and funding.

- Need to build *local* CBRN crime lab capabilities;
- Need to enhance field forensic capabilities (Forensic Intelligence Support);
- Need to synchronize public health and law enforcement investigations.

Technology

There is a need to explore new technology and develop doctrine for using new technology to manage terrorism and emerging threats. The Los Angeles TEW has model program known as the ***Emerging Threat Workspace*** (i.e., a Civil Battlab) to explore new ways to protect the public. This effort is currently operating with no budget to conduct limited technical experiments and projects. We are seeking 9 million dollars of permanent funding ($ 3 million per year for three years) to serve as a test bed for homeland security (supported by Rep. Harman).

The local response community has the desire and skills to enhance preparedness and readiness to address CBRN and other emerging terrorist threats. What local agencies lack are the resources and funding to support these efforts. A clear, easy to negotiate funding vehicle that will deliver Federal support to local agencies is essential and must be based upon an understanding of local response capabilities and needs.

Mr. HORN. Well, thank you. If we have any questions, I will send them to you, and we can put it in the record at this point.

Mr. BACA. Thank you.

Mr. HORN. Thank you for coming. We're delighted to have today the individual that is in charge of our water. We have not had good testimony on that during our tour around the Nation. Joseph Tait is the executive vice president and chief operating officer of the Metropolitan Water District. I learned when I was a Senate staff aid in the 1960's the power of the Metropolitan Water District and the quality of people for its board. And a lot of things were done in the 1950's starting with Earl Warren and Gooding and Edwin Knight and so forth. And Senator Kuchel, that is K-U-C-H-E-L, who spent a lot of time on the water and how we get it to Los Angeles and how we get it to California, generally. So we're delighted to have you.

Mr. TAIT. Thank you, Mr. Chairman and members of the subcommittee. I am delighted to be here as a representative of the Metropolitan Water District. I would also, Mr. Chairman, like to thank Bonnie for her information that she forwarded to us while we were in Washington, DC, and the support that she gave us while we were back there last week.

As you are all showing during this recess your commitment to this issue, Metropolitan has also shown its commitment to security for many, many years. Mr. Chairman, you started this briefing mentioning that the events of September 11th had changed our lives but not brought the country or business to a stop, nor did it bring the Metropolitan Water District to a halt either. Just coincidentally on September 11th that was our monthly scheduled board meeting where 26 directors had to come from the 6-county service area to the downtown headquarters building here in Los Angeles. And if you can imagine what the chaotic environment was in a downtown high-rise building that day, you can imagine what the atmosphere was like in that board meeting. However, the directors did decide to go on with their board meeting, they did not cancel their board meeting as a result of the events, and the Metropolitan has also taken that theme along with our 26 member agencies in supporting security improvements.

Just to give you a little background on Metropolitan, the 26 member agencies and cities and special districts that we serve really make up the 6-county service area which Metropolitan services. We have a 5,200-square mile territory running all the way from the Colorado River to the Mexican border, up the coast to the Ventura County line and then back down to the dessert into Riverside and San Bernadino County. So we have pretty much the entire bottom third of the State. We supply the water that impacts the lives of about 17 million people.

As the representative of Metropolitan today and being the public steward of the region's water supply and infrastructure network, we have acted prudently and swiftly to secure the precious resource that we all use, and that is water. Several things that Metropolitan has done since September 11th have been significant, although under the secrecy of confidentiality as much as we could get away with. We have completed two vulnerability assessments long before they were called for or required or directed. Our board has ap-

proved $5.5 million in security improvements. We have not asked for reimbursement, we are not here today with our hands out. Our next security guard contract to cover those six counties will basically double our costs, from $11.9 million to about $20 million over 3 years to cover security for this service area.

We have taken other steps. I will give you a couple of examples. Our aircraft that fly patrols over our water system every day have already had two engines replaced in the last 6 months because of the exhaustive patrols that we have embarked upon on our service area. We have also—we are one of the first agencies anywhere to take down critical maps and infrastructure details off of our Web site when other folks were calling us wondering why we did that. It was for logical and prudent reasons, as we saw, but some folks weren't really understanding why we did that.

We listed five areas, Mr. Chairman and members of the committee, where this committee can come to the assistance of Metropolitan and the 17 million residents that we serve. And those five areas are we really need to partner with our Federal agencies. Those Federal agencies are such as the Department of Defense that could forward to us the list of those chemicals and those contaminants, those exotic contaminants that exist. But because the water district has not always been on the radar screen of national security, we do not have all of that information that we know exists, and that could be a great benefit to us in preparing for such events.

Research and development of quicker methods to monitor those contaminants. Currently, right now, in that $5.5 million board appropriation, we plan on accentuating our remote site monitoring throughout our service area that gives our treatment plant operators a heads up long before that water would arrive into the urban metropolitan area so that we can taken adequate measures to respond.

Currently, we understand that through our meetings last week in Washington EPA plans on reimbursing some of us who have conducted vulnerability assessments and that reimbursement level will be capped at approximately $125,000. Well, as you can see, Metropolitan has spent upwards of $11 million more for security than we did in the prior 3 years, and so you can see the impact that it will on us.

Federal funding for a demonstration program for alternate water supply protections and those protections would be whatever research, whatever monitoring, whatever testing, whatever new technologies we may employ. Our system is so large and spread out that we would probably be a pretty good test lab for firms that are proposing these type of devices to help us improve security.

The last one is our water supply is heavily dependent on what the Bureau of Reclamation security measures and operations on the Colorado River entail. Right now the Colorado River obviously impacts many western States, and Metropolitan gets about half of our supply from the Colorado River. So what happens on Parker Dam and Hoover Dam and through that watershed is very critical to southern California and the 17 million people that we serve. So the funding for the Bureau and for their improvements would be very beneficial.

Mr. Chairman, you have my written testimony, and I won't go into detail in that testimony. Again, any way that Metropolitan can help this subcommittee or any other Federal agency, we are here to do so. Thank you.

[The prepared statement of Mr. Tait follows:]

Testimony by the Metropolitan Water District of Southern California

March 28, 2002 Field Hearings for the House Committee on Government Reform, Subcommittee on Government Efficiency, Financial Management and Intergovernmental Relations

Potential for Terrorist Attack on the Water Supply Involving Biological or Chemical Agents

The Metropolitan Water District of Southern California supplies the majority of the drinking water for the 17 million residents in its service area. Metropolitan imports, treats and distributes water from the Colorado River and from Northern California. Making sure that water remains safe and free from terrorist threat is of paramount importance.

Metropolitan and the other water agencies in Southern California are constantly vigilant in the protection of our drinking water. The safety of the public that we serve always comes first.

Metropolitan's Pro-Active Measures

In February 2002, Metropolitan's Board of Directors approved a $5.4 million expenditure to further increase our security measures. These additional measures include more facility alarms, video cameras, access control, visual screening, and the installation of remote water quality monitoring stations. These measures will significantly improve our security and the safety of our water supply and supplement extensive security measures already in place.

Metropolitan has taken and will continue to take additional steps to continuous improve the safety and security of its water and the public it serves. It is inappropriate to describe many of the details of many of these steps in a public forum.

How the Federal Government Can Help

Additional reduction in the risk of biological and chemical attack on the water supply by terrorists could be achieved with federal assistance in the following areas:

1. **List of Exotic Contaminants from the DOD** The Department of Defense (DOD) has access to lists of potential biological, chemical and radiological contaminants that are not available to water agencies. While water agencies are familiar with contaminants that commonly occur in the natural environment or are produced by urban, industrial and agricultural activities, the DOD would have access to information of a broader nature. A DOD list of potential contaminants and recommended analytical techniques to detect them would help water agencies know what to look for.

2. **Research and Development (R&D) of Faster Methods to Monitor Contaminants** Drinking water agencies need faster methods to detect microbial and chemical contaminants. Many

contaminants take too long to detect with current instruments and methods. Various federal agencies such as the Centers for Disease Control, the Environmental Protection Agency, and Sandia National Laboratories could help develop new, faster methods to detect microbes and chemicals in drinking water.

4. **Reimbursement for Pro-active Installation of Critical Security Improvements** Federal funds are anticipated for a wide range of infrastructure improvements needed to improve security. Some drinking water agencies are already acquiring new facilities, equipment and measures to reduce the risk of terrorist activities. Federal finds should be made available to reimburse proactive water utilities that use their own funds to install these facilities subsequent to September 11, 2002. This will avoid penalizing them for their pro-activity in protecting public health.

5. **Federal Funding of Alternative Water Supply Demonstration Program** After an emergency event such as an earthquake or the threat of deliberate contamination, the public will need alternative large quantities of uncontaminated water, possibly through shipping and bottling services. Providing this water will guarantee that safe drinking water is available if a natural disaster has damaged and/or contaminated drinking water systems or if the threat of deliberate contamination undermines the public's confidence in their drinking water. Federal sponsorship of a demonstration program to provide safe water to all consumers after natural disasters and potential incidents of deliberate contamination is needed.

6. **Increased Funding Support for USBR Security Improvements** The United States Bureau of Reclamation (USBR) operates a wide range of dams, canals, pumping plants, tunnels and other water facilities in the Western United States. Protection of these water facilities is crucial to water supply in the southwestern United States. USBR must have adequate availability and funding of enhanced security measures. Enhanced security technology and measures used by USBR should also be available to water agencies such as the California Department of Water Resources and Metropolitan to help protect their water facilities.

Mr. HORN. Well, that is very helpful. I might add for all of you that haven't been before us before that once I call on you your full statement is in the hearing record at this point, and you can summarize it or hit the major points that you have. A lot will come out in the question period. There are some very good questions I have got for a lot of you.

We go with Mr. Chel. Casey Chel is disaster preparedness manager for the city of Long Beach.

Mr. CHEL. Good afternoon, Congressman Horn, members of the committee. Thank you for the opportunity——

Mr. HORN. Are you any relation to the great Fred Chel?

Mr. CHEL. That is my uncle.

Mr. HORN. Huh?

Mr. CHEL. That is my uncle.

Mr. HORN. Yes. He was great.

Mr. CHEL. Thank you. The city of Long Beach began preparing for a weapons of mass destruction event in 1998 as part of the Nunn-Lugar-Domenici Domestic Preparedness Program. At that time, over 200 individuals with 49 different agencies participated in a training program that they could take back to their agencies to train their personnel to respond to such an act. Long Beach, as part of the original 120 cities, also received support from the Department of Health and Human Services and the Department of Justice to create a treatment and response cache of emergency medicines to treat 1,000 patients should the need arise to better prepare for a coordinated response. This has led to three tabletop exercises, one functional, one full-scale and—that we have conducted over the past 2½ years.

The city has also developed a committee comprised of every key city department, local hospitals and the FBI to continually focus on the planning and coordination efforts of the city of Long Beach. A response cache of emergency supplies and equipment has also been created and stands ready to respond should the need arise. We as a city also participate in the Los Angeles County Terrorism Working Group and Los Angeles County Terrorism Early Warning Group with the Department of Health and Human Services and the MMRS Program.

The efforts of the city have been significant. The determined threats have been identified, plans to secure and protect these threats are ongoing, but since September 11th the increase in security at our port, the water storage facilities and the airport, as well as the significant security and coordination efforts throughout the city, have created a significant drain on the staff and funds for the city of Long Beach.

Throughout all these efforts, several areas continue to be a concern to the city of Long Beach. These areas include the clear need for funding to support local hospitals in developing response plans, obtaining emergency supplies and decontamination equipment. Training must be addressed. Funding to support the extended efforts of local planning and coordination efforts, funds to upgrade the Department of Health and Human Services laboratory in the city of Long Beach to be able to determine the credibility of determined potential threats and products quickly and accurately, funding to create sustained and local hazardous materials response

team for the city of Long Beach. We currently do not have a dedicated team within the city. Increased funding for port security, including the addition of personnel in and around water, the boats and other equipment, to patrol the ports and establish a coordinated response plan between our agency and the Coast Guard, funds to train emergency response personnel to better protect the general public and, finally, the funds to sustain the existing programs that we must find. The constant updating of medicines and the ongoing training costs must be dealt with. These costs are significant and yet unfunded to us.

Although the efforts of the city of Long Beach have been significant, much more must be done. To truly meet the needs of the community, funding must be found to continue the efforts that have occurred so far and expand the program to better meet the needs of the community. Unfunded mandates and the need to plan, prepare and response to any potential weapons of mass destruction event are significant. As I said, even though the efforts have been significant, the needs are many, and we look forward to the assistant that we are going to be getting. Thank you.

[The prepared statement of Mr. Chel follows:]

City of Long Beach
Fire Department

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(562) 570-1024

. . . more

Date: March 26, 2002

To: US Congress, House of Representatives
Subcommittee on Government Efficiency

From: Casey Chel, Disaster Preparedness Manager, City of Long Beach

Subject: **TERRORISM PREPAREDNESS**

The City of Long Beach began preparing for a Weapons of Mass Destruction (WMD) Event in 1998 as part of the Nunn-Lugar-Dominici Domestic Preparedness Program. Over 200 individuals from over 49 agencies were trained as trainers to educate emergency responders. Long Beach, as part of the original 120 selected cities, has also received support from the Department of Health and Human Services and the Department of Justice to create a treatment and response cache of emergency medicines to treat 1,000 patients, should the need arise and to better prepare for a coordinated response. This has led to three table-top exercises, 1 functional exercise and 1 full scale exercise that have been conducted over the past 2 and ½ years. The city has also developed a committee, comprised of every key city department, local hospitals and the FBI, that continually focuses on the planning and coordination efforts. A response cache of emergency supplies and equipment has also been created and stands ready to respond, should the need arise.

Long Beach also participates in the Los Angeles County Terrorism Working Group, the Terrorism Early Warning Group and the Department of Health and Human Services MMRS Program.

The efforts of the City of Long Beach have been significant. The determined threats have been identified. Plans to secure or protect these threats are ongoing. But since 9/11, the increase in security at the port, the water storage facilities and the airport, as well as the significant security and coordination efforts throughout the city have created a significant drain in staff and funds for the City of Long Beach.

Throughout all of these efforts, several areas continue to be of concern to the City of Long Beach. These areas of concern include:

- The clear need for funding to support local hospitals in developing response plans, obtaining emergency supplies and decontamination equipment. Training must also be addressed.
- Funding to support the extended efforts of the local planning and coordination effort.
- Funds to upgrade the Long Beach Department of Health and Human Services laboratory, to be able to determine the credibility of a potential WMD product quickly and accurately, must be a priority.

- Funding to create and sustain a local hazardous materials response team.
- Increased funding for port security, including the addition of personnel in and around the water, boats and other equipment to patrol the ports and establishing a coordinated response plan between local agencies and the US Coast Guard.
- Funds to train emergency response personnel to better protect the general public.
- Funds to sustain the existing programs must be found. The constant updating of medicines and the ongoing training costs must be dealt with. These cost are significant and yet unfunded.

Although the efforts of the City of Long Beach have been significant, much more must be done. To truly meet the needs of the community, funding must be found to continue the efforts that have occurred so far and to expand the program to better meet the needs of the community. Un-funded mandates and the need to plan, prepare and response to any potential WMD are significant.

Mr. HORN. Thank you. That is very helpful, and I hope you have got Pine Avenue, where I live, in good shape. Don't let the palm trees fall on us.

We now go to Terry Harbour, chief of the Long Beach Fire Department, a very fine department and one of the best in the country. So welcome.

Mr. HARBOUR. Thank you very much, Chairman and members of the subcommittee. It is a great honor to be here, and I thank you for this opportunity, particularly with your willingness to hear what the local agencies have as needs and concerns.

I would like to focus on three primary areas of concern for the city of Long Beach in the fight against nuclear, biological and chemical terrorism. As you have heard, the efforts of Long Beach have been significant, but more is needed to protect the community and its citizens against terrorist acts. The Long Beach Health Services, the police department and the fire department have essential needs to combat terrorist activities. I would like to focus and outline those needs that could be funded through your efforts at the Federal level.

First of all, the health department needs to upgrade their existing laboratory to a Level B facility. The equipment needed would include a chemical analyzer and a biological analyzer. This equipment would allow for anthrax testing, a quick look with a 2-hour turnaround and a culture in 24-hour turnaround. Presently, this type of testing has to be sent to L.A. County, and there is a delay in the time factor to do that. Additionally, the health department would like an epidemiology division. A full-time epidemiologist and additional test equipment, this would enhance the surveillance and early detection of communicable diseases of unusual occurrence, and that is what they are really looking at, the unusual occurrence, so that they get an early heads up if there is some type of pattern forming.

The police department's goal is to get two fully equipped police boats staffed with armed officers and including electronics, weapons and the state-of-the-art surveillance equipment. These vessels would provide on-the-water security for the Port of Long Beach and the adjacent waterways. As you are aware, the marine waterways and the ports are a major area of concern, and enhancing the security in these areas is paramount. This would be a joint effort between the U.S. Coast Guard, the Port of Long Beach and the Long Beach Police Department.

Our last area of concern for the city is a Hazardous Materials Response Team. You heard Mr. Chel speak about it. Currently, the city of Long Beach does not have, possess the resources to mitigate a hazardous materials emergency on its own. We must rely on outside agencies that are dedicated to other communities. Long Beach is the largest city in the State of California that does not have a Hazardous Materials Emergency Response Team. Simply stated, if one of our fire fighters or a civilian was to go down in a hazardous material spill or cloud, we currently are unable to safely perform an extrication rescue. Funding for this program would be the purchase of a vehicle, equipment and provide the necessary training for 28 fire fighters. It would be a 24/7 service for the Port of Long Beach and the city. This proposal is based on the expectations that

the port and the city of Long Beach would jointly share the annual funding for this port-based Hazardous Materials Team.

In addition, the fire department is the lead agency for disaster preparedness in the city of Long Beach. Additional staff is needed in disaster preparedness and for training in coordination with the local, State and Federal agencies, as you heard Mr. Chel state.

These are the three primary needs that the city of Long Beach has identified as critical to taking the level of awareness and preparedness for terrorism. Again, thank you for this opportunity to present.

[The prepared statement of Mr. Harbour follows:]

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. . . more

Date: March 26, 2002

To: US Congress, House of Representatives
Subcommittee on Government Efficiency

From: Terry Harbour, Fire Chief

Subject: **TERRORIST PREPAREDNESS - BIOLOGICAL & CHEMICAL**

I would like to focus on three of the primary areas of concern for the City of Long Beach in the fight against Nuclear, Biological and Chemical Terrorism. As you have heard the efforts of Long Beach have been significant, but more is needed to protect the community and it's citizens against terrorist acts. Long Beach Health & Human Services, the Police Dept. and the Fire Dept. have essential needs to combat terrorist activities. I would like to briefly outline these needs that could be funded from the "Homeland Security Act" which would provide the level of service that is needed in our community.

TOTAL AMOUNT OF REQUEST
$2,600,000

HEALTH AND HUMAN SERVICES: Public Health Laboratory **$400,000**

Public Health Laboratory – Upgrade the existing laboratory to a Level B facility. The equipment needed would include a chemical analyzer and a biological analyzer. This equipment would allow for anthrax testing (Quick Look) in 2 hours (turn around), and a culture in 24 hours (turn around). Presently this type of testing has to be sent to Los Angeles County Health Dept. with an extended reporting time.

Epidemiology – A full time epidemiologist and additional testing equipment. This would enhance surveillance for early detection of communicable diseases "unusual" occurrence types.

POLICE: Security Patrols for the Port of Long Beach **$500,000**

Two fully equipped police boats staffed with armed officers, including electronics, weapons, and state of the act surveillance equipment. These vessels would provide on the water security of the Port of Long Beach and adjacent water ways. As you are aware the marine water ways and ports are a major area of concern and enhancing the security in these areas is paramount. This effort will be a joint operation between the US Coast Guard and the Long Beach Police Dept.

FIRE: Hazardous Materials Response Team & Disaster Preparedness $1,700,000

Currently the City of Long Beach does not possess the resources to mitigate a hazardous materials emergency on it's own. It must rely on outside agencies that are dedicated to other communities. Long Beach is the largest city in the State of California that does not have a Hazardous Materials Emergency Response team. Simply stated, if one of our firefighters or a civilian were to "go down" in a hazardous materials spill or vapor cloud, we are currently unable to safety perform a simple "extraction" rescue. Funding for this program would purchase the vehicle, equipment and provide the necessary training for 28 firefighters. It would provide a 24/7 service to the City and Port of Long Beach. This proposal is based on the expectation that the Port of Long Beach would be willing to fund the annual operating expenses for the "Port Based" Haz-Mat Team.

The Fire Dept. is the lead agency for disaster preparedness in the City of Long Beach. Additional staff is needed in disaster preparedness for the training and coordination with local, state and federal agencies. The cost of the enhancement is: $225,000

Mr. HORN. Well, that is very helpful, and let me just ask one question on your testimony now so we can get it in. Did you talk to your counterpart in Baltimore with the problems that it had when a train was going under their tunnel there, and they really didn't know what was in the train. I am not sure they have pulled it out yet, but it was a real mess and a lot of problems, and I just wondered if the——

Mr. HARBOUR. I personally, no, have not talked to the representatives in Baltimore. I am aware of the situation and what they had. what you need to realize is that what is on the highway and it is placard usually, if it is in a tank truck or something like this, which gives us a basic identification type of material and is the NFPA placarding standards and the DOT standards, but a lot of times you just don't know what is in those containers and——

Mr. HORN. Well, is it a crime if they don't post the hazardous materials so the police department and the fire department will know what they are facing?

Mr. HARBOUR. Well, yes, it is a crime, but the placarding is fairly general. The DOT placarding you will see on your tankers. It could be a 1075, what happens to the liquified petroleum gas. But the real test is when you get the manifest off the truck. In that instance there, there was no way that they could get that manifest. The key element of the hazardous material is isolation and then identification, and you have to identify what you have before you can move forward.

Ms. WATSON. On that issue?

Mr. HORN. Yes, sure.

Ms. WATSON. We had a law passed in California while I was there in the senate that said not only is it hazardous material but you had to document on the label. And you need to pull that up and see if it is being enforced, because under this new threat, not only would it destroy the vehicle and other vehicles around but road conditions. Transportation would be affected too. So you need to followup to see if you are covered and if the law is being enforced.

Mr. HARBOUR. Yes, ma'am.

Mr. HORN. While we are waiting for the next witness, Patricia Dalton, take Sheriff Baca's place so you have got a place representing the Comptroller General of the United States.

OK. We will now move to Mr. Stanley. And Mr. Stanley is the Emergency Management Services, city of Los Angeles, so you are in this building a lot, right?

Mr. STANLEY. Yes, sir. Thank you, Mr.——

Mr. HORN. Great place. I haven't been in it since all the modifications have been done.

Mr. STANLEY. Well, welcome back. Thank you, Mr.——

Mr. HORN. The fact that we are freezing is beside the point. [Laughter.]

Ms. WATSON. Catching pneumonia in the meantime.

Mr. HORN. That is right. Sounds like we are back in the Carter administration.

Ms. WATSON. It has got a mind of its own.

Mr. HORN. Well, we are delighted to be here.

Mr. STANLEY. Thank you, Mr. Horn; we appreciate it. And members of the committee, thank you for allowing us to participate in this process. We recognize that State and local input is essential to the success of any homeland security efforts.

We also—from the standpoint of the local Emergency Management Office, we respect the Nation's ability and effort to bring forth the Homeland Security Office, and it should be made one of the highest priorities in standardization and support of local emergency management agencies to serve as the integrating element of homeland security efforts regarding preparedness and response, recovery from—and the mitigation of consequences of a terrorist attack.

In order to ensure that the preparedness and response to the consequence of any terrorist attack, there must be a common infrastructure at all levels of government which has as its single objective the planning for and integration of all aspects of the potential incident. There is and has been historically such a structure and competence in every level of government, as well as the private, for-profit and non-profit sectors.

The structure is integrating the emergency management system. The core component of the system is the State and local emergency managers who have been responsible for ensuring the preparedness, response and recovery capability of their jurisdictions. Regrettably, while this system represents the single best capability for implementation of a national homeland security strategy at all levels of government, the State and local elements of that system has been significantly underfunded for decades.

Funding programs such as FEMA's State and Local Assistance Program, the Emergency Management Assistance Program have consistently only been available to minority agencies needing support and have only been funded at a fraction of the authorized amount. As a result, local agencies are consistently understaffed, often part-time and even volunteer positions. They are often very weak at the organizational structure of local government, which makes it difficult for them to accomplish jurisdictional-wide coordination and planning.

Their function is often not understood by local officials, and it is often confused with that of the emergency response agencies, making it virtually impossible to gain the support necessary to provide for a full service integrated program. They seldom have the resources to effect the vital job of performing and preparing the general public for disaster.

I mention that as a general overview of what is going on in our country and would like to take a couple seconds to explain in Los Angeles and in California we have a very comprehensive program. The city of Los Angeles has what is called an Emergency Operations Board in which many of the departments, including my colleagues of the harbor and the airport, make up that particular board. We meet regularly. Ironically, in California and in our local jurisdiction, we have a lot of incidents. You might recall on September 9 we had a 4.5 earthquake here in the city of Los Angeles. On September the 10th, we did a bioterrorism exercise here in the city as part of our ongoing training programs that we routinely do. And on September 11th, the world changed as we knew it.

That is important because we do sit down as a community, and we have challenges. One of the challenges that Sheriff Baca indicated was working with the FCC, looking at those frequency issues. There is an issue now before the FCC, the 700 megahertz frequency, in which they are getting ready to auction off frequencies, and it is important that public safety be given their critical share.

We have developed and have in place a critical infrastructure plan that met with all the elements of EMS, Emergency Medical, as well as our critical facilities, to make sure that we exercise them and their plans are in place. It is important that we keep those running. It is critically important, too, that FEMA's programs with domestic preparedness and especially the hazard mitigation grant programs on pre-disaster mitigations be funded appropriately so that we might mitigate those things in our communities that are disaster potential.

Again, thank you. Mr. Horn, I remember testifying before you about Y2K when you Chaired that Technology Committee, and appreciate the efforts that you have done there. And Ms. Millender-McDonald, we testified before you recently on some of these homeland protections. Thank you.

Mr. HORN. Well, thank you. It is good to see you again.

Bernie Wilson is the chief of the police department for the Los Angeles International Airport. I am a 2 million mile member of your fine airport.

Mr. WILSON. We would encourage you to increase that mileage at any opportunity.

Thank you, Mr. Chairman, for inviting me today. I am a late addition to the panel, so you have no written testimony from me. But I promise you that I will keep my verbal comments brief and I am available for written testimony should you need it.

Before I start, I just wanted to mention something, that I had a chance to meet with Congressman Watson and Congressman Millender-McDonald after September 11th, and we had an opportunity to talk about the legislation that eventually created the Transportation Security Administration, and I just wanted to say that I am not going to take credit for the legislation, I am sure you talked to a lot of people, but here it is a few months later and I have heard other people say, "Thank you, it is everything I asked for." It is working out very well for us so far.

I represent a very unique community. The airport has 50,000 people or better that work there day in and day out at LAX, and we serve about a million people a year that come through the environment. It is a very unique business environment for that reason. It is an environment with all those people who don't actually live there, so we don't have residential to deal with on airport grounds. Of course our surrounding communities have issues with us, but it is a very unique business community.

It is also a very unique people community. We have people who are part of our community who are only going to be with us for a very, very short period of time while they are changing planes or while they are catching a plane and then they will move on. But we still owe them a degree of professionalism and response capabilities to deal with them while they are with us.

And, of course, it is a very unique security community. We have capabilities because there are certain Federal requirements that a lot of other communities don't have. We can literally lock the place up if we have to, as we did, as a matter of fact, after September 11th.

But recognizing we have this unique community, we also have to look at the realities that we faced before September 11th. We are deeply involved with interagency planning and cooperation, and that includes Federal agencies across the entire Federal spectrum, as well as local agencies. We were the very early starters in getting training, what is know as the Incident Command System, which is a standby system for dealing with emergencies that was actually created by the Fire Service, and we owe a debt of gratitude to the Fire Service, and every time I see a fire chief I always thank him for it, so thanks, Chief.

The Incident Command System may have made a tremendous impact on us after September 11th. We were able to see how it actually works from a real live incident on a massive scale, and for a period of about 3 months or better, we were in emergency mode all the time with not one display of ego, not one agency trying to claim someone else's work. It actually put them in place, and I am very proud to say that it worked for us.

In our planning done for September 11th, we had a number of things that we did as a matter of regular course. We have annual tests for response to aviation incidents, whether they are aircraft crashes, action type incidents or security incidents. And we have also—we are kind of picking up the ball on the weapons of mass destruction potential. For example, we now own and possess three decontamination units, which is like a human car wash. You start at one end and you come out the other end all scrubbed and clean and with a change of clothing. And we were able to deploy one of those units for the Democratic National Convention on a standby basis. I believe we actually used it one time. We had a police officer who had something thrown at him. They didn't know what it was, so we activated it, he went through it and it worked for us.

Obviously, the tests and the focus on aviation and airports was September 11th related, but I just want to emphasize that we were planning for a lot of things way before September 11th, and part of that planning does include talking to people. We are members of the Airport Law Enforcement Agency Network, which was started after the attacks in Vienna in 1985, and we were able to talk to any airport in the country by literally picking up the phone and talking to people on a first-name basis.

Our challenges that we are meeting in the near future, besides continuing the recovery from September 11th issues, we are helping the Transportation Security Administration get setup. They have a very, very tough road ahead of them to create an agency out of nothing, and it is going to be a massive undertaking for them. We have received absolute cooperation from them, and I hope that we reciprocate the same. Thank you.

Mr. HORN. Thank you. That is very helpful, and I hope my car isn't by the curb.

Larry Keller is probably one of the outstanding port directors in the United States. I see him frequently because he wants that har-

bor dredge, and we will do the best we can. He and his rival next door, Long Beach, wherever you count it, one is one and the other might be two, so what is it this month? I mean are you one or two in the Nation?

Mr. KELLER. I have to say that this month, Congressman, we are one.

Mr. HORN. Yes.

Mr. KELLER. But Port Long Beach isn't far behind.

Mr. HORN. OK. I will tell them that. Give them a little poke. So it is a great port, both of them are, and they have great competition, and what they have done with the Alameda corridor, which came out of your planning operation, and Long Beach's planning operation went on with it, and that is about to come on and open on April 12, I believe. And that will be copied by almost every port in the United States. We got there first, and we got the money first. So glad to hear anything you want to say on this.

Mr. KELLER. Thank you, Chairman Horn. Thank you, committee members and Congresswoman Millender-McDonald and Congresswoman Waters, for giving me the opportunity to appear before you today.

I thank you for the opportunity to discuss the Port of Los Angeles and the subject of seaport security as it relates to the international maritime traffic into and out of the San Pedro Bay every day. As you know, the port is a public entity, and we relate to the private businesses. So the model is just a little bit different in terms of the partnerships that we bring to the table and people with whom we must interact.

This hearing is to discuss ways that the city of Los Angeles Port has prepared for a terrorist attack and improved security, what the needs are for the city to facilitate seaport security now and in the future and the quality of cooperation from Federal agencies.

Just a little bit of a background before I get into that, if I may. The Port of Los Angeles is a remarkable story. In 1984, after the main channel was deepened to 45 feet, the Port of Los Angeles was ranked eighth in the Nation, moving 1.04 million TEUs, or 20-foot equivalent units, the standard maritime container.

With the help, cooperation and partnership of our customers in the Federal Government, the Port of Los Angeles is today an environmentally responsible port complex which handles more than 5 million containers in a year, while creating hundreds of thousands of jobs, not only in our region but across the Nation. Together, the two Ports of Los Angeles and Long Beach ship roughly 35 percent of the Nation's water trade.

Last year's total of more than 5 million containers marked a national record in this growth has been particularly important because the rest of the Nation and the State of California experienced a dramatic economic downturn several times during that period. We are in the midst of an incredible construction activity, as you pointed out, Congressman, as we prepare for the challenges and opportunities of the future. The Alameda corridor will, as you say—the first phase of the almost 500-acre sea/land terminal opens midyear.

However, the events of September 11, 2001 have shifted our focus from efficiency to security, while at the same time continuing

the through-put which is so important to our Nation's and region's economy. Led by our port police force, our response was immediate as we came down with various law enforcement officials as well as the U.S. Coast Guard, U.S. Customs, FBI, INS, other Federal agencies and Ms. Stanley took care of the city.

Our national crisis has mandated security precautions and permanent changes in how we do our business. This is a new day with enhanced security standards for our maritime community. We have experienced only slight delays caused by understandable security measures, but commerce has continued unabated.

Since September 11th, the Port of Los Angeles has had in place 12-hour shifts for port police, although we have begun cutting that back just a bit; two patrol vessels on the water at any given time, increased fixed post security in the cruise passenger terminal; the addition of two explosive detection canines; increased liaison with various Federal, State and local law enforcement agencies, without whom the mission would be impossible; regular dive inspections of passenger terminal, tank vessels and other sensitive areas of the port; establishment of a joint port police/U.S. Coast Guard/Sea Marshall program for incoming and outgoing vessels, and that includes all passenger vessels; increase inspection of truck traffic; temporary placement of security barriers in key facilities; increased security officer protection in port facilities and support to various legislative, industrial and neighborhood communities on port security matters. The costs of the first year are estimated at $1.5 million to $2 million.

The city of Los Angeles and Mayor James Hahn have taken the lead in establishing a Port Security Task Force to look at the San Pedro Bay Port to evaluate needs, challenges and opportunities for providing more secure ports. In our open society, the challenge is to provide security yet to effectively facilitate commerce and traffic. Our future security needs offer increased cooperation and support for Federal, State and local government bodies and agencies.

Mayor Hahn's Port Security Task Force is looking into how we can more closely monitor who and what enters our country through our seaports. Securing our borders and our seaports is vital to the protection of the United States. This task force has brought together executive level participation of local, State and Federal agencies, including the Coast Guard, Customs, FBI and INS, along with local and national police forces, allowing the quick resolution of issues, enhanced security and increased cooperation among all the agencies. We believe it is a model for developing the outstanding the cooperation to protect our vital resources, and yet more must be done.

Some other areas of port security we would like to put on the table include development of a waterfront container inspectionsite, or CIS, including facilities for involved agencies to look at suspect containers within the confines of the port; a portwide identification system to control access and positively identify all people entering port facilities; increase port police personnel; adequately deploy and maintain increased operational security and policing functions; development of systems and legislation to support the sharing of passenger information and crew information for vessels arriving in the port; development of a data base and legislation to support acquisi-

tion and analysis of information about persons and products arriving by sea; development of a new public relations program to communicate credible terrorist threat information to the public and to dispel unsubstantiated rumors; development of new technology to adequately inspect more shipping containers, both here and abroad; funding for improved audio and video surveillance and monitoring systems; creation of a secure Internet Web site for law enforcement agencies to act as a terrorism warning clearinghouse, and establishing a data base and central repository for intelligence that is currently being collected by several Federal and State resources.

It is anticipated that these enhancements for port security in the Port of Los Angeles will cost $36.1 million in one-time expenditures. Because of all these factors and the new vulnerability, it is imperative that we concentrate on maintaining and enhancing security awareness of our maritime environment. We also strive to encourage more open information sharing, and I have said this before, among local, State and Federal law enforcement agencies in order to be better prepared to fight terrorism as it occurs. I am pleased to say that the Mayor's task force is making important strides in this area.

I want to also say that it is very important that the ACE Customs computer system is fully funded an in operation. It is an invaluable tool in spotting the right containers and the right people to look at them. I also can't praise highly enough the job being done by the U.S. Coast Guard and Captain Holmes. The cooperation of all the Federal agencies has been instrumental in our effective response to date to September 11th and the continuing operation.

We must continue to work hard to be successful. We welcome new opportunities. While we are proud of our record and accomplishments over the decade, we know that we are constantly being challenged and will continue to be challenged by tomorrow's security needs. Thank you for the opportunity to share this information.

Mr. HORN. Well, thank you very much, and I wish you well. You are in a strategic situation, and so is our Nation and our economy.

So let me start in with Mr. Tait on a couple of questions. You talked about alternative sources of the water. Would that include the desalinization?

Mr. TAIT. Absolutely.

Mr. HORN. And we are trying to have that happen in Long Beach.

Mr. TAIT. Yes.

Mr. HORN. And anything you can do to be helpful, we obviously would appreciate, because it has got to complement. Israel did it 30, 40 years ago, and I don't know if they are still doing it, but I happened to be there when the Sharon election was, and I chatted with him for an hour, and he was in this desalinization again. And when you look at the Jordan River, there is not much water coming down there, so that big ocean is very important.

How about wetlands, would you put that in the resource for water?

Mr. TAIT. Actually, our approach to wetlands is two-fold. No. 1, the wetlands have often offset some of the need to actually use that wetland water because we have been able to use an adjoining basis,

something in the near vicinity. So we really haven't planned on using wetlands water. That gets into another topic of watershed protection, and as you know, we have spent many, many dollars protecting the watershed so that when the water does come into an impoundment, and reservoir, such as Diamond Valley Lake, that the water remains pristine until we receive it in our treatment plants, thus the lower cost to treat the water because it was already in good quality when we received it. So watershed protection and wetlands improvements are two parts of our planning process.

Mr. HORN. Well, that is a good idea, certainly, for the reservoirs we need upstream to store that, and I have got a great program for you. It is known as the Seretis Wetland, so anything you can do to get that moving we would appreciate that.

Mr. TAIT. OK.

Mr. HORN. So let me ask you on—well, let me ask you first—have Ms. Dalton say what are we missing, anything today on this panel? And then we can go to questions from my colleagues.

Ms. DALTON. I think the panel has very comprehensively covered some of the issues that are present here in California as well as in all of the Nation and the resources that need to be protected, and highlighting the importance of planning, integration of our resources and communication.

Mr. HORN. Very good. Now we will go with 5 minutes down the line.

Ms. WATSON. Yes. Very quickly, I want to commend Terry Harbour on this report, your testimony, because not only do you make a request but you have the dollars assigned to it. Mr. Chair, you have got a lot of work to do. As I understand, Long Beach is the largest city in the State of California that does not have a Hazardous Material Emergency Response Team. And I don't know where the funding will come for that, but my question is, and this can go to Mr. Harbour and Mr. Keller, maybe the next attack is on cruise ships to send a message. You know we had first with the planes, now the cruise ships, and can I hear comments from the two of you as to what we are doing in terms of protecting our cruise ships that go out of the ports?

Mr. HARBOUR. I can tell you for Long Beach right now we don't have any cruise ships, but as you know, by the end of next year Carnival Cruise Lines will be docking at the stern of the Queen Mary, so it is one of the things that we are going to need to deal with. To my knowledge, we haven't identified it. I am sure L.A. is an expert at it, and I would like to refer that to Mr. Keller.

Mr. KELLER. Congresswoman Watson, that is a very good question. We believe the human vulnerabilities should be placed on an even higher plane than goods and property, and immediately after September 11th the bookings on the cruise ships dropped about 50 to 60 percent of what had been anticipated. We immediately went to work with what is called an early version of the Sea Marshall Program. And that meant we put armed guards on every arriving and departing ship who were then put on with our pilot boats or taken off with our pilot boats. What that meant was that when the guards were on board they secured the navigation space of the bridge, the engine room and the communication center of the ship

and talked to the officers and crew to make sure that there was no suspicious activity going on.

When the ships are in port, we have either Coast Guard boats or Port Police boats alongside 24/7 to make sure that no one approaches that boat. The boats are escorted in with an armed Coast Guard cutter to make sure that no suspicious boats approach the ship to do harm. We have purchased two explosive sniffing dogs to run over the top of all the luggage that is being put on the ship. As you know, unlike an airliner, we give the passengers their luggage back. We put in magnetometers so that all the crew and passengers are screened going in, and we have secured the area in which the supplies, the food, any other necessary supplies for the ship are inspected box by box to be sure that nothing is going on that ship that doesn't belong.

I am happy to report that as a result of these activities, passenger acceptance has been very, very high, and the booking ratio has risen almost to 90 percent now, because people consider this a safe vacation.

Ms. WATSON. Very good. I have one more question, Mr. Chair, and that is for Mr. Tait. In your testimony, you talked about alternative water supplies, and my concern now it looks like the bottled water would be available, but is it possible to require homes to have some kind of alternative water supplier? Is there any kind of equipment that is self-safe in terms of water supply? That is of a big concern to us at this time, and I don't know if Brita could sift out whatever the bioterrorism organism might be. Is it a water system? Is there anything that could help? You know, smoke alarms for fire. Is there anything we can do for people in their own homes?

Mr. TAIT. Point-of-use devices have always been used for what I would call elementary or minor filtration and treatment. They are definitely not the solution. That is why Metropolitan is promoting maybe a joint approach with bottler and suppliers to take Metropolitan water, have those waters bottled and stored in strategic areas. We have five treatment plants throughout the southern California metropolitan area in various counties, and so if you were to take those bottled supplies of our own supply after it is treated and have those available for the communities in the event of some kind of an attack, you would raise the comfort level of the folks who are looking for an alternative.

Ms. WATSON. We had gone through a very devastating earthquake in 1994 and we couldn't get the supplies to the people. I came down here to City Hall and they said, "Get a guy, find somebody with a metal hat on and stop him." So at the point of use, is there anything that can be done by the residents to purify water in case our highways are destroyed, the vehicles that transport are also affected? Is there anything that we can do in our homes?

Mr. TAIT. Sure. Point-of-use devices are effective. However, it would really depend on what type of contaminant it is. And if you also look in my testimony, partnering with DOD on what those list of contaminants are that we are not privy to right now, that confidential list, would help us better plan. Remember when there are earthquakes or things of that nature that really knock out infrastructure, you are really talking about just simple organics, dirt, those type of things in the water that you would either take care

of through boiling or through point-of-use devices. But either way, again, point-of-use devices are still just that elementary treatment level, so that is really not a solution, an overall solution.

Ms. WATSON. Well, it would be very helpful if you could supply us, all of our offices, with a list of the point-of-use devices that could be effective. I know it is elementary, but I am thinking about transportation systems, how do we convey and transport if our roads are knocked out? And I don't put any of that past the terrorists at this time, so we need to look at every option we have.

With that, thank you so much, Mr. Chair, and thank you. I think all of you have done an outstanding job in bringing us up to date. We are going to depend on you providing us with information that we cannot get out of Washington, DC. So we will be sure to follow-up with you, to call you so that we can instruct our constituents as they call in on a daily basis. We want to give them a better comfort level than they have now. So thank you very much for holding the hearing.

Mr. HORN. Well, thank you. Thank you. We have the gentlewoman from Los Angeles County and the State of California, and that is Ms. Millender-McDonald.

Ms. MILLENDER-MCDONALD. My goodness, Mr. Chairman. Again, thank you so much for your leadership on this hearing. You have brought us a tremendous set of panelists, many of whom I have had the pleasure of talking with for the congressional oversight hearing on water with Congressman Ken Talbert, and so we have had a lot of the issues that you have presented to us today through that hearing. And also the oversight hearing that we had, the congressional oversight hearing down at the ports with Congressman Mark Souder.

And so with that, I mean all of you I have heard from you. Mr. Stanley and all of you have incredible testimony. The Chief Harbour, I have not heard from you, but I have heard from your deputies and others, and you did the right thing to present us with your testimony and dollar figures with it, because otherwise we would not have known to what extent your requests were and the amount of money.

I would simply say to all of you that we recognize that a lot of you had to go into your budgets to put together a type of emergency program, given September 11th, and what this Federal Government can do is perhaps not reimburse you but further give you the funding that is necessary to secure your various bases that you have already spent of your own budget dollars to help us in the crisis of September 11th. So I applaud you on that, and, Mr. Chairman, I do know, in talking with the Port of Long Beach folks who came to Washington a couple of weeks ago, they have spent an incredible amount of their own budget resources to help us safeguard the ports. If it is nothing else, we should try to seek funding we can to help all of these fine folks with in terms of not repaying but to further the preparation of emergency crisis.

With that, again, Mr. Chairman, I will submit my statement for the record. I have heard from these fine groups of people, and thank you so much for this hearing. I am going to have to tip out

because of other commitments, but I thank you again for your leadership.

Mr. HORN. Well, thank you very much for coming, and without objection, your document will be put at this point in the record.

[The prepared statement of Hon. Juanita Millender-McDonald follows:]

Congresswoman Juanita Millender-McDonald
Written Statement
Field Hearing on
"How effectively are Federal, State, and Local Governments Working Together to Prepare of a Biological, Chemical or Nuclear Attack?"

10:00 a.m., March 28, 2002
Los Angeles City Hall, Board of Public Works Hearing Room
200 North Spring Street, Los Angeles California

Thank you, Mr. Chairman. I want to commend you and this subcommittee for holding this series of hearings that has reviewed the efficiency and effectiveness of key intergovernmental relationships.

The one thing that the events of September 11th have made abundantly clear is that in this new kind of warfare being conducted against the United States, those truly on the frontline of defense are indeed our local firefighters, our police forces, emergency medical teams, and the health professionals that get involved in meeting this kind of imminent emergency.

This reality has not been lost on Members of Congress as we have gone home to our districts and talked to people about what happened at the World Trade Center, in the fields of Pennsylvania, and at the Pentagon. The first to respond was not the FBI, the CIA, the FAA, or our Armed Forces. But our firefighters, police officers, emergency medical teams and health professionals became the front line of homeland defense. These are the individuals who are most in need, at this very critical juncture of homeland defense, of the support and funding necessary to carry out homeland defense. These are the individuals who make sure that our people here at home are safe and secure.

For local first responders to be truly successful, they require appropriate funding; funding that will allow them from the bottom up, starting with our local communities, to become more involved with the strategic planning. Also, additional funding will facilitate better coordination with State and Federal agencies in such a manner that will provide commonality of communication, and that will allow them to prepare themselves with the various kinds of equipment they are going to need to handle this new threat, this new era that we are living in.

This new kind of warfare has also changed the concept of what constitutes a credible threat to the security of our nation's critical infrastructure. Threats that previously had been considered low risk, are no being examined and incorporated into emergency plans and procedures. Ongoing efforts to upgrade infrastructure security have taken on a far greater importance and urgency.

In the same way that we addressed aviation security with the passage of the Aviation and Transportation Security Act we must be equally aggressive in addressing

other infrastructure security needs. America's ports, including the Ports of Long Beach and Los Angeles, are our nation's economic gateways to the world, as well as centers for travel and tourism. Approximately 95 percent of our Nation's international trade moves by water. They serve as platforms from which we launch and project our nation's military strength. During a major military deployment, 90 percent of our military materials move throughout out nation's seaports. It is clear that our ports are targets for terrorism and we must do all we can to ensure their safe and efficient operation.

It is equally clear that our energy infrastructure, including nuclear power plants and more importantly, our water resources, also represent significant targets for terrorism. Clearly, our efforts to help secure the safety and integrity of America's water supply and infrastructure must be undertaken with great speed, energy, and efficiency. We don't have any time to waste in completing this work and I believe that we should devote the resources necessary to make certain it is done as quickly as possible.

I strongly encourage all levels of government to work together to plan and coordinate our Nation's domestic terrorism programs more effectively. As we have witnessed, the emergency responders are our first line of defense in the aftermath of a terrorist incident. It is critical that our National and our national preparedness programs assist our local first responders by providing them with the best information, training, and equipment available.

Thank you, again Mr. Chairman and I look forward to hearing from our witnesses today as we work together to improve our national emergency preparedness for terrorist, biological, chemical and nuclear attack.

Ms. MILLENDER-MCDONALD. Thank you. Thank you so much.

Mr. HORN. Well, I share my colleagues sentiments that you have done a wonderful job, and there really isn't too much more to be said. And I will incorporate Mr. Souder's, and Mr. Keller and I have talked about that, and it was very good testimony, and we are glad to do it. We have got a lot of ports in this State of California, and I know that you and Ms. Bonta said that there is about 800—what was it, 8,800 water supplies? Let us see? Well, it is a lot, but it isn't in the jurisdiction of those of you here in southern California, and I guess what we will do is we will find out in San Francisco a few days from now and see if they are as well organized as you are.

So thank you very much, and I am going to thank the people that helped put this together, and we have many people to—J. Russell George is the staff director and chief counsel for the subcommittee. To my left here is the deputy staff director, Bonnie Heald. Justin Paulhamus, the majority clerk—where is Justin? Is he around? He is working back where he should be, right? And Earl Pierce, professional staff member who is not here today, but he helped coordinate everyone's testimony.

And the district staff, Connie Sziebl is in the back with a red coat, and she has been the best district director in the United States, and everybody agrees to it. And that way we don't have to pay her anything. So Ryan Peterson has done a wonderful job here with the camera, and he is an intern with us in the district office, and Jennifer Hodges is working with him. We thank you both for this and hope you aren't an ice cube.

So the city of Los Angeles, a lot of people are to be thanked. When we came into the garage this morning, people couldn't have been nicer, and usually when you go into some government garage, they sort of snarl at you. Not here, they are nice, friendly people. And Jim Seeley, of course, you all know. He is the key person in Washington on legislation, and thank Deputy Mayor Carmel Celo, and you heard from Councilman Jack Chois and Denise Sample and Diego Alverez and Dary Gomez and Lindsey Watson and Avarcay Diaz. And the court reporter is Kathleen Torres, thank you also. It is tough when you have got to get everybody's words out in the right way, because we depend on it.

That is it. Thank you. And with that, we are adjourned, and we thank you for your testimony.

[Whereupon, at 1:07 p.m., the subcommittee was adjourned.]

[Additional information submitted for the hearing record follows:]

TESTIMONY OF JANET CHERRY, P.E., ASSOCIATE
ON BEHALF OF THE CADMUS GROUP, INC.

SUBMITTED TO THE
HOUSE SUBCOMMITTEE ON GOVERNMENT EFFICIENCY, FINANCIAL MANAGEMENT AND INTERGOVERNMENTAL RELATIONS:
OVERSIGHT HEARINGS ON DRINKING WATER SYSTEM SECURITY
COMMITTEE ON GOVERNMENT REFORM
U.S. HOUSE OF REPRESENTATIVES

March 28, 2002, Los Angeles, California

The Cadmus Group, Inc. is offering the following information for consideration by the subcommittee as it evaluates vulnerability assessments of these drinking water systems. Cadmus is an environmental consulting firm that has specialized in issues of drinking water supply for the past 19 years. Cadmus is the largest contractor to EPA's Office of Ground Water and Drinking Water, offering support in areas ranging from economics and health benefits of proposed regulations to evaluating the capacity and condition of national drinking water infrastructure.

- **The most significant security issues in water supply are found in small water systems, not large systems.** Large systems understand vulnerability assessment and security and the resources and expertise that make them capable of taking appropriate action. Smaller systems (e.g., those serving populations of 50,000 or fewer) generally do not have either the expertise or financial means to properly assess risks and implement a security program.

  Cadmus engineers and scientists have done site visits and evaluations of hundreds of small- and medium-sized systems across the nation, in Alaska, Hawaii, Guam, the Northern Marianas, Puerto Rico and the Virgin Islands. Our experience has convinced us that smaller systems are most vulnerable to both accidental and intentional contamination and disruption of service. Most of these system are ill-prepared and poorly equipped to deal with terrorism or other security issues. As an example, in 1998 the water treatment plant of Neenah, Wisconsin, was almost vandalized by a group of teenagers who planned to contaminate the filters and ignite enough firecrackers to equal 10 sticks of dynamite. Floors were to be slicked with soap and trip wires set to impede responders. The attack could have injured or killed operating staff, damaged the facility extensively, and released chlorine or ammonia gas to the atmosphere. Fortunately, one of the plotters revealed the plan to the police, who intercepted the group on their way to commit the deed. This incident illustrates how vulnerable small water systems are.

  Conventional wisdom seems to be that only larger water and wastewater systems are at risk due to the large population centers that could be potentially impacted. We believe that targeting multiple smaller systems could potentially have, at much less risk to the

perpetrators, equally devastating effects on the nation's public health and emergency response systems. Perhaps even more importantly, such attacks would indicate there are no safe havens and thus, could have a major psychological impact on the public. For instance, the Metropolitan Water District (serving the Los Angeles area) and East Bay Municipal Utility District (serving the San Francisco area), have adequate means to protect water quality for their customers. However, numerous small water systems exist in the vicinity of both Los Angeles and San Francisco. According to the Safe Drinking Water Information System database, approximately 615 and 426 small community water systems are located near Los Angeles and San Francisco, respectively. Terrorist attacks on these smaller water systems near the larger metropolitan areas of Los Angeles and San Francisco would have psychological impacts on the millions of people located nearby. To address these issues, more attention should be paid to vulnerability assessments for small drinking water systems.

- **Traditionally, water systems have protected public health and ensured safe water by implementation of the "multiple barriers" concept for preventing contamination.** In this approach systems place as many "barriers" as reasonably possible between the risks (i.e. contaminants and/or loss of service) and the consumer. It includes the selection of the highest quality and least vulnerable source(s), source water protection, treatment appropriate to water quality, and provision of water through a sound, properly designed and well maintained infrastructure. It also includes operation, maintenance and management by committed and well trained staff. In some respects this approach parallels the classical physical security triad: "Detect, delay, respond." Ultimately, the key to the provision of safe drinking water lies in systems' abilities to maintain an interrupted multiple barrier system of public health protection.

The vulnerability of smaller systems has been well documented by past waterborne disease outbreaks. Between 1984 and 1994, nine outbreaks of cryptosporidiosis were documented in public water systems. Seven of the nine systems served fewer than 100,000 people. A total of 285 people were diagnosed with cryptosporidiosis and over ten thousand people were estimated to have been infected.

- **Waterborne diseases can take time to detect and identify.** On September 3, 1999, the New York Department of Health received reports of at least 10 children hospitalized with bloody diarrhea or *Escherichia coli* (*E. coli*) O157:H7 infection in counties near Albany, NY. All of the children had attended the Washington County Fair, which was held August 23-29, 1999. As of September 15, 921 persons reported diarrhea after attending the Washington County Fair. 65 people were hospitalized, 11 children experienced kidney failure, and two persons died. The outbreak was linked to one shallow well that was used to serve part of the fair and this particular well was not chlorinated. Initial cultures from this well yielded high levels of coliforms and *E. coli*. This particular outbreak illustrates the long timeline involved in detecting and identifying a waterborne disease. *E. coli* is readily identified by approved laboratory methods. However, if

systems were to be contaminated with an unknown pathogen or contaminant, the strain on the medical community would be immense. In addition, if several small water systems were contaminated with different unknown pathogens or contaminants, the impact on the public health providers and government officials would be enormous. The psychological impacts on the American public would be wide-spread and many would question the safety of their water if served by a public water supply system.

- **Toward this end a Sanitary Survey methodology has been developed and improved upon by State public health departments throughout the twentieth century.** This process is designed to assess the adequacy of the multiple barriers for prevention of contamination and/or loss of service. It consists of an on-site analysis of a system's vulnerability to contamination and/or loss of service and concentrates on several areas that cover all areas of concern from source to the customer. It concentrates on risks associated with sources, transmission, treatment, distribution, storage, water quality monitoring, operation, maintenance and administration. Its primary focus is on inadvertent contamination or service interruption but it also includes an element of security. The focus has typically been on vandalism and theft rather than terrorism, but can be easily modified to address any risks deemed relevant. In addition to the state of the physical plant it measures the adequacy of staffing levels and the training and proficiency of system personnel; operating and maintenance procedures; management's commitment to water quality, security, and the adequacy of financing to support water protection. These are all central concerns in guarding against terrorist threat, and may be more important and affordable in the long run than physical safeguards.

- **It is a mistake to treat security as a completely new and unfamiliar mission for drinking water systems and regulatory agencies**. The types and extent of contamination and the health effects resulting from physical acts of terrorism are often – but not always – similar to the consequences of traditional system contamination events that concern water system managers on a daily basis. The emergency planning needs and response actions for the two types of threats are similar. Security should be treated as an extension of the systems' public health mandate: to deliver safe water reliably and consistently. Treating security as a new and unfamiliar problem will ensure that system managers give it low priority. This will especially be true among small water systems. Beset by complex regulations, short on trained operators and engineers, and limited in their ability to stretch budgets, many such systems will take steps that are visible to the public but that provide little real protection, such as installing fences around raw water reservoirs. Small systems with limited budgets may also be faced with financing capital improvements to continue the delivery of drinking water, such as replacing a pump, and simply lack the ability to fund improvements related to systems security.

- **On the other hand, by dealing with security as an extension of public health, the federal and state governments will place the subject squarely within the system managers' fundamental mission**. The public health tradition already accommodates the

kinds of analysis, planning, and response that are necessary to counter a deliberate attack. While some aspects of the threat and the response are new, the framework in which they should be considered already exists, and is familiar to managers and operators of water systems as well as State regulatory agencies and the U.S. EPA. Many of the security-related issues the Sanitary Survey deals with are absent in the vulnerability assessment tools now being developed in response to 9/11. Sandia Laboratories' RAM-W [Risk Assessment Methodology-Water] tool, for example, is excellent at assessing the threat of physical damage to facilities. But it does not comprehensively address the risk of water contamination; nor does it look at the "soft" side of water system operations, such as staffing, training, standard operating procedures, management, and financing. The new tools are important and valuable, because they uncover physical vulnerabilities and highlight the linkages between water systems and other infrastructure such as power and communications. But they should be incorporated into the public health framework, not held apart from it.

In closing, Cadmus thinks that small water systems are more vulnerable than large ones and can result in the same devastating effects on the nation's public health and emergency response systems. The inclusion of vulnerability assessments in routine sanitary surveys would be a great asset to small water systems.

Respectfully submitted,

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