

**Committee on Transportation and Infrastructure
Subcommittee on Oversight & Investigations**

Hearing

June 9, 1999

Hearing on Preparedness Against Terrorist Attacks

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PURPOSE

The purpose of this hearing is to receive testimony on domestic preparedness against terrorist attacks involving nuclear, biological or chemical weapons. The hearing will consist of panels addressing federal programs that train and support State and local response officials. In particular, the hearing will focus on programs being implemented by the Department of Defense.

BACKGROUND

The bombing of the World Trade Center in 1993, and the Murrah Federal Building in Oklahoma City, Oklahoma, in 1995, and the use of a nerve agent on a Tokyo subway in 1995 raised concerns about domestic vulnerability to terrorist attacks. Our foreign adversaries, unable to compete with the United States militarily, are spending millions of dollars each year to develop non-conventional weapons of mass destruction. In addition, domestic extremist groups are finding it increasingly easy to manufacture or produce weapons that can cause massive damage. The U.S. must be committed to ensuring that its citizens are protected as much as possible from the impact of any attack.

The Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288, as amended) establishes the basis for Federal assistance to State and local governments impacted by a significant disaster or emergency. The Federal Emergency Management Agency (FEMA) is primarily responsible for administering such assistance. In the context of a terrorist attack, FEMA is the lead federal agency for assisting State and local governments in preparing for and dealing with the consequences of such an attack.

Concerned that weapons of mass destruction (WMD) are increasingly available to terrorists, Congress passed the Defense Against Weapons of Mass Destruction Act of 1996 (P.L. 104-201), commonly known as the Nunn-Lugar-Domenici (NLD) Act. The NLD tasked the Department of Defense (DOD) with enhancing domestic preparedness for responding to terrorist use of WMD. Under the NLD, DOD is to provide training and expert advice to emergency response personnel and lend equipment to State and local jurisdictions. This program was initiated in 1998 and is approximately half completed is called the Domestic Preparedness Program (DPP).

The NLD was enacted six months after the Antiterrorism and Effective Death Penalty Act of 1996 (P.L. 104-132). This Act directed the Attorney General, in consultation with the Director of FEMA, to make grants to provide specialized training and equipment to enhance metropolitan fire and emergency service capabilities. Subsequent appropriations acts and administration initiatives have greatly increased the resources expended on combating terrorism. The President's fiscal year 2000 budget request of \$10 billion for unclassified programs combating terrorism is a \$3-billion increase over fiscal year 1999, and a 43% increase over 1996. Most of this increase has gone to the DOD. The following table shows FY1999 spending by agency, dedicated to preparing for a terrorist attack including

providing training and creating response teams.

Spending on Preparing for and Responding to Terrorist Acts

Agency FY 1999 Spending (\$ millions)

National Security Community (includes DOD, intelligence agencies) 592

Department of Justice 291

Department of Health and Human Services 130

Department of Energy 98

Department of Treasury 81

FEMA 16

Other Agencies 25

Total \$1,233

Source: Office of Management and Budget

STATEMENT OF THE PROBLEM

Federal WMD preparedness programs are fragmented and largely independent of one another. This is leading to a number of alleged problems including:

Confusion of state and local officials;

Duplication of training;

Inefficient training;

Duplication of response teams;

Response Team inefficiency.

Each problem area is described in greater detail below.

Confusion of State and Local officials

According to the General Accounting Office (GAO), the federal counterterrorism architecture currently includes more than 40 different federal agencies, bureaus, and offices attempting to provide training, equipment, response capabilities and other assistance to State and local governments. The sheer number of agencies involved has created serious coordination problems and confusion for State and

local officials.

For instance, the National League of Cities recently stated “The primary problem with the entire federal operation for preparedness is a lack of coordination of the programs. Currently \$7 billion per year is spent on approximately 43 separate agencies at the federal level in preparation for WMD attacks. Critics have recently identified several difficulties with this lack of coordination, the most obvious being a conflict among the agencies. There is a tendency among the federal agencies to battle for attention, responsibility, and, above all else, funding with respect to this topic.”

Duplication of Training Programs

The single most expensive training program, the DOD’s DPP is giving first responders a greater awareness of how to deal with WMD incidents. Recent DOD reviews of the program indicate the training program content, instructors, and materials are excellent. However, firefighters and law enforcement officers in the cities contacted by the GAO and subcommittee staff also stated that the DOD WMD training, equipment, and consequence management programs are evidence of a fragmented and possibly wasteful federal approach toward combating terrorism. After attending two federal training programs back to back one local responder rhetorically asked, “How many ways can you cook the same chicken?”

Currently there are more than 90 terrorism preparedness training courses offered by DOD, the Department of Justice, FEMA, the National Fire Academy, the Environmental Protection Agency and other federal agencies. A cursory analysis by Subcommittee staff indicates that at least some of these courses are teaching extremely similar substance despite being developed by completely different personnel and contractors. (Attachment A shows a comparison of some DOD course materials and FEMA/DOJ course materials.) There is currently no entity in the federal government that is exercising the authority to identify and eliminate duplicative training materials.

Inefficient Training

The DOD’s DPP uses a train-the-trainer approach, designed to prepare city trainers for providing similar instruction to emergency response personnel in their

communities. The training and equipment provided to cities through the DPP have clearly increased the cities' awareness of methods to deal with potential chemical or biological terrorist incidents. One criticism of the DPP stems from the execution of the program and the lack of leveraging of existing training programs.

The DOD selected 120 cities for training based solely on city population. After determining the largest 120 cities, the DOD contacted city officials directly and failed to build upon the states' and counties' existing emergency structures such as response regions or state training facilities. According to the GAO, had the DOD organized training at the regional level the percent of the population serviced by DOD trained professionals could have nearly tripled from 22% to 64%. In addition, DOD's focus on populated cities led to training "clusters" and training "holes." For instance, there were eight DOD training sessions in the Los Angeles area alone. In contrast, there is no DOD training in the states of Maine, New Hampshire, South Carolina, Vermont, Wyoming, Delaware, Idaho, Montana, West Virginia, Connecticut, North and South Dakota.

Duplication of Response Teams

While the National Guard is developing and training the Rapid Assessment and Initial Detection (RAID) teams, there are already a number of federal emergency response teams trained and ready to respond. These units include the Marine Corps' Chemical Biological Incident Response Force, the Public Health Services' Metropolitan Medical Strike Teams and the Environmental Protection Agency's Radiological Emergency Response Team. In all, there are approximately 80 federal agency response teams.

While some overlap and redundancy of response teams may be desirable, no agency has completed, or plans to complete, an assessment of what level of federal response capability is necessary and where assets should be located. Without such an assessment it is impossible to determine whether funding for response teams is being wisely spent or wasted. As the federal government expands its response resources it becomes more likely that these additional resources are being wasted.

Response Team Inefficiency

A self-imposed goal of the National Guard RAID teams is to respond to an

incident within four hours of an occurrence. Some officials believe specialized National Guard units would be of little use if they are not able to reach the site in the initial hours of an incident. Fire fighters and law enforcement officers suggest that waiting four hours for some form of help could prove to be disastrous. They believe federal funding would be better spent in preparing the “on-site” local responders. Local officials see the RAID teams as excessive expense and question why so much funding is being spent on a concept that has never been tested.

POSSIBLE SOLUTION

National Domestic Preparedness Office (NDPO)

In response to criticism by State and local officials that federal training programs and other assistance is unorganized, the U.S Attorney General is establishing within the FBI a new office called the NDPO. The NDPO is striving to be a “one-stop-shop” in order to reduce or eliminate confusion while providing assistance to state and local officials. The NDPO will be a single point of contact for state and local officials requesting terrorist related information or assistance. The NDPO will also provide a forum for federal interagency coordination.

The NDPO is still being set up and will be moving into new offices in July 1999. When it reaches full compliment, the offices will have approximately 50 full-time staff. Approximately half of this staff will be FBI personnel and the other half will be representatives of other federal agencies that have antiterrorist programs.

A criticism of the NDPO however, is that the office may not have adequate authority to rationalize the many independently run federal programs. The NDPO is essentially run out of, and predominantly staffed by, the Federal Bureau of Investigation. And as with the DOD, the NDPO does not have the authority to eliminate duplicative or wasteful programs.

WITNESSES

PANEL I

[Mr. Mark Gebicke](#)

Director, National Security and Preparedness Issues

General Accounting Office

PANEL II

Chief John Eversole

Hazardous Materials Coordinator
Chicago Fire Department

Ms. Ann Simank

Oklahoma City Council Member

PANEL III

Ms. Catherine H. Light

Director, Office of National Security Affairs
Federal Emergency Management Agency

Hon. Charles L. Cragin

Acting Assistant Secretary of Defense (Reserve Affairs)
Department of Defense

Ms. Barbara Y. Martinez

Deputy Director, National Domestic Preparedness Office
Federal Bureau of Investigation

EXHIBITS

Increased Funding for Combating Terrorism

Locations of DoD Training

The Threat

Overlap of Training

Federally Sponsored Training Courses

Federally Response Teams

**Statement of
Mark Gebicke
Director, National Security and Preparedness Issues
General Accounting Office**

**Before the
Subcommittee on Oversight & Investigations
House Transportation and Infrastructure Committee
U.S. House of Representatives**

Hearing on Preparedness Against Terrorist Attacks

June 9, 1999

Madam Chairman and Members of the Subcommittee:

I am pleased to be here to discuss our prior work and observations on federal efforts to combat terrorism, especially those to prepare for and respond to terrorist attacks involving chemical, biological, radiological, or nuclear (CBRN) weapons or devices. As you know, the President's fiscal year 2000 budget requested about \$10 billion to combat terrorism. According to the Office of Management and Budget (OMB), about \$1.4 billion of that amount was for dealing with "weapons of mass destruction." Over the past 3 years we have evaluated and reported on a number of issues concerning federal programs and activities to combat terrorism. A list of related GAO reports and testimonies is attached to this statement.

My testimony will focus on three issues. First, I will briefly describe the foreign- and domestic-origin terrorism threats, as we understand them from intelligence analyses, and discuss some issues surrounding the emerging threat of CBRN terrorism. Second, I will provide our observations on the growth in federal programs to provide training and equipment to local "first responders"—police, fire, and emergency medical services—and the expansion of federal response elements and teams to deal with a possible CBRN terrorist attack. Finally, I will discuss some steps the executive branch has taken to better manage federal efforts to combat terrorism and some opportunities we see for additional focus and direction.

SUMMARY

U.S. intelligence agencies continuously assess both the foreign and domestic terrorist threat to

the United States and note that conventional explosives and firearms continue to be the weapons of choice for terrorists. Terrorists are less likely to use chemical and biological weapons than conventional explosives, although the possibility that they may use chemical and biological materials may increase over the next decade, according to intelligence agencies. Agency officials have noted that terrorist use of nuclear weapons is the least likely scenario, although the consequences could be disastrous. Although the intelligence agencies agree on these matters, we have observed many conflicting statements and views in public documents and testimony about the CBRN terrorism threat. In addition, there is an apparent disconnect between the intelligence agencies' judgments and the focus of certain programs.

Since 1996, the number of federal programs and initiatives to combat terrorism have grown significantly. According to the Office of Management and Budget, funding has also increased from about \$6.5 billion in fiscal year 1998 to about \$10 billion requested for fiscal year 2000. At the same time that the federal government has created several potentially overlapping programs to train and equip local first responders to prepare for possible CBRN terrorist attacks, federal agencies have also expanded the number of federal response teams, capabilities, and assets.

The executive branch has taken some important steps toward improving the way it manages and coordinates the growing, complex array of agencies, offices, programs, activities, and capabilities. For example, OMB has issued two governmentwide reports—one in 1998 and one in 1999—on funding levels and programs to combat terrorism. In addition, in December 1998, the Attorney General issued a classified 5-year interagency plan on counterterrorism and technology. The Attorney General is also establishing a National Domestic Preparedness Office at the Federal Bureau of Investigation (FBI) to try to reduce state and local confusion over the many federal training and equipment programs to help them prepare for terrorist incidents involving CBRN weapons. While these are important positive steps, we see opportunities to improve the focus and direction of federal programs and activities to combat terrorism. For example, a governmentwide strategy that includes a defined end-state and priorities is needed, along with soundly established program requirements based on assessments of the threat and risk of terrorist attack. In addition, a comprehensive inventory of existing federal, state, and local capabilities that could be leveraged or built upon is warranted before adding or expanding federal response assets. Without these fundamental program elements, there can be little or no assurance that the nation is focusing its investments in the right programs and in the right amounts and that programs are efficiently and effectively designed and implemented.

BACKGROUND

Under Presidential Decision Directive 39 (June 1995) federal efforts to combat terrorism are organized along a lead agency concept. The Department of Justice, through the FBI, is the lead federal agency for crisis management of domestic terrorist incidents and for pursuing,

arresting, and prosecuting the terrorists. For managing the consequences of domestic terrorist incidents, state and local authorities are primarily responsible. If federal assistance is requested, the Federal Emergency Management Agency (FEMA) is the lead federal agency for consequence management. FEMA coordinates this federal support through the Federal Response Plan, which outlines the roles, responsibilities, and emergency support functions of various federal agencies for consequence management. The National Coordinator for Security, Infrastructure Protection, and Counterterrorism at the National Security Council is charged with coordinating the broad variety of relevant policies and programs including such areas as counterterrorism, preparedness, and consequence management for CBRN terrorist incidents.

THE FOREIGN- AND DOMESTIC-ORIGIN

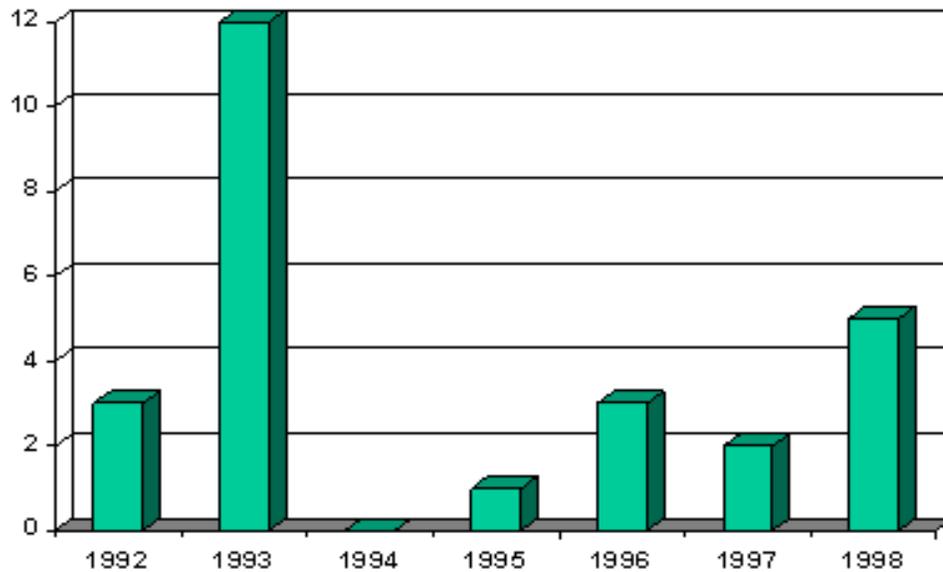
TERRORISM THREAT IN THE UNITED STATES

Terrorist bombings of the World Trade Center in New York City in 1993 and the federal building in Oklahoma City in 1995 have elevated concerns about terrorism in the United States. Previously, the focus of U.S. policy and legislation had been on international terrorism abroad and airline hijacking. Intelligence agencies continuously assess the foreign and domestic terrorist threats to the United States. The U.S. foreign intelligence community, which includes the Central Intelligence Agency and others, monitors the foreign-origin terrorist threat to the United States. In addition, the FBI gathers intelligence and assesses the threat posed by domestic sources of terrorism.

What is important about these assessments is the very critical distinction between what is conceivable or possible and what is likely in terms of the threat of terrorist attack. While concerns about terrorist use of CBRN weapons were heightened by an apocalyptic sect's use of a nerve agent in the Tokyo subway in 1995, terrorists are still reportedly more likely to use conventional weapons. According to the U.S. intelligence community, conventional explosives and firearms continue to be the weapons of choice for terrorists, at least partly because chemical and biological agents are more difficult to weaponize and the results are unpredictable.

On average, from 1992 through 1998, there were fewer than four terrorist incidents in the United States each year, according to FBI statistics. Figure 1 provides FBI data on the number of terrorist incidents in the United States during the 1992-98 period, none of which were CBRN attacks.

Figure 1: Terrorist Incidents in the United States, 1992-98



Source: FBI

The intelligence community reports that some foreign-origin groups and individuals of concern are showing an increasing interest in using chemical and biological materials. The FBI also reports an increasing number of domestic cases involving U.S. persons attempting or threatening to use such materials. Agency officials have noted that, although the consequences could be disastrous, the terrorist use of nuclear weapons is the least likely scenario.

Issues Surrounding the Emerging

CBRN Terrorism Threat

Statements made in testimony before the Congress and in the press by various officials on the issue of making and delivering a terrorist chemical or biological weapon sometimes contrast sharply. On the one hand, some statements suggest that developing a chemical or biological weapon can be relatively easy. For example, in 1996, the Central Intelligence Agency Director testified that chemical and biological weapons can be produced with relative ease in simple laboratories, and in 1997, the Central Intelligence Agency Director said that "delivery

and dispersal techniques also are effective and relatively easy to develop." Similarly, an article by former senior intelligence and defense officials noted that chemical and biological agents can be produced by graduate students or laboratory technicians and that general recipes are readily available on the internet.

On the other hand, some statements suggest that there are considerable difficulties associated with successfully developing and delivering a chemical or biological weapon. For example, the former Deputy Commander of the Army's Medical Research and Materiel Command testified in 1998 that "an effective, mass-casualty producing attack on our citizens would require either a fairly large, very technically competent, well-funded terrorist program or state sponsorship." More recently, in March 1999, the Special Assistant to the Director of Central Intelligence for Nonproliferation testified that "the preparation and effective use of biological weapons by both potentially hostile states and by non-state actors, including terrorists, is harder than some popular literature seems to suggest."

We are reviewing the scientific and practical feasibility of the terrorist chemical and biological threat for the Senate Committee on Veterans Affairs; the Ranking Member of the House Armed Services Committee; and the House Government Reform Committee's Subcommittee on National Security, Veterans Affairs, and International Relations. Specifically, we are examining the ease or difficulty for a non-state actor to successfully obtain chemical and biological agents, process the materials, and make and deliver chemical and biological weapons that can cause mass casualties. We plan to issue our report later this summer.

We have also observed a disconnect between intelligence agencies' judgments about the more likely terrorist threats—particularly the chemical and biological terrorist threat--and certain domestic preparedness program initiatives. For example, the Department of Health and Human Services' (HHS) fiscal year 1999 budget amendment proposal for its bioterrorism initiative included building--for the first time--a civilian stockpile of antidotes and vaccines to respond to a large-scale biological or chemical attack and expanding the National Institutes of Health's research into related vaccines and therapies. Specifically, the Omnibus Consolidated and Emergency Supplemental Appropriations Act (P.L. 105-277) included \$51 million for the Centers of Disease Control and Prevention to begin developing a pharmaceutical and vaccine stockpile for civilian populations.

HHS' legislatively required operating plan discusses several chemical and biological agents selected for its stockpiling initiatives. These agents were selected because of their ability to affect large numbers of people (create mass casualties) and tax the medical system. We observed that several of the items in HHS' plan did not match individual intelligence agencies' judgments, as explained to us, on the more likely chemical or biological agents a terrorist group or individual might use. HHS had not documented its decision making process for selecting the specific vaccines, antidotes, and other medicines cited in its plan. Thus, it

was unclear to us whether and to what extent intelligence agencies' official, written threat analyses were used in the process to develop the list of chemical and biological terrorist threat agents against which the nation should stockpile. Further, we have not seen any evidence that HHS' process incorporated the many disciplines of knowledge and expertise or divergent thinking that is warranted to establish sound requirements to prepare for such a threat and focus on appropriate medical preparedness countermeasures.

GROWTH IN FEDERAL FUNDING,

PROGRAMS, AND INITIATIVES

Federal funding of efforts to combat terrorism has increased rapidly. According to the Office of Management and Budget, funding to combat terrorism has increased from about \$6.5 billion in fiscal year 1998 to about \$10 billion requested for fiscal year 2000. Overall, the number of agencies, offices, and initiatives to combat terrorism has also grown substantially. Specifically, since 1996, we have observed growth in federal funding and programs to provide training and equipment to local first responders and, concurrently, growth and potential overlap in federal response elements and teams to deal with a possible CBRN terrorist attack. The federal response elements and assets have been established to support state or local incident commanders to manage the consequences of a possible CBRN terrorist attack.

Proliferation of Federal Programs to

Train and Equip First Responders

We have observed a proliferation of programs and initiatives across several agencies to provide training and/or equipment to local first responders for dealing with the consequences of a CBRN terrorist attack. On the surface, it appears to us that there is potential for duplication and overlap among these programs. The fiscal year 2000 budget request proposed \$611 million for training, equipping, and exercising cities' first responders in preparation for a potential terrorist attack and for strengthening public health infrastructure. Table 1 summarizes some aspects of selected federal training and/or equipment programs available to state and local agencies to build or enhance their CBRN response capabilities.

Table 1: Selected Federal CBRN Consequence Management Training and/or Equipment Programs

Agency	What program provides	Target audience

Department of Defense (DOD)	<p>Training: CBRN response with focus on chemical, biological, and nuclear.</p> <p>Equipment: Provides each city up to \$300,000 in equipment on 5-year loan.</p>	Police, fire, hazardous materials technicians, and medical and emergency management responders in the 120 most populous cities.
Department of Justice	<p>Training: Explosives, incendiary, chemical, and biological (not radiological or nuclear) response.</p> <p>Equipment: Provides equipment grants.</p>	Police, fire, hazardous materials, and medical and emergency management responders in the 120 largest urban jurisdictions.
FEMA	Training: Emergency management and hazardous materials response, including those related to terrorist incidents.	Fire, medical, hazardous materials technicians, and other emergency responders.
Department of Energy	Training: Nuclear and radiological response in emergencies.	Responders in communities close to nuclear facilities.
Environmental Protection Agency (EPA)	Training: Chemical, biological, and radiological hazardous materials response, with new focus on terrorist "weapons of mass destruction" incidents.	Federal, state, and local hazardous materials technicians.
HHS	Equipment: Contract grants include funds for equipment and items for medical response to CBRN incident.	Emergency medical responders in 27 cities that also participate in DOD's Domestic Preparedness Program.

Department of Veterans Affairs (VA)	Training: CBRN incident, with focus on medical response. Training to be provided under contract with HHS.	1,100 nonfederal National Disaster Medical System hospital staffs.
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Source: GAO

Further information on these federal programs and activities is at appendix I.

Some local officials we spoke with during our examination of DOD's Domestic Preparedness Program viewed the growing number of CBRN consequence management training programs as an indication of a fragmented and possibly wasteful federal approach toward combating terrorism. Similarly, multiple equipment programs were causing frustration and confusion at the local level and were resulting in further complaints that the federal government is unfocused and has no coordinated plan or defined end-state for domestic preparedness. For example, in the Domestic Preparedness Program, the separation of the DOD and HHS equipment packages required local officials to deal with two federal agencies' differing requirements and procedures. Since the HHS equipment program is offered through a contract with unmatched federal funds, the cities had to meet certain requirements, including developing a concept of operations plan for Metropolitan Medical Response Systems that fits into a local area's overall medical response system. The DOD equipment loan program required a different process. Other equipment initiatives, such as the Department of Justice equipment grant program, could add to the local government officials' perception of an unfocused federal strategy.

Growth in Federal CBRN

Response Elements

At the same time federal training and equipment programs for first responders has grown, the number of federal response elements that can deal with various aspects of managing the consequences of a CBRN terrorist attack has also expanded and increased. Individual agencies' initiatives include adding teams or capabilities that can identify and analyze various chemical and biological materials or agents; contain or handle the weapon, device, or area of an incident; and provide medical support or response for dealing with potential casualties of an incident. We have pointed out that the growth in these capabilities and assets has not been based on soundly established requirements or a comprehensive inventory of existing federal, state, and local assets that could be leveraged. State and local officials have raised concerns about the increasing number of federal response elements being formed. In our view, the emergence of more federal response elements and capabilities will increase the challenge for

the federal government to provide a well-coordinated response in support of a state or local incident commander.

DOD has established several new response elements in addition to those that have been or would have been called upon in the past to respond to potentially dangerous chemical or biological threats or incidents. Among the pre-existing response assets are the Army's Technical Escort Unit, which has four teams in two U.S. locations and the Army's 52nd Explosives Ordnance Disposal Group, which includes many units located throughout the country and has personnel specially trained to respond to CBRN incidents. In 1996, the Marine Corps created the Chemical Biological Incident Response Force located at Camp LeJeune, N.C., to provide a medical and decontamination response to CBRN incidents. In addition, the Nunn-Lugar-Domenici Act required DOD to establish a Chemical-Biological Rapid Response Team for domestic incidents.

More recently, DOD has created National Guard Rapid Assessment and Initial Detection (RAID) teams in 10 states to respond to CBRN incidents. Potentially, up to 54 RAID teams are planned. The RAID teams' mission is to provide assistance to local and state authorities in the event of an incident involving chemical, biological, nuclear, or radiological weapons. They are to (1) help assess the situation, (2) advise civilian responders as to appropriate actions, and (3) facilitate the identification and movement of federal military assets to the incident scene. We reviewed the roles and missions of the RAID teams and expect to release a report this month.

As mentioned earlier, the Department of Health and Human Services (HHS) has established Metropolitan Medical Response Systems with trained and equipped local emergency teams in 27 cities that also participate in the DOD-led Nunn-Lugar-Domenici Domestic Preparedness Program. HHS requested fiscal year 2000 funding to include 25 more cities in its program. In addition to the 27 locally-based medical response teams (with more to be established), HHS has established four specialized National Medical Response Teams, three of which are deployable in the event of a terrorist attack involving a chemical or biological weapon. These 27 Metropolitan Medical Response Systems and 4 National Medical Response Teams are in addition to HHS' 24 Disaster Medical Assistance Teams that deploy to provide medical support for any type of disaster, including terrorism. HHS is further expanding its response capabilities by creating a national stockpile of millions of doses of vaccines, antidotes for chemical agents, antibiotics for other diseases, and respirators.

Another federal response element that appears to be growing is federal laboratories with capability to analyze chemical and biological agents. The Army, the Navy, and the Centers for Disease Control and Prevention have had laboratory capabilities to analyze chemical and biological agents. In addition, HHS has plans to establish regional laboratories, and the FBI is establishing a mobile laboratory capability. Both the FBI and EPA have forensic laboratories, although there are some differences in capabilities, and the FBI is looking into using existing

facilities rather than creating a specialized laboratory for CBRN cases.

SOME STEPS TAKEN, BUT

OPPORTUNITIES REMAIN

TO IMPROVE MANAGEMENT

OF CROSSCUTTING PROGRAMS

The executive branch has taken a number of important steps to improve management and coordination of programs to combat terrorism. Nevertheless, we have pointed out several areas in which fundamental program elements are missing while program growth continues.

Steps Taken Toward

Improved Management

And Coordination

I will highlight four executive branch efforts that represent important steps toward improved management and coordination of the growing programs and activities to combat terrorism. First, OMB has started to track spending by federal agencies to combat terrorism. In December 1997, we reported that key federal agencies with responsibilities to combat terrorism spent about \$6.7 billion in fiscal year 1997 for unclassified terrorism-related activities and programs and noted that precise funding information was unavailable for various reasons. That report led to legislation (National Defense Authorization Act for fiscal year 1998) requiring OMB to establish a system for collecting and reporting information on executive agencies' spending and budgets for combating terrorism. We believe that the OMB reports on governmentwide spending and budgeting to combat terrorism are a significant step toward improved management and coordination of the complex and rapidly growing programs and activities. For the first time, the executive branch and Congress have strategic oversight of the magnitude and direction of federal funding for this priority national security and law enforcement concern. The 1999 report provided additional analysis and more detailed information than the 1998 report on budgeting for programs to deal with CBRN weapons. For example, the 1999 OMB report identified the funding (budget authority) for the CBRN portion of combating terrorism to be about \$1.23 billion in fiscal year 1999 and \$1.39 billion in the fiscal year 2000 budget request.

Nevertheless, OMB officials told us, as we noted in our December 1997 report, that a critical piece of the budget and spending picture is missing--threat and risk assessments that would

suggest priorities and appropriate countermeasures. These officials noted—and we agree—that risk assessment is key to (1) knowing whether enough or too much is being spent, (2) judging whether the right programs are being funded, and (3) determining whether apparent duplication is good or bad. We have not fully evaluated the processes or methodologies the executive branch agencies used to derive the information in the 1998 and 1999 OMB reports. As a result, we cannot comment on whether or to what extent the reports reflect the best possible estimate of costs associated with programs and activities to combat terrorism. The reports, however, do not clearly or explicitly describe any established priorities or duplication of efforts as called for in the legislation.

A second step toward improved interagency management and coordination was the Attorney General's December 1998, classified 5-year interagency plan on counterterrorism and technology crime. The Conference Committee Report accompanying the 1998 Appropriations Act for the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies required the Attorney General to develop the plan in coordination with several agencies. The plan includes goals, objectives, and performance indicators and recommends that specific actions be taken to resolve interagency problems and issues it identified and assigns relative priorities to the actions. The classified plan represents a substantial interagency effort and was developed and coordinated with 15 federal agencies with counterterrorism roles. The plan, however, generally does not link its recommended actions and priorities to budget resources, although it states that the agencies hope to improve the link between the plan and resources in subsequent updates. The plan also does not have a clearly defined end-state that would be useful to establish requirements and priorities.

A third step was the Attorney General's proposed establishment of a National Domestic Preparedness Office to coordinate the programs and other federal support for state and local governments. The purpose of the office is to coordinate Justice programs with those of other federal agencies to enable state and local first responders to establish and maintain a crisis and consequence management infrastructure capable of responding to a conventional and nonconventional terrorist attack. The office, under the leadership of the Federal Bureau of Investigation, would address planning, training, equipment, exercises, research and development, intelligence and information sharing, and health and medical service needs at the federal, state, and local levels. The office has commissioned a local, state, and federal interagency board to establish, maintain, and update a standardized equipment list for use by the interagency community in preparing state and local jurisdictions to respond to a terrorist incident involving a weapon of mass destruction. The office is intended to reduce state and local confusion over the multitude of federal training and equipment programs and response capabilities by providing "one stop shopping" for state and local agencies. We understand that this office has not been formally approved.

Finally, in Presidential Decision Directive 62, issued in May 1998, the President designated a National Coordinator for Security, Infrastructure Protection, and Counterterrorism. While this

coordinator is not to direct agencies' activities, he is responsible for integrating the government's policies and programs on unconventional threats to the homeland and Americans abroad, including terrorism. He is also to provide advice in the context of the annual process regarding the budgets for counterterrorism. We understand he has established a number of interagency working groups, but we have been unable to obtain any further information on these groups' responsibilities and accomplishments.

Opportunities to Enhance

Program Focus and Direction

Notwithstanding these important steps taken by the executive branch, we continue to see opportunities to better focus the nation's investments and efforts to combat terrorism. In November 1998, we concluded that the many federal CBRN consequence management training, equipment, and response initiatives could benefit from a coordinated, integrated approach with a defined end-state. We also recommended that the National Coordinator for Security, Infrastructure Protection, and Counterterrorism actively review and guide the growing number of consequence management training and equipment programs and response elements to ensure that individual agencies' efforts (1) leverage existing state and local emergency management systems and (2) are coordinated, unduplicated, and focused toward achieving a clearly defined end-state. More recently, we have noted that rapid program growth, particularly in domestic preparedness programs and public health initiatives, has occurred in the absence of soundly established requirements based on assessments of the threat and risk of terrorist attack involving CBRN. A critical piece of the equation in decisions about establishing and expanding programs to combat terrorism is an analytically sound threat and risk assessment using valid inputs from the intelligence community and other disciplines. Threat and risk assessments could help the government make decisions about how to target investments in combating terrorism and set priorities on the basis of risk; identify unnecessary program duplication, overlap, and gaps; and correctly size individual agencies' levels of effort. Without adequate assessment based on sound input, it would be difficult, if not impossible, to have confidence that the government has properly shaped programs and focused resources to combat and prepare for this complex, emerging threat.

CONCLUSIONS

The executive branch has taken a number of steps toward improving the overall management and coordination of the complex, growing array of agencies' and offices' efforts to combat terrorism. Nevertheless, we see opportunities to improve the overall focus of the nation's efforts to combat and prepare for terrorist incidents. There is a need to reconcile conflicting statements about the CBRN terrorism threat and the lack of connectivity between intelligence judgments and program initiatives. There is also a need for a governmentwide strategy with a defined end-state and priorities, soundly defined requirements based on valid assessments of

the threat and risk of terrorist attack, and a comprehensive inventory of existing capabilities and assets. In the absence of these fundamental program elements, there has been significant growth in federally funded consequence management training and equipment programs for first responders and in federal teams, assets, and capabilities to deal with possible CBRN terrorist incidents. Without these program elements, there is little assurance that the nation is investing in the right programs and in the right amounts.

Major contributors to this testimony are Stephen L. Caldwell, Davi M. D'Agostino, and Robert L Pelletier.

Madam Chairman, that concludes my prepared statement. I would be happy to answer any questions at this time.

APPENDIX I APPENDIX I

INFORMATION ON SELECTED FEDERAL

TRAINING AND EQUIPMENT PROGRAMS

FOR FIRST RESPONDERS

The following summarizes some aspects of selected federal consequence management training and equipment programs designed for state and local first responders to deal with chemical, biological, radiological, and nuclear (CBRN) terrorist incidents.

- DOD: In the Defense Against Weapons of Mass Destruction Act, (Title XIV, P.L. 104-201, Sept. 23, 1996)—commonly known as the Nunn-Lugar-Domenici Act—the Congress authorized DOD to develop and conduct first responder training focusing on terrorist incidents involving CBRN weapons. In designing the Nunn-Lugar-Domenici Domestic Preparedness Program, DOD targeted the 120 most populated U.S. cities to receive this training. Courses are to be delivered to experienced city trainers so they can train rank-and-file first responders. The five-year loan agreement governing the provision of CBRN items and equipment associated with the program requires the cities to repair, maintain, and replace the equipment. DOD plans to transfer responsibility for its domestic preparedness training and equipment program to the Department of Justice by the end of fiscal year 2000.
- Department of Justice: Through the Antiterrorism and Effective Death Penalty Act of 1996, the Congress authorized a second terrorism-related consequence management training program for firefighters and emergency medical personnel. This program, developed in conjunction with the Federal Emergency Management Agency (FEMA), is administered by the Office of Justice Programs. The target audience for this program

overlaps with but is not identical to the target audience for DOD's Domestic Preparedness Program. In fiscal years 1998 and 1999, the Congress appropriated \$103.5 million to make chemical/biological equipment permanently available to first responders through the Office of Justice Programs. The Department of Justice also is establishing a Center for Domestic Preparedness at Fort McClellan, Alabama. Other Justice-funded centers and training venues related to combating terrorism are at universities, such as Texas A&M and Louisiana State University, and at Department of Energy's (DOE) Nevada Test Site.

- FEMA: Through its National Fire Academy and Emergency Management Institute, FEMA offers training and issues basic course materials. FEMA and its National Fire Academy have long-standing resident and nonresident training programs in emergency management and hazardous materials. FEMA requested about \$31 million for fiscal year 2000--a \$13-million increase over fiscal year 1999 funding. Of the \$31 million, \$29 million is to provide grants and assistance related to training, planning, and exercises for state and local responders.
- Environmental Protection Agency (EPA): EPA's Environmental Response Team provides training to federal, state, and local hazardous materials technicians that addresses radiological, biological, and chemical hazards. EPA is adding training to its course that deals with CBRN weapons.
- DOE: DOE sponsors training in how to respond to incidents involving the release of nuclear or radiological substances. The training is made available primarily to communities in which nuclear facilities are located.
- HHS and Department of Veterans Affairs (VA): The Defense Against Weapons of Mass Destruction Act authorized funds for DOD to assist the Secretary of HHS in establishing Metropolitan Medical Response Systems to help improve local jurisdictions' medical response capabilities for a CBRN incident. HHS' Office of Emergency Preparedness has been establishing Systems with trained and equipped local emergency teams in 27 cities that also participate in the Nunn-Lugar-Domenici domestic preparedness training and equipment program. VA is involved in training through a contract from HHS. Specifically, HHS is contracting with VA to train 1,100 non-federal National Disaster Medical System hospital staffs to deal with CBRN situations, according to VA officials.

RELATED GAO PRODUCTS

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

Combating Terrorism: Issues to Be Resolved to Improve Counterterrorist Operations
(GAO/NSIAD-99-135, May 13, 1999).

Weapons of Mass Destruction: DOD Efforts to Reduce Russian Arsenals May Cost More and Accomplish Less Than Expected (GAO/NSIAD-99-76, Apr. 13, 1999).

Combating Terrorism: Observations on Biological Terrorism and Public Health Initiatives
(GAO/T-NSIAD-99-112, Mar. 16, 1999).

Combating Terrorism: Observations on Federal Spending to Combat Terrorism

(GAO/T-NSIAD/GGD-99-107, Mar. 11, 1999).

Combating Terrorism: FBI's Use of Federal Funds for Counterterrorism-Related Activities (FYs 1995-98) (GAO/GGD-99-7, Nov. 20, 1998).

Combating Terrorism: Opportunities to Improve Domestic Preparedness Program Focus and Efficiency (GAO/NSIAD-99-3, Nov. 12, 1998).

Combating Terrorism: Observations on the Nunn-Lugar-Domenici Domestic Preparedness Program (GAO/T-NSIAD-99-16, Oct. 2, 1998).

Combating Terrorism: Observations on Crosscutting Issues (GAO/T-NSIAD-98-164, Apr. 23, 1998).

Combating Terrorism: Threat and Risk Assessments Can Help Prioritize and Target Program Investments (GAO/NSIAD-98-74, Apr. 9, 1998).

Combating Terrorism: Spending on Governmentwide Programs Requires Better Management and Coordination (GAO/NSIAD-98-39, Dec. 1, 1997).

Combating Terrorism: Efforts to Protect U.S. Forces in Turkey and the Middle East (GAO/T-NSIAD-98-44, Oct. 28, 1997).

Combating Terrorism: Federal Agencies' Efforts to Implement National Policy and Strategy
(GAO/NSIAD-97-254, Sept. 26, 1997).

Combating Terrorism: Status of DOD Efforts to Protect Its Forces Overseas (GAO/NSIAD-97-207, July 21, 1997).

**Statement by
Chief John M. Eversole
presented to
Subcommittee on Oversight, Investigations, and Emergency
Management
of the
Committee on Transportation and Infrastructure
U.S. House of Representatives**

June 9, 1999

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I am Chief John M. Eversole of the Chicago Fire Department. I also appear before you as Chair of the Hazardous Materials Committee of the International Association of Fire Chiefs (IAFC).

The issue of domestic terrorism is one in which America's fire departments have a vital interest. Violence perpetrated against our citizens for political purposes, national, international or otherwise, will be suffered locally. As the primary provider of emergency life safety services, fire fighters will be first on the scene of any act of terrorism, saving lives and mitigating damage. This was true in the minutes following the 1993 World Trade Center bombing and the 1995 bombing of the Alfred P. Murrah federal building in Oklahoma City. It has been so at countless incidents less notorious. So it will be in the future.

There are two distinct areas of federal counterterrorism efforts that should be addressed. First, programs designed to support, prior to an incident, local

emergency services personnel who will be first on the scene and second, the operational role of federal agencies in the wake of an attack. I will address the pre-incident support role first.

The Nunn/Lugar/Domenici amendment to the 1997 Defense Authorization and the Antiterrorism and Effective Death Penalty Act of 1996 began federal efforts to help better prepare local fire, police and emergency services agencies for the possibility of terrorism involving chemical, biological, radiological and conventional weapons. The IAFC was involved in the development of both these laws and continues to work with the Departments of Defense and Justice in their administration.

The Antiterrorism Act authorized a \$5 million appropriation to train metropolitan fire fighters in terrorism response. Designated by the Attorney General to administer this law, the Office of Justice Programs (OJP) provided four jurisdictions with demonstration grants and, importantly, worked with the National Fire Academy in the development of awareness-level training curriculum that has been available nationwide for two years. A train-the-trainer approach was used for both cost savings and an efficient way to reach as many fire fighters as possible. Tens of thousands have received training based on these materials. Successfully mitigating a terrorist incident is incumbent upon early identification. Awareness-level training is vital and should continue to be provided.

OJP also created, at the direction of Congress, a National Domestic Preparedness Consortium comprised of Louisiana State University, the New Mexico Institute for Mining and Manufacturing, Texas A&M University and the Nevada Test Site's explosive ordinance facilities. The Justice Department also took control of the U.S. Army's chemical weapons training facilities at Ft. McClellan, Alabama, and designated this facility as the National Domestic Preparedness Center. Managers at these facilities have actively sought out expertise from the fire service and have demonstrated a willingness and ability to respond to constructive criticism of their programs. We support expedited access to the Consortium's facilities for as many local emergency services personnel as possible. It is essential that local emergency response agencies have significant input and oversight of program development. It is important that what is being taught is not duplicative and that training meets our needs.

Both the Defense and Justice Department programs have been criticized for

focusing on only 120 of our largest cities. The 120 city approach, though arbitrary, allowed both agencies to focus on jurisdictions that collectively contain a majority of our population and provided a goal that was attainable with limited resources. We have stated repeatedly that this goal needs to be broadened. We believe that fire fighters in all communities need some level of basic training. The awareness level-training developed by OJP in concert with the National Fire Academy is a good starting point. This training needs to be made available nationwide. Sufficient funding should be provided by Congress to ensure its availability and delivery everywhere.

The IAFC believes that the enhancement of existing local capabilities is the wisest, most cost-effective course to follow in preparing for "weapons of mass destruction" terrorism. It is our experience that not only will we be the first responders on the scene, but we will be the largest supplier of personnel and equipment throughout the incident. Fire department hazardous materials response teams deal with spills and accidental releases of highly toxic chemicals on a regular basis. This is the case across the country. Additional training in safely containing chemical, biological or radiological agents is a high priority for the fire service.

The emphasis to-date has been on "WMD" terrorism. The importance of preparing for this risk cannot be understated. However, we should not forget that bombing attacks remain the most common tool of terrorists both domestically and abroad. We should not overlook this fact in our preparedness plans. And we do realize that the National Domestic Preparedness Consortium's New Mexico program addresses this problem.

Assistance in training and equipping the fire service to respond effectively to terrorism is what is most needed from the federal government. The Nunn/Lugar and Antiterrorism Act programs are both beneficial. Both can be improved. Current plans to transfer the Nunn/Lugar program to the Justice Department make sense. Our experience with the Department of Justice has been generally positive. The Department of Justice has a demonstrated ability to deliver support programs to local agencies.

The second role of the federal government is that of operational response. There are a host of operational response assets at the federal level. Some of these are: the U.S. Marine Corps' CBIRF, the National Guard's proposed RAID teams, the FBI's

HMRU, the U.S. Army's Technical Escort Unit, the EPA's Emergency Response Teams and the Department of Energy's Radiological Emergency Response teams. The list goes on. Most, if not all, of these entities have impressive capabilities and are staffed and led by intelligent, competent professionals. We respect their abilities. But we cannot afford duplicative teams. We must have one good federal operational unit with the right capabilities.

One final point regarding federal response teams. America's fire service has 350-plus years of experience in mitigating disasters and emergencies of all kinds, including acts of terrorism. We have learned that federal assets are only as good as their proximity to the scene of an incident.

I turn now to the coordination of these support programs and to the operational coordination of federal agencies in response to an actual incident. The Attorney General has created a National Domestic Preparedness Office (NDPO) within the Federal Bureau of Investigation to serve as a contact point for local agencies and to facilitate coordination of planning, training and operational programs. The IAFC has worked with the FBI for several years and applauds this effort.

As I have said, numerous federal agencies have response capabilities though it is currently unclear how these units will work together. We feel that the proposed State and Local Advisory Group of the NDPO could be critical in order to address the need for a well-coordinated response to any incident of terrorism. This group could also provide the necessary input to deliver appropriate support and training so needed by local emergency response agencies. Although we support, in concept, an NDPO, we reserve judgement until such time as the NDPO has proven itself.

Thank you for inviting me to testify today. I am happy to answer any questions you may have.

**Testimony of Ann Simank
Council Member, Oklahoma City, Oklahoma**

On behalf of

**The National League of Cities
Before the
House Subcommittee on Oversight, Investigations and
Emergency Management**

June 9, 1999

Opening

Good morning. Before sharing with you the positions of the National League of Cities (NLC) on domestic terrorism and related issues, I would like to thank the Subcommittee for providing this forum for discussion of the importance of domestic preparedness in the event of a terrorist attack. I am Ann Simank, Council Member from Oklahoma City, Oklahoma, and I am testifying for the National League of Cities, I have been a member of NLC's Public Safety and Crime Prevention Policy Committee for three years. This NLC policy committee has given considerable attention recently to the many issues related to domestic terrorism.

I'd like to summarize our experience in Oklahoma City. On April 19, 1995, at 9:02 a.m., Oklahoma City, my hometown, was devastated by a horrendous terrorist attack, the bombing of the Alfred P. Murrah Federal Building. That fateful morning, 168 lives were lost, thousands were seriously injured, 30 children became

orphans, and approximately 300 businesses were destroyed leaving hundreds unemployed. Many lives were literally in chaos. This senseless act shattered my city, all in a matter of seconds.

Were we prepared? I don't know if cities can ever be fully prepared, but today I want to share Oklahoma City's experience with you. Our city had been selected for FEMA's Integrated Emergency Management Course in Emmitsburg, Maryland, in July 1994, less than a year before the bombing. All department heads attended as well as two or three key people from their departments. Numerous representatives from private utilities, private businesses and non-profit organizations also attended. Oklahoma City was well represented at this specialized training event, and we believe it was extremely helpful.

However, Oklahoma City faced difficult challenges on the morning of April 19th. This was the largest terrorist attack ever seen in America, and to our knowledge, no one had ever had to perform rescue and recovery while at the same time effectively deal with a crime scene.

Immediately after the bombing, our mayor, police chief, fire chief, and the local special agent in charge of the FBI got together and made decisions as to how Oklahoma City should proceed. The FBI would be in charge of the crime scene, the Oklahoma City police would seal the perimeter and assist the FBI, and fire would handle rescue and recovery. Our incident command center was in place, local agreements were made, and everyone was clear as to their role. Within those first few hours, lives were saved, evidence was found, and the system was working well.

Approximately 15 hours later, the first FEMA team flew in to offer assistance. FEMA's normal recovery efforts are to assist in natural disasters – tornadoes, floods, hurricanes and earthquakes, rather than working a crime scene. Relationships quickly became strained between agencies that represented disaster recovery versus agencies that represented law enforcement and criminal investigations. Even some of the FEMA trained USAR Teams concerned themselves with turf battles.

Fortunately, Oklahoma City's incident command system had been up and working since that morning making it difficult for "outsiders" to penetrate or change it.

Ultimately, these questions of "who is in charge" were worked out, and our city's system prevailed.

What did we learn in Oklahoma City?

- Damage starts at the point of impact and local responders are the first and only responders. This is true for many hours after an incident.
- Any resource made available to cities can be of benefit if complications are ironed out first and their response is timely.
- Training is essential since cities and towns will be alone the first few hours after an attack.
- Turf issues should not happen; a clear line of command and protocol should be established at the federal level (National Strategic Plan).
- Money should be made available for training and equipment at the local level.
- Transportation for specialized teams needs to be included in a National Strategic Plan. Many USAR Teams had to wait long hours before a military transport could get them Oklahoma City. Frankly, our city has no confidence that military transport will be able to bring specialized teams within four hours as indicated by some federal agencies.

Don't forget, it is the local response that will be first on the scene, first to assess, and the first to take action. Please, see that the resources get to where they need to be.

The acts of terrorism in Nairobi and Dar es Salam and the resulting devastation, make clear the ease with which a city can be shattered. We learned from the terrorist attacks on my city and New York City that cities are the most critical element in any national strategy to confront domestic terrorism, for it is at the heart of cities that terrorist will seek to strike. And it is the nation's cities that bear the heaviest burden to prepare and respond. Ensuring that cities and towns have the unified resources of state and the federal government will be critical to how

effective we can be.

The National League of Cities represents 49 state leagues, 135,000 local elected officials and 16,000 direct and indirect member cities. NLC was established in 1924 by the state municipal leagues to represent the interests of cities at the federal level.

The challenges we face to prepare state and local governments and their first responders to deal with terrorist incidents are complex and multifaceted. Whether chemical or biological agents are used, whether the next strike is one involving cyber-terrorism or more conventional Weapons of Mass Destruction (WMD), our cities must be prepared for a variety of threats. Large scale evacuations, public health emergencies, information flow and management, establishing viable communication linkages between federal, state and local responders, the detection of explosives, and identifying other hazardous materials are just a few of the challenges cities will have to be prepared to face in the event of credible terrorist threats or actual terrorist events. To do this, state and local emergency managers and first responders must have proper training, equipment and support from the federal government.

For federal support to be effective, a comprehensive national strategy must be developed which builds on existing federal, state and local emergency preparedness and response infrastructure and relationships. At the core of this national strategy must be the objective of establishing a uniform command and control protocol. This protocol should seek the maximum cooperation of crisis consequence management between and among federal agencies, state and local first responders and the medical community. Additionally, a thorough planning process should be initiated and coordinated by the federal government with the participation and input of state and local elected officials and their emergency managers. It is essential that this process clearly identify federal agency roles, responsibilities, and resources, and give emergency managers one point of contact to activate federal support and to facilitate the exchange of information on all federal programs, training and resources available to meet terrorist threats in our cities and towns. More importantly, this one point of contact should be with a well-informed government official and not some recorded message. It should not change every six months.

We are most appreciative of the federal government's attempts to quell the

confusion in this area and establish the National Domestic Preparedness Office (NDPO). At a recent conference, the NDPO outlined its methods for addressing the issue of domestic terrorism preparedness, including programs dealing with planning, information and intelligence sharing, training, exercises, equipment and health and medical. The NDPO also seeks to involve local government by creating a state and local government advisory group that reports directly to the NDPO Director. It is critical that local elected officials, as well as emergency managers, are included in this advisory group. It is also important that the local participants represent cities located in different geographical regions and of various sizes.

Although NLC commends the work of the NDPO thus far, the problem with this latest federal effort is twofold. First and foremost, many departments within other government agencies such as DoD, FEMA and the Justice Department have "laid claim" to one or more of the programs I just enumerated for you. This has created a federal power struggle involving billions of dollars and inordinate amounts of wasted time, energy and resources. True preparedness at the state and local level cannot achieve its greatest potential unless and until the squabbling at the federal level stops.

Second, I ask you, what good are any of NDPO's efforts if it cannot receive the funding it needs to implement its objectives and it duplicates the efforts of other federal agencies? What message is sent to state and local first responders when the federal government cannot even coordinate its own efforts?

Importance of a National Policy/Goal

The potential for domestic terrorist events is forcing the federal government to prepare the nation as a whole for such attacks. While there has been an increase in media attention, as well as in federal funding for a variety of programs and projects, NLC believes that these efforts, to date, though well intended, are not achieving their potential due to the absence of a clear national strategy. It is imperative that there be clear lines of authority and coordination between federal agencies regarding their programmatic, operational, and policy activities. Currently, more than 43 federal agencies have roles in handling the challenges related to domestic terrorism. With the creation of the Justice Department's Office for State and Local Domestic Preparedness Support and the NDPO, the number continues to increase.

During a hearing last fall before the House Government Reform and Oversight Committee on domestic preparedness, it was evident that the federal government lacks clearly defined goals. Although the NDPO has been designated recently to be the lead federal agency, coordination of the various federal programs and resources currently available to state and local governments, and cooperation between the federal agencies has not yet become a reality. Witnesses at this hearing highlighted a variety of key problems which included: overlapping federal initiatives, inadequate operational training, and failure to provide training opportunities in many areas of the country. NLC is pleased that these agencies have identified the importance of a lead agency. Our members hope that the National Domestic Preparedness Office, established by the FBI, will succeed in organizing federal resources. It is essential that the various federal agencies involved work cooperatively and plan for the most effective use of the limited resources available. We believe that if these efforts are conjoined with a clearly defined national strategy, state and local governments, and their emergency managers will be able to establish corresponding goals and policies to ensure the execution of domestic preparedness.

Importance of Local/State Preparedness

Initial federal efforts to develop plans, programs, and training initiatives have lacked substantive input from state and local levels of government. But it is unquestionable that cities will have the most urgent responsibility for initial responses, as well as long term recovery. We already have experienced this with the bombing of the World Trade Center in New York, as well as the bombing in Oklahoma City. In the event of a terrorist attack, the most critical services and individuals are the municipal emergency responders. Emergency medical personnel, along with fire fighters and law enforcement personnel, are the first to arrive on the scene. Federal support will not be available during the first hours of a terrorist attack. It is important that these first responders, when possible, are trained together on the ground in their local jurisdictions and regions using their own equipment and working with and augmenting the existing emergency response networks. Joint exercises combining local fire fighters, law enforcement personnel, and medical teams will increase preparedness and aid regional cooperation. In this way, they will be able to make practical decisions while training and anticipate what actions must be taken in the aftermath of a terrorist event.

It is critical that local first responders have the equipment and resources they will

need to respond. Specialized equipment should be on hand for training exercises and to establish an immediate resource in the event of an attack. State and local governments and their emergency management teams need to know where to obtain such equipment and how to actually acquire it. NDPO assures us that it will establish a program for procurement of and rapid access to vital equipment, as well as for keeping up with the latest technology. Currently, this information is fragmented and difficult to obtain.

The most important factor underlying these various challenges is the importance of communication before, during and after events. Terrorist incidents will require a number of local, state, and federal agencies to cooperate. The lead federal agency should serve as both a coordinator of programs as well as an information clearinghouse to facilitate domestic preparedness across the nation at all levels of government. Timely information and guidance from the lead federal agency will be imperative if cities and towns are to respond immediately and appropriately to a local terrorist incident.

NLC's key recommendations for domestic preparedness include:

Development of a national domestic terrorism strategy, clear policies and comprehensive plans to coordinate the roles, responsibilities and resources of federal agencies in support of effective state and local responses to terrorist threats and events.

Designation of a lead federal agency that actually serves as the central coordinator and information clearinghouse on all available federal programs and resources.

Training, equipment, and resources provided by the federal government; especially regionally based training that builds on shared emergency response networks.

A policy for sharing certain classified information on threats or potential threats of terrorism with local law enforcement agencies on a need-to-know basis.

The federal government should include local governments in the federal planning process and operations relative to issues in their jurisdictions, and target scarce federal resources in localities that have high profile public or private targets.

Closing

The National League of Cities hopes that our recommendations will aid in establishing a clear delineation of authority and help create clear lines of communication between federal, state, and local governments. We have experienced domestic terrorism in cities; unfortunately, we almost surely will again. If domestic terrorist attacks do occur, cities are committed to respond immediately and effectively and must work with the federal government and our respective state governments if we are to protect our communities.

Again, the National League of Cities would like to thank the Subcommittee for holding this hearing and we look forward to working with all stakeholders to address the issues discussed during this conference.

**STATEMENT BY
MRS. BARBARA Y. MARTINEZ
DEPUTY DIRECTOR
NATIONAL DOMESTIC PREPAREDNESS OFFICE**

BEFORE THE

**UNITED STATES HOUSE OF REPRESENTATIVES
TRANSPORTATION AND INFRASTRUCTURE
COMMITTEE SUBCOMMITTEE ON OVERSIGHT,
INVESTIGATIONS,
AND EMERGENCY MANAGEMENT**

"PREPAREDNESS FOR TERRORISM RESPONSE"

JUNE 9, 1999

Good morning, Madam Chairman and thank you for this opportunity to speak before distinguished members of Congress and my colleagues regarding the proposed role of the National Domestic Preparedness Office in combating terrorism within the United States.

My intent is to highlight the importance of achieving coordination across the federal government of the various individual agency efforts that provide valuable assistance to states and local communities in preparing them to face the challenge that terrorism presents. As over 40 federal agencies would have a role in the response to a terrorist attack involving weapons of mass destruction, so too are many of these agencies in a logical position to provide various forms of expert assistance to their state and local counterparts -- the men and women of this country whose job it is to save lives and protect the security of our communities if such an event occurs. The mission of the proposed National Domestic

Preparedness Office, consistent with the recommendation to the Attorney General by State and local authorities, will be to serve as the central coordinating body for federal programs that can help emergency responders prepare for terrorist incidents, particularly those involving weapons of mass destruction.

Potential Threat of a Terrorist Attack involving Weapons of Mass Destruction

Terrorist events such as the World Trade Center bombing, the bombing of the Alfred P. Murrah Federal building in Oklahoma City, and the pipe bomb at the Olympic Games in Atlanta revealed the united states' increased susceptibility to terrorist assaults. These attacks, coupled with the March 1995 Tokyo subway attack, where the weapon was the chemical nerve agent sarin, exposed the threat of use of WMD within the united states. The threat of WMD use in the United States is real, however, we must not inflate nor understate the actual threat. The United States is experiencing an increased number of hoaxes involving the use of chemical or biological agents perpetrated by individuals wishing to instill fear and disrupt communities. Yesterday's bomb threat has been replaced with a more exotic biological or chemical threat. While the FBI continues to investigate these hoaxes, other on-going investigations reveal that domestic extremists, as well as international terrorists with open anti-U.S. sentiments, are becoming more interested in the potential use of chemical and biological agents.

Examining the increased number of WMD criminal cases the FBI has opened over the past several years highlights the potential threat of use we face. WMD criminal cases are those cases primarily dealing with the use, threatened use, or procurement of chemical and biological materials with intent to harm within the United States. These criminal cases have shown a steady increase since 1995, rising from 37 in 1996 to 74 in 1997, 181 in 1998, and 114 to date for 1999, with three-quarters of these cases threatening a biological release. The biological agent most often cited in 1998 and 1999 was anthrax. Despite the increase in fabricated threats, the WMD threat remains. Since the early 1990s, the FBI has investigated a number of domestic extremist groups and associated individuals interested in procuring or ready to employ chemical or biological agents against innocent civilians. In February 1999, members of a right-wing splinter group were sentenced to 292 months (over 24 years) in prison for threatening to use a weapon of mass destruction against federal officials. These individuals intended to modify a cigarette lighter in order to shoot cactus quills tainted with HIV-blood or rabies.

It is impossible to eliminate all vulnerabilities in an open society without taking draconian measures that impinge on civil liberties. However, it is possible to reduce susceptibility to WMD terrorist attacks by taking security precautions, remaining vigilant in pursuing WMD terrorist activity, and improving preventive measures, as well as civil preparedness. The FBI is currently undertaking all of these steps. The United States is preparing itself for unconventional threats like WMD terrorism by coordinating federal, state, and local law enforcement and emergency responders in their ability to ferret the fabricated threats and meet the challenges posed by a potential chemical or biological terrorist attack.

As you know, in the past few years, the President of the United States and Congress have taken significant steps to increase our national security and to promote interagency cooperation. Most recently, cooperative efforts against terrorism have been extended to include state and local agencies and professional and private sector associations as well.

For example, in the preparation of the Administration's Five-Year Interagency Counterterrorism and Technology Crime Plan, the Attorney General directed the Department of Justice, Office of Justice Programs, to host a meeting of individuals who represent the various emergency response disciplines that would most likely be involved in the response to a terrorist event. More than 200 stakeholders representing local and State disciplines of fire services and HAZMAT personnel; law enforcement and public safety personnel; emergency medical and public health professionals; emergency management and government officials; and various professional associations and organizations attended the two-day session.

Collectively, they made recommendations to the Attorney General; James Lee Witt, Director of FEMA; Dr. Hamre, the Deputy Secretary of Defense, and other Federal officials on ways to improve assistance for state and local communities. These recommendations have been incorporated in the Administration's Five-Year Plan mentioned above.

The most critical issue identified by stakeholders was the need for a central federal point of coordination. Due to the size and complexity of both the problem of terrorism and of the federal government itself, it was no surprise that the many different avenues through which aid may be acquired, by state and local officials, and the potential inconsistency of those programs was deemed to be simply overwhelming. In essence, the federal government, though well intentioned, was

not operating in an optimal manner nor was it effectively serving its constituents with regard to domestic preparedness programs and issues in an optimal manner.

State and local emergency response officials made a strong recommendation to the Attorney General for the coordination and integration of all federal assistance programs that reach state and local agencies for terrorism preparedness. In heeding that recommendation and seeking to increase the efficiency and effectiveness of federal support programs that provide grants for equipment, training, exercises, and information sharing, the Attorney General proposed the establishment of the National Domestic Preparedness Office.

In proposing the establishment of the NDPO, the Attorney General consulted the National Security Council, Department of Defense, Federal Emergency Management Agency, Department of Health and Human Services, and other relevant agencies regarding the creation of a single coordination point within the federal government to better meet the needs of the Nation.

Mission of the NDPO

The NDPO, if approved, will provide a forum for the coordination of all federal programs that offer WMD terrorism preparedness assistance for State and local officials. Through such coordination, it is believed that the vital efforts of the Office of Justice Programs' Office for State and Local Domestic Preparedness Support, the Federal Emergency Management Agency (FEMA), the Environmental Protection Agency (EPA), the Department of Health and Human Services (DHHS), the Department of Defense (DoD), the National Guard Bureau (NGB), the Federal Bureau of Investigation (FBI), and other agencies will better serve the States and local communities of this country.

It is intended that the NDPO will serve as a much needed clearinghouse to provide information to local and state officials who must determine the preparedness strategy for their community. In keeping with Stakeholders' requests, the NDPO will also provide a forum for the establishment of agreed-upon standards to guide the execution of federal programs.

Federal participants that will serve in a full-time capacity at the NDPO, once approved, will include the Federal Emergency Management Agency, the

Department of Defense, the National Guard Bureau, the Department of Energy, the Department of Health and Human Services, the Environmental Protection Agency, the Office of Justice Programs, and the Federal Bureau of Investigation. We have also received commitments from other agencies including the U.S. Coast Guard, the Department of Veterans Affairs, and the Nuclear Regulatory Commission, to provide personnel in the future.

Stakeholders also cited the need for formal representation of state and local officials with the federal agencies in the form of an Advisory Board to guide the development and delivery of more effective federal programs. Federal agencies agree that their participation is critical to the whole process of domestic preparedness. Therefore, in addition to the Advisory Board, it is anticipated that when fully staffed, approximately one-third of the NDPO will be comprised of State and Local experts from various disciplines.

Stakeholders identified six broad issue areas in need of coordination and assistance. These areas are: Planning; Training; Exercise; Equipment Research and Development; Information Sharing; and Public Health and Medical Services. I would like to highlight how the proposed NDPO would address each of these areas.

In the area of Planning, the NDPO would facilitate the distribution of the United States Government Interagency Domestic Terrorism Concept of Operations Plan and other Planning guidance for State and Local communities. The benefit of such guidance is to explain to state and local planners the logistics of how federal assets may be included in their local emergency response plans.

In the area of Training, the NDPO would continue the DoD initiative to establish and maintain a compendium of existing federal training courses available to emergency responders. It would also establish a mechanism to ensure federal training programs comply with national standards such as those issued by the National Fire Protection Association and Occupational Safety and Health Administration. Finally, it would develop a national strategy to make sustained training opportunities and assistance available to all communities and States. For example, the Office of Justice Programs Office for State and Local Domestic Preparedness Support will incorporate into the training programs that it supports standards that have been coordinated through the NDPO process.

In connection with the Information Sharing program area, the NDPO can implement a mechanism to facilitate access by personnel outside law enforcement to information that may be important for preparedness and consequence management. Internet web-sites, both public and secure have been proposed for the sharing of public safety information. Links to several existing web-sites may also be built.

In the Exercise program area, the NDPO will formally adapt a military software application for civilian use to track the lessons learned during exercises and actual events. The NDPO will provide this tool to participating communities and will maintain an After-Action Tracking database for the repository and review of all lessons that might assist other communities.

In the Equipment/Research and Development program area, the NDPO has established a Standardized Equipment List which has been incorporated into the grant application kits used by the Office of Justice Programs. The NDPO would, again, serve as a clearinghouse for product information provided by private vendors and testing data provided by approved testing facilities to promote synergy and avoid costly duplication in the area of federal research and development.

In the Health and Medical program area, the NDPO, under the guidance of the Public Health Service of the Department of Health and Human Services would coordinate efforts to support Metropolitan Medical Response Systems, pharmaceutical stockpiling, the establishment of a nationwide surveillance system to improve the identification of infectious diseases and the integration of the public and mental health care community into WMD response plans.

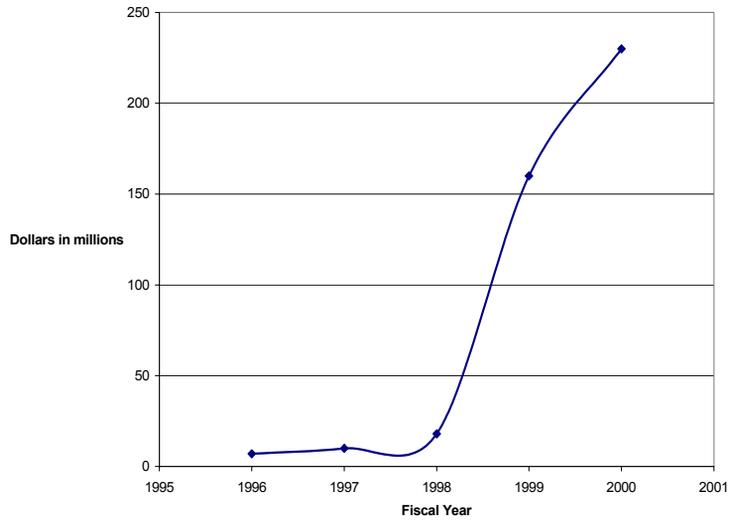
Thus far, two conferences have been held and have been attended by representatives from Federal, State and local agencies to promote interaction. Each time, the Attorney General was presented with an overview by several communities of their cooperative efforts, which illustrated the growing cooperation between all levels of government to address the preparedness needs of this Nation to deal with a major terrorist event, including those that involve WMD.

I thank you for the opportunity to speak to you today. As the Attorney General has recently said, "The actions of the first people on the scene will make the difference between life and death. The key is to work together in a partnership among federal, state and local communities to prepare a coordinated response that saves lives and

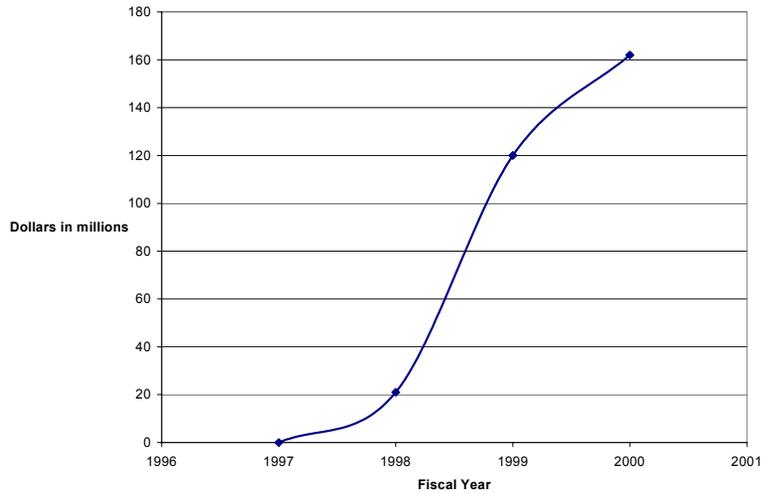
provides for the safety for all involved". I stand ready to respond to any questions you may have.

Agencies

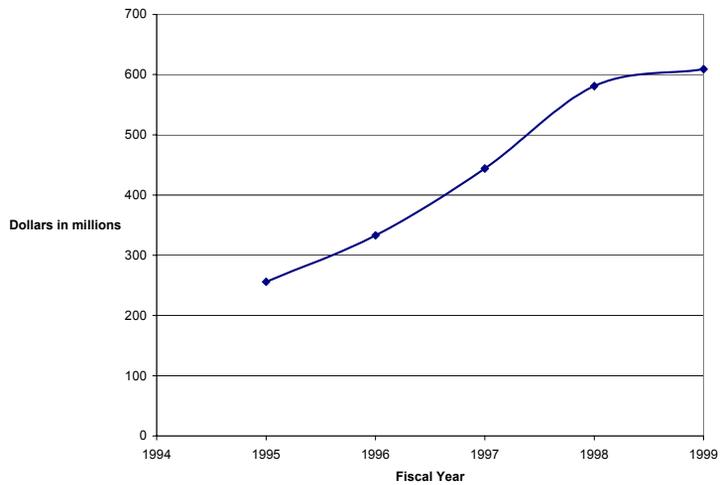
Health and Human Services Funding to Combat Terrorism, Fiscal Years 1996-2000



Office of Justice Programs Funding for Domestic Preparedness, Fiscal Years 1997-2000



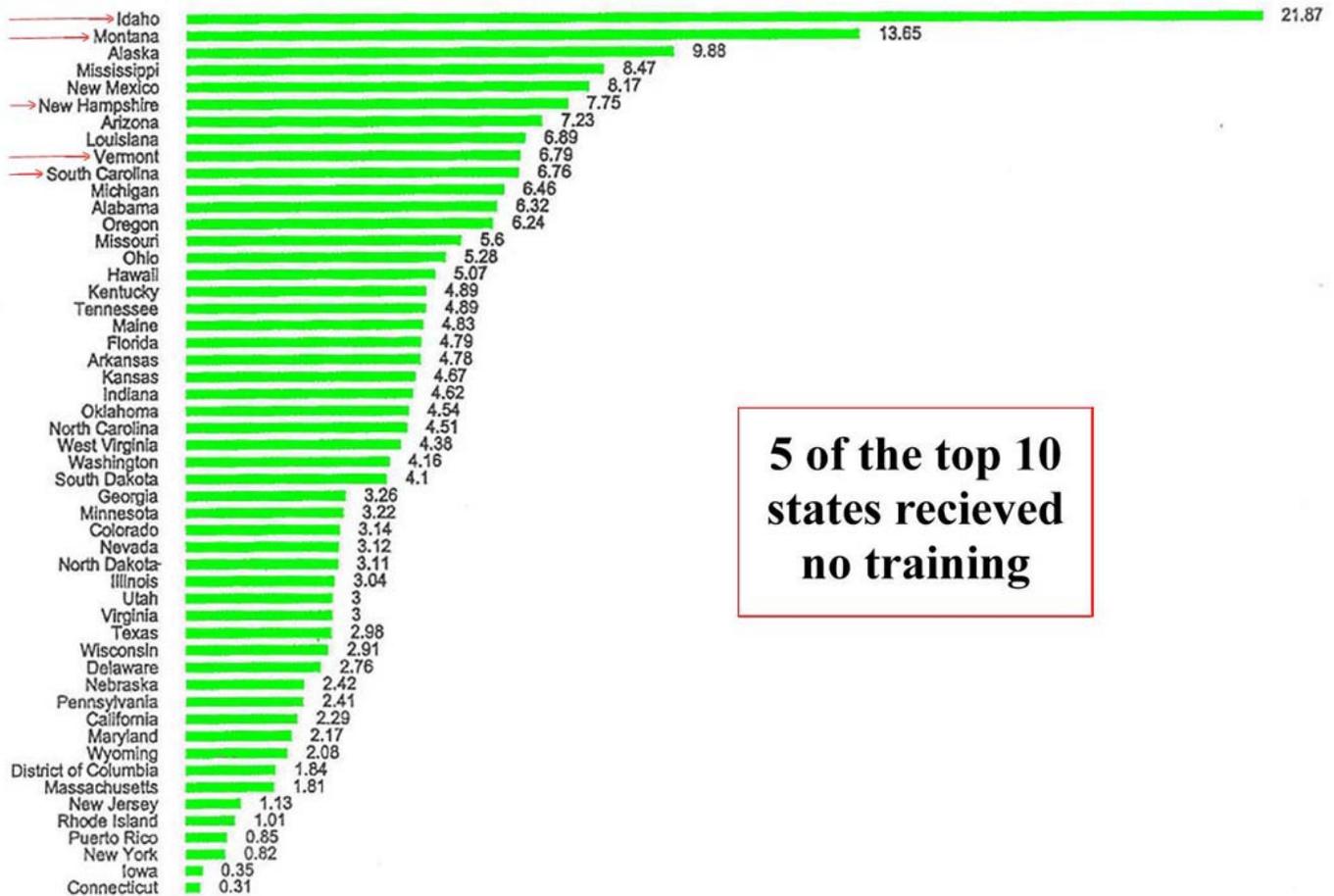
FBI Funding Allocations for Counterterrorism Mission, Fiscal Years 1995-99



Locations of DOD Training



The Threat: States, D.C., and Puerto Rico, Ranked by Number of Known Vigilante Organizations per Million Population, 1998

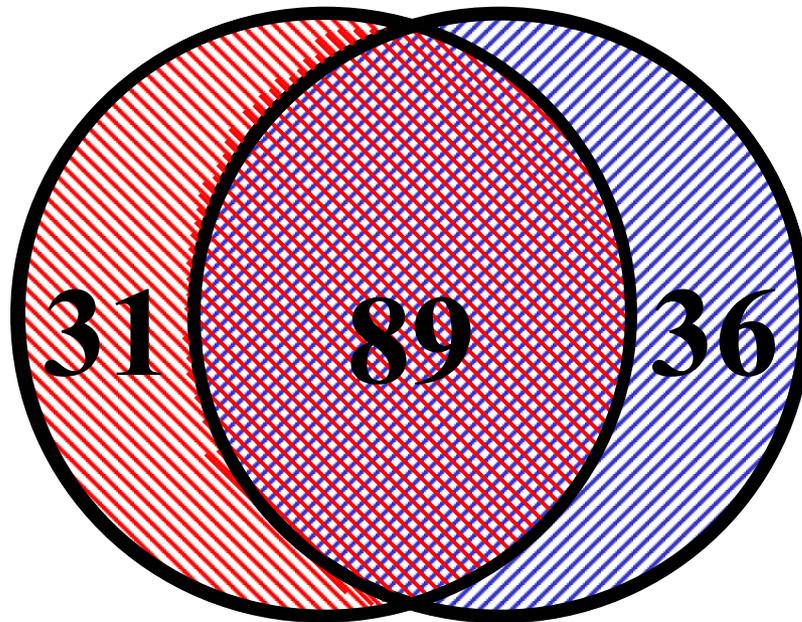


5 of the top 10 states received no training

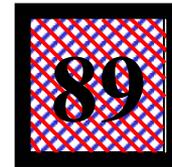
SOURCES: Southern Poverty Law Center, FBI, and published articles

**Total FEMA/DOJ
Training Sites:120**

**Total DOD
Training Sites:120**



= Sites with
FEMA/DOJ
Training Only



= Sites with
FEMA/DOJ and DOD
Training



= Sites with
DOD Training Only

Weapons of Mass Destruction Preparedness

Federally-Sponsored Training Courses Excluding Department of Defense

Federal Emergency Management Agency (FEMA)

Agent Characteristics and Toxicology First Aid and Special Treatment and Use of Auto-Injectors
An Introduction to Protective Action Decision Making
Chemical Accident/Incident Response & Assistance
Chemical Hazard Prediction
Chemical Hazard Prediction for Decision Makers
Chemical Stockpile Agent Characteristics
Chemical Stockpile Emergency Preparedness Program Chemical Awareness
Emergency Management Information System
Emergency Planner's Companion for Public Officials
"How Do I Know?" Training for Personal Protective Equipment
Limited Exposure Course for Public Officials
Management of Chemical Warfare Injuries
How to Use and Maintain Personal Protective Equipment
Response Phase Decontamination for Chemical Stockpile Emergency Awareness Program
Technical Planning and Evaluation for Planners and Decision Makers
Use of Auto-Injectors by Civilian Emergency Medical Personnel to Treat Civilians Exposed to Nerve Agent
Advanced Radiation Incident Operations
Consequences of Terrorism, Integrated Emergency Management Course
Emergency Response to Criminal/Terrorist Incidents
Emergency Exercise Design Course
Emergency Exercise Evaluation Course
Fundamentals Course for Radiological Response Teams
Fundamentals Course for Radiological Monitors
Training for Incident Command System and Emergency Operations Center Interface
Training for the Interface Command System for Law Enforcement Agencies
Incident Command System for Public Works
Mass Fatalities Incident Course
Radiological Emergency Response Operations
Advanced Life Support Response to Hazardous Materials Incidents
Basic Life Support and Hazardous Materials Response
Chemistry of Hazardous Materials
Command and Control of Fire Department Operations at Target Hazards
Command and Control of Operations at Natural & Man-made Disasters
Emergency Response to Terrorism: Basic Concepts
Emergency Response to Terrorism: Incident Management
Emergency Response to Terrorism: Self-Study
Emergency Response to Terrorism: Tactical Considerations
Hazardous Materials Incident Management
Hazardous Materials Operating Site Practices
Incident Command System for Emergency Medical Services

Environmental Protection Agency (EPA)

Air Monitoring for Hazardous Materials
Emergency Response to Hazardous Material Incidents
Designs for Air Impact Assessments from Hazardous Waste
Hazardous Material Incident Response Operations

Health and Safety Plan Workshop
Incident Command/Unified Command for On-Scene Coordinators
Radiation Safety at Superfund Sites

Department of Energy

Air Sampling for Radioactive Materials
Radiological Applied Health Physics and Detection
Crisis Management Program for Senior Public Officials
Handling of Radiation Accidents by Emergency Personnel
"As Low As Reasonably Achievable" Design and Operations
Hazardous Materials Incident Response Operations
Health Physics in Radiation Accidents
Introduction to Radiation Safety and Detection
Medical Planning and Care in Radiation Accidents
Radioactive Material Basics for Emergency Responders
Radiological Emergency Response
Transportation Public Information Training

Department of Health and Human Services (DHHS)

Air Sampling for Toxic Substances
Applied Radiation Protection
Hazardous Materials Management For Senior Officials
Use of Chemical Protective Clothing
Ecological Toxicology and Environmental Risk Assessment
Respirator Fit Testing Workshop
Handling Hazardous Materials under OSHA 201A
Hazardous Substances Management and Response
Management and Disposal of Radioactive Waste
Managing Hazardous Materials Incidents
Nuclear Emergency Planning
Occupational Respiratory Protection
Overview of Respiratory Protection
Pulmonary Function Training
Quantitative Respirator Fit Testing
Radiation Safety Officer Course
Radioactivity in the Environment: Risk, Assessment, and Measurement
Respiratory Protection and Respirator Fit Testing
Respiratory Protection Program
Sampling of Hazardous Materials

Department of Justice/Federal Bureau of Investigation

Community Integration at a WMD Incident Site
Crime Scene Awareness at a WMD Incident Site
Federal Integration at a WMD Incident Site

Department of Justice/Office of Justice Programs

Emergency Response to Terrorism: Basic Concepts
Emergency Response to Terrorism: Incident Management

Department of Transportation (DOT)

First Responder Training Workshop: Public Transportation
Chemical, Biological and Nuclear Incidents

Compiled by Subcommittee on Oversight, Investigations, and Emergency Management
Sources: Compendium of Weapons of Mass Destruction Courses Sponsored by the
Federal Government, June 1998;

Selected Federal Rapid Response WMD Teams

National Guard Rapid Assessment, Identification, and Detection Team (RAID):

RAID Team: Natick, MA

RAID Team: Scotia, NY

RAID Team: Fort Indiantown Gap, PA

RAID Team: Marietta, GA

RAID Team: Peoria, IL

RAID Team: Austin, TX

RAID Team: Ft. Leonard Wood

RAID Team: Aurora, CO

RAID Team: Los Alamitos, CA

RAID Team: Tacoma, WA

Marine Corps Chemical/Biological Incident Response Force

Army Medical Research Institute of Infectious Diseases:

Aeromedical Isolation Team

Coast Guard National Strike Force: Gulf Strike Team, Mobile, AL

Coast Guard National Strike Force: Pacific Strike Team, Novato, CA

Coast Guard National Strike Force: Atlantic Strike Team, Fort Dix, NJ

Army Chemical/Biological Rapid Response Team

Radiation Emergency Response Team

Nuclear Emergency Search Team

Emergency Response Team

Metropolitan Medical Strike Team: Washington, DC

Metropolitan Medical Strike Team: Atlanta, GA

Metropolitan Medical Strike Team: Boston, MA

Metropolitan Medical Strike Team: New York, NY

Metropolitan Medical Strike Team: Baltimore, MD

Metropolitan Medical Strike Team: Philadelphia, PA

Metropolitan Medical Strike Team: Miami, FL

Metropolitan Medical Strike Team: Memphis, TN

Metropolitan Medical Strike Team: Jacksonville, FL

Metropolitan Medical Strike Team: Detroit, MI

Metropolitan Medical Strike Team: Chicago, IL
Metropolitan Medical Strike Team: Milwaukee, WI
Metropolitan Medical Strike Team: Indianapolis, IN
Metropolitan Medical Strike Team: Columbus, OH
Metropolitan Medical Strike Team: San Antonio, TX
Metropolitan Medical Strike Team: Houston, TX
Metropolitan Medical Strike Team: Dallas, TX
Metropolitan Medical Strike Team: Kansas City, MO
Metropolitan Medical Strike Team: Denver, CO
Metropolitan Medical Strike Team: Phoenix, AZ
Metropolitan Medical Strike Team: San Jose, CA
Metropolitan Medical Strike Team: Honolulu, HI
Metropolitan Medical Strike Team: Los Angeles, CA
Metropolitan Medical Strike Team: San Diego, CA
Metropolitan Medical Strike Team: San Francisco, CA
Metropolitan Medical Strike Team: Anchorage, AK
Metropolitan Medical Strike Team: Seattle, WA
Mobile Disaster Medical Assistance Teams: Alabama
Mobile Disaster Medical Assistance Teams: Little Rock, AR
Mobile Disaster Medical Assistance Teams: Orange County, CA
Mobile Disaster Medical Assistance Teams: San Bernadino, CA
Mobile Disaster Medical Assistance Teams: Los Angeles, CA
Mobile Disaster Medical Assistance Teams: Fresno, CA
Mobile Disaster Medical Assistance Teams: Denver, CO
Mobile Disaster Medical Assistance Teams: Denver, CO
Mobile Disaster Medical Assistance Teams: Port Charlotte, FL
Mobile Disaster Medical Assistance Teams: Tampa, FL
Mobile Disaster Medical Assistance Teams: Wailuku, HI
Mobile Disaster Medical Assistance Teams: Fort Thomas, KY
Mobile Disaster Medical Assistance Teams: Boston, MA
Mobile Disaster Medical Assistance Teams: Wayne, MI
Mobile Disaster Medical Assistance Teams: Lyons, NJ
Mobile Disaster Medical Assistance Teams: Albuquerque, NM
Mobile Disaster Medical Assistance Teams: Valhalla, NY
Mobile Disaster Medical Assistance Teams: Toledo, OH
Mobile Disaster Medical Assistance Teams: Dayton, OH

Mobile Disaster Medical Assistance Teams: Tulsa, OK
Mobile Disaster Medical Assistance Teams: El Paso, TX
Mobile Disaster Medical Assistance Teams: Metroplex, TX
Mobile Disaster Medical Assistance Teams: Seattle, WA
Hazardous Materials Response Unit
Critical Incident Response Group
Urban Search and Rescue Team
National NBC Medical Response Team

Compiled by Subcommittee on Oversight, Investigations, and Emergency Management

Sources: Appendix A: Federal Quick Response Capabilities, Senior Officials' Workshop (NLD) Read-Ahead Package; and the Rapid Response Information System.