AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

HOW EFFECTIVELY IS THE FEDERAL GOVERNMENT ASSISTING STATE AND LOCAL GOVERNMENTS IN PREPARING 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

SECOND SESSION

JULY 3, 2002

Serial No. 107–212

Printed for the use of the Committee on Government Reform

Available via the World Wide Web: http://www.gpo.gov/congress/house
http://www.house.gov/reform

U.S. GOVERNMENT PRINTING OFFICE

87–138 PDF WASHINGTON : 2003

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512–1800; DC area (202) 512–1800
Fax: (202) 512–2250 Mail: Stop SSOP, Washington, DC 20402–0001

COMMITTEE ON GOVERNMENT REFORM

DAN BURTON, Indiana, *Chairman*

BENJAMIN A. GILMAN, New York
CONSTANCE A. MORELLA, Maryland
CHRISTOPHER SHAYS, Connecticut
ILEANA ROS-LEHTINEN, Florida
JOHN M. MCHUGH, New York
STEPHEN HORN, California
JOHN L. MICA, Florida
THOMAS M. DAVIS, Virginia
MARK E. SOUDER, Indiana
STEVEN C. LATOURETTE, Ohio
BOB BARR, Georgia
DAN MILLER, Florida
DOUG OSE, California
RON LEWIS, Kentucky
JO ANN DAVIS, Virginia
TODD RUSSELL PLATTS, Pennsylvania
DAVE WELDON, Florida
CHRIS CANNON, Utah
ADAM H. PUTNAM, Florida
C.L. "BUTCH" OTTER, Idaho
EDWARD L. SCHROCK, Virginia
JOHN J. DUNCAN, JR., Tennessee
JOHN SULLIVAN, Oklahoma

HENRY A. WAXMAN, California
TOM LANTOS, California
MAJOR R. OWENS, New York
EDOLPHUS TOWNS, New York
PAUL E. KANJORSKI, Pennsylvania
PATSY T. MINK, Hawaii
CAROLYN B. MALONEY, New York
ELEANOR HOLMES NORTON, Washington, DC
ELIJAH E. CUMMINGS, Maryland
DENNIS J. KUCINICH, Ohio
ROD R. BLAGOJEVICH, Illinois
DANNY K. DAVIS, Illinois
JOHN F. TIERNEY, Massachusetts
JIM TURNER, Texas
THOMAS H. ALLEN, Maine
JANICE D. SCHAKOWSKY, Illinois
WM. LACY CLAY, Missouri
DIANE E. WATSON, California
STEPHEN F. LYNCH, Massachusetts

BERNARD SANDERS, Vermont (Independent)

KEVIN BINGER, *Staff Director*
DANIEL R. MOLL, *Deputy Staff Director*
JAMES C. WILSON, *Chief Counsel*
ROBERT A. BRIGGS, *Chief Clerk*
PHIL SCHILIRO, *Minority Staff Director*

SUBCOMMITTEE ON GOVERNMENT EFFICIENCY, FINANCIAL MANAGEMENT AND INTERGOVERNMENTAL RELATIONS

STEPHEN HORN, California, *Chairman*

RON LEWIS, Kentucky
DOUG OSE, California
ADAM H. PUTNAM, Florida
JOHN SULLIVAN, Oklahoma

JANICE D. SCHAKOWSKY, Illinois
MAJOR R. OWENS, New York
PAUL E. KANJORSKI, Pennsylvania
CAROLYN B. MALONEY, New York

EX OFFICIO

DAN BURTON, Indiana
HENRY A. WAXMAN, California

J. RUSSELL GEORGE, *Staff Director and Chief Counsel*
BONNIE HEALD, *Deputy Staff Director*
JUSTIN PAULHAMUS, *Clerk*

CONTENTS

Page

Hearing held on July 3, 2002 1

Statement of:

Hecker, JayEtta, Director, Physical Infrastructure Issues, General Accounting Office; James Bogner, Special Agent in Charge, Omaha Division, Federal Bureau of Investigation; Lieutenant Tim Conohan, emergency preparedness coordinator, Omaha Police Department; Paul R. Wagner, fire chief, city of Omaha; Steven Hinrichs, M.D., director of Nebraska health laboratory, director of microbiology and virology, department of pathology/microbiology, University of Nebraska Medical Center; and Philip W. Smith, M.D., chief of infectious diseases, department of internal medicine, University of Nebraska Medical Center 4

Heineman, David, Lieutenant Governor, State of Nebraska; Richard A. Raymond, M.D., chief medical officer, State of Nebraska; Richard Hainje, region VII, FEMA; W. Gary Gates, vice president, Nuclear Division, Omaha Public Power District; Steve Lee, director, Douglas County Emergency Management Agency, Douglas County Health Department; and Pete Neddo, manager of safety and security, Metropolitan Utilities District 77

Letters, statements, etc., submitted for the record by:

Bogner, James, Special Agent in Charge, Omaha Division, Federal Bureau of Investigation, prepared statement of 30

Conohan, Lieutenant Tim, emergency preparedness coordinator, Omaha Police Department:

Letter dated July 25, 2002 75

Prepared statement of 44

Gates, W. Gary, vice president, Nuclear Division, Omaha Public Power District, prepared statement of 105

Hainje, Richard, region VII, FEMA, prepared statement of 92

Hecker, JayEtta, Director, Physical Infrastructure Issues, General Accounting Office, prepared statements of..... 6, 120

Heineman, David, Lieutenant Governor, State of Nebraska, prepared statement of 80

Hinrichs, Steven, M.D., director of Nebraska health laboratory, director of microbiology and virology, department of pathology/microbiology, University of Nebraska Medical Center, prepared statement of 53

Lee, Steve, director, Douglas County Emergency Management Agency, Douglas County Health Department, prepared statement of 112

Raymond, Richard A., M.D., chief medical officer, State of Nebraska, prepared statement of 85

Smith, Philip W., M.D., chief of infectious diseases, department of internal medicine, University of Nebraska Medical Center, prepared statement of 63

Wagner, Paul R., fire chief, city of Omaha, prepared statement of 49

HOW EFFECTIVELY IS THE FEDERAL GOVERNMENT ASSISTING STATE AND LOCAL GOVERNMENTS IN PREPARING FOR A BIOLOGICAL, CHEMICAL OR NUCLEAR ATTACK

WEDNESDAY, JULY 3, 2002

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

The subcommittee met, pursuant to notice, at 9:04 a.m., in the Private Dining Room, University of Nebraska Medical Center, 45th and Emile Streets, Omaha, NE, Hon. Stephen Horn (chairman of the subcommittee) presiding.

Present: Representatives Horn and Terry.

Staff present: J. Russell George, staff director and chief counsel; Bonnie Heald, deputy staff director; Justin Paulhamus, clerk; Chris Barkley, staff assistant; and Michael Sazonov, Sterling Bentley, Joe DiSilvio, and Yigal Kerszenbaum, interns.

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 acts 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 those 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 communications 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 this great State of Ne-

braska and the good people of Omaha to know that they can rely on these systems and they should.

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. This is an investigating committee of the full Committee on Government Reform and we swear in all witnesses and we will do that in a minute. Your statements, which we all have read are very fine statements. And when I call on you, actually it will be Congressman Terry, he will move from one person to the next as the agenda shows and that is automatically in the record of the court reporter. We just want a summary of your document because we are on a time schedule and we are going to need to be here until 11. So if you will stand and raise your right hand and have the people behind you, if they are going to give testimony.

[Witnesses sworn.]

Mr. HORN. The clerk will note that all have affirmed. We thank you and I will now turn over the gavel to my colleague, Lee Terry. He has been an outstanding Member of the House of Representatives and we admire his work and tried to be helpful in a number of things. He will conduct this because he knows many of you and we have asked him to do that.

So he will start with the first person, which I will mention that one, and that is JayEtta Hecker. She is the Director of Physical Infrastructure Issues, U.S. General Accounting Office. That is the Office under the Comptroller General of the United States—a 15-year term, so Presidents and Congress cannot do much if they do not like it. He has done a marvelous job, the best I have ever seen over the last 30 years.

So we will have a 3-minute summary by Ms. Hecker and at the end, she will have a summary if we have lost a few pieces here and there.

Mr. TERRY [presiding]. Thank you. Chairman Horn, I want to begin by thanking all of our witnesses today. I appreciate that you took time away from your jobs in protecting our community to be here today for what I consider an extremely important matter, of coordinating between governments to make sure everyone is working together for the same goal of protecting and serving our community in case something tragic should happen.

I also want to thank our congressional staff, we have many of our staff members here, Chairman Horn, who helped work with your incredible staff to organize today's event. Particularly I want to point out next the University of Nebraska Medical Center who is, of course, hosting this event. I think as you will find through the testimony today, you will be impressed, not only with the University of Nebraska Medical Center and how progressive they have been in making sure our community is prepared to handle any biological, chemical or nuclear attack or incident, but also how impressed I think you will be with the State, our utilities, our police, our fire, our FBI—all those that have come here to testify today.

And last, I want to thank you, Chairman Horn. You are one of the, if not the, hardest working chairmen in Congress today, and for the audience that is here today, Chairman Horn held a similar hearing in Milwaukee yesterday and the University of Vanderbilt Medical Center the day before.

His task as the chairman of the Subcommittee on Government Efficiency, Financial Management and Intergovernmental Relations, particularly in the field of biological, chemical and nuclear preparedness, is to gather data. And Steve—Chairman Horn is known by his colleagues as being the academic on that committee. So if there is anyone that can best gather and articulate the data into needs and goals, it is Chairman Horn.

So that is what the purpose of this hearing is today, to elicit the testimony from all levels of Government, to see what we are doing in Omaha, what the University of Nebraska is doing, what we are doing at the State level. So it is not just Omaha, Papillion and Bellvue, but Burwell and Funk, Nebraska—across the State.

Chairman Horn and his great staff will then sort through piles of testimony and information, work with Government agencies such as the General Accounting Office, GAO, and come up with a report and recommendations of how we can best partner.

As Chairman Horn mentioned in his opening statement, life changed for all of us on September 11th.

Many of my colleagues went to Congress thinking of police and fire as a local issue. After September 11th, we can no longer think that way. We are all members of the same team now, at different levels of responsibility. And unless there is coordination between all levels of Government, from the Omaha Police Department, the Fire Department to our FBI, through our State to FEMA, we will have weak links. Weak links break and somewhere in our community, people will go unserved and unprotected. We in Congress cannot allow that to happen.

So, Chairman Horn, thank you for the effort that you are putting forth in touring States and localities across our Nation, and since you are from the California, Long Beach area; thank you for going to the heartland and not just the big cities of L.A. and San Francisco, but to the medium size cities such as Omaha, Nebraska.

And in my conclusion I will say, I am so confident that you will be impressed with the testimony that you will hear today that you could probably make some recommendations to those larger cities, because I think we are doing several things right here in this community.

So again, thank you for taking time, and welcome to Omaha.

With that conclusion of my opening statement, it is somewhat unusual—I used to be on the Government Reform Committee, but switched to the Energy and Commerce Committee, so Steve is allowing me—I am sorry—Chairman Horn is allowing me to be an ad hoc member and even so kind to let me handle the gavel for awhile, although——

Mr. HORN. Just do not use it on my head.

Mr. TERRY. You know, power.

I call on JayEtta Hecker. Thank you for being here today.

STATEMENTS OF JAYETTA HECKER, DIRECTOR, PHYSICAL INFRASTRUCTURE ISSUES, GENERAL ACCOUNTING OFFICE; JAMES BOGNER, SPECIAL AGENT IN CHARGE, OMAHA DIVISION, FEDERAL BUREAU OF INVESTIGATION; LIEUTENANT TIM CONOHAN, EMERGENCY PREPAREDNESS COORDINATOR, OMAHA POLICE DEPARTMENT; PAUL R. WAGNER, FIRE CHIEF, CITY OF OMAHA; STEVEN HINRICHS, M.D., DIRECTOR OF NEBRASKA HEALTH LABORATORY, DIRECTOR OF MICROBIOLOGY AND VIROLOGY, DEPARTMENT OF PATHOLOGY/MICROBIOLOGY, UNIVERSITY OF NEBRASKA MEDICAL CENTER; AND PHILIP W. SMITH, M.D., CHIEF OF INFECTIOUS DISEASES, DEPARTMENT OF INTERNAL MEDICINE, UNIVERSITY OF NEBRASKA MEDICAL CENTER

Ms. HECKER. Good morning, Mr. Chairman and Mr. Terry, we are very pleased to be here. I will very briefly summarize my full statement.

The key points that I want to make really are two; one is about the proposed department and some views that the GAO has about that. And second, the importance of the national strategy that is yet to be developed and our concerns about the scope of what ought to be in that strategy.

Now about the department, the key thing is that GAO has been studying terrorism preparedness programs and counter-terrorism activities and has concluded and recommended for a number of years the importance of better Federal coordination. Both our work and the reports by emergency managers at the State level, as well as the experience of a lot of the exercises has shown that Federal programs have not been well coordinated, and organizations and different levels of government have not worked together as well as they could.

So there has really been an absence of Federal leadership and coherence in the assistance to and building of effective partnerships that you would expect from the Federal role.

Those are the kinds of things that we look for in the department. We think that there is an important role for the Congress to look at that proposal. We have a number of concerns about what is included in the department and what is out. For example, our review in the area of bioterrorism notes that there is a potential for an increase of fragmentation by bringing 300 people and I think $4 billion of activity from HHS on bioterrorism into this new department. The proposal breaks bioterrorism off from those similar activities that would still be ongoing and that are core public health programs in HHS.

So it is not easy to establish where you draw the line, and there is a very active role for Congress to play in weighing those considerations.

The second point about the strategy. There are three things that we look for in the strategy and we do not believe that the proposal that has been put forward represents a strategy. It was due last month and now it has been deferred, so it is something you would actually like to see before the department is created, as its role presumably is to implement the strategy. But in any case, the strategy is yet to come out and there are three levels of detail that we would like to see in it.

First is greater clarity about the different roles of government.

Second is more implementation of a performance oriented organization—performance management, a focus on performance, not just programing this much money, this many people. What are the results, what is the impact?

And finally, clarity on the appropriate tools that really build incentives and partnerships.

So in sum, the State and local governments are critical to effective homeland security, and while there are many aspects of getting a department to work, an absolutely essential part is building these effective partnerships. That is why we applaud the work of this committee and are working actively with Mr. Horn on better understanding the challenges in building effective intergovernmental relations. We think this is the absolutely perfect way to do it, to hear from these folks about what the concerns are, what their experience is with Federal programs and have that be key input to the department.

So I too look forward to the statements and continue to stand ready to provide support for the committee.

Thank you, Mr. Chairman and Mr. Terry.

Mr. TERRY. Thank you. As some of you know who have participated in hearings in the past, we let everyone testify and then if there are any questions from Mr. Horn or from me, that is when we will ask them.

Mr. Bogner is the Special Agent in Charge of the Omaha FBI Division and he has been very active in our community in helping develop our task forces. September 11th, certainly he and I met and toured the facility and had an interesting briefing of the role of FBI in that particular situation. I appreciate all of your efforts and the fact that you are here in our community. We welcome you and thank you. You may start.

[The prepared statement of Ms. Hecker follows:]

United States General Accounting Office

GAO

Testimony

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

For Release on Delivery Expected at 10:00 a.m., Monday, July 1, 2002

HOMELAND SECURITY

Intergovernmental Coordination and Partnerships Will Be Critical to Success

Statement of JayEtta Hecker,
Director, Physical Infrastructure

GAO-02-899T

Mr. Chairman and Members of the Subcommittee:

I appreciate the opportunity to be here to discuss issues critical to successful federal leadership of, assistance to, and partnership with state and local governments to enhance homeland security. As you are aware, the challenges posed by homeland security exceed the capacity and authority of any one level of government. Protecting the nation against these unique threats calls for a truly integrated approach, bringing together the resources of all levels of government.

In my testimony today, I will focus on the challenges facing the federal government in (1) establishing a leadership structure for homeland security, (2) defining the roles of different levels of government, (3) developing performance goals and measures, and (4) deploying appropriate tools to best achieve and sustain national goals. My comments are based on a body of GAO's work on terrorism and emergency preparedness and policy options for the design of federal assistance,[1] our review of many other studies,[2] and the Comptroller General's June 25, 2002, testimony on the new Department of Homeland Security (DHS) proposal. In addition, I will draw on GAO's ongoing work for this Subcommittee, including an examination of the diverse ongoing and proposed federal preparedness programs, as well as a series of case studies we are conducting that examine preparedness issues facing state and local governments. To date, we have conducted interviews of officials in four geographically diverse cities: Baltimore, Maryland; New Orleans, Louisiana; Denver, Colorado; and, Los Angeles, California. We have also interviewed state emergency management officials in these states.

In summary:

- The proposed Department of Homeland Security will clearly have a central role in the success of efforts to enhance homeland security. Many aspects of the proposed consolidation of homeland security programs have the potential to reduce fragmentation, improve coordination, and clarify roles and responsibilities. Realistically, however, in the short term, the magnitude of the challenges that the new department faces will clearly require substantial time and effort, and will

[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., Dec. 15, 2001); and the United States Commission on National Security/21st Century, *Road Map for Security: Imperative for Change* (February 15, 2001).

take additional resources to make it effective. Moreover, formation of a department should not be considered a replacement for the timely issuance of a national homeland security strategy, which is needed to guide implementation of the complex mission of the department.

- Appropriate roles and responsibilities within and between the levels of government and with the private sector are evolving and need to be clarified. New threats are prompting a reassessment and shifting of longstanding roles and responsibilities, but these shifts are being considered on a piecemeal and ad hoc basis without benefit of an overarching framework and criteria to guide the process. A national strategy could provide such guidance by more systematically identifying the unique capacities and resources of each level of government to enhance homeland security and by providing increased accountability within the intergovernmental system.

- The nation does not yet have performance goals and measures upon which to assess and improve preparedness at all levels of government. Standards are a common set of criteria that can demonstrate success, promote accountability and determine areas where additional resources are needed, such as improving communications and equipment interoperability. Standards could also be used to help set goals and performance measures as a basis for assessing the effectiveness of federal programs. In the intergovernmental environment, these are often best defined through cooperative, partnership approaches.

- A careful choice of the most appropriate assistance tools is critical to achieve and sustain national goals. The choice and design of policy tools, such as grants, regulations, and tax incentives, can enhance the capacity of all levels of government to target areas of highest risk and greatest need, promote shared responsibilities by all parties, and track and assess progress toward achieving national preparedness goals.

Background

Homeland security is a complex mission that involves a broad range of functions performed throughout government, including law enforcement, transportation, food safety and public health, information technology, and emergency management, to mention only a few. Federal, state, and local governments have a shared responsibility in preparing for catastrophic terrorist attacks as well as other disasters. The initial responsibility for planning, preparing, and response 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 has principally provided leadership, training, and funding assistance.

The federal government's role in responding to major disasters has historically been defined by the Stafford Act,[3] which makes most federal assistance contingent on a finding that the disaster is so severe as to be beyond the capacity of state and local governments to respond effectively. 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.

In addition to post disaster assistance, there has been an increasing emphasis over the past decade on federal support of state and local governments to enhance national preparedness for terrorist attacks. 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 FEMA; the Departments of Justice, Health and Human Services, and Energy; and the Environmental Protection Agency, have also developed programs to assist state and local governments in preparing for terrorist events.

As emphasis on terrorism prevention and response grew, however, so did concerns over coordination and fragmentation of federal efforts. More than 40 federal entities have a role in combating and responding to terrorism, and more than 20 in bioterrorism alone. Our past work, conducted prior to the establishment of an Office of Homeland Security and a proposal to create a new Department 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. Further, our work found there was an absence of a central focal point that caused a lack of a

[3] 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.

cohesive effort and the development of similar and potentially duplicative programs. Also, as the Gilmore Commission report notes, state and local officials have voiced frustration about their attempts to obtain federal funds from different programs administered by different agencies and have argued that the application process is burdensome and inconsistent among federal agencies.

President Bush took a number of important steps in the aftermath of the terrorist attacks of September 11th to address the concerns of fragmentation and to enhance the country's homeland security efforts, including the creation of the Office of Homeland Security in October 2001. The creation of such a focal point is consistent with a previous GAO recommendation.[4] The Office of Homeland Security achieved some early results in suggesting a budgetary framework and emphasizing homeland security priorities in the President's proposed budget.

Proposed Department Will Have A Central Role In Strengthening Homeland Security

The proposal to create a statutorily based Department of Homeland Security holds promise to better establish the leadership necessary in the homeland security area. It can more effectively capture homeland security as a long-term commitment grounded in the institutional framework of the nation's governmental structure. As we have previously noted, the homeland security area must span the terms of various administrations and individuals. Establishing a Department of Homeland Security by statute will ensure legitimacy, authority, sustainability, and the appropriate accountability to Congress and the American people.[5]

The President's proposal calls for the creation of a Cabinet department with four divisions, including Chemical, Biological, Radiological, and Nuclear Countermeasures; Information Analysis and Infrastructure Protection; Border and Transportation Security; and Emergency Preparedness and Response. Table 1 shows the major components of the proposed department with associated budgetary estimates.

[4] U.S. General Accounting Office, *Combating Terrorism: Selected Challenges and Related Recommendations, GAO-01-822* (Washington, D.C.: June 2002).

[5] U.S. General Accounting Office, *Homeland Security: Responsibility And Accountability for Achieving National Goals*, GAO-02-627T (Washington, D.C.: Apr. 11, 2002).

Table 1: Department of Homeland Security Component Funding (FY 2003 Requested)

	Dollars in millions	FTE [1]
Chemical, Biological, Radiological and Nuclear Countermeasures		
Civilian Biodefense Research Programs (HHS)	1,993	150
Lawrence Livermore National Laboratory (DOE)	1,188	324
National BW Defense Analysis Center (New)	420	-
Plum Island Animal Disease Center (USDA)	25	124
	3,626	**598**
Information Analysis and Infrastructure Protection		
Critical Infrastructure Assurance Office (Commerce)	27	65
Federal Computer Incident Response Center (GSA)	11	23
National Communications System (DOD)	155	91
National Infrastructure Protection Center (FBI)	151	795
National Infrastructure Simulation and Analysis Center (DOE)	20	2
	364	**976**
Border and Transportation Security		

	Dollars in millions	FTE [1]
Immigration and Naturalization Service (DOJ)	6,416	39,459
Customs Service (Treasury)	3,796	21,743
Animal and Plant Health Inspection Service (USDA)	1,137	8,620
Coast Guard, (DOT)	7,274	43,639
Federal Protective Services (GSA)	418	1,408
Transportation Security Agency (DOT) [2]	4,800	41,300
	23,841	**156,169**
Emergency Preparedness and Response		
Federal Emergency Management Agency	6,174	5,135
Chemical, Biological, Radiological, and Nuclear Response Assets (HHS)	2,104	150
Domestic Emergency Support Team	-	-
Nuclear Incident Response (DOE)	91	-
Office of Domestic Preparedness (DOJ)	-	-
National Domestic Preparedness (FBI)	2	15
	8,371	**5,300**
Secret Service (Treasury)	**1,248**	**6,111**
Total, Department of Homeland Security	**37,450**	**169,154**

Source: "Department of Homeland Security," President George W. Bush, June 2002

Note: Figures are from FY 2003 President's Budget Request
(1) Estimated, final FTE figures to be determined
(2) Before fee recapture of $2,346 million

The DHS would be responsible for coordination with other executive branch agencies involved in homeland security, including the Federal Bureau of Investigation and the Central Intelligence Agency. Additionally, the proposal to establish the DHS calls for coordination with nonfederal entities and directs the new Secretary to reach out to state and local governments and the private sector in order to:

- ensure that adequate and integrated planning, training, and exercises occur, and that first responders have the equipment they need;
- coordinate and, as appropriate, consolidate the federal government's communications systems relating to homeland security with state and local governments' systems;
- direct and supervise federal grant programs for state and local emergency response providers; and

- distribute or, as appropriate, coordinate the distribution of warnings and information to state and local government personnel, agencies and authorities, and the public.

Many aspects of the proposed consolidation of homeland security programs are in line with previous recommendations and show promise towards reducing fragmentation and improving coordination. For example, the new department would consolidate federal programs for state and local planning and preparedness from several agencies and place them under a single organizational umbrella. Based on its prior work, GAO believes that the consolidation of some homeland security functions makes sense and will, if properly organized and implemented, over time lead to more efficient, effective and coordinated programs, better intelligence sharing, and a more robust protection of our people, and borders and critical infrastructure.

However, as the Comptroller General has recently testified,[6] implementation of the new department will be an extremely complex task, and in the short term, the magnitude of the challenges that the new department faces will clearly require substantial time and effort, and will take additional resources to make it effective. Further, some aspects of the new department, as proposed, may result in yet other concerns. As we reported on June 25, 2002,[7] the new department would include public health assistance programs that have both basic public health and homeland security functions. These dual-purpose programs have important synergies that should be maintained and could be disrupted, as the President's proposal was not sufficiently clear on how both the homeland security and public health objectives would be accomplished.

In addition, the recent proposal for establishing DHS should not be considered a substitute for, nor should it supplant, the timely issuance of a national homeland security strategy. At this time, a national homeland security strategy does not exist. Once developed, the national strategy should define and guide the roles and responsibilities of federal, state, and local entities, identify national performance goals and measures, and outline the selection and use of appropriate tools as the nation's response to the threat of terrorism unfolds.

[6] U.S. General Accounting Office, *Homeland Security: Proposal for Cabinet Agency Has Merit, But Implementation Will be Pivotal to Success*, GAO-02-886T (Washington, D.C.: June 25, 2002).

[7] U.S. General Accounting Office, *Homeland Security: New Department Could Improve Coordination but May Complicate Public Health Priority Setting*, GAO-02-883T (Washington, D.C.: June 25, 2002)

Challenges Remain in Defining Appropriate Intergovernmental Roles

The new department will be a key player in the daunting challenge of defining the roles of the various actors within the intergovernmental system responsible for homeland security. In areas ranging from fire protection to drinking water to port security, the new threats are prompting a reassessment and shift of longstanding roles and responsibilities. However, proposed shifts in roles and responsibilities are being considered on a piecemeal and ad hoc basis without benefit of an overarching framework and criteria to guide this process. A national strategy could provide such guidance by more systematically identifying the unique capacities and resources of each level of government and matching them to the job at hand.

The proposed legislation provides for the new department to reach out to state and local governments and the private sector to coordinate and integrate planning, communications, information, and recovery efforts addressing homeland security. This is important recognition of the critical role played by nonfederal entities in protecting the nation from terrorist attacks. State and local governments play primary roles in performing functions that will be essential to effectively addressing our new challenges. Much attention has already been paid to their role as first responders in all disasters, whether caused by terrorist attacks or natural hazards. State and local governments also have roles to play in protecting critical infrastructure and providing public health and law enforcement response capability.

Achieving national preparedness and response goals hinge on the federal government's ability to form effective partnerships with nonfederal entities. Therefore, federal initiatives should be conceived as national, not federal in nature. Decisionmakers have to balance the national interest of prevention and preparedness with the unique needs and interests of local communities. A "one-size-fits-all" federal approach will not serve to leverage the assets and capabilities that reside within state and local governments and the private sector. By working collectively with state and local governments, the federal government gains the resources and expertise of the people closest to the challenge. For example, protecting infrastructure such as water and transit systems lays first and most often with nonfederal levels of government.

Just as partnerships offer opportunities, they also pose risks based upon the different interests reflected by each partner. From the federal perspective, there is the concern that state and local governments may not share the same priorities for use of federal funds. This divergence of priorities can result in state and local governments simply replacing ("supplanting") their own previous levels of commitment in these areas with the new federal resources. From the state and

local perspective, engagement in federal programs opens them up to potential federal preemption and mandates. From the public's perspective, partnerships if not clearly defined, risk blurring responsibility for the outcome of public programs.

Our fieldwork at federal agencies and at local governments suggests a shift is potentially underway in the definition of roles and responsibilities between federal, state and local governments with far reaching consequences for homeland security and accountability to the public. The challenges posed by the new threats are prompting officials at all levels of government to rethink long standing divisions of responsibilities for such areas as fire services, local infrastructure protection and airport security. The proposals on the table recognize that the unique scale and complexity of these threats call for a response that taps the resources and capacities of all levels of government as well as the private sector.

In many areas, the proposals would impose a stronger federal presence in the form of new national standards or assistance. For instance, the Congress is debating proposals to mandate new vulnerability assessments and protective measures on local communities for drinking water facilities. Similarly, new federal rules have mandated local airport authorities to provide new levels of protection for security around airport perimeters. The block grant proposal for first responders would mark a dramatic upturn in the magnitude and role of the federal government in providing assistance and standards for fire service training and equipment.

Although promising greater levels of protection than before, these shifts in roles and responsibilities have been developed on an ad hoc piecemeal basis without the benefit of common criteria. An ad hoc process may not capture the real potential each actor in our system offers. Moreover, a piecemeal redefinition of roles risks the further fragmentation of the responsibility for homeland security within local communities, blurring lines of responsibility and accountability for results. While federal, state, and local governments all have roles to play, care must be taken to clarify who is responsible for what so that the public knows whom to contact to address their problems and concerns. The development of a national strategy provides a window of opportunity to more systematically identify the unique resources and capacities of each level of government and better match these capabilities to the particular tasks at hand. If developed in a partnerial fashion, such a strategy can also promote the participation, input and buy in of state and local partners whose cooperation is essential for success.

Governments at the local level are also moving to rethink roles and responsibilities to address the unique scale and scope of the contemporary threats from terrorism. Numerous local general-purpose governments and special

districts co-exist within metropolitan regions and rural areas alike. Many regions are starting to assess how to restructure relationships among contiguous local entities to take advantage of economies of scale, promote resource sharing, and improve coordination of preparedness and response on a regional basis.

For example, mutual aid agreements provide a structure for assistance and for sharing resources among jurisdictions in preparing for and responding to emergencies and disasters. Because individual jurisdictions may not have all the resources they need to acquire equipment and respond to all types of emergencies and disasters, these agreements allow for resources to be regionally distributed and quickly deployed. The terms of mutual aid agreements vary for different services and different localities. These agreements provide opportunities for state and local governments to share services, personnel, supplies, and equipment. We have found in our fieldwork that mutual aid agreements can be both formal and informal and provide for cooperative planning, training, and exercises in preparation for emergencies and disasters. Additionally, some of these agreements involve private companies and local military bases, as well as local entities.

Performance Goals and Measures Needed in Homeland Security Programs

The proposed Department, in fulfilling its broad mandate, has the challenge of developing a performance focus. The nation does not have a baseline set of performance goals and measures upon which to assess and improve preparedness. The capability of state and local governments to respond to catastrophic terrorist attacks remains uncertain. The president's fiscal year 2003 budget proposal acknowledged that our capabilities for responding to a terrorist attack vary widely across the country. The proposal also noted that even the best prepared states and localities do not possess adequate resources to respond to the full range of terrorist threats we face. Given the need for a highly integrated approach to the homeland security challenge, performance measures may best be developed in a collaborative way involving all levels of government and the private sector.

Proposed measures have been developed for state and local emergency management programs by a consortium of emergency managers from all levels of government and have been pilot tested in North Carolina and North Dakota. Testing at the local level is planned for fiscal year 2002 through the Emergency Management Accreditation Program (EMAP). EMAP is administered by the National Emergency Management Association—an association of directors of state emergency management departments—and funded by FEMA. 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. In recent meetings, FEMA officials have said that EMAP is a step in the right direction towards establishing much needed national standards for preparedness. FEMA officials have suggested they plan on using EMAP as a building block for a set of much more stringent, quantifiable standards.

Standards are being developed in other areas associated with homeland security. For example, the Coast Guard is developing performance standards as part of its port security assessment process. The Coast Guard is planning to assess the security condition of 55 U.S. ports over a 3-year period, and will evaluate the security of these ports against a series of performance criteria dealing with different aspects of port security. According to the Coast Guard's Acting Director of Port Security, it also plans to have port authority or terminal operators develop security plans based on these performance standards.

Communications is an example of an area for which standards have not yet been developed, but various emergency managers and other first responders have continuously highlighted that standards are needed. State and local governments often report there are deficiencies in their communications capabilities, including the lack of interoperable systems. Additionally, FEMA's Director has stressed the importance of improving communications nationwide.

The establishment of national measures for preparedness will not only go a long way towards assisting state and local entities determine successes and areas where improvement is needed, but could also be used as goals and performance measures as a basis for assessing the effectiveness of federal programs. 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.

However, FEMA has had difficulty in assessing 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.

In the area of bioterrorism, the Centers for Disease Control and Prevention (CDC) within the Department of Health and Human Services is requiring state and local entities to meet certain performance criteria in order to qualify for grant funding. The CDC has made available 20% of the fiscal year 2002 funds for the cooperative agreement program to upgrade state and local public health jurisdictions' preparedness for and response to bioterrorism and other public health threats and emergencies. However, the remaining 80% of the available funds is contingent on receipt, review, and approval of a work plan that must contain 14 specific critical benchmarks. These include the preparation of a timeline for assessment of emergency preparedness and response capabilities related to bioterrorism, the development of a state-wide plan for responding to incidents of bioterrorism, and the development of a system to receive and evaluate urgent disease reports from all parts their state and local public health jurisdictions on a 24-hour per day, 7-day per week basis.

Performance goals and measures should be used to guide the nation's homeland security efforts. For the nation's homeland security programs, however, outcomes of where the nation should be in terms of domestic preparedness have yet to be defined. The national homeland security strategy, when developed, should contain such goals and measures and provide a framework for assessing program results. Given the recent and proposed increases in homeland security funding as well as the need for real and meaningful improvements in preparedness, establishing clears goals and performance measures is critical to ensuring both a successful and fiscally responsible effort.

Appropriate Tools Need to Be Selected For Providing Assistance

The choice and design of the policy tools the federal government uses to engage and involve other levels of government and the private sector in enhancing homeland security will have important consequences for performance and accountability. Governments have a variety of policy tools including grants, regulations, tax incentives, and information-sharing mechanisms to motivate or mandate other levels of government or the private sector to address security concerns. The choice of policy tools will affect sustainability of efforts,

accountability and flexibility, and targeting of resources. 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.

Grants

The federal government often uses grants to state and local governments as a means of delivering federal assistance. 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. In designing grants, it is important to (1) target the funds to state and localities with the greatest need based on highest risk and lowest capacity to meet these needs from their own resource base, (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. At their best, grants can stimulate state and local governments to enhance their preparedness to address the unique threats posed by terrorism. Ideally, grants should stimulate higher levels of preparedness and avoid simply subsidizing local functions that are traditionally state or local responsibilities. One approach used in other areas is the "seed money" model in which federal grants stimulate initial state and local activity with the intent of transferring responsibility for sustaining support over time to state and local governments.

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 grant would be used by state and local government's to purchase equipment, train personnel, exercise, and develop or enhance response plans. FEMA officials have told us that it is still in the early stages of grant design and is in the process of holding various meetings and conferences to gain input from a wide range of stakeholders including state and local emergency management directors, local law enforcement responders, fire responders, health officials, and FEMA staff. Once the details of the grant have been finalized, it will be useful to examine the design to assess how well the grant will target funds, discourage supplantation, provide the appropriate balance between accountability and flexibility, and whether it provides temporary "seed money" or represents a long-term funding commitment.

Regulations

Other federal policy tools can also be designed and targeted to elicit a prompt, adequate, and sustainable response. In the area of regulatory authority, the 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. An example of infrastructure regulations include the new federal mandate requiring that local drinking water systems in cities above a certain size provide a vulnerability assessment and a plan to remedy vulnerabilities as part of ongoing EPA reviews while the new Transportation Security Act is representative of a national preparedness regulation as it grants the Department of Transportation authority to order deployment of local law enforcement personnel in order to provide perimeter access security at the nation's airports.

In designing a regulatory approach, the challenges include determining who will set the standards and who will implement or enforce them. There are several models of shared regulatory authority offer a range of approaches that could be used in designing standards for preparedness. Examples of these models range from preemption though fixed federal standards to state and local adoption of voluntary standards formulated by quasi-official or nongovernmental entities.[8]

Tax Incentives

As the Administration noted protecting America's infrastructure is a shared responsibility of federal, state, and local government, in active partnership with the private sector, which owns approximately 85 percent of our nation's critical infrastructure. To the extent that private entities will be called upon to improve security over dangerous materials or to protect critical infrastructure, the federal government can use tax incentives to encourage or 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.

Information Sharing

Since the events of September 11, 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 U.S. 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

[8] For more information on these models, see U.S. General Accounting Office, *Regulatory Programs: Balancing Federal and State Responsibilities for Standard Setting and Implementation*, GAO-02-495 (Washington, D.C.: March 20, 2002).

of intelligence among federal agencies. An expansion of this act has been proposed (S1615; 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, the proposed legislation provides that the Attorney General expeditiously grant security clearances to Governors who apply for them and to state and local officials who participate in federal counter-terrorism working groups or regional task forces.

Conclusion

The proposal to establish a new Department of Homeland Security represents an important recognition by the Administration and the Congress that much still needs to be done to improve and enhance the security of the American people. The DHS will clearly have a central role in the success of efforts to strengthen homeland security, but it is a role that will be made stronger within the context of a larger, more comprehensive and integrated national homeland security strategy. Moreover, given the unpredictable characteristics of terrorist threats, it is essential that the strategy be formulated at a national rather than federal level with specific attention given to the important and distinct roles of state and local governments. Accordingly, decision-makers will have to balance the federal approach to promoting homeland security with the unique needs, capabilities, and interests of state and local governments. Such an approach offers the best promise for sustaining the level of commitment needed to address the serious threats posed by terrorism.

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

For further information about this testimony, please contact me at (202) 512-2834 or Paul Posner at (202) 512-9573. Other key contributors to this testimony include Matthew Ebert, Thomas James, Kristen Massey, David Laverny-Rafter, Yvonne Pufahl, Jack Schulze, and Amelia Shachoy.

Related GAO Products

Homeland Security

Homeland Security: Proposal for Cabinet Agency Has Merit, But Implementation Will Be Pivotal to Success. GAO-02-8865. Washington, D.C.: June 25, 2002.

Homeland Security: Key Elements to Unify Efforts Are Underway but Uncertainty Remains. GAO-02-610. Washington, D.C.: June 7, 2002.

National Preparedness: Integrating New and Existing Technology and Information Sharing into an Effective Homeland Security Strategy. GAO-02-811T. Washington, D.C.: June 7, 2002.

Homeland Security: Integration of Federal, State, Local, and Private Sector Efforts Is Critical to an Effective National Strategy for Home land Security GAO-02-21T. Washington, D.C.: April 11, 2002.

Combating Terrorism: Enhancing Partnerships Through a National Preparedness Strategy. GAO-02-549T. Washington, D.C.: March 28, 2002.

Homeland Security: Progress Made, More Direction and Partnership Sought. GAO-02-490T. Washington, D.C.: March 12, 2002.

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

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

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

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

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

Combating Terrorism

Combating Terrorism: Intergovernmental Cooperation in the Development of a National Strategy to Enhance State and Local Preparedness. GAO-02-550T. Washington, D.C.: April 2, 2002.

Combating Terrorism: Enhancing Partnerships Through a National Preparedness Strategy. GAO-02-549T. Washington, D.C.: March 28, 2002.

Combating Terrorism: Critical Components of a National Strategy to Enhance State and Local Preparedness. GAO-02-548T. Washington, D.C.: March 25, 2002.

Combating Terrorism: Intergovernmental Partnership in a National Strategy to Enhance State and Local Preparedness. GAO-02-547T. Washington, D.C.: March 22, 2002.

Combating Terrorism: Key Aspects of a National Strategy to Enhance State and Local Preparedness. GAO-02-473T. Washington, D.C.: March 1, 2002.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Public Health

Homeland Security: New Department Could Improve Coordination but may Complicate Public Health Priority Setting. GAO-02-883T. Washington, D.C.: June 25, 2002.

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

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

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

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

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

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

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

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

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

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

Disaster Assistance

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

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

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

Budget and Management

Managing for Results: Progress in Linking Performance Plans with Budget and Financial Statements. GAO-02-236. Washington, D.C.: January 4, 2002.

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

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

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

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

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

Grant Design

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

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

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

544017

Mr. BOGNER. Good morning, Chairman Horn, Congressman Terry. I appreciate and value the opportunity to testify before you today.

As part of the reorganization plan, Director Mueller stated to all FBI employees that the FBI's goal in counterterrorism is prevention. It is not, as in the past, only reacting to attacks and bringing terrorists to justice.

While investigating terrorist acts remains the FBI's highest priority, our primary goal is prevention of future acts of terrorism. This does not mean that prosecution is not important; prosecution is an absolutely critical element of prevention. But making clear that the goal is prevention rather than prosecution will mean enhanced emphasis on intelligence gathering, analysis and proactive initiatives. Counterterrorism is our top priority.

We in the Omaha Division of the FBI have embraced Director Mueller's message and implemented numerous initiatives. The Omaha office covers the two States of Iowa and Nebraska, a territory spanning two time zones and extending from the Mississippi River to the foothills of the Rocky Mountains. It is approximately 800 miles from eastern border to western border of our FBI Division. We encompass three Federal judicial districts. We have the main headquarters in Omaha, along with eight resident agencies throughout the two States, three additional offices in Nebraska and five additional offices in Iowa. Our territory includes distinctly different regions of the country, ranging from urban industrial centers to midwest farmlands and agricultural communities to the ranch lands of the great plains. The vastness of the territory and the resulting differences in regional culture and crime problems require us to maximize and leverage our resources and to exercise some flexibility and innovation in our investigations and operations.

We, with our city, county, State and other Federal counterparts recognize that partnership is the most effective means of countering terrorism. This partnership, when formalized, generally takes the form of a joint terrorism task force, otherwise known as JTTF. The process of forming a JTTF in the Nebraska and Iowa areas reflects the unique and expansive nature of the territory, which is why I gave you that information on the record about this territory.

In trying to address terrorism matters in an 800-mile wide two-State territory required innovation and so we believed that it was important, not to have just a single investigative entity or joint terrorism task force, but one composed of five elements throughout the two States. This was our premise and to validate that, we sought input from the city, county, State and other Federal agencies. We held a series of informational meetings throughout the two States. We notified and invited all law enforcement agencies within those two States to attend. We had 171 representatives of the city, county, State and Federal law enforcement agencies attend those meetings where we presented the FBI counterterrorism strategy, the function of a typical joint terrorism task force and provided briefings, intelligence briefings, to those law enforcement agencies. And we proposed a unique concept to the joint terrorism task force by having five teams. I have provided you a map of those five teams so that you can see more clearly I think how they are formed

and how they represent and can respond to the diverse geographic regions that our territory covers.

Presently the joint terrorism task force consists of 110 law enforcement agents or officers from more than 50 different agencies throughout the two States.

One of the goals to provide the joint terrorism task force officers is training. In addition to training specifically for those partners, we have provided counterterrorism training to city, county, State and Federal agencies throughout the two States of Iowa and Nebraska, through many Police Chiefs Associations and law enforcement coordinating committee meetings and conferences.

The Nebraska/Iowa Joint Terrorism Task Force has already conducted a very successful and high profile domestic terrorism investigation, despite the fact that the investigation occurred just 2 days after forming this joint terrorism, and this was the matter of the improvised bombs that were left inside mailboxes in the rural areas of Iowa, northwest Illinois, Nebraska, Colorado and Texas.

The Joint Terrorism Task Force was mobilized within hours of the first explosions there, and the identification, location, apprehension and filing of charges against the individual occurred within 5 days of the first bomb being found.

We worked very closely with the Nebraska State Patrol and the Iowa Department of Public Safety to establish secure communications with all law enforcement officials within those two States. In addition to those activities, we also have been involved in weapons of mass destruction or WMD preparedness and counterterrorism preparedness and training exercises.

Every FBI office has a weapons of mass destruction coordinator, likewise do we. And that coordinator's job is to ensure that the various State and local agencies in Iowa and Nebraska are familiar with the assistance that the FBI can provide, as well as our protocol for responding to these weapons of mass destruction incidents. Our coordinator has conducted or participated in nine preparedness or training events within the last 3 years, and I have provided the committee with a list of those events.

The Omaha Coordinator is also a member of a steering committee for the Omaha Metropolitan Medical Response System, or OMMRS, which I am sure you will hear additional information about. Representatives of all major health care facilities, public health officials in the Omaha metropolitan area participate in OMMRS. OMMRS' mission is to maximize preparedness and coordination in the health care community. They meet on a monthly basis. We have very actively participated in that and our coordinator is a member of that.

The Division has participated in 10 exercises in the past 3 years that I have noted and also provided you information on that.

In the area of weapons of mass destruction investigations and operations, we are in constant contact with members of the law enforcement, fire and emergency management and medical communities. This partnership was clearly evident in the cooperation during the time period after September 11, 2001 when anthrax hoaxes occurred in Iowa and Nebraska. In addition to these hoaxes, well-meaning citizens reported hundreds of suspicious packages and other items. Since October 2001 nationwide, the FBI has responded

to more than 16,000 reports of use or threatened use of anthrax or other hazardous materials and the Omaha Division has had this share of these reports. We have provided advice, guidance and response on more than 800 incidents of suspected or reported anthrax, physically responded to the scene approximately 75 times and have several pending investigations related to those threats or hoaxes.

In the FBI Omaha Division, all investigations and preparedness responsibilities are conducted jointly with other law enforcement agencies and often with the appropriate fire and emergency response agencies. We believe that communication, coordination and cooperation are exceptional in the heartland here and in the Omaha Division and we strive to maintain and improve upon the relationships that we have built over the years.

This concludes my prepared remarks and I express appreciation to this subcommittee for concentrating on this issue of terrorism preparedness. Thank you.

Mr. TERRY. Likewise. Thank you, Special Agent Bogner.

Next is Tim Conohan from the Omaha Police Department, Lieutenant Conohan is in charge of the emergency preparedness for the city of Omaha—or the Police Department—sorry, Tim. He is the coordinator, and I appreciate that you took your time to be here and Tim and I were friends before we were—at least Tim became the famous police officer he has become. Tim, thank you for being here today.

[The prepared statement of Mr. Bogner follows:]

STATEMENT OF JAMES F. BOGNER
SPECIAL AGENT IN CHARGE, OMAHA DIVISION
FEDERAL BUREAU OF INVESTIGATION
BEFORE
THE HOUSE COMMITTEE ON GOVERNMENT REFORM
SUBCOMMITTEE ON GOVERNMENT EFFICIENCY,
FINANCIAL MANAGEMENT AND INTERGOVERNMENTAL RELATIONS
July 3, 2002

Good morning Chairman Horn, Members of the Subcommittee and distinguished guests. I appreciate and value the opportunity to appear before you today to discuss the FBI's efforts in terrorism prevention and preparedness in the Omaha Division. I will focus on what the FBI is doing here to assist state and local governments in preparing for potential attacks involving biological, chemical or nuclear weapons, which we collectively refer to as Weapons of Mass Destruction or the acronym "WMD." I will also address measures being taken by the FBI and our law enforcement partners to address terrorism and WMD threats in Nebraska and Iowa, the "heartland" of America.

Introduction

As part of his reorganization plan, FBI Director Mueller stated, in a communication to all FBI employees on May 20th of this year, the FBI's goal in counterterrorism is prevention. It is not, as in the past, only reacting to attacks with excellence and bringing terrorists to justice. While investigating terrorist acts remains the FBI's highest priority, our primary goal is prevention of future acts of terrorism. This does not mean that prosecution is not important. Prosecution is an absolutely critical element of prevention. But making clear that the goal is prevention rather than prosecution will mean enhanced emphasis on intelligence, analysis and proactive initiatives. Counterterrorism is the top priority of the Omaha Division, as it is for every single field office of the FBI and of every component of headquarters that supports these efforts in any way. This means a constant need to reassess--and as necessary shift--resources to address counterterrorism. The FBI will need to be more flexible and agile in addressing the constantly shifting terrorism threat. Our enemy is not static and we must not be either.

We in the Omaha Division of the FBI have embraced Director Mueller's message. We have implemented numerous initiatives in the months since the 9/11 terrorist attack on our country to ensure that we are doing all that we can to prevent another such attack. We maintain an aggressive program of preparedness training and coordination for potential WMD attacks which we

initiated well before the 9/11 attack. We have also had some notable successes in counterterrorism investigations. Before I tell you about what we're doing, I wish to take a moment to describe some unique aspects of the territory for which the Omaha Division of the FBI is responsible.

The Omaha Office of the FBI

While the Omaha Office is one of the smallest of the 56 field offices in the Bureau in terms of staffing, it has one of the most expansive and diverse geographic territories in the FBI. Indeed, the geography and demographics of the Omaha Division's territory pose unique challenges in effectively fulfilling the FBI's mission.

The Office covers the two states of Iowa and Nebraska, a territory spanning two time zones and extending from the Mississippi River to the foothills of the Rocky Mountains. It is approximately 800 miles from the eastern border to the western border of the division. The Omaha Division encompasses three Federal judicial districts: the District of Nebraska, the Northern District of Iowa and the Southern District of Iowa. In order to properly serve this vast territory, the Omaha Division has a headquarters city office in Omaha, Nebraska, and eight resident agencies throughout the two states. Three of the eight resident agencies are in Nebraska and five are in Iowa.

Omaha's territory includes distinctly different regions of the country ranging from urban industrial centers to Midwest farmlands and agricultural communities to the ranch lands of the Great Plains. The vastness of the territory and the resulting differences in regional culture and crime problems require the Omaha Division to maximize the leveraging of its resources and to exercise flexibility and innovation in its investigations and operations.

Omaha Division Counterterrorism & WMD Initiatives

The foundation of the Omaha Division's Counterterrorism and WMD efforts consists of the triple building blocks of communication, coordination and cooperation. These building blocks result in a solid partnership between the FBI and front-line law enforcement agencies. Here in the Midwest, the law enforcement community has traditionally enjoyed a true spirit of partnership and inclusiveness. Perhaps this is due to the pioneer and agricultural heritage of this part of the country which gave rise to such traditions as barn raisings, cooperative livestock drives and mutual harvesting operations. Regardless of the origins of these characteristics, we and our city, county, state and other Federal

counterparts recognize that an inclusive partnership is the most effective means of countering terrorism. This partnership, when formalized, takes the shape of a Joint Terrorism Task Force or "JTTF."

The Nebraska/Iowa JTTF

The process of forming the Nebraska/Iowa JTTF reflected the unique and expansive nature of our territory and embraced the ideals of an inclusive partnership. As I am sure you already know, the first JTTF in the country was formed in 1980 by the FBI in New York. Every FBI field office that did not already have a JTTF has since formed one or is in the process of doing so. Most JTTFs consist of one main investigative entity with one or two sub-elements or annexes. We in the Omaha Division recognized that a JTTF with one main component and only one or two annexes could not properly serve our nearly 800-mile-wide, two-state territory.

To validate this premise, we sought the input of our city, county, state and other Federal agency counterparts by conducting a series of information gathering and organizational meetings throughout our two state territory. We held five (5) such meetings to which we invited every single law enforcement agency in Nebraska and Iowa via multiple National Law Enforcement Teletype messages to all agencies and we sent personal letters of invitation to heads of law enforcement agencies serving populations of 5,000 or greater. The meetings were held in Cedar Rapids, Iowa; Des Moines, Iowa; Omaha, Nebraska; Grand Island, Nebraska and Ogallala, Nebraska over a two-week time period in March 2002.

The response of the Nebraska and Iowa law enforcement communities was gratifying: one-hundred-seventy-one (171) representatives of various local, county, state and other Federal law enforcement agencies attended our meetings. During these meetings, we gave detailed presentations about the overall terrorism threat, the FBI's counterterrorism strategy, the function and structure of the typical JTTF and local terrorism threat assessments focused on each of the regions of our territory in which meetings were held.

We proposed, and our law enforcement partners universally agreed, that the Nebraska/Iowa JTTF should have multiple, regionally focused teams because of the tremendous expanse of territory in Nebraska and Iowa. As a practical matter, one investigative entity cannot possibly cover the entire, two-state territory. Therefore, the Nebraska/Iowa JTTF was formed with five (5) regional teams that focus on regions of the two states corresponding to areas served by

the various offices of the Omaha Division of the FBI. Each team conducts investigations in its geographic region; however, there is centralized intelligence sharing, coordination and administration of the overall JTTF. The five Nebraska/Iowa JTTF teams are: Eastern Nebraska /Omaha-Lincoln Metro Area, Central Nebraska, Western Nebraska, Eastern Iowa, and Central/Western Iowa. I have provided a map showing the areas of our territory covered by each of our five JTTF teams as an attachment to my written statement provided to the committee.

The Nebraska/Iowa JTTF was officially approved and funded by FBI Headquarters on May 1st, 2002, and currently consists of 110 law enforcement agents or officers from more than 50 different agencies. Of the 110 JTTF agents or officers, 21 are full-time participants and 89 are part-time. We are currently in the process of finalizing security clearances and Federal deputations for the JTTF officers.

We already conducted one training session in Omaha and are in the process of scheduling a series of two-day, initial training seminars to be conducted in various regions of our territory in late July and early August of this year. This initiative is intended to provide initial, basic counterterrorism training for our 110 JTTF officers. Our planned curriculum includes the topics of: JTTF objectives and operations, interviewing and report writing techniques, the Attorney General Guidelines for preliminary and full counterterrorism investigations, an overview of the international and domestic terrorism threats, asset and informant development and operation, legal matters, counterterrorism investigative methodology, cyber-terrorism and Weapons of Mass Destruction.

After the initial, two-days of training, we plan to implement a continuing training program under which we will conduct training conferences three or four times each year and also take advantage of Department of Justice-funded State and Local Anti-terrorism Training or "SLATT" programs. In so doing, we will build a cadre of trained and experienced JTTF officers throughout our two-state territory to maximally leverage the FBI's counterterrorism resources .

In addition to the training specifically designed for our JTTF partners, we have provided Counterterrorism training to city, county, state, and Federal law enforcement agencies throughout Iowa and Nebraska. These training sessions, to attendees of the Law Enforcement Coordinating Committee Conferences, Iowa 'All Agents' Conference, co-sponsored by both U.S. Attorneys in Iowa, State-wide National Academy Associates Training Conferences, The Iowa Chiefs of Police Association annual state-wide meeting, The Police Chiefs Association of

Nebraska meeting, and Attorney Generals Anti-Terrorism Task Force meetings in Iowa and Nebraska, have provided the attendees with historical and background terrorism information, investigative and intelligence information, as well as table-top planning and response exercises.

The Nebraska/Iowa JTTF addresses both domestic and international terrorist threats, to include the WMD threat. While the terrorist attacks of September 11, 2001, have clearly shown that the most urgent terrorist threat currently facing our Nation is that from radical Islamic Fundamentalists, the Nebraska/Iowa JTTF will also devote appropriate efforts to domestic terrorist threats and WMD preparedness in the long term.

NE/IA JTTF Success: Lucas Helder / Mailbox Pipe Bomb Case

The Nebraska/Iowa JTTF has already conducted a very successful, high profile domestic terrorism investigation despite the fact that this JTTF is still in its nascent stages. Starting on Friday, May 3, 2002, just two days after the Nebraska/Iowa JTTF was formally approved, a series of improvised bombs was left inside mailboxes in rural areas of Eastern Iowa and Northwest Illinois. Accompanying each pipe bomb was a letter addressed to the public that offered comments about life, death, pain and the impact of government on the individual. The letter suggested that the author had a grievance against some level of government. By the end of the day on May 3rd, bombs had been discovered in eight separate mailboxes and six people were injured by these pipe bomb attacks. The injured included a 70-year-old woman who was seriously injured when she opened her mail box and several rural mail carriers who were injured when trying to deliver mail.

The Nebraska/Iowa JTTF mobilized within hours of the first pipe bomb explosion. The Eastern Iowa and Central Iowa JTTF teams jointly established a multi-agency command post at the FBI Resident Agency in Cedar Rapids, Iowa, which was staffed around the clock by all agencies involved in the investigation. The FBI Counterterrorism Division at FBI Headquarters instituted a watch desk in the FBI Strategic Information and Operations Center, or "SIOC." The JTTF command post in Cedar Rapids coordinated the efforts of evidence recovery and investigative teams from the FBI, the Bureau of Alcohol Tobacco and Firearms, U.S. Postal Inspection Service and various state and local agencies.

On Saturday, May 4th, bombs accompanied by letters identical to those found in Iowa were discovered at six locations in Nebraska. In response, the Omaha/Lincoln Eastern Nebraska JTTF team swung into action. A second,

multi-agency command post was established at the FBI Omaha Division headquarters city office in Omaha, Nebraska which was also staffed 24 hours a day by all agencies involved. A seventh pipe bomb was found in Nebraska on Sunday, May 5th and an eighth was found in Nebraska on Monday, May 6th. Two additional bombs were found on Monday, May 6th: one in rural Colorado and one Texas, yielding a total of 18 bombs in five states.

At this point, overall command of the investigation shifted from the Cedar Rapids, Iowa command post to the Omaha, Nebraska command post, where the Nebraska/Iowa JTTF coordinated the investigation and evidence recovery efforts in the five states in which pipe bombs had been found. The full resources of the FBI, to include specialized bomb scenting dogs, the FBI Bomb Data Center, the FBI Laboratory, national FBI aviation assets, and the FBI Behavioral Analysis Unit were applied to the investigation of the 18 pipe bombs. The efforts of all of these national level resources and of the hundreds of federal, state and local law enforcement officers were all coordinated and directed by the Nebraska/Iowa JTTF through the Omaha command post. Seven (7) different FBI field divisions were involved in the investigation which resulted in the apprehension and filing of charges against Lucas John Helder. This investigation, and the national media coverage seeking the public's assistance were also coordinated by the Nebraska/Iowa JTTF.

The Nebraska/Iowa JTTF is justifiably proud of this investigation. The identification, location, apprehension and filing of charges against an individual within five days of the first bomb being found proved that the building blocks of our JTTF foundation are indeed strong. The communication, coordination and cooperation between the dozens of law enforcement agencies and hundreds of agents and officers demonstrated by this very successful investigation will continue to be the hallmarks of Nebraska/Iowa JTTF counterterrorism efforts in the future.

Other Nebraska/Iowa JTTF Initiatives

There are other ongoing counterterrorism investigations being conducted by the Nebraska/Iowa JTTF in addition to the training initiatives and successful investigation of the mailbox pipe bombings described above. Because these investigations are still ongoing, I am unable to provide any details about them.

However, there is one Nebraska/Iowa JTTF communications initiative I wish to briefly tell you about. We are working closely with the Nebraska State Patrol and the Iowa Department of Public of Safety to establish secure, web-

based communications channels that will be used by JTTF officers in both states. Both the Nebraska State Patrol and the Iowa Department of Public Safety have existing, secure, web-based intelligence sharing and communications systems accessible to law enforcement agencies. Special counterterrorism sites have already been established on each system. We are working to establish secure, JTTF subsites on these systems to which JTTF agents and officers in each state will have access. Ultimately, we hope to link the Nebraska and Iowa state systems to further enhance coordination and intelligence sharing.

WMD & Counterterrorism Preparedness

In addition to JTTF activities, the FBI Omaha Division has been involved in WMD and counterterrorism preparedness and training that predates the terrorist attacks of September 11. The FBI Counterterrorism Division's Weapons of Mass Destruction Countermeasures Unit plans and conducts WMD exercises which address the specific needs and objectives of state and local emergency responders. State and local emergency management officials may request this assistance through their respective FBI WMD Coordinators who forward the request to FBI Headquarters. Every FBI Field Division, including the Omaha Division, has a WMD Coordinator.

In order to ensure that the various state and local agencies in Iowa and Nebraska are familiar with the assistance the FBI can provide as well as our protocol for responding to a WMD incident, Omaha's WMD Coordinator has conducted or participated in nine (9) preparedness or training events in the last three years, as set forth below.

2/1999 - Participated in Nunn/Lugar/Domenici training in Omaha.

6/1999 - Coordinated and planned a three-day WMD needs assessment for the Department of Justice.

10/1999 - Participated in Domestic Preparedness Senior Officials Workshop in Lincoln.

11/1999 - 3/2000 - Assisted the Nebraska Emergency Management Agency in training all Nebraska state supervisors and managers in terrorism and preparedness issues. Training held at various locations throughout the state.
1/2000 - Participated in Nunn/Lugar/Domenici training in Lincoln.

11/2000 - Provided domestic preparedness training for Iowa emergency managers.

2/2001 - 4/2001 - Assisted the Nebraska Emergency Management Agency with terrorism awareness training. Training held at various locations throughout the state.

12/2001 - Assisted University of Nebraska Extension Coordinator with chemical/pesticide safety and security training program.

1/2002 - Provided WMD response training for Iowa emergency managers and law enforcement.

WMD Response training for Iowa emergency managers and law enforcement conducted in January 2002 (the last entry in the listing above) merits some additional discussion because of the innovative manner in which it was conducted. This training was jointly produced and conducted by the Omaha FBI in partnership with the Iowa Emergency Management Division. The focus of the training was crisis management and coordination of responses to WMD incidents with an emphasis on bio terrorism incidents. This training was televised and broadcast live throughout Iowa on the Iowa Cable Network. All Iowa law enforcement, fire and rescue agencies were invited to participate in the training which featured an interactive, call-in question and answer period after the formal presentations. In addition to the FBI, the Iowa Emergency Management Division and the Iowa Public Health Laboratory presented blocks of instruction.

The FBI's portion of this training dealt with its response protocol and the FBI's interagency threat assessment process. The FBI's WMD Operations Unit, which is in the Counterterrorism Division at FBI Headquarters, coordinates this threat assessment to determine the credibility of the threat received, the immediate concerns involving health and safety of responding personnel, and the requisite level of response warranted by the federal government. To conduct the threat assessment, the FBI obtains detailed information from the on-scene personnel and input from the necessary federal agencies with responsibility in the particular incident. In a biological event, the Department of Health and Human Services (HHS), including Centers for Disease Control and Prevention (CDC), and Food and Drug Administration (FDA), as well as the United States Department of Agriculture (USDA) are the key agencies called upon to assist FBI personnel in assessing the particular threat. Based upon the assessment, a determination is made as to the level of response necessary to adequately address the particular threat, which could range from a full federal response if the

threat is deemed credible, to collection of the material in an effort to rule out the presence of any biological pathogens if the threat is deemed not credible. A similar threat assessment process occurs in the event of a chemical or nuclear threat.

The Omaha FBI WMD coordinator is also a member of the steering committee for the Omaha Metropolitan Medical Response System, or "OMMRS." Representatives of all major health care facilities and public health officials in the Omaha metropolitan area participate in the OMMRS. The OMMRS mission is to maximize preparedness and coordination in the health care community to ensure effective responses to major public health incidents, including bio terrorism and WMD attacks. The OMMRS meets on a monthly basis.

Our counterterrorism preparedness efforts include regular participation in field and table top exercises to test the response capabilities of agencies who would participate in a disaster involving biological, chemical, or nuclear attack. The Omaha Division has participated in 10 exercises in the past three years, as set forth below.

2/1999 - Participated in chemical weapons attack tabletop exercise in Omaha

9/1999 - Practical chemical weapons attack exercise in Ames, IA.

11/1999 - Planned and participated in a chemical weapons attack tabletop exercise in Lincoln, NE.

1/2000 - Participated in chemical weapons attack tabletop exercise in Lincoln, NE.

2/2000 - Planned and participated in a functional chemical weapons attack field exercise in Lincoln, NE.

3/2000 - Participated in a chemical weapons attack tabletop exercise in Omaha, assisted in exercise planning.

5/2000 - Participated in a functional chemical weapons attack field exercise in Omaha, assisted in planning.
9/2000 - Participated in an airport security tabletop exercise.

3/2002 - Participated in a biological weapons attack table top exercise in

Lincoln, NE assisted in planning.

5/2002 - Participated in a functional chemical weapons attack field exercise in Lincoln, NE assisted in planning.

In addition to the formal training provided and participation in various exercises, the Omaha FBI WMD Coordinator maintains liaison on a daily basis with city, county and state law enforcement and emergency management agencies.

WMD Investigations and Operations

In the area of WMD investigations and operations, the Omaha Division is in constant communication with members of the law enforcement, fire, emergency management, and medical communities. This partnership was clearly evident in the cooperation during the time period after September 11, 2001, when anthrax hoaxes occurred in Iowa and Nebraska. In addition to those hoaxes, well-meaning citizens reported hundreds of suspicious packages and other items. Since October 2001, nationwide the FBI has responded to more than 16,000 reports of use or threatened use of anthrax or other hazardous materials and the Omaha Division has had its share of these. We have provided advice and guidance on more than 800 incidents of suspected anthrax, physically responded to the scene approximately 75 times, and have several pending investigations related to various WMD threats.

Another example of the high degree of interagency cooperation we enjoy here in the Omaha Division is that the local ATF office provided agents who worked hand-in-glove with the FBI to handle the federal response to anthrax reports in the Omaha metropolitan area. FBI Agents and ATF Agents responded to the calls on a rotational basis with such seamless cooperation that the general public was not even aware that different agencies were responding. The Omaha FBI also coordinated and facilitated the laboratory testing of suspicious parcels throughout Iowa and Nebraska.

National Infrastructure Protection and Cyber Terrorism

Because of its relevance to the topic of this hearing, specifically the threat to nuclear and chemical facilities, I would like to briefly discuss the Omaha FBI's efforts in support of the FBI's National Infrastructure Protection mission. I know that you have already received a number of briefings about the National Infrastructure Protection Center, or "NIPC," which is an interagency center that

serves as the focal point for the government's effort to warn of and respond to cyber intrusions, both domestic and international. NIPC programs have been established in each of the FBI's 56 field divisions, including the Omaha Division.

A key component of the FBI's infrastructure protection efforts is the InfraGard Program which incorporates a variety of entities, all of which have a stake in protecting our national infrastructure against cyber attacks, into a system similar to a Neighborhood Watch. InfraGard is a national, cooperative undertaking between the FBI and non-FBI members which typically include businesses, academic institutions, military installations, state and local law enforcement agencies and other selected participants. InfraGard is dedicated to increasing the security of the critical infrastructure of the United States. InfraGard chapters engage in various training and coordination activities, share intelligence related to computer issues, and operate a self warning system.

The Omaha Division of the FBI has initiated InfraGard chapters in Omaha, Nebraska and Des Moines, Iowa. Members of the Omaha InfraGard chapter include the U.S. Strategic Command at Offutt Air Force Base, which controls the entire nuclear arsenal of the United States; and the Peter Kiewit Institute, a world leader in technology research and development.

Conclusion

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

In the Omaha Division, all of the FBI's investigative and preparedness responsibilities are conducted jointly with other law enforcement agencies and often with the appropriate fire, emergency response, and medical agencies. It is impossible for the FBI to conduct investigations and obtain intelligence without the assistance of all Iowa and Nebraska federal, state, and local agencies. Communication, coordination and cooperation are exceptional in all areas and the Omaha Division consistently strives to maintain and improve upon these building blocks to maximize the effectiveness of our counterterrorism investigations and preparedness.

Chairman Horn, this concludes my prepared remarks. I would like to express appreciation for this subcommittee's concentration on the issue of

terrorism preparedness and I would be happy to respond to any questions at this time.

Lieutenant CONOHAN. Thank you, Congressman Terry, and Chairman Horn, thank you for inviting us.

Chief Kerry would have liked to have been here this morning, but he had a scheduling conflict, so he asked me to represent him and read a prepared statement. So with that, I will.

The events of September 11, 2001 and the subsequent anthrax mailings that occurred shortly thereafter were a wake-up call for all public safety officials throughout this country. Although the Omaha metro area was spared from the death and destruction that occurred back east, our city did have to deal with perceived bioterrorism threats of anthrax being mailed through our postal system. We learned first hand that our public safety departments can become taxed to their limits when dealing with not only an actual bioterrorism incident, but a perceived threat as well.

Although there were no actual cases of anthrax being sent through the postal system to anyone in the Omaha metro area, the fear that the public experienced in dealing with this bioterrorism event was indeed real. Our police, fire and 911 departments handled hundreds of calls from citizens that thought they were the victims of a bioterrorism incident.

The Omaha Police Department feels that there are several areas where the Federal Government can continue to be of great assistance and support State and local government when dealing with nuclear, biological and chemical events.

The first one would be threat assessment equipment and personal protective equipment for first responders. It is imperative that first responders, police, fire and EMS have the necessary equipment to determine as quickly as possible the substances they are dealing with when responding to NBC type—nuclear, biological, chemical type—incidents.

They then must be able to don the appropriate personal protective equipment to allow them to function in this type of environment.

We learned first hand how important it was to have the ability to assess quickly what type of threat we were dealing with. Omaha was indeed fortunate to have a bioterrorism preparedness lab in our city, located right here on the campus of the University of Nebraska Medical Center, it is a division of the Nebraska Public Health Lab. These labs allowed public safety officials the ability to quickly analyze the biological or chemical agents or the hoax material they were dealing with. The labs must be equipped and staffed properly to ensure quick response to bioterrorism threat incidents. These labs need to be a high priority. Public safety departments cannot formulate a response plan until they know what exactly they are dealing with and time is critical during these types of incidents.

Second, we would like to see the Federal Government assist us with a best practices manual. We feel there is a need for the Federal Government to assist State and local public safety agencies in putting together a best practice manual when dealing with nuclear, biological, chemical terrorism incidents. There needs to be consistency throughout the country when dealing with these events. This will greatly enhance the City's ability to draw upon mutual aid from other cities during times of WMD incidents. We would ask

that input from State and local agencies of various sizes be requested when putting together this type of manual to ensure that it will work for agencies of all sizes.

Third, regional training for standardized response. This goes hand in hand with the completion of a best practice manual. State and local public safety agencies need the Federal Government's expertise in the field to assist us with training our people so there is a standardized response to these type of incidents.

And last, public education to reduce fear. After what our city experienced last fall, we feel it extremely important that there is an education component to any response plan dealing with nuclear, biological, chemical type incidents. An informed public will have less fear and be less likely to panic when they have to deal with an NBC terrorism incident.

Although Federal funding is a critical component to any State or local response plan for nuclear, biological, chemical incidents, we feel it is even more important that the Federal Government share its expertise in this area with State and local governments, so that standardized response plans can be created to assist us in dealing with incidents of this nature.

The 2002 funding of the Office of Domestic Preparedness for State Domestic Preparedness Programs is a great start to assisting State and local governments with implementing response plans to deal with nuclear, biological and chemical type events.

The Omaha Police Department thanks Congressman Terry for inviting us to speak before this committee and represent our community.

Sincerely, Donald L. Carey, Chief of Police, Omaha Police Department.

Thank you.

Mr. TERRY. Thank you, Lieutenant Conohan.

Next we have our great fire chief for the city of Omaha and I have had the pleasure to work with Chief Wagner when I was a member of the Omaha City Council and also had the opportunity to work with his niece in Washington, DC. So you are never far away, Chief. Thank you for being here today. You may start.

[The prepared statement of Mr. Conohan follows:]

OMAHA POLICE

City of Omaha
Mike Fahey, Mayor

Donald L. Carey
Chief of Police
(402) 444-5666
FAX: 444-4225

505 South 15th Street
Omaha, Nebraska 68102-2769
www.opd.ci.omaha.ne.us

Steve A. Coufal
Deputy Chief of Police

Barbara J. Hauptman
Deputy Chief of Police

Brenda J. Smith
Deputy Chief of Police

July 3, 2002

To: Committee on Government Reform's, Subcommittee on Government Efficiency, Financial Management and Intergovernmental Relations.

The events of September 11th, 2001 and the subsequent Anthrax mailings that occurred shortly thereafter were a wake up call for all Public Safety Officials throughout this country.

Although the Omaha Metro Area was spared from the death and destruction that occurred back east, our city did have to deal with the perceived Bio-Terrorism Threat of Anthrax being mailed through our Postal System.

We learned first hand that our Public Safety Departments can become taxed to their limits when dealing with not only an actual Bio-Terror Threat, but a perceived threat as well.

Although there were no actual cases of Anthrax being sent through the Postal Service to anyone in the Omaha Metro Area, the fear that the public experienced in dealing with this Bio-Terrorism event was indeed real.

Our Police, Fire, and 911 Departments handled hundreds of calls from citizens that thought they were the victims of a Bio-Terrorism incident.

The Omaha Police Department feels there are several areas where the Federal Government can continue to be of great assistance and support to State and Local Governments when dealing with Nuclear, Biological, and Chemical (NBC) events.

There are several areas where we believe the Federal Government can help:

THREAT ASSESSMENT EQUIPMENT & PPE (Personal Protective Equipment)

- It is imperative that first responders (Police, Fire and EMS) have the necessary equipment to determine as quickly as possible the substance they are dealing with when responding to NBC type incidents. They then must be able to don the appropriate personal protective equipment to allow them to function in that type of environment.

BIO-TERRORISM PREPAREDNESS LABS

- We learned first hand how important it was to have the ability to quickly assess what type of threat we were dealing with. Omaha is indeed fortunate to have a Bio-Terrorism Preparedness Lab in our city located at the campus of University of Nebraska Medical Center, a division of the Nebraska Public Health Lab. These Labs allow Public Safety Officials the ability to quickly analyze the biological or chemical agents or the hoax material they are dealing with. The Labs must be equipped and staffed properly to insure a quick response to Bio-Terrorism Threat Incidents

  These Labs need to be a high priority. Public Safety Departments cannot formulate a response plan until they know what exactly they are dealing with, and time is critical during these types of incidents.

BEST PRACTICES MANUAL

- We feel there is a need for the Federal Government to assist State and Local Public Safety Agencies in putting together a Best Practices Manual when dealing with NBC Terrorism incidents. There needs to be consistency throughout the country when dealing with these events. This will greatly enhance each city's ability to draw upon mutual aid from other cities during times of WMD incidents.

  We would ask that input from State and Local Agencies of various sizes be requested when putting together this type of manual to insure that it will work for agencies of all sizes.

REGIONAL TRAINING FOR STANDARDIZED RESPONSE

- This goes hand in hand with the completion of a Best Practices Manual. State and Local Public Safety Agencies need the Federal Government expertise in this field to assist us with training our people so that there is a standardized response to these types of incidents.

PUBLIC EDUCATION TO REDUCE FEAR

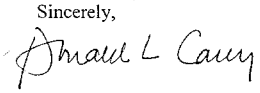
- After what our city experienced last fall, we feel it s extremely important that there is an education component to any response plan dealing with NBC type incidents. An informed public will have less fear and be less likely to panic when they have to deal with a NBC Terrorism incident.

Although Federal funding is a critical component to any State or Local Response Plan for NBC incidents, we feel it is even more important that the Federal Government share its expertise in this area with the State and Local Governments so that standardized response plans can be created to assist us in dealing with incidents of this nature.

The 2002 funding of the Office of Domestic Preparedness for State Domestic Preparedness Programs is a great start to assisting State and Local Governments with implementing response plans to deal with Nuclear, Biological, and Chemical type events.

The Omaha Police Department thanks Congressman Terry for inviting us to speak before this committee and represent our community.

Sincerely,



Donald L. Carey
Chief of Police
Omaha Police Department

DLC:TJC:kjl
Sos0027

Mr. WAGNER. Thank you. Good morning, Chairman Horn, Congressman Terry, I appreciate the opportunity to speak to this committee today.

I am going to be a little bit more parochial. I think that what we are going to see in many of these subcommittee meetings is that there are needs that are probably going to be consistent for all metropolitan cities, and so I am going to speak from that point of view.

I do have a prepared speech, I will try to make it brief and maybe reduce some of the time that it takes.

I would like to thank the Federal Government and subcommittee for taking the time to address these issues. The Omaha Fire Department has been the beneficiary of Federal assistance to provide training for all its employees in weapons of mass destruction. We were fortunate enough to be probably on the cutting edge of this and it was very beneficial to us. We trained all of our personnel, which is very important when we respond to these kinds of events, and our expectation is that the potential is always going to be there, more so now than ever before. We were the beneficiaries of $300,000 worth of equipment, which was also very important to us, because once the training took place, this equipment was determined to be the necessary equipment needed for any response, looking at nuclear, biological and chemical.

But there are problems with this and I think we have to look at those problems from a parochial point of view: Shelf life. There is a shelf life on some of these products and there is no program in effect to offer replacement without using city funds. With the budgetary constraints that we are all facing today, it would probably take a little priority with respect to our budget for just the everyday servicing of our citizens and being able to function as a fire department. And that is not good. It is certainly something that we need to look at. We do have some very fine facilities here, they have already been referred to, but I will refer to them again. The Nebraska Public Health Labs are one of the best and they are conveniently placed for the city of Omaha and the Omaha Fire Department right here.

There is no recycling system. If we have equipment and we could recycle it through training, how can we do that—how do we allow that to be offered to other communities so that they can have the benefit of this equipment—not just the city of Omaha, but the outlying communities.

Technological advances. We have improved equipment and they range from a variety of things—greater protection as in air purifying equipment, canisters that filter chemicals and can be updated. Less bulky, lighter weight and usable for greater lengths of time. Changes in the equipment that allow us to work in a more contaminated environment for longer periods of time safely.

One of the issues for Omaha, as well as probably a lot of other communities, is that the equipment does not allow for vehicles to allow us to transport this equipment. We have been able to utilize some funds to buy trailers, but one of the most important aspects of any response is how quickly we can get there. And I think we have to look at if this is designated for weapons of mass destruction, can we utilize these funds to buy equipment that would allow us to take the equipment to the scene immediately? We have agree-

ments now with some trucking companies who have been very considerate in offering us help. But we have to get them to have a truck and a driver come to the scene of our equipment storage and then trailer it to an event. This is all very time-consuming and can affect the impact of what we can do when we arrive at the scene. And I think it is very important to look at these as potential uses for funds that will benefit everyone.

Omaha Fire Department views itself as a regional response for hazardous materials. With respect to that, we look at time response, trained personnel and the need to be able to function effectively and efficiently in the field. We have recently sent some of our personnel to Anniston, Alabama, where they have had additional training and learned a lot more about weapons of mass destruction, because we are learning more as time progresses.

We need to be able to bring that training not only to the Omaha Fire Department, but to the regions surrounding us.

With respect to that, I would like to thank this subcommittee for taking the time to listen to me. As a fire chief, we respond locally first and regionally second, but that can obviously change very quickly. We want to be able to provide the best equipment, the best training and the best offer to save lives as we can.

And with that, I would like to thank you for taking the time. If there are any questions I can answer at the end of this, I would be very happy to. Thank you very much.

Mr. TERRY. Thank you, Chief, appreciate your testimony.

Next is Steven Hinrichs, Dr. Hinrichs at the University of Nebraska Medical Center, he is the director of Nebraska Health Laboratory, director of microbiology and virology in the Department of Pathology and Microbiology. Dr. Hinrichs, thank you for spending your morning with us. You may begin.

[The prepared statement of Mr. Wagner follows:]

FIRE CHIEF PAUL R. WAGNER
OMAHA FIRE DEPARTMENT

Statement before the

House Subcommittee on Government Efficiency, Financial Management and Intergovernmental Relations

July 1, 2002

The Omaha Fire Department has been the beneficiary of federal assistance to provide training to all of its employees in weapons of mass destruction. This training was a positive first step toward preparing a metropolitan fire department such as Omaha's to deal with any eventuality that relates to weapons of mass destruction. As an early participant, we received $300,000 worth of weapons of mass destruction equipment.

Because of the volume and amounts of equipment there are needs that have not been addressed. These are the issues as I see them:

1. Shelf Life—There is shelf life on some of the products. There are no programs in effect to offer replacement without using City funds. With our budget as tight as it is, this type of equipment will be a low priority item. This was experienced by the Omaha Fire Department with relation to the biological and chemical terrorism test strips. Fortunately, Omaha has a Level-3 lab located within the City operated by Nebraska Public Health Labs.

2. No Recycling—There is no program in place to make use of the expired equipment to use it for training at other agencies, other than our own, who know that we have the equipment.

3. Technology Advancements—Advances in technology has led to improved equipment. The improvements range from
   - Greater protection (as in air purifying respirators, which canisters can filter more chemicals and can be adapted to our self-contained breathing apparatus.)
   - Less bulky and lighter weight for more multiple use equipment.
   - Some changes allow the user to work in contaminated environments for longer periods of time with less fatigue.
   - Will allow better use of staff and can provide an optimum response and use of personnel for the incident.

4. No Vehicle for Transportation of the Numerous Pieces of Equipment—The first two US Department of Defense grants offered much equipment with no means of transporting the equipment to an incident. It was not until an Omaha Metropolitan Medical Response System grant was funding for transportation made available, three to four years later. This funding only allowed for a trailer. There was no tow vehicle for the trailer. This has had an impact of the Omaha Fire Department.

The Omaha Fire Department sees itself as a resource for, not only the Omaha metropolitan area, but also potentially being able to respond to nearby states.

There is a constant need to update response suits and masks that allow the Omaha Fire Department Hazardous Materials team to remain a valuable resource. Technology has advanced considerably over the last five years, and recently we sent three members of our hazardous materials team to attend the Weapons of Mass Destruction Chemical Weapons School in Anniston, Alabama. From that we have new recommendations dealing with chemical weapons. There is a need for carbon lined suits and filter masks that would allow a team to work in areas for many hours at a time without relief. Currently, we rely on air bottles that have a work time of approximately thirty minutes. The suits we use are hot and air-tight, which contributes to early fatigue and limits our working time to less than one hour. The estimated costs to purchase suits, masks and filters are approximately $50,000. Suits would be purchased for the WMD trailer and hazardous materials response unit. Specialized adapters and filter s would be purchased for all Omaha Fire Department personnel.

Federal support is also necessary to streamline our capabilities of providing vital equipment in a more timely manner with respect to the threats that we see today.

Our training and responses need to be timely, efficient and thorough. Please keep this in mind with looking at distribution and assistance to cities such as ours. Thank you for your time and the opportunity to address the Subcommittee on Government Efficiency.

Paul R. Wagner
Fire Chief

Dr. HINRICHS. Thank you, Chairman Horn and Congressman Terry, I appreciate this opportunity to provide testimony.

As part of my duties at UNMC, I have been named Coordinator of the University of Nebraska Bioterrorism Preparedness Task Force, and in addition, I work with the Nebraska Health and Human Services System as Director of the Nebraska Public Health Laboratory.

The commitment, dedication and expertise of the people who have been brought together by the planning efforts of the State government, particularly under the direction of Lieutenant Governor Dave Heineman, have been unprecedented. We also greatly appreciate the coordinating efforts of our Chief Health Officer, Richard Raymond, and his efforts have been outstanding.

It is apparent to everyone that we are facing a challenge with the potential to significantly alter and permanently change life as we know it in our Nation and, therefore, many of the traditional obstacles to progress have been set aside.

I will provide summaries of my comments and recommendations on the following topics, but would be pleased to answer any specific questions as they might arise.

My first comment relates to electronic information systems. Continued support is needed for development and deployment of electronic information systems. These systems must extend to the private sector including hospitals and laboratories. Many of the current systems are primitive and consist of only notification systems rather than direct communications that allow real time monitoring and exchange of information. The Nebraska Department of Health and Human Services can be a leader in this activity.

My second comments relate to the National Laboratory Reserve Force. The national need exists for a reserve force of expert laboratory scientists capable of responding to national emergencies. These reserve scientists could be deployed during non-crisis times to provide training and connection to the front line laboratories throughout each State. This is the model that we are taking in Nebraska. The CDC has begun exploring mechanisms to meet this need similar to the one in Nebraska and this activity is one of the critical objectives of the new funding to States.

The third area of activity is in the role of the universities. Universities and institutions of higher education represent a national resource and should be included in efforts to educate the public regarding threats from biological, nuclear and chemical agents, as well as the training of first responders and volunteer service providers. We also are capable of providing research into new approaches to identifying and responding to acts of bioterrorism.

Universities can contribute expertise in areas related to both human, animal and crop diseases. However, universities also face significant challenges due to the need for enhanced security and the impact of the Patriot Act.

The fourth point is that we need sustained effort over time. Continued support of public health efforts over several years is needed to facilitate the rebuilding of national capacity and the overall national laboratory system. The recruitment and training of new personnel to fill the need of expert scientists will take many years to accomplish.

I would like to emphasize that we believe it is important to recognize that many of the biological, chemical and radiologic agents have the capability to affect humans, plants and animals and, therefore, a system to respond to these threats must incorporate the ability to communicate with not only the medical, but the agriculture communities as well. It would be inherently disjointed if efforts at both the research level and the application level were not capable of integrating the capabilities of the agriculture extension services of our State land grant universities and the medical services of our academic medical centers. Therefore, the most important test of any governmental reorganization effort must be whether the new agency is able to be cross cutting and unify diverse resources, not only within the Government, but also within our universities.

We learned from the events following the anthrax attack of last fall that education of the public was one of the most important factors contributing to calming their fears. Dr. Smith will address this issue in more detail.

In conclusion, many of the Government's efforts to prepare for and deal with bioterrorism have been effective. The success of our Government's ability to place technology into the able hands of educated citizens, health professionals and soldiers will have the single greatest impact on the outcome of this war.

I encourage our Government to make effective use of our academic institutions as key partners and consider how current and future legislation, as well as any significant structural changes to Federal agencies, will impact the world's most effective higher education system.

The University of Nebraska is prepared to contribute its capabilities to efforts by the President, Congress, State and local entities to develop a comprehensive and integrated plan to deal with future criminal acts using biologic agents. This is a complex task. UNMB and other institutions of higher education are prepared for this task. We can be effective strategic partners in this national effort.

Thank you for inviting me to present this testimony.

Mr. TERRY. Thank you, Dr. Hinrichs.

I would now like to introduce the chief of infectious diseases in the department of internal medicine, Dr. Philip Smith. Dr. Smith, you may begin.

[The prepared statement of Dr. Hinrichs follows:]

DRAFT 6-28-02

Proposed Testimony

Committee on Government Reform

Chairman Horn, Congressman Terry, and members of the subcommittee. My name is Steven Hinrichs and I am a Professor in the Department of Pathology and Microbiology at the University of Nebraska Medical Center:

Thank you for this opportunity to provide testimony. As part of my duties at UNMC, I have been named coordinator of the University of Nebraska bioterrorism preparedness task force. In addition, I work with the Nebraska Health and Human Services System as Director of the Nebraska Public Health Laboratory. In these and other activities I have been exposed to a wide range of issues and problems resulting from the threat of bioterrorism in the United States and Nebraska. In my official duties I have had the opportunity to work with representatives of Federal, state and local public health agencies, and am pleased to provide testimony related to the Federal response to the anthrax attack and its impact at the state and local level. I have been impressed by the efforts people are making to work more closely together to address problems related to bioterrorism. The commitment, dedication and expertise of the people who have been brought together by the planning activities of the Federal and state government are unprecedented. It is apparent to everyone that we are facing a challenge with the potential to significantly alter and permanently change life as we know it in our Nation and Nebraska and therefore many of the traditional obstacles to progress have been set aside. In response to this challenge our private citizens and government officials have begun approaching this problem with a sense of teamwork that has not been seen by generations born after World War II.

It is appropriate to provide some background regarding the University of Nebraska and the role that it has played during the initial response to the bioterrorist attacks associated with anthrax. The Nebraska Public Health Laboratory provides support to the State through the leadership of the Nebraska Health and Human Services System. The laboratory is located on the University of Nebraska Medical Center campus in Omaha, a location that takes advantage of the availability of expert faculty and technology available at the medical center. Until preparation began in 1999 for

potential bioterrorist attacks, our primary function was to provide cost-effective diagnostic testing services in support of public health efforts in the state. Working in close association with the State Chief Medical Officer, Richard Raymond and the office of the state epidemiologist, Dr. Tom Safranek, as well as other public health professionals, the NPHL provides laboratory analyses of patient samples for the identification of specific infectious organisms. In addition the NPHL provides testing services for detection of genetic disorders, exposure to toxic substances and epidemiologic investigations.

Activities at UNMC and NPHL in response to the anthrax event and related to biodefense activities included the following:

1. The NPHL has participated in the development of electronic information systems for laboratory data. Faculty and staff at UNMC have worked with state and federal officials in the development of a state of the art information management system for surveillance and disease detection purposes. Our state efforts at developing a systematic approach to collecting laboratory data led by our state epidemiologist, Dr. Tom Safranek coincided with efforts at the Centers for Disease Control and Prevention (CDC) to create a national consensus on this topic. We are proud to be partners in this effort and believe projects of this type have great potential for improving the national response to threats from nuclear, biologic or chemical agents. This new approach to electronic information management, referred to as the National Electronic Disease Surveillance System (NEDSS) was in the process of being developed by the CDC prior to the attacks of September and October.

2. The NPHL and the State health department participated in a new program funded by APHL and the CDC to improve the health system. A unique project was proposed and was funded in Nebraska. We emphasized the importance of communicating with the real soldiers on the front line of bioterrorism, that is the hospital laboratory technologists who must be able to recognize the presence of new diseases that suggest the likelihood of a terrorist attack. Working in partnership with the state epidemiologist, Douglas county and Lincoln/Lancaster health departments, FBI, fire department HAZMAT teams, the highway patrol and sheriff departments throughout the state, we worked to initiate a structure that would be able to not only respond to

bioterrorist threats, but detect them more quickly. Concurrently, a new program was begun by the CDC to investigate various strategies for developing a national network of public health laboratories that would improve our capacity to respond to bioterrorism. That project became known as the National Laboratory Demonstration Project, and it resulted in the funding of our efforts to determine how to best link with the front lines. Little did we know that these preliminary efforts would be so important in identifying what else the federal government must do to prepare a defense against nuclear, chemical or biologic agents.

3. The NPHL provided an expert microbiologist to work in Washington D.C. to assist in the effort to limit the spread of anthrax throughout the US postal system. When the United States Postal service needed experts to aid in the screening of post offices throughout the nation for the presence of Bacillus anthracis, they contacted the Association of Public Health Laboratories, APHL. Since APHL had played a major role in establishing the concept for a national laboratory system, they requested that Mr. Sambol come to Washington and coordinate those efforts. The primary lesson learned from these activities is that the nation needs a reserve force of laboratory experts to respond to national emergencies, similar to the reserve force of epidemiologists that exist at the CDC. The National Laboratory System has been shown to be the most cost effective and reasonable approach to creating this reserve force and this effort must be further supported by Congress. Further, it is apparent that a national shortage exists of trained laboratory scientists and that this shortage must be addressed.

4. The University has been invited by the Lieutenant Governor to participate on the State Homeland Security Policy Group and is represented by the Chancellor of the UNMC campus, Dr. Harold Maurer. This is one excellent example of how new partnerships and associations have been created to address the problems created by threats of bioterrorism. Through this mechanism the University receives firsthand information about planning efforts and is able to contribute its expertise when appropriate to minimize redundancy of services and achieve cost savings for the state. . Unfortunately, I have been told by representatives of several other State Universities that they have not been as well integrated into the process of bioterrorism preparedness as has occurred in Nebraska and a great concern exists that the Federal government may be overlooking one of the nations most important resources.

I am pleased to provide comments and recommendations on the following topics or answer specific questions if requested:

1. Continued support is needed for development and deployment of electronic information systems. These systems must extend to the private sector including hospitals and laboratories. Current systems are primitive and consist of email or facsimile (fax) notification systems rather than direct connections that allow real time monitoring and exchange of information.
2. A national need exists for a reserve force of expert laboratory scientists capable of responding to national emergencies. These reserve scientists can be employed during non-crisis times to provide training and connection to the front line laboratories throughout each state. The CDC has begun exploring mechanisms to meet this need and this activity is one of the critical objectives of the new funding to states.
3. Universities and institutions of higher education represent a national resource and should be included in efforts to educate the public regarding threats from biological, nuclear, and chemical agents, for the training of first responders and volunteer service providers and for research into new approaches to identifying and responding to acts of bioterrorism. Universities can contribute expertise in areas related to both human, animal and crop diseases. However, Universities also face significant challenges due to the need for enhanced security and the impact of the PATRIOT act.
4. Continued support of public health efforts over several years is needed to facilitate the re-building national capacity. The recruitment and training of new personnel to fill the need for expert scientists will take many years to accomplish.

Supportive comments:

The public health sector has been under-funded for many years and its capability has been significantly degraded. Examples include workforce shortages will remain a significant problem for many years and the need exists for continued investment in equipment and training. The new funding in the current Federal bill provides new money to reverse the current problem. Most importantly there will be a continuing need for training programs and new equipment. Most importantly continued Federal support is needed for development and deployment of electronic

information systems throughout the country. The nation has derived great benefit from the leadership shown by the CDC in the development of NEDSS, not only because of the eventual electronic system that will be deployed through this program, but also because the CDC showed the necessary leadership to begin a national debate regarding the need to establish electronic information standards. Electronic communication standards are the key to allowing the exchange of information, for example electronic standards are the essential feature that enable Bank charge cards to be used world wide. Unfortunately, electronic standards had not been aggressively pursued by the government for use in medicine until the advent of the NEDSS program by the CDC. In my opinion, there can be no greater activity with more potential for improving our response to biothreats than the full development and deployment of electronic communication systems throughout the public and private health systems in the United States. Such language and guidance exists in the current Congressional bill providing funds through the Department of Health and Human Services to the states. It is expected that these funds used to develop electronic information systems will a great impact on our national defense.

While much criticism has been focused on the government for a perceived lack of preparation for a biologic attack, in fact a significant amount of preparation had been ongoing for a number of years. A little over two years ago, UNMC and the NPHL were invited by the state health department to join in the writing of a bioterrorism preparedness grant submitted to the Centers for Disease Control (CDC). It was widely speculated that the US could become a target for a bioterrorism attack, however most of us found it very difficult to believe. However, since we knew many of the organisms on the list of bioterrorism agents could be rapidly transmitted throughout our population with devastating morbidity and mortality, we recognized that developing new diagnostic skills were critically important and enthusiastically joined the initial state planning efforts. Funds were provided by the CDC, through the Nebraska Department of Health and Human Services, to involve a highly capable individual, Mr. Anthony Sambol, into the organization of a special pathogens laboratory and with protocols and procedures needed to detect many of the organisms on the select agent list. Similar activities occurred in other state public health laboratories and the CDC worked with the Association of Public Health Laboratories to establish a communications network between the CDC and state public health laboratories, the network being called the Laboratory Response Network, LRN.

It is important to recognize that many of the biologic, chemical and radiologic agents have the capability to affect humans, plants and animals, and therefore a system to respond to these threats must incorporate the ability to communicate and with the medical and agricultural communities that traditionally have not had a great deal of interaction. It would be inherently disjointed if efforts at both the research level and the application level were not capable of integrating the capabilities of the agricultural extension services of our state land grant universities and the medical services of our academic medical centers. Therefore, the most important test of any governmental reorganization effort must be whether the new agency is able to be crosscutting and unify diverse resources not only within the government but also within our nation.

We learned from the events following the anthrax attacks of last fall, that education of the public was one of the most important factors contributing to calming their fears. Education is one of the most important activities for the nation for achieving an effective defense against biothreats. In this activity the nation has a great resource in its educational system. The University at large, fully recognizes its responsibility and opportunity to play an important role in support of public health. The President of the University of Nebraska, L. Dennis Smith, has recently received and approved a report from the university-wide task force on bioterrorism preparedness and as a result our University is prepared to help in the education effort. Most importantly, the university is committed to work with the Department of Human Services to make available the considerable resources of the University to fulfill the educational needs of the state and similar capabilities exist across the country. Specific activities that we have proposed will be addressed by Dr. Phil Smith. We recognize that this outreach is an appropriate role of the university and it is again a very cost effective way for the Federal government to communicate with its citizens. I encourage this committee to consider adding language to future legislation that would enhance and enable the participation of our educational institutions to aid in the war on bioterrorism. Finally, it is also important to note that Universities are just beginning to realize the impact of the PATRIOT act on our educational programs and foreign students who are seeking training at our institutions. There are significant costs associated with complying with these regulations and Universities do not have an immediate mechanism to recover these costs.

American Universities stand ready to provide significant expertise and capability in the field of information technology. It is widely believed that the ability to monitor and detect infectious disease at the early stages is truly our best defense and is the most important method for limiting the spread of disease over time. The Nebraska Health and Humans Services System is working to enhance and further develop capabilities in the area, and in many respects, Nebraska is making significant contributions to the country in these efforts. In other respects, Nebraska faces extreme challenges in information technology because of our widespread population, and many of our rural medical centers, hospitals and nursing homes are not capable of participating in these essential surveillance activities due to the lack of internet connectivity. Special recognition is needed that large states with distributed populations need support to establish essential services to rural areas.

A special resource that UNMC has developed has the potential to serve an important function in our combined efforts to improve biosecurity. As part of the university's efforts to track the success of training medical students and other healthcare professionals in the state of Nebraska, UNMC established a database that includes the current place of practice and contact information for most healthcare professionals in Nebraska, including physicians, nurses, nurse practitioners and pharmacists. This information is organized in the Health Professions Tracking Center and is one of only a few such resources in the country. We quickly learned during the height of the anthrax crisis the importance of being able to find and communicate with healthcare professionals in a timely manner and disseminate up-to-date information for their use. We now believe that this capability of maintaining a database of information for healthcare professionals will be an important building block in the Homeland Defense efforts being organized in Nebraska by our Lieutenant Governor, David Heineman.

Recruitment and training of new staff requires several years before negative trends are reversed and therefore it is important that new funds continue and the level of basic support by the federal government for laboratory services become permanent. The funds that Congress has authorized are reaching the functional units; specifically the monies coming to the Public Health Laboratory will do much to address the significant challenges we face in addressing biothreats. One of the most important challenges we face is the lack of qualified technologists and laboratory scientists,

a combined result of many factors including the lack of attention paid to public health efforts in the United States.

In conclusion, many of the government's efforts to prepare for and deal with bioterrorism have been effective. Our government's ability to place technology into the able hands of educated citizens, whether health professionals or soldiers will have the single greatest impact on the outcome of this war. I encourage our government to make effective use of our academic institutions as key partners and consider how current and future legislation as well as any significant structural changes to federal agencies will impact the worlds most effective higher education system. The University of Nebraska is prepared to contribute its capabilities to efforts by the president, congress, and state and local entities to develop a comprehensive integrated plan to deal with future criminal acts using biological agents. This is a complex task. UNMC and other institutions of higher education are prepared for this task. We can be effective strategic partners in this national effort.

Thank you very much for inviting me to present this testimony.

Dr. SMITH. Chairman Horn and Congressman Terry, thank you for the opportunity to testify. I will just briefly present a few excerpts from my written testimony.

Basically you are asking us how the Government is doing in terms of coordinating the response to bioterrorism and I would have to say that the response has been excellent.

First of all, there was quite a bit of planning in Nebraska, as there was nationally, prior to the bioterrorist attack of September and the anthrax attack of October 2001. The State Health Department contracted with the two universities and with the Nebraska Infection Control Network to develop some educational programs and to do a survey of institutions prior to the terrorist attacks occurring.

The Nebraska Infection Control Network did a survey of all hospital and nursing home infection control practitioners in the State. Now keep in mind, in small communities, the infection control practitioners are often a resource for infectious disease emergencies such as a bioterrorist attack. They found last summer, not surprisingly, that only 2 percent of institutions felt they were prepared for a bioterrorist attack. After the attack occurred, there was a tremendous coordinated effort, and without a doubt, the Government, through the Nebraska State Health Department, has provided excellent leadership here. Dr. Dick Raymond, in the Health Department, has spearheaded this, he is the medical director. And there are many other institutions that are involved, including the universities who have provided hundreds of hours of education of public, physicians and other health care providers, with the information necessary on anthrax and other possible bioterrorist attacks.

As we look ahead, I think we need to be prepared. It is an enormous task and many interested parties are involved. One of the key elements is collaboration between the Government, the health department and other parties. And I think one great example, just as we have seen with Dr. Hinrichs, is in the laboratory where the State Health Department and University of Nebraska Laboratory combined in their bioterrorism preparation efforts.

We have proposed several ideas to the Health Department that are being considered for collaborative efforts. No. 1 is a multi-disciplined education task force; and No. 2, which I will not go into in detail, is a bioterrorism containment for small numbers of cases of a disease like anthrax or smalllpox that may occur and pose a hazard to the public.

I wanted to comment briefly on our multi-organizational education program. We propose that all the interested parties in the area of medical bioterrorism prevention be brought together in a single committee structure, to do an inventory of the resources we have available and to coordinate a training effort, including looking at distance learning technology.

There are many different players, and the types of organizations that we have represented on our proposed committee include organizations like the two universities, the Health Department, the Medical Society, the Hospital Association and Nursing Home Association, infection control practitioners, first responders, the two city emergency response systems in the State; namely, Omaha and Lin-

coln; and other interested experts in biocommunication, distance learning technology.

So I guess in summary, I think that the State response to the bioterrorist attack was prompt and excellent and particularly in Nebraska, I feel that our Government worked very hard to provide coordination between the public and the private sector in the area of education, prevention, laboratory. And I hope that this spirit carries on as we move ahead.

Bioterrorism is a very daunting task and there are many different players. I think the key role of the Federal Government here is to not only foster, but to insist on multi-agency collaboration to minimize the chance that we are going to have duplication, and do the best job of protecting the public in the future.

Thank you.

[The prepared statement of Dr. Smith follows:]

7-3-02

Testimony: Committee on Government Reform

Subcommittee Chairman Horn, Congressman Terry, and members of the subcommittee. I appreciate the opportunity to testify regarding the response to the bioterrorist attack on the United States.

I am Philip Smith, M.D., Chief, Section of Infectious Diseases, University of Nebraska Medical Center. When our nation, already stunned by the terrorist attack of September 11, 2001 was faced with an attack of anthrax using the U.S. Mail, many individuals and organizations pitched in to help.

There was a great need for dissemination of expert medical information on anthrax to physicians, other healthcare providers, and the public. The Nebraska Department of Health under the leadership of their medical director, Dr. Richard Raymond, provided accurate and timely information to healthcare professionals and the lay public. Medical experts at the University of Nebraska Medical Center, our state university, put forth an enormous effort as well to provide information on anthrax, a disease which up until this time was a relatively rare curiosity. Physicians in the fields of Infectious Diseases, Pathology, Emergency Medicine, and Infection Control were called upon most frequently. I was very impressed by the superb cooperation between the educational efforts of the health department and of the medical community. This collaboration was also very evident in the area of developing and disseminating laboratory and diagnostic support, which Dr. Hinrichs has addressed.

Fortunately a great deal of bioterrorism planning had taken place prior to the anthrax attack of October 2001. National planning efforts and consensus conferences were developed under the guidance of the CDC. In Nebraska we had also done some valuable preparation. In the summer of 2001 the state of Nebraska Department of Health contracted with the Nebraska Infection Control Network (a nonprofit collaborative educational organization involving multiple agencies in Nebraska), and university infectious diseases

specialists. The infectious diseases specialists and the health department collaborated on the development of a number of bioterrorism related educational programs throughout the state, and the Nebraska Infection Control Network performed a survey of all Nebraska hospital and nursing home infection control practitioners on bioterrorism preparedness. Not surprisingly, this survey which was done in the spring of 2001 found that less than 2% of facilities felt they were prepared for a bioterrorist attack. Specific needs were identified including education, internal policies and procedures, laboratory backup, and clarification of external agencies to be contacted in the event of an emergency.

As we go forward in preparing our country to defend itself optimally against future bioterrorist attacks it has become obvious that preparatory efforts are complex and involve multiple agencies including hospitals, law enforcement, emergency management, military, etc. The University of Nebraska Medical Center has proposed to the state department of health that we take advantage of our collaborative training experience to develop a collaborative group bioterrorism medical training program with representatives from multiple agencies as listed in an attachment to my testimony, including the state department of health, the state hospital association, the state nursing home association, the state infection control network, the two medical schools in Nebraska, the two Metropolitan Medical Emergency Response Systems in Nebraska, APIC (the infection control nurse organization), and state telecommunications experts. We feel it is essential to be inclusive in our approach to bioterrorism education and to coordinate this complicated task with as many different agencies as possible in order to minimize duplication. We believe this collaborative model may have national relevance.

Another way in which we are applying our medical expertise to protection of the United States citizens from a bioterrorist attack is the planning, in cooperation with the state department of health, for a bioterrorism isolation unit. As we learned in the 2001 anthrax attack, small numbers of cases of an infectious disease create enormous concerns for public safety while the cases are being diagnosed and treated. Potentially hazardous infectious

disease cases are most likely to be sent to the university hospitals where the most concentrated expertise is available. This is quite appropriate, but we should anticipate these biological events by having a state-of-the-art isolation unit, which will serve as a statewide resource and can deal safely with a variety of contagious bioterrorist conditions. These units will be designed with special negative pressure airflow, locked security traffic access, positive air pressure respirators, intensive care capability, access to our state bioterrorism diagnostic laboratory, and a specially trained volunteer staff. These units would also be available to be used for non-bioterrorist infectious emergencies such as importation of an avian influenza from the Far East or viral hemorrhagic fever from Africa, a real possibility in this era of international travel.

In summary, I feel that our government has responded very appropriately both before and after the September 11 tragedy and the anthrax attack of October 2001. The complex and difficult task of bioterrorism planning from this point on will certainly require great cooperation between government officials, public health, university medical experts, and the many other involved parties.

Philip W. Smith, M.D.
Chief of Infectious Diseases
Department of Internal Medicine
University of Nebraska Medical Center

Collaborative Group Bioterrorism Medical Training Nebraska Model

- Representative, State of Nebraska Department of Health
- Molly Nance, Senior Director of Communication and Education, NHA
- Karen Spenner, R.N., President, APIC
- Sandy Johnson, Executive Vice President, NMA
- Connie Wagner, NHCA
- Thomas Williams, M.D., OMMERS
- Virginia Helget, R.N., Director of Education, NICN
- Gary Gorby, M.D., Infectious Diseases, Creighton University
- Martha Gentry, Ph.D., Bioterrorism Educator, Creighton University Medical School
- Mark Rupp, M.D., Medical Director, NHS Healthcare Epidemiology
- Janet Riese, Telemedicine Nurse Coordinator, Good Samaritan Hospital, Kearney, Nebraska
- Dan Moser, UNMC Telecommunications Center
- Carol Allensworth, Douglas County Health Department
- Tony Sambol, Nebraska Public Health Laboratory
- Steven Hinrichs, M.D., UNMC Bioterrorism Preparedness Coordinator
- Philip W. Smith, M.D., Chief of Infectious Diseases, UNMC

Collaborative Bioterrorism Training
Nebraska Model

- Bioterrorism information inventory and needs assessment.
- Training of infection control practitioners.
- Distance learning techniques.
- Training other healthcare providers.

Mr. TERRY. Thank you, Dr. Smith.

At this time, the panel is subject to questions. Chairman Horn.

Mr. HORN. Thank you, Mr. Chairman.

In your testimony, Dr. Smith, you state that a 2001 survey taken before September 11th found that less than 2 percent of Nebraska's hospitals and nursing home infection control practitioners felt they were prepared for a bioterrorist attack. If that survey were taken today, what type of response would you expect to see to the same question?

Dr. SMITH. A very good question. In fact, we plan to answer that scientifically by redoing the survey, but my guess is that the percent of people that are prepared for bioterrorist response at the present time would be much higher, perhaps 75 percent. Almost 100 percent of hospitals and long-term care facilities have done some planning and are much better off than they were a year ago. I think many people realize we still have some details in terms of interagency collaboration and exactly who to call in the event of an emergency, getting correct communications, equipment and so forth. But I think 100 percent of institutions will say have improved and probably 50 percent of them will say they are close to being ready.

Mr. HORN. Given limited resources, your suggestion to concentrate effort at university hospitals is well taken. How many and where are Nebraska's university hospital centers?

Dr. SMITH. There are two medical schools in Nebraska; the University of Nebraska and Creighton University. We work together on the pre-survey that I talked to you about earlier, and also would work together on my proposed collaborative training model that we have going ahead in the future.

Mr. HORN. What would be the geographic area?

Dr. SMITH. The two medical schools are both in Omaha, both on the extreme edge of the State. But although both medical schools are in Omaha and the State is about 500 miles wide, we have many outreach programs, including outreach training programs, satellite telecommunications, so that even though the medical schools are on one edge of the State, they communicate well with constitutions outstate.

Mr. HORN. How long would it take to transport patients from remote parts of the State to the two centers?

Dr. SMITH. As far as transport to the two centers, it can be done either by ambulance or by helicopter and transport—because of the availability of the air transportation, transportation can be accomplished in a short time, in a matter of hours.

Mr. HORN. When we were in Nashville and with Vanderbilt, the hospitals could not have any frequency to work with the military that is on another frequency when they bring patients and land on the roof of the hospital. Do we have any problem like that? You have got major groups in military, do we have a frequency between civilian and military?

Dr. SMITH. I cannot answer that. Can anybody? Paul Wagner, Fire Chief.

Mr. WAGNER. At the present time, we do not have that capability, Chairman Horn. However, I can tell you that at the present time, Douglas County is involved in an 800 megahertz system

which will allow us to communicate with the hope that we will be able to bring these other agencies on line and at least provide them with the ability to communicate with us in the event of a weapons of mass destruction or anything of that nature. However, it is presently still being worked out in terms of the RFP for the equipment. So we are looking at a number of years down the road before we would even be able to do that.

Mr. HORN. Could you discuss emergency room diversions at the medical center? Is it a problem, Dr. Smith?

Dr. SMITH. I am not sure what you mean.

Mr. HORN. Well, could you discuss the medical room diversions at the medical center? I mean we find hospitals all over America have difficulty in terms of overcrowding and everything else, illegal immigrants, so forth and so on. So how do you deal with that, or is it a problem here?

Dr. SMITH. I think it is a problem in terms of hospital capacity being relatively full. There is not a shifting of individuals in the sense of deliberately shunting patients from one facility to another, but there are times, for instance, during an influenza outbreak in the community, when virtually all hospitals are full. And when a hospital becomes full, then patients are shunted preferentially to hospitals that have available beds. And at times, they have been shunted to other cities, such as Kansas City or Des Moines when hospital beds are not available here.

When we are planning for a bioterrorist emergency, I think our initial discussions about a small unit, as was demonstrated on the east coast, you are probably going to be dealing with a small number of cases of anthrax or influenza or hemorrhagic fever or smallpox, and we think that a special containment unit should be available because of the concern of protecting the public and other individuals at the hospital from spread of that, especially before a diagnosis is necessarily made.

The State Health Department, I know, is working on the potential of up to 500 cases of a bioterrorist agent and because of the hospital capacity being somewhat limited, that may involve creating field hospitals in situations such as gymnasiums and armories because the hospital capacity may not be there.

Mr. HORN. The laboratories you have are very fine that go with the medical schools. How about parts of Nebraska where there is no hospital. What are we doing to get a laboratory that the community colleges or the smaller colleges would have. Do they need training when we are talking about a germ that we do not know really what it is, like botulism.

Dr. SMITH. That is a very good question, and what we believe is one area where Nebraska is setting an example for the rest of the country. And that is because we developed a program called the laboratory demonstration project in Nebraska. It was then funded by the CDC for us to hire an individual who would be able to go out and train as well as provide communication to all those small hospitals, small facilities throughout the State of Nebraska.

We were in a situation because we had that operation in place at the time of the bioterrorist attack, to actually create information for all of those small facilities and distribute it across the State of Nebraska within a week following the anthrax crisis.

So that is an extremely important issue. We feel that the rest of the States need a similar opportunity to develop that. And fortunately that program became one of the key aspects of the bill that was recently funded and is now flowing money to the States. So that exactly is the issue and we continue to work on that problem.

Mr. HORN. Do you have a number of private laboratories that could do the work also?

Dr. SMITH. Well, that is exactly the issue, because the current situation is that the laboratory response network, which the current program sponsored by the CDC does not extend to the private sector and we believe that the private sector is really on the front lines. So our efforts have been to connect to the front lines those private laboratories, those private hospitals, in order to prepare them. And so in our plan, we have to have training planned and we have connectivity planned with all those private hospitals, those private laboratories. That is an extremely important issue, Congressman Horn.

Mr. HORN. I am glad you had that answer, because I was not sure whether it was simply State, region, national. But we've got other people also?

Dr. SMITH. That is right.

Mr. HORN. Good. Thank you.

Mr. TERRY. Tim, did you have a followup to Chairman Horn's concern?

Lieutenant CONOHAN. Yes, I did. Chairman Horn, your question concerning the hospital emergency rooms and how do we handle situations like that. Omaha is very fortunate, and I think Special Agent Bogner mentioned it. We have a group that has been meeting for the last 3 years called the Omaha Metro Medical Response System. It is not only for the Omaha area, but it is for the whole metro area. It has received some Federal funding in 2000. This is a group of law enforcement, public health, hospital personnel. We have created a committee, I sit on the steering committee, along with one of Mr. Bogner's agents, that looks into exactly the things that you mentioned, about interpreters, if we run into issues related with immigrants that cannot speak and we are dealing with those type of situations. Omaha is very far advanced, I think, than most cities because of this Omaha Metro Medical Response System, and the Federal funding that was put in place to assist that is greatly appreciated.

Again, that needs to extend throughout the State, but right now Omaha and Lincoln are really working together to ensure that the largest populated cities are being handled, and all those small, minute issues that could concern biological, chemical and nuclear weapons are being addressed when it comes to public health.

Mr. HORN. Thank you.

Mr. TERRY. I had one particular question, Lieutenant Conohan, I wanted you to followup with OMMR and you did that.

Special Agent Bogner, you had mentioned the JTTF, Joint Terrorism Task Forces. I am wondering how your JTTF works with OMMR, are they the same thing? Where do they overlap? I am particularly interested in how we develop the theme of the JTTF and OMMR. Is this unique? Could we copy it? Where are the voids and where can we as the Federal Government help in the process?

Mr. BOGNER. First of all, Congressman Terry, on the Joint Terrorism Task Force, those are the investigative units that consist of law enforcement officers and agents throughout the two States. So they conduct the investigations, gather the intelligence, hopefully do the analysis on them and then attempt to prevent any activities, or investigate them sufficiently in advance to interrupt any planned activities, not only locally here, but throughout the country, if we should get any information that might relate to any activity within the country, to gather that intelligence and pass it on to the appropriate elements and Joint Terrorism Task Forces in other parts of the country.

On the OMMR, though I am not in the best position to answer that. That is more of I think a coordination group that was established for the health care and perhaps the Lieutenant can add to that because, I was not here in the initiation of that. But when I came, I was briefed about that association, not only the coordinated activity among those health care professionals and law enforcement professionals, fire and other first responders to it, but also the training initiatives that they have. We have participated in that because we feel that there are two stages, probably three stages, to these events. One is the initial incident and first responders to the initial incidents and the coordination is obviously very important there. Second, any investigation of—if it is proved to be a terrorist activity here, the investigation of that criminal act. And then third, consequence management after that.

So that is more of a coordination group, I think. I am not sure who else would be best to respond to that.

Lieutenant CONOHAN. I think Mr. Bogner, or Agent Bogner is right, that they are two separate entities, Congressman Terry. The Joint Terrorism Task Force deals with preventative issues where the Omaha Metro Medical Response System would deal with responding to an actual event.

Mr. TERRY. Thank you. I'm going to ask then, Lieutenant Conohan and Chief Wagner the next question, regarding equipment. In both of your testimony, you talked about equipment that is necessary for assessment, the extent of whatever incident has occurred, as well as protective personal equipment. Do you have any grasp in the Police Department and in the Fire Department what the totality of the cost would be to become prepared, knowing that you are front line defenders? We are going to hear from FEMA in a few minutes, but nonetheless, you are the first responders. What specific equipment is necessary and cost, have you been able to grasp that? And followup with, there have been Federal grant programs established. Do those need to become more flexible, for example, in COPS and COPS More programs? Are those flexible enough now that those can be used in the special circumstances of purchasing equipment and training of officers and firemen? Lieutenant Conohan first.

Lieutenant CONOHAN. Well, let me let Chief Wagner, he outranks me, so he should go first. [Laughter.]

Mr. WAGNER. I only outrank him because I have some figures. [Laughter.]

That is really a very good question. First of all, as I mentioned earlier, technology has advanced. Three years ago when we looked

at how we respond to these events, we were using our self-contained breathing apparatus and airtight suits. These allowed us approximately 30 minutes of functional working time at best. And in the summertime when it is really hot, probably less because you are going to overheat quickly.

There are now suits out there that allow us to work for hours on end, that allow us to stay cool within that environment. And we looked at the cost—as I said from the very beginning, I was being very parochial—and just with respect to the Omaha Fire Department, we are looking at approximately $50,000, which would allow us to function in an environment, have enough protective equipment to rotate crews and to do our jobs.

From the point of view of a department the size of Omaha, where we are a little over 600 employees, obviously all 600 are not going to wear these, it is going to be our hazmat people. We are looking at possibly 20–30 people at a time that have to have enough suits and you have to be able to decontaminate them.

We look at that as strictly what will work for us today. I could give you more specific numbers in terms of suits and actual cost, but these suits that we are looking at are the new technology that allow us to do a better job. And as time progresses, we are going to find more technology that will allow us to do even more. How do we keep up with these costs and providing the equipment to the necessary organizations that will need it. That's the question.

Mr. HORN. If I might ask a question, just because I saw that $50,000 and I wondered how many uniforms does that really buy. Can you give us an idea of what the normal fire department needs in terms of the special type of oxygen and all the rest?

Mr. WAGNER. That is a good question. Obviously, as I said, we would not even try to outfit all of our people, it is strictly the hazmat trained personnel. Off the top of my head, I am going to say maybe 30 to 40 outfits, completely outfitted. You have to recognize that things are very costly. Self-contained breathing apparatus alone is probably $1,500–$1,600, and when you replace bottles, then you have to have extra bottles.

Mr. HORN. So it is $1,000 or $2,000, in that range.

Mr. WAGNER. At least $2,000, I would say, yes. I can get you the specifics and actually mail those to you, or e-mail them to you and I would be happy to do that.

Mr. HORN. Without objection, it will be in the record at this point.

Mr. CONOHAN. In regard to the Police Department, we are not at an adequate level to respond to these type of incidents because of a lack of personal protection equipment. We are in the process of purchasing as much as we can through our budget dollars, but we are going to be asking the State, through the Federal dollars that they are receiving, to assist us in the purchase of some personal protective equipment for our officers. Our officers will be the first to respond, and I think Chief Wagner understands, and police officers in the past have been referred to as blue canaries. You know, we respond, and we determine by falling to the ground and dying that we have got a hazardous situation there. And we usually get the calls before fire responds.

So we do need a minimal amount of personal protective equipment. And the dollars would probably be $300 per person, that will allow us to have a negative pressure respirator, which is a gas mask basically, with filters that will filter out the agents and the biological agents that we would be dealing with when we respond. Also some type of protective suit that would also assist us. We would like to see a kit in each one of our cruisers for our officers to be able, if they receive a call to a situation, they can immediately put that on and then be there to help. It would be really unfortunate if all my officers had to back out and let fire handle a situation. You heard from Chief Wagner, not every one of the fire officers or firefighters have the necessary protective equipment at this time now. So it is critical that we do get the funding for the personal protective equipment.

The Fire Department right now is the lead agency in regards to hazardous material incidents. We will assume a support role for fire and we will look to them for guidance and leadership, but there is definitely going to be a need for law enforcement to work within that environment and during that incident.

We see that it is critical that we obtain the personal protective equipment for our officers.

Mr. HORN. Just looking in the audience here, I would think there were people saying well, that is fine for the police and the fire department, how about me? Is there any type of gas mask or whatever? Has there been any discussion about that? And we will ask that also of the FEMA director on the next panel. But I realize that most of the professionals say well, we will solve that problem. The question will be, if you had let us say an airplane that was using pesticides and spraying the place and all the rest of it.

Mr. WAGNER. Once again, I think that is a good question. When we went through our weapons of mass destruction field exercise, one of the issues was what do you do with the public and is there anything that we can do. And to be very honest, if it is ingested, I am sure from a medical standpoint, you are already out of luck or you are going to have a number of people that are going to succumb to that.

At the present time, there is not a method or tool or piece of equipment that we could put on the market and sell that I am aware of. Our response is that the sooner we get there and start decontaminating, the better the opportunity for survivability. And that is probably the answer that you are going to hear throughout the country at this point in time, sir.

Mr. HORN. Lieutenant.

Lieutenant CONOHAN. I would agree with Chief Wagner. I mean, you know, I am not going to stand here and say that we can protect the public from every one of these events. There are going to be casualties, you have to understand that. And I think most people do. What we can do is try to minimize those casualties through the efforts of both fire, police and the public health services. And you know, maybe eventually down the road, as more technology becomes available, maybe there will be something out there for the general public to be able to purchase and utilize in one of these events. But to my knowledge, I do not know of any right now.

Again, we are in the process of trying to equip the first responders and we have not done that yet.

Mr. HORN. Thank you.

Mr. WAGNER. May I add one thing, sir?

Mr. HORN. Sure.

Mr. WAGNER. I think that no matter what happens, we are not going to recognize an event until people start actually falling down. And at that point, I think it is almost too late, when you say what can we put on to filter our air. And that is one of the problems with the weapons of mass destruction, is that we are going to respond to an event when we recognize the symptoms of that event.

And so once again, I think that in many respects, it is going to be too late to be able to do something. It is how we react to it, how quickly we react to it and then recognize whatever that particular germ, whether it be chemical, biological or nuclear, whatever that event is. And that is going to fall back again to our field testing and then the labs.

Dr. SMITH. I would add just to that, I agree entirely, but upon infectious disease sampling, some diseases are secondarily spread and some are not. We are very fortunate that anthrax was not a disease that spreads from person to person, but if we do have a hemorrhagic fever or smallpox, then after the first wave, as Chief Wagner discussed, then this disease may still be spreading and that is why we depend on the special units for the early cases and our laboratory for making an early diagnosis.

Mr. HORN. In your discussions with the CDC in Atlanta, they have vaccines on smallpox. Was there ever a discussion saying why are we not using this for the average citizen?

Dr. SMITH. We are very interested in that and the CDC is at the present time debating it, because there is some morbidity and mortality with the vaccine itself and since there have been no cases of smallpox since 1977, the issue is whether or not we should vaccinate the entire population with possibly one person in a million dying from the vaccine, or whether we should wait until there is an emergency and try to vaccinate and just stockpile vaccines. And a third strategy that the CDC is leaning toward right now I understand is that we vaccinate perhaps first responders, physicians and emergency personnel and then have a vaccine stockpile that we can activate very quickly to vaccinate the population.

So we are very interested in the debate at the CDC about this right now. We do get calls from our citizens saying should I be vaccinated, but when we explain the situation, I think people are pretty understanding.

Mr. HORN. Thank you for that answer.

Mr. TERRY. Lieutenant Conohan—no more questions for the panel, but I do want to ask if you could, if you have any numbers, assessment of the costs of providing equipment, if you could just provide that to me and I will submit it to the committee for the record.

Lieutenant CONOHAN. Yes, I will.

Mr. HORN. At this point in the record.

Mr. TERRY. At this point, right.

[The information referred to follows:]

OMAHA POLICE

City of Omaha
Mike Fahey, Mayor

Donald L. Carey
Chief of Police
(402) 444-5666
FAX: 444-4225

505 South 15th Street
Omaha, Nebraska 68102-2769
www.opd.ci.omaha.ne.us

Steve A. Coufal
Deputy Chief of Police

Barbara J. Hauptman
Deputy Chief of Police

Brenda J. Smith
Deputy Chief of Police

July 25, 2002

Congressman Lee Terry
1513 Longworth HOB
Washington, DC 20515

Dear Congressman Terry:

During my appearance on July 3, 2002, before the Committee on Government Reform's subcommittee on Government Efficiency, Financial Management and Governmental Relations concerning Bio-Terrorism, you had asked that I provide your office with a list and cost breakdown of the Personal Protective Equipment that the Omaha Police Department would need if they were ever to respond to a Nuclear, Biological, or Chemical incident in our city.

Below is a listing of the minimum Personal Protective Equipment that is needed by our department to assist in handling an NBC type event.

1. **Gas Mask & Carry Bags ($37,000.00)**

   Our department has 764 officers assigned to it. Over the last several years, we have purchased Personal Protective Gas Masks for our personnel. We are currently 150 masks shy of insuring that everyone on the department has a mask. The above cost would allow us to cover the cost of this purchase.

2. **Nuclear, Biological, and Chemical Gas Mask Filters ($26,740.00)**

   This cost would allow us to purchase 760 additional NBC Gas Mask filters so that each one of our officers has a filter that would allow them to operate in an NBC type environment. When we purchased the majority of our masks, we were only concerned with Riot control type agents (Tear Gas), not Bio or Chem agents.

3. **Tyvek F NBC Suites ($10,000.00)**

   This cost would allow us to purchase 200 Bio-Chem resistant suits that would be kept in our First Line marked cruisers. This would allow our first responding officers to don a protective suit immediately upon the determination of an NBC event. Currently, our officers are unable to even assist our Fire Department personnel in a Bio-Chem environment.

4. **Bio-Chem Protective Gloves ($1,000.00)**

   This cost would allow us to purchase 200 pair of Bio-Chem protective gloves. Again, these would be placed with the protective suits in our First Line marked cruisers.

5. **Bio-Chem Tape ($2,000.00)**

   This would allow us to purchase 100 rolls of Bio-Chem Tape. This tape is required to assist in sealing seams when the Bio-Chem suits are being worn, such as areas like wrists and around the facemask where Bio-Chem agents could get into the suits. This tape would also be placed into 100 of our First Line marked cruisers.

6. **Carry Bag ($6,000.00)**

   This would allow us to purchase 200 carry bags to place the above equipment into. It would protect the equipment while it is kept in the cruisers.

7. **LANX Overgarment ($9,570.00)**

   This would allow our department to purchase 50 LANX overgarments. This is a Bio-Chem protective suit that would be issued to our SWAT Team and our Clan Lab Team members so that they would be able to operate in confined areas with concentrated levels of Bio-Chem Agents.

8. **Training Dollars ($5,000.00)**

   This would allow us to send officers on our department to be trained as instructors in the use of the above Protective Equipment.

If you have any questions, please do not hesitate to contact me at (402) 444-4688.

Sincerely,

Lt. Timothy J. Conahan

Lieutenant Timothy Conahan
ERU Commander
Omaha Police Department
Omaha, Nebraska

TJC:kjl
sos0128

Enclosure

Mr. TERRY. With that, I excuse the panel. Thank you for coming today and providing your testimony. It was interesting and helpful.

Mr. HORN. We are delighted with it.

Mr. TERRY. We will now call the second panel, our esteemed panel which consists of our Lieutenant Governor David Heineman; Richard Raymond, Dr. Raymond, Richard Hainje and Gary Gates, Steven Lee from Douglas County and Pete Neddo.

And we will begin with our highest ranking public elected official our Lieutenant Governor. David Heineman has an extensive pedigree in politics and management, and we are fortunate that he is our Lieutenant Governor and has also been placed in charge of bioterrorism, terrorism preparedness for the State of Nebraska. And I think he is exactly the person we need to be in charge of that task.

Before I request your testimony, I think we need to swear in this panel, so chairman, if you would.

Mr. HORN. I want you to understand that the subcommittee is an investigating subcommittee and once we call on you, the chairman here today, that document goes right into the record, you do not have to read it word for word, just summarize it and then we can have a dialog.

So if you would stand up, raise your right hands.

[Witnesses sworn.]

Mr. HORN. Thank you very much.

Mr. TERRY. So Lieutenant Governor David Heineman, will you please start.

STATEMENTS OF DAVID HEINEMAN, LIEUTENANT GOVERNOR, STATE OF NEBRASKA; RICHARD A. RAYMOND, M.D., CHIEF MEDICAL OFFICER, STATE OF NEBRASKA; RICHARD HAINJE, REGION VII, FEMA; W. GARY GATES, VICE PRESIDENT, NUCLEAR DIVISION, OMAHA PUBLIC POWER DISTRICT; STEVE LEE, DIRECTOR, DOUGLAS COUNTY EMERGENCY MANAGEMENT AGENCY, DOUGLAS COUNTY HEALTH DEPARTMENT; AND PETE NEDDO, MANAGER OF SAFETY AND SECURITY, METROPOLITAN UTILITIES DISTRICT

Lieutenant Governor HEINEMAN. Chairman Horn, Congressman Terry—Congressman Terry, I especially appreciate those comments, that is very kind of you.

Let me try to limit my comments so we can get to that discussion, but I do want to start by emphasizing that Nebraska Governor Mike Johanns had the foresight to appoint a State Bioterrorism Task Force in 1999, 2 years prior to the tragic events of September 11, 2001. The mission of the task force was to assess the State's level of bioterrorism preparedness, to formally apply for grants from the CDC to increase laboratory capacity, to increase surveillance in epidemiology capacity, to develop a health alert network and to coordinate bioterrorism surveillance activities between the Nebraska Public Health Lab, county health departments and the State Department of Health and Human Services System. And I believe this emphasis has given us a head start in preparing for bioterrorism.

The other key event that I want to mention to the committee is the Governor appointed a Homeland Security Policy Group last fall,

that includes the Nebraska National Guard, Nebraska Emergency Management, State Patrol, Fire Marshal, the Secretary of Health and Human Services System and the Chancellor of the Med Center and the Governor's Policy Research Office. And I do want to note that we have an extraordinary asset in this State in the University of Nebraska Medical Center and we appreciate their efforts, particularly Chancellor Maurer and Dr. Hinrichs.

As Lieutenant Governor and Director of Homeland Security, I chair the policy group. And the point I want to make about this, this structure is very critical because it keeps the focus on the development and implementation of a statewide, comprehensive homeland security policy strategy, rather than a fragmented departmental view of homeland security that I have seen in other States.

I also want to make note for both of you that we appreciate the cooperation we have received from Governor Ridge and the Office of Homeland Security. If you are not familiar, we have had meetings with their staff back in Washington, DC, we do a conference call every other week with many States and that has been very, very helpful. And in particular, I think it is worth noting that when we had the pipe bomb incidents here about 2 months ago, the Office of Homeland Security was in very close coordination and communications with our State Patrol, Emergency Management and myself and we particularly appreciated the outstanding support we received from the FBI.

Regarding bioterrorism preparations, we are receiving $9.7 million. Dr. Raymond here to my left, the State's Chief Medical Officer, will go into some detail about that but what I want to emphasize again is this comprehensive view that we have been trying to take, Congressmen. Even though the money is coming down from Health and Human Services to our Health and Human Services System, part of those funds will go to our Department of Agriculture for agri-terrorism. Part of the money will go to the University of Nebraska Medical Center and the Creighton University Medical Center for the education of health professionals throughout the State. And I think that is very helpful and the reason we have been successful is because it is being coordinated at the highest levels of our State government; i.e., the Governor's Office.

In the near future, we expect to receive Federal funding for the needs of our first responders and we very much appreciate that Federal support, because an essential element to any effective bioterrorism response is the ability of all public safety agencies to communicate with each other. Chairman Horn, you had an earlier question, so I am pleased to note that Nebraska is moving forward with a new state-of-the-art wireless communication system that will allow all law enforcement, fire and emergency personnel to communicate with each other from Omaha to Scotts Bluff. I mention this because both the State of Nebraska and our local units of government are discussing a coordinated effort to use part of our respective portions of the proposed first responder dollars for our wireless communications system. And I also want to thank Congressman Terry, who is working with us on the associated infrastructure costs to receive hopefully some Federal funding for that.

Finally, the State of Nebraska strongly supports the concept that all Federal funds should be coordinated and disbursed through the States in order to maintain a comprehensive, strategic focus to national, State and local homeland security efforts.

Thank you.

Mr. TERRY. Thank you, Lieutenant Governor.

Next is our chief medical officer for the State of Nebraska, Dr. Raymond.

[The prepared statement of Lieutenant Governor Heineman follows:]

Testimony by Nebraska Lt. Governor David Heineman before the Committee on Government Reform's Subcommittee on Government Efficiency, Financial Management and Intergovernmental Relations
July 3, 2002

Congressman Horn, Congressman Terry and members of the committee, my name is David Heineman, Nebraska's Lt. Governor and Director of Homeland Security. I appreciate the opportunity to testify at this hearing regarding the assistance that the State of Nebraska has been receiving from the federal government, especially from the Office of Homeland Security.

I would like to begin my testimony by emphasizing that Governor Johanns had the foresight to appoint a state bioterrorism task force in 1999, two years prior to the tragic events of September 11, 2001. The mission of the task force was to assess the state's level of bioterrorism preparedness, to formally apply for grants from the CDC to increase laboratory capacity, to increase surveillance and epidemilology capacity, to develop a Health Alert Network and to coordinate bioterrorism surveillance activities between the Nebraska Public Health Lab, county health departments and the state Department of Health and Human Services System. That effort has provided Nebraska a head start in preparing for a potential bioterrorism event.

Last fall, Governor Johanns created the Homeland Security Policy Group to coordinate all issues, actions and responses related to homeland security for the State of Nebraska. The members of the Governor's Homeland Security Policy Group are The Adjutant General of the Nebraska National Guard, the Deputy Director of the Nebraska Emergency Management Agency, the Superintendent of the Nebraska State Patrol, the Fire Marshall, the Policy Secretary of the Health and Human Services System, the Chancellor of the University of Nebraska Medical Center(UNMC) and the Governor's Policy Research Office. The State is especially pleased to have the extraordinary asset of UNMC as part of our Homeland Security Policy Group. As Lt. Governor and Director of Homeland Security, I chair the Policy Group. This structure is very critical because it keeps the focus on the development and implementation of a statewide comprehensive homeland security policy strategy rather than a fragmented, departmental view of homeland security.

The State of Nebraska appreciates and commends the cooperation that it has received from Governor Ridge and the Office of Homeland Security. Our

meetings and every other week conference calls with Governor Ridge and his staff have been informative and productive. I should also note that the Office of Homeland Security was in constant communications with the Nebraska State Patrol, NEMA and myself during the recent pipe bomb incidents two months ago. The coordination and cooperation from the FBI with our law enforcement agencies during this incident was outstanding.

Regarding bioterrorism preparations, Nebraska has recently received $9.7 million from HRSA and the CDC, and that's in addition to the previous 1999 CDC grants that are ongoing. Dr. Raymond, the State Chief Medical Officer, will discuss the use of those funds in detail but I want to emphasize that these funds will be used in a comprehensive manner. For example, even though this funding originates with the federal Department of Health and Human Services to our state Department of Health and Human Services System, a portion of this money will be used by our Department of Agriculture for better preparedness for agro-terrorism. Additionally, part of these funds will be used by the University of Nebraska Medical Center and the Creighton Medical Center for the education of health professionals throughout the State.

I believe very strongly that we have been able to maintain a comprehensive focus to homeland security because the effort is being coordinated by the Governor's Office.

In the near future, we expect to receive federal funding for the needs of our first responders and we appreciate the federal support that you are providing to the states. An essential element to any effective bioterrorism response is the ability of all public safety agencies to communicate with each other. Therefore, the State of Nebraska is moving forward with a new state-of-the-art wireless communications system that will allow law enforcement, fire and emergency personnel to communicate with each other from Omaha to Scottsbluff. I mention this because both the State of Nebraska and our local governments are discussing a coordinated effort to use part of our respective portions of proposed first responder dollars for our wireless communications system.

Finally, the State of Nebraska strongly supports the concept that all federal funds should be coordinated and disbursed through the states in order to maintain a comprehensive strategic focus to national, state and local homeland security efforts. Thank you.

Dr. RAYMOND. Chairman Horn, Congressman Terry, good morning. Congressman Terry, I am glad to see you rehydrated after the parade in Elkhorn on Saturday.

Mr. TERRY. Yeah.

Dr. RAYMOND. I will try to just summarize my remarks also, Chairman Horn, so we have time for the discussion, which I am sure you would rather hear.

First of all, as Chief Medical Officer, I am an appointee by the Governor, I do report directly to Governor Mike Johanns on all health-related issues in Nebraska and I also report directly to Lieutenant Governor David Heineman, particularly on bioterrorism issues, and most recently, of course, on the CDC grant and how we plan to spend that money.

In addition, I see one of my roles to be a chief facilitator amongst agencies, both State, Federal and local, universities, local health departments, law enforcement, etc., to make sure that the dollars that we do receive are spent in a very coordinated and enhanced effort.

I would like to express my gratitude to all the Federal officials who have kept myself and others in Nebraska very informed through the timely provision of information, their availability for consultation through prompt return of phone calls, their onsite visits for technical advice, their funding to address our capacity for bioterrorism response and other outbreaks of infectious disease and other public health threats and emergencies. The number of conference calls and online video presentations by the CDC and by the Health and Human Services and others has just been amazing and extremely helpful during these difficult times. They provided very important information and support for our epidemiologists and our public health officials.

I would like to take just a little bit different slant this morning than the other testifiers who have gone before, and give you just a little history perhaps. You are probably aware of this, but for the public record, I want to make sure we emphasize it.

In 1994, the defense against weapons of mass destruction began to fund major metropolitan communities for emergency response, as you have already heard from law and fire. We started receiving funding in the year 2000 in Omaha and received funding in 2001 for Lincoln. So our two major metropolitan areas have already begun advance planning. Needless to say, it has been enhanced and accelerated since September 11th.

In 1999 the Federal Government gave money to the CDC to help States begin to prepare for bioterrorism. I think there is a great deal of foresight there and I think a lot of people thought maybe someone was smoking something funny when they allowed this money for bioterrorism. We looked at it as an ability to increase our public health infrastructure, whether we ever needed it for bioterrorism or not.

Two of the grants we received, one you have heard reference to already, and that is the enhancement of our public health lab, which allowed us to hire personnel and purchase equipment and become a Level 3 lab. So we were able to respond to white powder and anthrax threats in October and November very rapidly. And as

Dr. Hinrichs has already mentioned, we became a model for the CDC.

One of the things he did not mention was we prepared a CD-ROM for all of the hospitals in Nebraska to understand how to handle the white powder, the CDC took the CD-ROM and used it nationally, with our permission of course. But I mean it was a model that we were able to develop because of our grants that we received in 1999.

He also did not mention that Tony Sambo, who was hired to be the director of our microbiology lab, was called by the Federal Government to Washington, DC, for 1 month to help in the investigation of the U.S. Postal Office for anthrax. He was their main advisor/coordinator.

Because of what the CDC did for us in 1999, we were able to turn around and help the Federal Government in 2001. So we think there is a good, mutual symbiotic relationship here.

Nebraska is a very rural State. At the start of this year, we had 16 county health departments that covered 22 of our 93 counties. All response to bioterrorism or other infectious disease has to be local initially, followed by State, followed by Federal. Eighty of those counties had no ability to respond, 91 had no epidemiological capacity. Thanks to the foresight of our legislature and our Governor, we were able to pass a bill that uses the tobacco funding money, some of the tobacco settlement money to be a big carrot, to enhance rural communities to form multi-county health districts composed of at least 30,000 people.

Because of the events in the fall, this process also became very accelerated and in the last 6 months, we have formed 16 new multi-county health districts that now cover 84 of our counties. They are very early in their process and a lot of the CDC money that we will receive will be going out to these new county health districts to help them build their infrastructure so they can help us.

Some of the money will be used to hire epidemiologists for our two large county health departments, that being Lincoln and Omaha, and those will be our deputies should we need them in rural Nebraska. They will become our epidemiologists to help rural Nebraska as an example of how we used the CDC funding.

We are taking the CDC dollars and trying to find unique situations in Nebraska. As an example, we are very rural, you have already heard, Chairman Horn, about the two medical schools located both in Omaha, they have a high degree of national recognition for their abilities to educate on infectious disease and they have formed a coalition at my request, along with multiple other people. They will be in charge of the money that we will be using for education of health professionals should the need arise.

The red light is on, I will stop. I would like to thank the U.S. Government for funding these activities. I would ask that you strongly consider continued funding. Public health has kind of been on the back burner for so long, it is going to take consecutive years to buildup the capacity that we so desperately need. We cannot afford not to be totally prepared. The State that is the least prepared

for bioterrorism becomes the weakest link in the Nation's defense against bioterrorism because of our mobile population. We must make sure that all States respond to this.

Thank you very much.

[The prepared statement of Dr. Raymond follows:]

Testimony by Richard A. Raymond, M.D., Chief Medical Officer Nebraska Health and Human Services System Report to the Committee on Government Reform's Subcommittee on Government Efficiency, Financial Management and Intergovernmental Relations July 3, 2002 "How the Federal Government is Assisting State and Local Governments in Preparing for a Potential Terrorist Attach Involving Biological, Chemical or Nuclear Agents" Good morning, Chairman Horn, Congressman Terry and members of the subcommittee. My name is Dr. Richard Raymond and I am Chief Medical Officer for the Nebraska Health and Human Services System. Thank you for inviting me to testify on the important issue of the federal government's role in helping states prepare for a potential bioterrorism attack. As Chief Medical Officer, I have been appointed by Governor Mike Johanns to be the Executive Director of Nebraska's Bioterrorism Preparedness and Response Program. I serve in a Cabinet level position, reporting directly to the Governor. I have an oversight role and responsibility for all areas of health that fall under the umbrella of responsibilities represented by the Nebraska Health and Human Services System. These areas include public health, rural health, emergency medical services, epidemiology, infectious disease, toxicology, immunizations and bioterrorism surveillance and preparedness. I also report to Lt. Governor Heineman and the Homeland Security Policy Group regarding the System's activities, especially in bioterrorism, to help ensure that the state's preparation and utilization of federal funds is a coordinated effort achieving maximum results. In addition, I see one of my roles to be a chief facilitator between federal, state and local government and health entities, including law enforcement, universities and local health departments. First of all, I would like to express my gratitude to all the federal officials who have kept myself and others of us in Nebraska informed through the timely provision of information, for their availability for consultation through the prompt return of phone calls, for their visit to Nebraska with technical advice, for their funding to address the state's capacity to respond to bioterrorism, other outbreaks of infectious disease, and other public health threats and emergencies. The number of conference calls and online video presentations by the CDC,

HHS and others has been amazing and extremely helpful during difficult times. They provided important support for our epidemiologists and public health officials in the field. Thanks to early funding from the Defense Against Weapons of Mass Destruction Act of 1994, our major population centers?Lincoln and Omaha?were able to begin planning their responses to medical emergencies. Of course, as you will hear, this planning has taken on new meaning since this last fall, and activities have been greatly accelerated with increased communication with the state and others, as appropriate. And thanks to 1999 federal funding, the Nebraska Bioterrorism Work Group was created in Nebraska to develop an enhanced disease surveillance system, public health alert network, and increased laboratory capacity through grants from the CDC. The goal was to strengthen our response to emergency events. With the help of 1999 CDC grants, we increased epidemiologic capacity in the state's two largest health departments by financially supporting two part-time epidemiologists. These two positions are not only available for bioterroristic surveillance and investigation; but also for outbreaks of infectious diseases and other public health emergencies. Should a situation arise in rural Nebraska that exceeded NHHSS's ability to investigate, the two largest county health departments will, by this arrangement, send their epidemiologists to help under state direction. Nebraska is a rural state with 16 new health districts added in the last six months and two long-established full-service health departments, covering 84 of our 93 counties. This very positve development was created through funding using tobacco settlement dollars and will greatly enhance our public health infrastructure and ability to have a local response to a bioterroristic or public health emergency. However, 91 out of 93 counties at this time have very limited or no epidemiological capacity. In addition, thanks to the 1999 CDC federal funding, HHS partnered with the University of Nebraska Medical Center to upgrade the capacity of the state public health laboratory. Additional staff were hired and necessary equipment purchased to enhance biological diagnostic capacity, including raising the level of our Public Health Laboratory to that of Category 3, a classification allowing prompt diagnostic evaluation of white powder during the anthrax scare last fall.

So even before the events of 9/11, Nebraska was receiving federal assistance to prepare to deal with potential bioterroristic threats. We just didn't know the threat existed. We hoped that we were only preparing for infectious disease outbreaks. Thanks to our early laboratory preparedness efforts, we were in a position to provide support to the CDC, including the services of the bioterrorism lab director for the testing of the U.S. Postal Service's offices for anthrax last year as you will hear from Dr. Hinrichs. As a result of 9/11 Nebraska has pulled together its resources. I have been appointed the Executive Director of Nebraska's Bioterrorism Preparedness and Response Program. State agencies like the Department of Agriculture, the Department of Veterans Affairs, the Nebraska State Patrol, the Department of Roads, the State Fire Marshal's office, and others are part of a 54-member advisory committee that provides advice to the Nebraska Health and Human Services System, which in turn advises Governor Mike Johann's Homeland Security Policy Group. The Policy Group is chaired by Lt. Governor Heineman and serves the Governor in an advisory capacity on any issue related to terrorism preparedness and response. Thanks to the CDC, HRSA, the Department of Justice and other federal agencies, Nebraska is in a position to make resources available should the time come that we need to use them. Thanks to HRSA, we are in the early planning stage of assessment, which is needed in order to be in a position to have 500 beds in each of four trauma regions in the state be available in a mass casualty incident. The Nebraska Hospital Association is coordinating with the Health and Human Services System to develop an implementation plan that involves all hospitals in the state and is looking at other entities, such as National Guard armories and school gymnasiums where hospital beds are just not available in our sparsely populated areas. The application that we submitted to the CDC set forth a plan for strategic leadership, enhanced surveillance and detection capacities, improved laboratory capacity for biologic agents, with plans to develop a state-of-the-art health alert network, provide for effective risk communication and information dissemination, and make training available for key public health professionals and health care providers. We are developing plans especially suited to Nebraska. As an

example, the Nebraska HHSS has no intention of trying, in a sparsely populated state, to duplicate the expertise found in our own backyard. We are unique among rural states in that we have two excellent medical schools with outstanding reputations in infectious disease and education. Thanks to recent CDC funding, we have asked them to form a coalition with others to communicate and develop materials for use by emergency medical services, law enforcement, health professionals and others. It was great that federal agencies so quickly realized that states needed more resources than what they had available. We occasionally received differing messages from CDC personnel over the phone than the messages we received in letters and written guidelines. However, to roll out a funding plan this extensive and this rapidly could be expected to have a few glitches. Again, phone calls were made and responded to appropriately in these cases but the increased anxiety added to the stress of working with a five-week deadline to complete the application, a deadline we recognize as absolutely necessary to move forward with preparation and preparedness planning. I only want to call attention to the reality of mixed messages among federal agencies and hope that practice and preparedness will make the messages more consistent in the future. Again, thank you to the Department of Health and Human Services, the Centers for Disease Control, and the Health Services and Resources Administration for recognizing the need to shore up the public health preparedness and response in our country. I only hope that the financial support will continue as our efforts to date are minimal and will not be sustainable without federal assistance. Without the help of these agencies, Nebraska would not be as prepared as it is. We have a long way to go to be as prepared as we need to be. And we cannot afford to be anything but totally prepared. The weakest link in bioterrorism preparedness will be the key to the nation's safety and protection. I would be happy to respond to any questions that have not been asked or answered, or for ones that you desire a statewide perspective for. Thank you for listening.

Mr. HORN. Mr. Chairman, I would like to ask one question in particular, and that is the M.D. practicing out in the prairies. What are we doing to get either broadband or some form of telephone type of information? Have we done that?

Dr. RAYMOND. We are in the process. Actually for 17 years, I was one of those prairie doctors, so I know what it is like out in rural Nebraska, that is where my heart really is. Even though the people are in Omaha and Lincoln, my heart is in rural.

I actually met very early this morning with a group that has a proposal to help us link, via satellite communications with all the rural hospitals. We are—right now, we have contracts out to every hospital in Nebraska, that we will provide them money from the CDC grant for e-mail addresses, computer enhancement and faxes. Also, in our county health departments, the same process.

That is the best I can do this summer, but we will use other money from the Health Alert Network part, that is Focus Area E, I believe of the grant, will be used to actually get online instant video communications to all of our hospitals to start with. We would like to obviously expand beyond that, but we are taking steps as we go along. So I think that will be our next step for those particular dollars. It is very important.

Mr. HORN. Thank you.

Mr. TERRY. Thank you. Since you are the chairman, you can break in whenever you want.

Next, the Director of Region VII of FEMA, Federal Emergency Management Agency, Richard Hainje. Thanks for being here today.

Mr. HAINJE. Thank you. Good morning, Congressman Terry, thank you for this opportunity and, Chairman Horn, thank you.

I am pleased to be with you here today to discuss the challenges that are facing emergency managers in their efforts to become better prepared to respond to acts of terrorism.

FEMA is the Federal agency responsible for leading the Nation in preparing and responding to and recovering from disasters. Our success depends on the ability to organize and lead a community of local, State and Federal agencies and volunteer organizations. We know who to bring to the table when a disaster strikes in order to ensure a more effective management of the response.

Region VII includes the States of Iowa, Kansas, Missouri and Nebraska, representing a population of approximately 13 million, with the majority residing in the urban areas. Risks in Region VII include flooding, tornadoes, earthquakes, hazardous materials and the potential for terrorist attacks.

The management and control of hazardous materials is a major issue in Region VII. The North Platte, Nebraska facility is one of the largest railroad terminals in the world and it has over 80,000 shipments of hazardous materials per year.

FEMA's responsibility is to coordinate Federal, regional and State terrorism-related planning, training and exercise activities. All of the States in Region VII have implemented proactive and aggressive actions in response to terrorism threats that have emerged since September 11th. Many States have committed substantial amounts of staff and their own financial resources toward preparing for weapons of mass destruction events.

The President has requested $3.5 billion in the fiscal year 2003 budget to support first responders. That is the first responder grant initiative. These funds would help plan, train and acquire needed equipment and conduct exercises in preparation for terrorist attacks or other emergencies.

Right now, we are developing a streamlined and accountable procedure that would speed the flow of funds to the first responder community. The President is requesting funds in the 2002 spring supplemental to support the first responder grant initiative, including $175 million to be provided to State and local governments to upgrade and sometimes to develop for the first time comprehensive emergency operation plans.

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.

Bioterrorism, however, presents the greater immediate concern. With a covert release of a biological agent, the first responders become hospital staff, medical examiners, private physicians or animal control workers instead of the traditional roles of police, fire and emergency medical workers.

When September 11th showed us how a commercial jetliner could be used as a weapon of mass destruction, the Nuclear Regulatory Commission and FEMA began to work jointly on the preparation of protocols and procedures for dealing with the consequences of a similar attack on a nuclear power plant.

The functions that FEMA performs will be a key part of the mission of the new Department of Homeland Security. As you know, FEMA is proposed to go into—as the complete agency, into the Department of Homeland Security. The new department will strengthen our ability to carry out important activities such as building the capacity of State and local emergency response personnel to respond to emergencies and disasters of all kinds.

The structure of this newly proposed department recognizes that FEMA's mission and core competencies are essential components of homeland security. For this reason, Congress can continue to be assured that the Nation will be prepared to respond to acts of terrorism and will coordinate its efforts with the entire first responder community. It is FEMA's responsibility to ensure that the National Emergency Management System is adequate to respond to the consequences of catastrophic emergencies and disasters regardless of the cost.

Terrorism presents tremendous challenges. In recent years, we have made tremendous strides in our efforts to increase cooperation between the various response communities, from fire and emergency management to health and medical to hazardous materials. We continue to work with our partners in Federal, State and local government to improve our response and recovery capabilities from any disaster, whether natural or manmade.

Thank you for this opportunity.

Mr. TERRY. Take. I appreciate that, Mr. Hainje.

Next, I want to introduce Gary Gates from Omaha Public Power District. Mr. Gates is the vice president of the Nuclear Division, oversees security at the Fort Calhoun Nuclear Power Plant and motivational speaker. Mr. Gates.

[The prepared statement of Mr. Hainje follows:]

STATEMENT OF

RICHARD HAINJE

REGIONAL DIRECTOR

REGION VII

FEDERAL EMERGENCY MANAGEMENT AGENCY

BEFORE THE

SUBCOMMITTEE ON GOVERNMENT EFFICIENCY, FINANCIAL MANAGEMENT AND INTERGOVERNMENTAL RELATIONS

COMMITTEE ON GOVERNMENT REFORM

U.S. HOUSE OF REPRESENTATIVES FIELD HEARING

OMAHA, NEBRASKA

JULY 3, 2002

Introduction

Good morning, Mr. Chairman and Members of the Committee. I am Dick Hainje, Regional Director, Region VII of the Federal Emergency Management Agency (FEMA). I am pleased to be with you here today to discuss the challenges facing emergency managers and first responders to be better prepared to respond to acts of terrorism. Having served as a member of the South Dakota state legislature and 24 years as a first responder with the Sioux Falls Fire Rescue Department prior to my appointment with FEMA, I can offer you firsthand experience and a unique perspective of the monumental tasks ahead of us in the emergency management community.

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.

Region VII includes the states of Iowa, Kansas, Missouri, and Nebraska representing a population of approximately 13 million people with the majority residing in urban areas. We have significant disaster activity within the Region having administered 25 Presidential Disaster Declarations within the last five years, with many events impacting multiple states. While we are vulnerable to a broad range of natural and technological hazards, our greatest threats are a result of severe weather and the potential for terrorist attack. Specifically, our severe weather is primarily tornadoes and floods. Risks in Region VII include flooding, tornadoes, earthquakes, hazardous materials, and the potential for terrorist attack. The Mississippi River runs the length

of the eastern border of the region, along Iowa and Missouri. The Missouri River is the boundary between Nebraska and Iowa. These large waterways and their numerous significant tributaries and associated drainage basins mean that riverine flooding is the major emergency event Region VII has to anticipate. The four-state region is also situated in the heart of what is called "Tornado Alley." Severe spring and summer storms frequently spawn killer twisters. The most recent example of the devastation caused by tornadoes occurred in Bollinger County, Missouri in April 2002. In addition, severe thunderstorms cause frequent flash flooding throughout the Midwest.

In 2000, two of our states ranked in the top ten of states with the highest damages from flooding. Iowa ranked 4th in the nation with an estimated cost of $313M and Missouri ranked 6th with $272M. Our remaining states, Kansas and Nebraska, ranked in the top thirty. All four states ranked nationally in the top twenty for damages resulting from tornadoes in the same period. Missouri was the 4th highest in the nation and Kansas was 10th.

A key component of Region VII's readiness to respond to any disaster event is our relationship with our State and Federal partners. Quarterly we assemble a Regional Interagency Stirring Committee (RISC), which is comprised of all twelve of the Emergency Support Functions (ESF) identified in the Federal Response Plan (FRP), and all of the state Emergency Management Agencies. This forum discusses disaster specific issues, provides training on policy changes that might affect disaster operations, and conducts tabletop exercises to practice response operations and to identify new issues. This quarterly assembly along with quarterly meetings held to discuss program issues, facilitates interagency communication, fosters a constructive working relationship, and benefits the citizens who deserve a responsive emergency management agency.

There are five nuclear power plants located in Region VII and a portion of the emergency planning zones for two power plants located in adjoining regions. To enhance the Federal, State, Tribal and local government's emergency preparedness for radiological incidents, the Radiological Emergency Preparedness (REP) program was begun in 1979. The REP program ensures that adequate offsite emergency plans are in place and that these plans can be implemented by the local jurisdictions to protect the health and safety of the public living in the vicinity of commercial nuclear power plants. The plans are reviewed and evaluated annually and evaluated exercises are conducted to ensure that the plans can be implemented. The program submits findings and determinations on the adequacy of the offsite emergency preparedness to the U.S. Nuclear Regulatory Commission. In addition, REP conducts hospital and ambulance drills, reception center drills, emergency worker monitoring and decontamination drills, school drills, and radiological laboratory evaluations.
Region VII is home to nine federally recognized Tribal Nations. We have conducted workshops with the Tribes focused on all-hazards planning and hazardous materials. Recently, the Region signed a Memorandum of Understanding with the Tribes that will facilitate the sharing of information and resources. Currently, we are working with the Tribes to establish Tribal Emergency Response Commissions.

The management and control of hazardous materials is a major issue in Region VII. The Region has nearly 20 percent of the facilities in the nation that use certain flammable and toxic substances and are required to file Risk Management Plans (RMP). The Region is also home to the top three railroad terminals in the nation and consequently is a leader in the transportation of

hazardous materials. The North Platte, Nebraska facility is the largest railroad terminal in the world and has over 80,000 shipments of hazardous materials per year.

Region VII takes an active role in preparing for a response to a terrorism event. FEMA's responsibility is to coordinate Federal, Regional, and State terrorism-related planning, training, and exercise activities. This includes supporting the Nunn-Lugar-Domenici program in which seven Region VII communities participate. We are also working with states to build response capability and keep them informed of federal initiatives as well as participating in State sponsored conferences, training, exercises, task forces, and workshops. We are hosting planning meetings on a regular basis and conducting tabletop exercises with key stakeholders at the State and Federal level.

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.

All of the states in Region VII have implemented proactive and aggressive actions in response to the terrorism threats that have emerged since September 11. Many states have committed substantial amounts of staff and their own financial resources towards preparing for weapons of mass destruction events. All states have designated homeland security directors. Groundwork has been laid or accelerated to develop inter-state and intra-state mutual aid agreements. Specialized response teams are being formed, training is being conducted, and equipment is being purchased.

State government has spent millions of dollars directly responding to homeland security needs and the anthrax crisis. While much has been done, we have only begun to scratch the surface of what needs to be done. We have identified many shortfalls in our nation's ability to respond to weapons of mass destruction events. These shortfalls must be addressed. Homeland security initiatives must be sustainable and will require an ongoing commitment of Federal, State, and local resources.

Eight months ago, several thousand people lost their lives in the terrorist attacks at the World Trade Center, the Pentagon, and when United Airlines Flight 93 crashed into a field in rural Pennsylvania. Four hundred and fifty of them were first responders who rushed to the World Trade Center in New York City - firefighters, police officers, and port authority officers. These events have transformed what was an ongoing dialogue about terrorism preparedness and first responder support into action. Since September 11, our responsibilities have been greatly expanded in light of the new challenges and circumstances.

Meeting The Challenge Ahead – Creating the Office of National Preparedness

On May 8, 2001, the President tasked the Director with creating the Office of National Preparedness (ONP) within FEMA to "coordinate all Federal programs dealing with weapons of

mass destruction consequence management within the Departments of Defense, Health and Human Services, Justice, and Energy, the Environmental Protection Agency, and other federal agencies." Additionally, the ONP was directed to "work closely with State and local governments to ensure their planning, training, and equipment needs are met."

The mission of the ONP is to provide leadership in coordinating and facilitating all Federal efforts to assist State and local first responders (including fire, medical and law enforcement) and emergency management organizations with planning, training, equipment, and exercises. By focusing on these specific areas, we can build and sustain our nation's capability to respond to 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 its key 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 Division – 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.

First Responder Initiative

One of the most important lessons learned from the response to September 11 is the value of a strong, effective local response capability. The President has requested $3.5 billion in the 2003 budget to support first responders. These funds would help them plan, train, acquire needed equipment, and conduct exercises in preparation for terrorist attacks and other emergencies. Right now, we are developing a streamlined and accountable procedure that would speed the flow of funds to the first responder community.

Specifically, the funds would be used:

- To support the development of comprehensive response plans for terrorist incidents.
- To purchase equipment needed to respond effectively, including better, more interoperable communications systems.
- To provide training for responding to terrorist incidents and operating in contaminated environments.
- For coordinated, regular exercise programs to improve response capabilities, practice mutual aid and to evaluate response operations.

The President is requesting funds in the 2002 Spring Supplemental to support the First Responder Initiative, including $175 million to be provided to State and local governments to upgrade and in some cases to develop comprehensive emergency operations plans. These comprehensive plans would form the foundation for the work to be done in 2003 to prepare first responders for terrorist attacks.

Citizen Corps

An important component of the preparedness effort is the ability to harness the good will and enthusiasm of the country's citizens. The Citizens Corps program is part of the President's new Freedom Corps initiative. It builds on existing crime prevention, natural disaster preparedness and public health response networks. It initially will consist of participants in Community Emergency Response Teams (FEMA), Volunteers in Police Service, an expanded Neighborhood Watch Program, Operation TIPS (DOJ), and the Medical Reserve Corps (HHS).

The initiative brings together local government, law enforcement, educational institutions, the private sector, faith-based groups and volunteers into a cohesive community resource. Citizen Corps is coordinated nationally by FEMA, which also provides training standards, general information and materials. We also will identify additional volunteer programs and initiatives that support the goals of the Corps.

Broader Challenges

In addition to our First Responder and the Citizens Corps programs, we are implementing a number of other important, related initiatives. These include:

- Training Course Review: We are working on a complete accounting of all FEMA and Federal emergency and terrorism preparedness training programs and activities to submit to Congress. The National Domestic Preparedness Office's Compendium of Federal Terrorism Training will be used as a baseline for the FEMA Report to Congress on

Terrorism and Emergency Preparedness and Training. To supplement the data, we are meeting with key players in a representative group of 10 cities to determine the effectiveness of the courses, identify unmet training needs, and examine the applicability of private sector training models.

- Mutual Aid: In conjunction with the First Responder Initiative, we are working to facilitate mutual aid arrangements within and among States so the nationwide local, State, Tribal, Federal and volunteer response network can operate smoothly together in all possible circumstances. This idea is to leverage existing and new assets to the maximum extent possible; this involves resource typing for emergency teams, accreditation of individuals using standardized certifications and qualifications, and equipment and communications interoperability.

- National Exercise Program: This National Exercise Program involves the establishment of annual objectives, a multi-year strategic exercise program, an integrated exercise schedule and national corrective actions.

- Assessments of FEMA Regional Office Capabilities: We are reviewing the capabilities of our Regional Offices to respond to a terrorist attack.

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, the Environmental Protection Agency (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.

Bioterrorism, 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. On June 12, 2002, the President signed the Public Health and Bioterrorism Bill into law (H.R. 3448). The legislation includes $1.6 billion in grants to states for hospital preparedness and assessments on the vulnerability of local water systems. While I defer to the Departments of Justice and Health and Human Services (HHS) 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 (FRP). We rely on the Public Health Service to bring the right experts to the table when the FRP 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 FRP and how we can use it to work through the management issues, such as resource deployment and public information strategies. Alone, the FRP is not an adequate solution for the challenge of planning and preparing for a deadly epidemic or act of bioterrorism. It is equally true that, alone, the health and medical community cannot manage an emergency with biological causes. We must work together.

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

In January 2001, the Federal Bureau of Investigation (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 FRP 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 coordinating the overall response and FEMA is responsible for coordinating non-radiological support.

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

The events of September 11 have now horrifically demonstrated that these plans needed to be expanded further. When September 11 showed us how a commercial jetliner can be used as a

weapon of mass destruction, the NRC and FEMA began to work jointly on the preparation of protocols and procedures for dealing with the consequences of a similar attack on a nuclear power plant – a scenario previously not addressed. While some amendments to the emergency response plans may result from this review, it is important to note that the current plans are a valid approach to any nuclear power plant incident, regardless of the cause: terrorism, human error, technological failure, or a natural hazard.

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

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

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

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

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

Department of Homeland Security

The functions that FEMA performs will be a key part of the mission of the new Department of Homeland Security. The new Department will strengthen our ability to carry out important activities, such as building the capacity of State and local emergency response personnel to respond to emergencies and disasters of all kinds. The new Department will administer Federal grants under the First Responder Initiative, as well as grant programs managed by the

Department of Justice, the Department of Health and Human Services and FEMA. A core part of the Department's emergency preparedness and response function will be built directly on the foundation established by FEMA. It would continue FEMA's efforts to reduce the loss of life and property and to protect our nation's institutions from all types of hazards through a comprehensive, risk-based, all-hazards emergency management program of preparedness, mitigation, response, and recovery. And it will continue to change the emergency management culture from one that reacts to terrorism and other disasters, to one that proactively helps communities and citizens avoid becoming victims.

The new Department of Homeland Security would address head-on the problem of fragmentation and duplication in federal terrorism training programs. And FEMA's current efforts in developing and managing a national training and evaluation system would be absorbed into the new Department. The Department would make interoperable communications a top priority just as FEMA is doing.

The structure of this newly proposed Department recognizes that FEMA's mission and core competencies are essential components of homeland security. For this reason, Congress can continue to be assured that the nation will be prepared to respond to acts of terrorism and will coordinate its efforts with the entire first responder community. In fact, FEMA's mission to lead the Federal government's emergency response to terrorist attacks and natural disasters will be greatly strengthened by the new Department of Homeland Security. By bringing other Federal emergency response assets (such as the Nuclear Emergency Search Teams, Radiological Emergency Response Team, Radiological Assistance Program, National Pharmaceutical Stockpile, the National Disaster Medical System, and the Metropolitan Medical Response System) together with FEMA's response capabilities, the new Department will allow for better coordination than the current situation in which response assets are separated in several Departments. The new Department will have complete responsibility and accountability for providing the Federal government's emergency response and for coordinating its support with other Federal entities such as the Department of Defense and the FBI.

Conclusion

It is FEMA's responsibility to ensure that the national emergency management system is adequate to respond to the consequences of catastrophic emergencies and disasters, regardless of the cause, and that all catastrophic events require a strong management system built on expert systems for each of the operational disciplines.

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

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

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

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

Mr. GATES. Thank you, Chairman Horn and Congressman Terry. As Congressman Terry indicated, my name is Gary Gates, I am the Chief Nuclear Officer for the Omaha Public Power District and as a result, have responsibility for oversight of our Fort Calhoun Nuclear Station. As such, I am acutely aware of the focus being placed on security since September 11th.

Others will address the biological or chemical agents and dangers they would pose. What I would prefer to do this morning is focus on the area of intergovernmental relations that I believe is working very well because of communications. To a certain degree, I am a customer of many of the presenters that you have heard this morning.

On September 11th, we went to our highest level of security, as did all other nuclear plants, and we have since built on that. Many of the measures taken at Fort Calhoun, including increased staffing and increased barriers, were implemented across our country. We have conducted length and ongoing discussions with numerous agencies to define and redefine areas of responsibility. We have taken a number of internal steps that I am not at liberty to discuss the details of in a public forum, for obvious security reasons, but they are significant.

Even before the events of September 11th, OPPD was working with State and local officials in Nebraska and Iowa to assure our neighbors that our operations are safe and do not pose a threat to the health and welfare of the public. This level of communication and trust has provided a sound foundation on which to grow.

Our relationship with the State, local and Federal officials has become even stronger as a result of September 11th, increasing a level of cooperation and communications that already existed. By communicating, we mean that each party letting the other know what is being done and what needs to be done to enhance our preparedness to respond to an emergency. Our security office at Fort Calhoun Station has increased contact with the NRC, the Nuclear Regulatory Commission, to discuss issues of security since September 11th. Representatives of the NRC attend briefings from Homeland Security and various other agencies, contributing to that effort to pass that along. NRC Region IV, of which we are a part, has been very proactive through the Regional Administrator, in maintaining close communications regarding security issues.

Following September 11th, we held discussions with the Washington County Sheriff's Office, the Nebraska State Patrol on additional security, including more patrols and a heightened presence in the area. We met with members of the Nebraska Adjutant General's Office and familiarized them with our security organization, and should the need arise, how the National Guard could quickly and most efficiently become part of that security effort. In fact, General Lemke personally toured the site to confirm that the contingency plans were adequate.

We also began daily communications with security organizations in other plants to share our knowledge and learn from them. This peer-to-peer contact is continuing today through our contacts at the Nuclear Energy Institute in Washington, DC.

Regular, open communications are the key to successful completion of task. A wise individual once said that the job gets done

more easily when nobody worries about who gets the credit. And that is the case here.

Just to give you an idea of the scope of the agencies that we have interfaced with, the Nebraska and Iowa State Troopers, our own and other nuclear security officers, National Guard officials, the NRC, the FBI, Federal Aviation Administration, the Bureau of Alcohol, Tobacco and Firearms, FEMA, Nebraska Emergency Management Agency, Iowa Emergency Management, county emergency directors on both sides of the Missouri River, the Coast Guard and more. We will continue to effectively monitor these efforts and continue this communication. It is a true team approach.

Knowledge is power and by passing on the knowledge to the men and women on the front lines, front offices and backrooms of these organizations, we have given them more power to work against terrorism. In return, these women and men give us the benefit of their diverse points of view on ways to improve security.

In summary, communications, training and the drills that we do on a very frequent basis build a relationship in which to continue positive intergovernmental relations.

We know that this approach of industry and government cooperation involving Federal, State and local officials is the right approach for our utility and the people we serve.

Thank you for your time.

[The prepared statement of Mr. Gates follows:]

Testimony by W. Gary Gates
Vice President, OPPD
July 3, 2002

Good morning,

My name is Gary Gates. I am the Vice President of Nuclear Operations for the Omaha Public Power District, also known as OPPD. We are one of the largest customer-owned electric utilities in the nation, providing electricity to more than 300-thousand customers in east and southeast Nebraska.

My responsibilities at the Omaha Public Power District include oversight of our nuclear plant, Fort Calhoun Station. As such, I am acutely aware of the focus being placed on security since September 11.

It is my pleasure to appear before the committee today to discuss how the federal government has assisted us in preparing to deter terrorist attacks.

There are others more qualified than I to speak about biological or chemical agents and the dangers they could pose. I will let them focus on their areas. What I would prefer to do this morning is focus on an area of intergovernmental relations that I know is working. It is working so well, that if you wished to look for a blueprint to take to other areas of the government and industry; this is one I would recommend. It deals primarily with communications.

First, it is important to realize that the security force protecting our nuclear plant is highly trained and highly motivated. This force is comprised of professionals, many with law enforcement backgrounds, that understand their duties and know how to carry them out. In our last Operational Safeguards Response Evaluation conducted by the Nuclear Regulatory Commission, we passed with no deficiencies.

On September 11, we immediately went to our highest level of security, as did all other nuclear plants, and we have since built upon that. What was once a hardened, formidable facility is now even more formidable.

Other measures taken at Fort Calhoun Station include increasing the staffing level of our security force and building new physical barriers, making illegal entry to the plant more difficult. We continue to work with various law enforcement agencies to beef up patrols of the perimeter surrounding the plant and to develop contingency plans to enhance our ability to respond should a situation occur. We have conducted lengthy and ongoing discussions with numerous agencies to define and refine areas of responsibly. We have also taken a number of internal steps that I am not at liberty to discuss in a public forum for obvious security reasons, but they are significant.

Even before the events of September 11, OPPD was working with state and local officials in Nebraska and Iowa to reassure our neighbors that our operations are safe and do not pose a threat to the health and welfare of the public. This level of communication and trust has provided a sound foundation on which to build.

Our relationship with state, local and federal officials has gotten even stronger, increasing the level of cooperation and communications that already existed. By communicating, we mean each party letting the other know what is being done and what needs to be done to enhance our preparedness to respond to an emergency.

Beginning on September 11 and continuing on a frequent basis since then, our security office at Fort Calhoun Station has been in contact with the NRC to discuss issues of security. Representatives of the NRC attend briefings from Homeland Security and the various agencies contributing to that effort and pass along to us, as possible, what

they learn. NRC Region IV is being very proactive through the regional administrator in maintaining close communications regarding security issues.

Following September 11, we held discussions with the Washington County Sheriff's office and the Nebraska State Patrol on additional security, including more patrols and a heightened presence in the area.

We met with members of the Nebraska Adjutant General's office and familiarized them with our security organization and how, should the need arise, the National Guard could quickly and most efficiently become part of the security effort. In fact, General Roger Lemke personally toured the site to confirm that contingency plans are adequate.

We also began daily communications with security organizations in other plants to spread our knowledge and learn from them. This peer-to-peer contact is continued today through our contacts at those plants and in the Nuclear Energy Institute in Washington, D.C.

Communications, regular and as open as possible, are key to successful completion of a task. A wise man once said that the job gets done more easily when nobody worries about who gets the credit for it. That is the case here. We work with sheriff's offices in Nebraska and Iowa, State Troopers, our own and other nuclear security officers, National Guard officials, the Nuclear Regulatory Commission, FBI, Federal Aviation Administration, Bureau of Alcohol, Tobacco and Firearms, FEMA, Nebraska Emergency Management Agency, Iowa Emergency Management, county emergency directors on both sides of the river, the Coast Guard, and more. We all contribute effectively to the security effort because a concerted effort is made to keep us aware of what is going on.

Knowledge is power and by passing on the knowledge to the men and women on the front lines, front offices and backrooms in our organizations, we have given them more power to work against terrorism. In return, those women and men give us the benefit of their diverse points of view on ways to further improve our security.

We know that the utility industry plays a vital role in this nation's security, even though it is but one of many key industries. The aviation industry, the banking industry, the medical industry, even the military industry all contribute to the quality of life in this nation. Each is also susceptible to the acts of a few single-minded terrorists. However, we -- the nuclear and electric industry -- are ready to do our part to protect the safety of the public, our industry and the nation's interests.

We believe that our approach is the right approach. We also believe that this approach of industry and government cooperation, involving federal, state and local officials in Nebraska and Iowa can serve as a model for the rest of the nation.

Thank you for your time.

Mr. TERRY. Thank you, Mr. Gates, appreciate your time.

Next, I have the honor of introducing Steve Lee. Steve has been with Douglas County Emergency Management, Douglas County Health Agency for as long as I can remember. How long, Steve, have you been there?

Mr. LEE. Well, I am starting my 30th year last month.

Mr. TERRY. That is what I thought. I appreciate you taking the time. Mr. Lee, obviously in his positions with Douglas County Health and Douglas County Emergency Management, is at the hub of the activity in case of any emergency, albeit any time of terrorist attack or an actual emergency. So Mr. Lee, we appreciate that you took time out of your busy day to be with us today. You may begin.

Mr. LEE. Mr. Chairman, Representative Terry, thank you for the invitation. I will read my remarks, which will prevent me from rambling.

For the record, I am the Director of Douglas County Emergency Management Agency. I do not have a direct affiliation with the Health Department, although we work quite closely.

One of the beautiful things about America is its ability to meet every challenge it faces. Most recently, in preparing for bioterrorism attacks, we have begun to plan for what may indeed be our most daunting and long-term battle. We are blessed with the freedom, talent, ingenuity and resources to meet this challenge, but it will require an unselfish and unified effort by those individuals, organizations and governments charged with the safety, security and protection of our citizens.

The potential scenarios involving bioterrorism require an enhancement of local and State capabilities to manage the threat. Issues that may be encountered include: Developing response models that include the occurrence of a chemical or biological attack with no advanced warning. Difficulty in identifying the agent. Development of a rapid and reliable public health surveillance system. Determining the most appropriate means of protection. Decontaminating, sheltering and treating victims, first responders, incident sites and the environment. Plans and facilities for the decontamination of the worried well population. Identifying and providing appropriate treatment, both initial and definitive. Identifying and providing diverse collateral requirements; for example, public safety, mental health issues, ventilation systems and so forth. Determining the appropriate disposition of the deceased. And working more closely with the media to address issues such as mass panic and decontamination procedures.

First responders and health systems, including State and local health departments, need specific protective equipment and training and the ability to: Identify the agent. Learn appropriate methods for safe extraction and transportation. Store, disburse and distribute antidotes. Decontaminate, triage and provide primary care. And provide for forward movement of victims when treatment centers reach capacity.

We now know that the real or perceived release of a biological threat such as anthrax has a debilitating and predictable impact on a community. It does not require the release to take place in a densely populated area or a highly visible place of assembly. We have seen how easy it is to overwhelm our support systems. A wide

outbreak of infectious disease would threaten the ability of emergency and medical personnel to respond. Personnel within these facilities would be at risk of infection themselves, especially prior to a certain diagnosis of the disease. The collection and disposal of contaminated material presents additional long-term problems.

The problems cited above, along with other issues and concerns too numerous to mention here, make it seem as though there is no way this task could be accomplished. Although no plan will completely address and solve the menace of bioterrorism, I believe we can go a long way toward providing a reasonable, acceptable solution. In fact, the Federal Government already has a model in place that, if followed, serves as an excellent guide for addressing the planning requirements for bioterrorism. It is called MMRS or Metropolitan Medical Response System. MMRS provides for a collaborative development of an effective system capable of responding to chemical, biological, radiological and nuclear incidents. It requires coordination among fire, law enforcement, emergency management, hospitals, laboratories, public health officials, poison control centers, mental health professionals, infectious disease experts, surrounding communities, States and the Federal Government.

Three years ago, a contract provided to the city of Omaha through the Federal Department of HHS enabled the development of the Omaha Medical Response System, referred to as OMMRS. It was created following a series of three exercises conducted under the authority of the Nunn-Lugar-Domenici Domestic Preparedness Act. The after-action reports highlighted the community's need to enhance its WMD response capability, particularly the areas of public health, communications and hospital preparedness. OMMRS represents over 50 agencies, departments and institutions. By virtue of the ongoing effort of its 10 active subcommittees, OMMRS is in a position to inform you exactly what our community requires in meeting the bioterrorism threat. You may wince at the final tally, but it is accurately and honestly arrived at.

The two most important words I have used in describing a successful bioterrorism preparedness program are: unselfish, and unified. All localities, regional and States, should be encouraged to utilize MMRS or an equivalent concept. No single entity can provide for or meet the requirements that are needed for a bioterrorism plan. Left alone, agencies will fight for funds, reinvent wheels, refuse to share information and end up with plans developed in isolation that will not work.

I will conclude by saying that last, the Federal Government can do four additional things: Congress must insist on cooperation, not competition, among the Federal agencies and departments and see to it that they are singing the same song. Continue to support efforts to increase the public health infrastructure in order for communities to effectively address acts of bioterrorism and other public health threats. Offer an incentive to business and industries to contribute to the cause, whether it is money, material or personnel. And last, assure the public that these issues are being addressed and develop programs that enable the citizens to make a contribution by being actively involved, beyond just being more vigilant.

Thank you.

Mr. TERRY. Very good, appreciate that testimony.

Next I have the honor of introducing Pete Neddo, who is the manager of safety and security for Metropolitan Utilities District. Mr. Neddo.

[The prepared statement of Mr. Lee follows:]

STATE & LOCAL GOVERNMENT BIO-TERRORISM PLANNING

THE FEDERAL GOVERNMENT – A HELP OR A HINDRANCE?

JULY 3, 2001

One of the beautiful things about America is its ability to meet every challenge it faces. Most recently, in preparing for bio-terrorism attacks, we have begun to plan for what may indeed be our most daunting and long-term battle. We are blessed with the freedom, talent, ingenuity and resources to meet this challenge, but it will require an unselfish and unified effort by those individuals, organizations and governments charged with the safety, security and protection of our citizens.

The potential scenarios involving bio-terrorism require an enhancement of local and state capabilities to manage the threat. Issues that may be encountered include:

- Developing response models that include the occurrence of a chemical or biological attack with no advanced warning.
- Difficulty in identifying the agent.
- Development of a rapid and reliable public health surveillance system
- Determining the most appropriate means of protection.
- Decontaminating, sheltering, and treating victims, first responders, incident sites and the environment.
- Plans and facilities for the decontamination of the " worried-well population";
- Identifying and providing appropriate treatment – initial and definitive.
- Identifying and providing diverse collateral requirements, i.e., public safety, mental health issues, ventilation systems, etc.
- Determining the appropriate disposition of the deceased.
- Working more closely with the media to address collateral issues such as mass panic, and decontamination procedures.

First responders and health systems, including state and local health departments need specific protective equipment and training and the ability to:

Identify the agent,
Learn appropriate methods for safe extraction and transportation,
Store, disburse and distribute antidotes,
Decontaminate, triage, and provide primary care,
Provide for forward movement of victims when treatment centers reach capacity.

We now know that the real or perceived release of a biological agent such as anthrax has a debilitating and predictable impact on a community. It does not require the release to take place in a densely populated area or highly visible place of assembly. We have seen how easy it is to overwhelm our support systems. A wide outbreak of infectious disease would threaten the ability of emergency and medical personnel to respond. Personnel within these facilities would be at risk of infection themselves, especially prior to a certain diagnosis of the disease. The collection and disposal of contaminated material presents additional long-term problems.

The problems cited above, along with other issues and concerns too numerous to mention here may make it seem as though there is no way this task could be accomplished. Although no plan will completely address and solve the menace of bio-terrorism, I believe we can go along way towards providing a reasonable, acceptable solution. In fact, the Federal government already has a model in place that if followed, serves as an excellent guide for addressing the planning requirements for bio-terrorism. It is called MMRS, or Metropolitan Medical Response System. MMRS provides for the collaborative development of an effective system capable of responding to chemical, biological, radiological and nuclear incidents. It requires coordination among fire, law enforcement, emergency management, hospitals, laboratories, public health officials, poison control centers, mental health professionals, infectious disease experts, surrounding communities, states and the Federal government.

Three years ago a contract provided to the City of Omaha through the Federal Department OF HHH enabled the development of the Omaha Metropolitan Medical Response System (OMMRS). It was created following a series of 3 exercises conducted under the authority of the Nunn-Lugar-Domenici Domestic Preparedness Act. The after-action reports highlighted the community's need to enhance its WMD response capability, particularly the areas of public health, communications and hospital preparedness. OMMRS represents over 50 local agencies, departments, and institutions. By virtue of the ongoing efforts of its ten active sub committees, OMMRS is in position to inform you exactly what it is our community requires in meeting the bio-terrorism threat. You may wince at the final tally, but it is accurately and honestly arrived at.

Equipment & Training	Communications
Lab/Infection Control/Surveillance/Public Health	Community Plans
Pharmacy	Alternate Care Facilities
Mental health	Personnel Processing Point/Credentials
Hospitals	Media

The two most important words I have used in describing a successful bio-terrorism preparedness program are UNSELFISH AND UNIFIED. All localities, regions, and states should be encouraged to utilize the MMRS, or equivalent, concept. No single entity can provide, plan for, or meet the requirements that are needed for a bio-terrorism plan. Left alone, agencies will fight for funds, re-invent wheels, refuse to share information, and end up with plans developed in isolation that will not work - in other words, business as usual. Developing community plans using an MMRS model assures the involvement of all necessary players. It provides a structure that encourages cooperation among the players. Another benefit planning concept is the completion of a community preparedness assessment. Communities and states need to know where they are today, where they need to be and what it will take to get there. The MMRS concept provides for a uniform, fair and accurate assessment process. It is not rocket science, but rather, a balanced, participant-represented system, which can be tasked with the responsibility of providing for the community's bio-terrorism response planning needs.

Lastly, the Federal government can do four things. (1). Congress must insist on cooperation, not competition, among the federal agencies and departments and see to it that they are singing the same song, (2.) Continue to support efforts to increase the public health infrastructure in order for communities to effectively address acts of bio-terrorism and other public health threats. (3.) Offer an incentive to businesses and industries that contribute to the cause, whether it is money, material, or personnel. (4.) Assure the public that these issues are being addressed and develop programs that enable them to make a contribution by being actively involved----beyond just being more vigilant.

Steven H. Lee, Director
Douglas County Emergency Management Agency

Civic Center EOC 114
Omaha, NE 68183
402 444-5040
slee@ci.omaha.ne.us

Mr. NEDDO. Good morning. Thank you, Congressman Terry and Chairman Horn, for asking the District to be represented here. As mentioned, I am the Director of Safety and Security for the Metropolitan Utilities District, a gas and water public utility for Omaha.

In addressing the issue here this morning of how the Federal Government is assisting the State and local governments in preparing for bioterrorist attacks, we found that while there is some assistance there, it is somewhat limited.

While the EPA has provided some grant money to water utilities for threat assessments, that money can only be used for threats, so there is not a lot of flexibility in how we can use that to enhance security and make other types of improvements. We have received excellent information, educational materials and such, to use to educate our employees and our customers. That has been very helpful.

In addition to that, Sandia National Labs, in conjunction with the American Water Works Association Research Foundation has provided an excellent risk assessment methodology for us to use in evaluating the water systems. They have also provided some training for member companies. I think that should be expanded for all water utilities, because it is an excellent model and should be used by all, I think.

We have incurred significant increases in security costs since September 11th. The cost of security guards has tripled. Improvements have been initiated in many areas, security evaluations, improvements and other enhancements are ongoing. As we evaluate our systems, we are going to incur more costs to protect the water and gas supplies for Omaha. Our needs will be met, costs are expected to be significant.

The District recognizes the responsibility to its customers, the public as well as the employees and we will make the necessary improvements to continue to look for ways to ensure gas and water supplies are protected. Critical to this obviously is fire protection. We will work with the fire departments to ensure that is available to them.

The support from local law enforcement, the FBI and other enforcement agencies has been excellent. We are kept informed on various activities through advisories, other methods, responses to our various inquiries has been outstanding, especially from local law enforcement.

We are also in coordination with Offitt Air Force Base, looking at their needs and their concerns and working with them to address those needs so that will be ongoing and we feel is very critical.

Our commitment to security is strong, continual and any assistance, whether monetary or otherwise is beneficial and can only serve to expedite our efforts. At the present time, Federal assistance, as I mentioned, has been limited to the EPA grants. We would like to see perhaps more flexibility in using any moneys that are made available and use those to enhance hardware, physical security efforts and those.

Thank you for your time this morning. That is all that I have.

Mr. TERRY. Thank you, Mr. Neddo.

Mr. HORN. Mr. Hainje, I am interested in the applications people are applying for the $3.5 billion allocated in the first responder grant funds. Now you represent both urban America and rural America. Do you feel the formulas they are using across the Nation make sense? And if so, what is the formula?

Mr. HAINJE. At this time, they are still working on those formulas. They have had quite a bit of input. They brought in State emergency management directors, local police, fire representatives, a few elected officials to have some sessions to talk about what that process should be.

The only indication that I have had so far of how that will work that would probably be the most comforting is that the States themselves are going to be able to do planning on how to access that money and how to best use it. So there is a lot of—there will be a lot of local input. There will be a tremendous amount of State input, State by State.

Mr. HORN. Of course, the mayors will then complain that the Governor is doing it and they want to do it. And that is a 40-year-old argument.

Mr. HAINJE. That is an argument that I believe you will hear more about than I will in my office probably. You know, it is something that—FEMA presently in emergency operations works very extensively with the State emergency management folks, who are part of the Governor's office typically. And that is the relationship that we have had most common.

In some of our mitigation activities, we work directly with locals, but we have encouraged the States—the States are in the process of developing plans for this and the format is expected to be easily accessible to local and State government.

Mr. HORN. Mr. Neddo, your responsibilities for water are great. When I was in Europe a few months ago, you perhaps read about this, there were four terrorists that were trying to poison the water supply of Rome. They caught them, but we are open in many parts of America, you have big reservoirs and all the rest.

What are we doing to assure security of your water supply here?

Mr. NEDDO. Well, as I mentioned, the security guard service has tripled, our costs in that area have tripled. Our manning in that area has tripled. We have installed a number of physical security devices—card access readers. We have controlled access into many of our areas, we have realigned our tours and those kinds of things that we generally make available to the public and certainly tightened controls on those.

We are in the process of completing threat assessment evaluations to determine where our critical areas are and where maybe our weakest points are and are looking at enhancing physical security in those areas.

We are, in fact, using the Sandia methodology which really fits well with what we are doing here.

But you are right, it is very unnerving to drive by some of our water facilities and see how easy they are to be accessed. We are continuing to evaluate, we will be installing more security cameras, detection, we will operate under a fairly simple detect, delay and respond risk assessment plan.

Mr. HORN. Thank you.

Mr. TERRY. Let me just followup. Is there also a process for testing, continuous testing of the water so if there is an incident that occurs that goes undetected by cameras and a guard, that there is perhaps a tertiary level of containment and detection?

Mr. NEDDO. Yes, there is testing. We are also looking at expanding our testing. In fact, even continuous monitoring at various points throughout the water system. That is a very good question.

Mr. TERRY. Do you have any more questions?

Mr. HORN. No, that is it.

Mr. TERRY. Lieutenant Governor Heineman, Chairman Horn raised one of the fundamental questions regarding how the money will be distributed. There will be a formula—I do not know. Do you know how much of that $3.5 billion will come to the State of Nebraska? I have heard from our local police and fire, who are now trying to use different grants to avoid the political controversy of having to ask the State for dollars. Is there a process that has been developed at the State to get the dollars in a, let me say, non-political way, to those that are in most need of those dollars?

Lieutenant Governor HEINEMAN. That is a pretty significant question, Congressman Terry. Let me try to take that one on.

Mr. TERRY. You have 30 seconds. [Laughter.]

Lieutenant Governor HEINEMAN. Thirty seconds. It is called Governor Mike Johanns—no. In our State, everything we have tried to do is to take a comprehensive view. As I talk to my counterparts in other States, I am amazed that, oh, you all actually get in the same room and you talk to each other. I mean their emergency management does not talk to the National Guard, does not talk to the State Patrol, does not talk to Health and Human Services or whatever.

As you well know, in our State, we have a foundation that for many years, regardless of political party, we are all in there trying to do what is best and what is right for the State. So I do not think that has been a problem for us. About 75 percent of money that we will get—and I do not know the specific amount out of the formula—will go to local first responders. Again, I mentioned in my testimony, we are already beginning discussions on this new wireless communication system. Can all of us agree in advance that a portion of those dollars will go to that system?

And so I think the coordination and the cooperation that you have heard about all morning long is very true in Nebraska, because we tend, when elections are over, to take off the political hats and we are focused on doing what is right for the State.

And we have a situation in our State, three Congressman and two Senators, we know each other all very, very well from a variety of previous positions. This afternoon, they are all going to be talking, for example, on the drought situation facing Nebraska. So the communications that occurs in our State, I think, has avoided the difficulties that I hear from my counterparts in other States. We are going to make sure that money goes to the local units of government. But I also want to emphasize, there is going to be a national homeland security strategy. In order to carry that out, to have an effective command and control, I think you have got to use the chain of command, which basically flows from our national level to our States to our local units of government.

Now maybe in the State of New York where they have different kinds of challenges, they have different problems, but I will say in Nebraska, I do not believe that will be one of ours.

Mr. TERRY. Well, I do think that what separates us probably from other States and their degree of preparedness is our ability to communicate. For some reason, that has just been the culture in Nebraska and that really helps us.

A tool of communication, as you have mentioned and Dr. Raymond mentioned, is the wireless communications system so all emergency entities, whether it is local police and fire departments from Omaha to wherever, and also I would assume, Dr. Raymond, medical information that perhaps is developed here at University of Nebraska Medical Center laboratories and then needs to be communicated to various parts of Nebraska. That wireless communication system, Lieutenant Governor Heineman, I think is key.

I am just wondering where we are in that process of developing it. We have written a letter asking for appropriations. Assuming we do not get that this year, where is the State. And also have you thought about using—you mentioned satellite, but there is new wireless terrestrial technologies too that will allow not just for land-based communications, but internet communications, videoconferencing, which I think would be a tremendous asset.

Lieutenant Governor HEINEMAN. Congressman Terry, I fully expected you were going to announce that grant to us this morning and that everything would be—we would be ready to move forward. But we do appreciate all the support we are receiving and your efforts and Senator Hagel and the others of our delegation.

One of the hats that I think we have done very well in this State—the Lieutenant Governor is responsible not only as director of homeland security, but I serve as chairman of the Nebraska Information Technology Commission, I will be a member of the board on this wireless communications board. And so that gives the Lieutenant Governor of this State the opportunity to keep this comprehensive focus, to look at the variety of technologies, to span not only what I will say is our bioterrorism concerns, but our information technology needs in general, related to the Med Center, the University of Nebraska, our distance education learning, videoconferencing. We want to take advantage of all those techniques and I would just share with you that if we do not get the money this year, we will continue to move forward with our local efforts involving our cities and counties where they are going to use their bonding authority to move forward in some of these equipment purchases. But particularly, the infrastructure costs that we talked to you about, if we could begin to move forward on that, that will take us a long ways down the road of implementing a new wireless communication system.

Mr. TERRY. Well my time for questions has run out. If I could ask the chairman for time for one more question.

Mr. HORN. Certainly.

Mr. TERRY. Thank you, sir.

I would like to ask Mr. Hainje, one of the themes that we have picked up on today is that in order to be successful in securing any community, whether it is in Nebraska or anywhere in this Nation, is the need for full cooperation and really all levels of government,

whether it is Douglas County with Mr. Lee, city of Omaha, State of Nebraska, the Federal Government. You represent the link of the Federal Government to the State and the other links. Historically there has been, at times of emergency, tensions that arise between the Federal link and the local and State links.

What efforts are being taken in regard to terrorism preparedness, bioterrorism, chemical, nuclear, to avoid those type of tensions so we can all act as members of the same team?

Mr. HAINJE. I believe the first thing is that Director Allbaugh, when he immediately came in, one of the first things that he talked about was for FEMA specifically to not be late arriving on the scene, if you will, when something begins to happen. So we actually are attempting to open up—on the after-the-fact side of things, open up the communication and open up the cooperation even quicker.

Going way back in history to like Hurricane Andrew, there was a timeframe between when an incident happened and the Federal Government assistance arrived, very controversial at the time. It changed greatly before the floods of 1993 and it has now gotten to the point now where in major events, certainly a weapons of mass destruction type event, FEMA would be there nearly immediately on those scenes.

And also just for the record, if you will, what FEMA does is set up the emergency support functions in Washington or in the region and bring in the Federal agencies so that we can start offering help. If you are more familiar with working with HHS, HHS will be there, if it is an issue that deals with them. And we can start offering that support very quickly.

We are gearing up considerably with the new Office of National Preparedness our training and exercise and coordination abilities. This is something that was prior to September 11th, that the President asked Director Allbaugh to form that and the Office of National Preparedness' entire goal is to work more closely with people at all levels, whether it be specific to, for example, like Mr. Gates referred to, nuclear preparedness around a facility and how that all works, increase the exercises and the communication and plus, really the big thing though, is we are gearing up in the first responder area. That will be a major, major impact, because in order to do the first responder grant initiative correctly, we will have to work closely with agencies nationwide on what their plans are and offer the kind of support they need.

So we are trying to do things on the response side, if you will, and the recovery side, to make ourselves more responsive and as responsive as we can be. And we are trying to work closely with our Federal partners and the Federal response plan is the key to that and the first responder initiative especially is going to really bring a lot of this together and hopefully facilitate a lot of discussion.

Mr. TERRY. Thank you for that answer. Thank you for the extra time, Mr. Chairman.

[The prepared statement of Ms. Hecker follows:]

The testimony today provided both a sense of the significant challenges ahead as well as the notable progress made in improving the Nation's preparedness for preventing and responding to terrorist events. The essential role played by state and local governments is clear. A challenge for the Congress is to improve the coherence and effectiveness of the federal role – providing leadership, assistance and promoting needed partnerships.

I would suggest, Mr. Chairman, that there were two overarching themes that emerged from today's hearing – one regarding the evolving roles of government and the second regarding the need for a comprehensive, flexible, all-hazards approach to increasing preparedness for and capacity to respond to terrorist events.

Representative Terry framed the first theme, regarding the evolving roles of government, in his opening remarks. He noted how the capacity of police and fire resources – once an exclusive province of local governments – is of increasing concern and becoming the focus of efforts of both state and federal governments. Lt. Conahan and Chief Wagner emphasized the importance of the federal role in assisting with specialized equipment, publishing best practices, and promoting or promulgating standards to promote consistency of practices to enhance the effectiveness of mutual aid. Many of the witnesses, including Chief Wagner, Dr. Hinrichs and Dr. Raymond emphasized that while federal assistance has been helpful, the real key to successful preparation is the sustainability of efforts over time – whether it be for training or equipment. Steve Lee made a key point about government roles. He stressed that a key effort of the federal government should be to ensure that federal agencies coordinate effectively rather than competing and creating confusion for state and local governments.

A second overarching theme was the importance of a comprehensive, flexible, all-hazards approach for enhancing preparedness and response capacity. A number of witnesses highlighted that the critical success factor of many efforts in Nebraska is the multi-agency, cross-discipline collaboration. Lt. Governor Heineman described the strategic approach taken by the state in distributing the $9.7 million bioterrorism preparedness grant received from HHS. He described how funds were distributed from the State Homeland Security Policy Group and were not only distributed to state health program, but to the universities, to the agriculture department, and to statewide training – including private hospitals and laboratories. He acknowledged the federal governments understanding of dual mission programs. Dr. Smith noted that federal programs should not be department specific, but should be broad requiring multi-agency cooperation, which he cited as essential for preventing duplication and assuring the best use of public funds.

There was pointed discussion today of how the proposed $3.5 billion 1st Responder Grant Program could be most effectively distributed. Congressman Terry sought guidance on how the funds would be distributed to states and to the diverse needs, but Mr. Hainje noted that the formula had not yet been defined. Chairman Horn recognized the often-conflicting view over how federal assistance should be distributed, through the state or directly to the local governments. Lt. Governor Heineman shared the view that all federal funds should go through states, because they are in the best position to take a comprehensive and strategic view of how the funds can best be allocated. Interestingly, there was no dissent form the several local officials at the table.

In sum, the subcommittee heard a generally consistent message that Nebraska officials have moved out aggressively – both before and after September 11th, 2001. They have taken initiative and provided some replicable efforts in the state bioterrorism task force, the Homeland Security Policy Group, the National Laboratory Reserve Force, the Omaha Metro Medical Response System and the active, collaborative leadership in the community. Federal leadership and assistance is critical, but the assistance must be well-coordinated and actively promoting partnerships, not only with all levels of government, but with the universities, the public health community and the private sector.

Thank you, Mr. Chairman.

Mr. HORN. I want to thank a number of people, without whom this hearing would not have been made. And let me start in with the subcommittee itself. I believe we have J. Russell George, our staff director and chief counsel; and Bonnie Heald, is on the left of Mr. Terry, and she is the deputy staff director; Chris Barkley is on our—where is Chris, OK, he is running around solving problems; and then Justin Paulhamus is the majority clerk. We have Yigal Kerszenbaum, a subcommittee intern. And I want to thank particularly Mr. Terry's District Director, Molly Lloyd.

And our host here, we are most grateful, I just love this facility and that is the University of Nebraska Medical Center.

And then you have seen this gentleman over here, the court reporter, Bill Warren. Bill, you have escaped me a minute—well, maybe he has moved in the back—oh, here he is. He goes with us wherever we go and the transcript is right.

And we are going to have to ask your indulgence because we have a meeting at 11 with the Strategic Command to see them. You have here a number of questions we would like to ask, but if you would not mind, we will send you the questions and just at your leisure, put an answer in there and we will put it in the record at this point, because you have put some very important things before us.

And I particularly am delighted that Lee Terry could provide here the leadership. He is one of the finest U.S. Representatives I have ever seen and I have known him since day one when he arrived.

Mr. TERRY. And I did not even write that.

Mr. HORN. That is true. I got the PR guy from the Lieutenant Governor's Office. [Laughter.]

Your interest in the public interest to do the right thing, that is what he has done. And you are lucky to have a person like that. So thank you, sir.

Mr. TERRY. Thank you, Mr. Chairman.

Mr. HORN. With that, we are adjourned.

[Whereupon, at 11:05 a.m., the subcommittee was adjourned.]

○